



MINUTES
REGULAR CITY COUNCIL
TUESDAY, JULY 8, 2008, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

PRESENT:

Mayor Curtis W. Morris
Mayor Pro Tem Emmett Badar
Councilmember Denis Bertone
Councilmember John Ebner
Councilmember Jeff Templeman

City Manager Blaine Michaelis
City Attorney J. Kenneth Brown
City Clerk Ina Rios
Assistant City Manager of Community Development Larry Stevens
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Parks and Recreation Director Theresa Bruns
Planning Manager Craig Hensley

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:00 p.m. and led the pledge of allegiance to the flag.

2. RECOGNITION

- ❖ Proclaim July as Parks and Recreation Month

A Proclamation declaring July as Parks and Recreation Month was read and presented by Mayor Morris to Parks and Recreation Director Theresa Bruns. He congratulated Ms. Bruns and her staff and said they all do a great job.

On behalf of Parks and Recreation, Director Bruns thanked the Council for their support. She highlighted the recreation activities and encouraged everyone to look at the Frontier Newsletter for a list of activities and events for everyone from tiny tots to adults. She said the Frontier is available at the Parks and Recreation Department at city hall or on the website, where citizens can register for classes online. She stated their motto is to “create a community through people, parks and programs.”

3. PRESENTATIONS

- Galen Gillotte, Children's Librarian, San Dimas Library

Galen Gillotte, Children's Librarian, San Dimas Library, highlighted the summer reading program at the Library and outlined the various activities available at the Library.

- San Dimas High School Art Students - Public Mural project

Alta Skinner said John Campbell approached her with a great idea to have citrus label murals painted at the maintenance yard. She said this is collaboration between City of San Dimas; Bonita Unified School District; San Dimas High School; Historical Society; and Festival of Arts. She stated that former Principal Christine Kulow and new Principal Mike Kelly got on board to move this project forward with San Dimas High School Art Instructor Dominic Black, and Phase I of the project is starting this week.

Dominic Black, Art Instructor, San Dimas High School, said the idea evolved to involve students, three of which would be using this project as a graduation requirement from SDHS. He explained the process and said the students would be at the City Maintenance Yard between 8:30 to 10:45 a.m. scaling, gridding, and painting four citrus labels on the south wall.

Mr. Black asked to borrow easy-ups for the next two weeks. He also presented to Council a copy of the newest San Dimas High School Year Book, which has been completely digitally designed online.

4. ORAL COMMUNICATIONS (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

1) **Ted Powl**, President/CEO, Chamber of Commerce, issued a reminder for 1) the San Dimas Sheriff's Boosters Annual Car Show on Sunday, July 27, 2008 which provides a great opportunity for merchants to show what they can do in the community; 2) Mr. Powl invited everyone to the City's 48th Birthday Barbecue on Friday, August 1, 2008, in the Civic Center Plaza, at 5:30 p.m., entertainment by "The Answer." He added that a round-trip trolley would be available for residents living in senior living facilities. Tickets are available for \$5 adults presale; \$6 at the door; \$4 for seniors and \$3 for children under 12.

2) **Jim McComb**, Calle Solana, President, Homeowners Association for The Villas at Rancho Via Verde, brought forth a concern by residents about overgrown weeds on Old San Dimas Avenue.

Councilmember Bertone requested staff bring back to the next meeting a status report when weeds are cleared at that location.

5. CONSENT CALENDAR

(All items on the Consent Calendar are considered to be routine and will be enacted by one motion unless a member of the City Council requests separate discussion.)

Mayor Morris stated that there was an amendment to page two of the June 24, 2008 Study Session Minutes.

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Badar, and unanimously carried to accept, approve and act upon the consent calendar, as amended, as follows:

a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:

(1) **RESOLUTION NO. 08-40**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTHS OF JUNE AND JULY 2008.

(2) Safe Routes to School Grant Application for Amelia Avenue Street improvement (between Gladstone Street and 5th Street.) Letter of support from Mayor.

RESOLUTION NO. 08-42, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO CALTRANS FOR THE CYCLE 2 SAFE ROUTES TO SCHOOL FUNDING PROGRAM TO ENHANCE THE SAFETY OF PEDESTRIANS/BICYCLISTS USING AMELIA AVENUE BETWEEN 5TH STREET AND GLADSTONE STREET.

- b. Approval of minutes for regular City Council meeting of June 24, 2008 and Special City Council meeting of June 24, 2008.
- c. Traffic Signal Maintenance Contract – Contract Extension & Annual Cost of Living Adjustment.

END OF CONSENT CALENDAR

6. PUBLIC HEARINGS

(The following items have been advertised and/or posted. The meeting will be opened to receive public testimony.)

- a. Municipal Code Text Amendment 08-02; Conditional Use Permit 08-01; DPRB Case No. 08-25 Request to amend Specific Plan No. 17 to permit convenience stores as accessory uses to a service station; operate an accessory convenience store with shared parking on an adjacent property; and a 200 square foot addition to an existing service station. Applicant: Sam Ghosn

ORDINANCE NO. 1181, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING THE SAN DIMAS MUNICIPAL CODE (MCTA 08-02) BY AMENDING CHAPTER 18.528 (SPECIFIC PLAN NO. 17) TO CONDITIONALLY PERMIT ACCESSORY CONVENIENCE STORES UP TO 1,000 SQUARE FEET AND SALES OF BEER AND WINE.

RESOLUTION NO. 08-43, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 08-01, A REQUEST BY SAM GHOSN (VIA VERDE 76) FOR AN ACCESSORY CONVENIENCE STORE AND SHARED PARKING ON THE PROPERTY LOCATED AT 1790 SOUTH SAN DIMAS AVENUE.

Mayor and Council Members disclosed having conversations about the project with the City Attorney, staff, owners of the 76 Station, and interested residents.

Planning Manager Hensley presented the staff report and stated that on March 11, 2008 the City Council requested this item be reconsidered. He outlined the proposed code amendment and conditional use permit that would amend Specific Plan No. 17 to remove the prohibition of convenience stores and allow accessory convenience stores with up to 1,000 square feet of sales floor area with a conditional use permit. He said this proposal also includes a conditional use permit request for an accessory convenience store. Mr. Hensley stated that the City Attorney submitted a memo regarding State regulations as it relates to the sale of beer and wine at a convenience store attached to a gasoline station. The Planning Commission recommended approval of the code amendment and conditional use permit. Staff recommends introduction of Ordinance 1181 and approval of Resolution No. 08-43.

Councilmember Bertone stated he spoke with City Attorney Brown who agreed that because this property is in Specific Plan No. 17, the City has the ability to outright disallow beer and wine, although challenges may be raised to that restricted zoning.

In response to Councilmember Ebner, Planning Manager Hensley replied that the City Council could decide to keep language allowing the sale of beer and wine as part of a conditional use permit, or that language could be deleted from the proposed ordinance.

In response to Mayor Pro Tem Badar, Mayor Morris stated that the conditional use permit operation cannot be used to deny the use, and only reasonable standards can be placed on that conditional use.

City Attorney Brown stated that the staff report was written based on discussions he had with Mr. Hensley. He said even though the applicant was not requesting the sale of beer and wine, they decided to address it and provide for it in the event someone would request the use. However, the applicant will still have to apply for a conditional use permit. He agreed with Mayor Morris that it would be difficult to deny the use unless official findings were made to support that denial. He said it is his opinion that if the City Council wants to prohibit the sale of beer and wine, the City Council can change the ordinance to prohibit the use. If someone in the future requests the sale of beer and wine, they have the option of filing another application for a change in the zoning code.

Councilmember Bertone explained that the City Council cannot deny the sale of beer and wine if the zone allows it to be sold anywhere else in that zone. He said beer and wine are not allowed to be sold in Specific Plan 17; and since this is an accessory use, if the gas station closes, the accessory use closes as well.

Manager Hensley pointed out there's a limitation of available parking with the property layout. He said staff decided that it was reasonable to provide two parking spaces offsite. He mentioned that in 2007, the applicant requested the removal of all bays and withdrew the request due to inadequate parking.

Mayor Morris opened the public hearing and invited testimony first from the proponent, followed by those in opposition.

1) Sam Ghosn, Applicant, distributed a document on how difficult gas sales has become for gas stations to make a profit. He said he is just trying to survive, and he is requesting only what other gas stations have to generate more income. He indicated that his customers and the assisted living facility have no objections to the project. He said he is adding less than 200 square feet to the reverse design building and, therefore, there will be no negative impact from the street. He stated that most of his customers are local residents and his target is to attract Raging Waters/Bonelli Park visitors, which he felt would not cause any negative traffic impact or parking issue. He mentioned that he is not able to compete with any business and intends to sell items related to boats, fishing, and picnics. He added that for the fundraising car wash, there has never been a circulation problem.

2) John Margis, Calle Liseta, said he lives nearby and occasionally stops at the station to buy gas and drinks. He thought it was a great idea that the applicants are trying to increase the selection to better address the needs of their customers and said if they are successful, the City would benefit with increased sales tax revenue. He urged the City Council to adopt Ordinance No. 1181 and Resolution No. 08-43.

3) Susan Crawford, Paseo Teresa, said she is very much in support of this project and indicated that there might be less traffic noise because there will not be as many people driving to and from Von's.

4) Gary Enderele, Via Esperanza, said he watched traffic flow and does not feel the expansion would contribute to additional traffic. He said the majority of gas stations have convenience stores and gas stations must offer something other than gas to survive. He requested the City Council to consider approval.

5) Richard Lukas, Calle Catalina, said his street access is closest to the station. He encouraged the City Council to approve the request.

6) Maher Albouz, Dentist in San Dimas, did not see a reason to deny the project. He frequents the station and has never seen a traffic problem.

7) Bill Ghosn, part owner, said the reason for this project is a matter of survival and fulfilling the needs of their existing customers.

Mayor Morris invited members in opposition to the project to speak:

1) Marvin Ersher provided a brief history of the gas station/service station with an accessory convenience store which he felt would become a full convenience store that sells gas. He indicated that it is not the City's regulatory power to enhance or diminish a financial aspect of a property; it is the City Council's obligation to provide for the common good and public welfare. He strongly recommends a prohibition of beer and wine sales in the zoning ordinance not the conditional use permit as he felt it would have a negative impact on Von's, that has exclusive sale of beer and wine in that center. He addressed the parking requirements and stated that no one would park at the Sunrise property to make a purchase at the convenience market. He thought areas in close proximity to pumps should be marked "no parking" for safety. He stated that the expansion was not an aspiration in 1985 and he didn't think it was an aspiration today.

2) Jim McComb, Calle Solana, President of The Villas at Rancho Via Verde Homeowners Association, said he surveyed the 122 homeowners and did not find a single person in favor of the project because they believed as the customer base increases, traffic congestion would get worse. He indicated that the crime rate has risen significantly in their section of Via Verde and expressed concern that a convenience store in close proximity to the freeway would be a magnet for crime and teens. He said the 122 homeowners feel it is not good policy for their neighborhood and request the City Council to deny this request.

Mayor Morris asked if proponents wished to respond to the opposition.

1) Marlene, Calle Solana, stated neighbors never asked the Via Verde Homeowners Association to represent them to oppose expansion of the store. In fact, residents are in favor of the project and never objected to the expansion of that store.

Mayor Morris said this is an opportunity to comment about the opposition.

2) Sid Maksoudian, Camino del Sur, said business individuals are the heart and soul of this town and he requested the City Council give these gentlemen a chance to expand their business.

There being no one else wishing to speak, Mayor Morris closed the public hearing.

Councilmember Bertone stated he is willing to support this project with a prohibition against beer and wine. He added that he is not in favor of a full convenience store without the gas station.

Councilmember Templeman said he met with the owners, went inside, looked at the bays, and observed the activity. He said Sunday is visitor day for Brighton Gardens and the only available parking was behind Brighton Gardens, not visible to the gas station. He said if shared parking is not dedicated to the convenience store, there is no convenience and parking could be problematic. Also, he received emails from people in opposition who say when the season is heavy, towable vehicles create a circulation problem. He agreed with Mr. Bertone regarding the issue of alcohol and said the decision made tonight will impact gas stations in other parts of the community.

Mayor Pro Tem Badar said it is not unusual for a business to continuously figure out how to bring business in, and in reality, customers already go to the convenience store asking to buy products that are not available there. He stated that only a few persons have expressed a concern with the project, but overwhelmingly, people are not concerned with the expansion of the gas station. He would like to see the project go forward and if beer and wine become problematic, he would agree with Mr. Bertone.

Councilmember Ebner thought the design of the addition would make the gas station look better and he felt it would be beneficial to have goods and services available throughout the community. However, he expressed concern with the 24-hour operation and thought existing parking problems would be exacerbated by the layout and design of the site. He stated he would probably vote against the project.

Mayor Morris stated that the service station was intentionally designed to enhance that corner by having a reverse design, which creates a problem with circulation. He said the world has changed in 25 years and the need for bays is not as great. He indicated that if parking spaces are not available, it is unlikely that customers would stop to shop in the convenience market. He added that this is a municipal code text amendment that amends only Specific Plan No. 17, which consists of two properties and nothing else. He felt that any reference to beer and wine being permitted should be deleted.

Councilmember Bertone stated that after discussion, and reading of the ordinance, he would like to make a motion to have beer and wine prohibited in the ordinance.

Mayor Morris stated he would interpret this to be a not sufficient change that would be required to refer this item to the Planning Commission.

After the title was read, it was moved by Councilmember Bertone, seconded by Mayor pro Tem Badar, to waive further reading and introduce **ORDINANCE NO. 1181**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING THE SAN DIMAS MUNICIPAL CODE (MCTA 08-02) BY AMENDING CHAPTER 18.528 (SPECIFIC PLAN NO. 17) TO CONDITIONALLY PERMIT ACCESSORY CONVENIENCE STORES UP TO 1,000 SQUARE FEET.

The motion carried by the following vote:

AYES: Councilmembers Badar, Bertone, Morris
NOES: Councilmembers Ebiner, Templeman
ABSTAIN: None
ABSENT: None

After the title was read, it was moved by Mayor Pro Tem Badar, seconded by Councilmember Bertone, to waive further reading and adopt **RESOLUTION NO. 08-43**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CONDITIONAL USE PERMIT 08-01, A REQUEST BY SAM GHOSN (VIA VERDE 76) FOR AN ACCESSORY CONVENIENCE STORE AND SHARED PARKING ON THE PROPERTY LOCATED AT 1790 SOUTH SAN DIMAS AVENUE. The motion carried by the following vote:

AYES: Councilmembers Badar, Bertone, Morris
NOES: Councilmembers Ebiner, Templeman
ABSTAIN: None
ABSENT: None

7. PLANNING/DEVELOPMENT SERVICES

- a. Discussion of temporary banner regulations and consideration of possible amendment.

Director of Development Services Coleman reported that Christ's Church of the Valley has requested that the City amend the San Dimas Municipal Code to allow more than four temporary banner permits in one year. At their June 24, 2008 meeting the City Council considered the request and directed staff to place the matter on the agenda for discussion. Mr. Coleman presented an analysis of current regulations and possible amendments, and said if the City Council wishes to initiate a Municipal Code Text Amendment, staff would recommend increasing the number from four to six banners per year, retaining the maximum display period of 60 days per year, applicable to all businesses and churches.

Mayor Morris invited the applicant to speak on this matter.

Richard Lukas, Administrator, Christ's Church of the Valley, said six banners would cover all their events and he would support staff's recommendation. He appreciates being made aware of that part of the Temporary Use Permit for some outdoor activities held in the parking lot. He also intends to explore the new type of sign that is permitted.

Mayor Morris invited comments about the proposed change. No one came forward to speak.

Councilmember Bertone recommended directing staff to initiate a Municipal Code Text Amendment that allows for six banners not to total more than 60 days.

Councilmember Ebiner suggested the alternative of allowing two additional banners for anyone publicizing a charitable nonprofit event of general public interest and making it a part of the regular banner permit, but he is opposed to offering six banners across the board to everyone. He added that the permit should also be online.

Councilmember Templeman did not see a problem in the past with quantities and felt it would be easier to enforce if the regulation was applied across the board.

Mayor Morris said the current process works well and whenever there is an event, the applicants have the chance to get signage as part of the application.

Assistant City Manager Stevens explained that for some temporary events applicants wanted to have multiple banners on multiple off-site properties, which under the existing regulations were not eligible individually to apply for banners. He said for those types of events it made more sense to link temporary signage than trying to track it under other temporary permits.

It was the consensus of the City Council to direct staff to bring back a Municipal Code Text Amendment increasing the number from four to six banners per year, retaining the maximum display period of 60 days per year, applicable to all businesses and churches.

8. OTHER MATTERS

- a. Concrete Bow-Out Traffic Calming Measures on Bonita Avenue/Monte Vista Avenue and Bonita Avenue/Exchange Place and street lighting on Iglesia Street/Bonita Avenue.

Mayor Morris stated this item was subject of discussion and vote at a previous City Council meeting and one member who voted in favor requested reconsideration.

Director of Public Works Patel stated that four projects were budgeted in Fiscal Year 2008-09 for capital improvements along Bonita Avenue at Walnut Avenue; Iglesia Street; Exchange Place, and Monte Vista Avenue. He said the goal was to combine the four projects as one with the intent of saving costs and provide a uniform street corridor from Walnut Avenue to Monte Vista. He stated that as part of the development process, the consultant team looking at the downtown plan has reviewed and agreed with this concept. He said the City Council raised concerns about traffic conflicts and inadequate lighting.

In response to Mayor Pro Tem Badar, Assistant City Manager Stevens replied that the contractor is working on a draft of the specific plan, a draft of a ten-year capital improvement budget, and a traffic engineer is charged with preparing a corridor plan for Bonita Avenue including a traffic and economic analysis to make recommendations which would be evaluated by the City Council and incorporated into the ten-year capital improvement plan. Mr. Stevens added that a first workshop is scheduled sometime in the next 30 days and he anticipates having documents ready for public hearing near the end of 2008 or first part of 2009.

Mayor Pro Tem Badar questioned the necessity of performing the proposed work until the Consultant's analysis has been completed.

Director Patel replied that the Consultant reviewed the proposal and the idea is to integrate bow-outs on Monte Vista Avenue and Exchange Place as part of the phase development on a long term capital improvement project.

Mayor Morris stated that a comprehensive study for the downtown has been discussed over the past twenty or more years. He said lighting on Monte Vista Avenue should be resolved.

Director Patel addressed concerns with traffic and pedestrian crossing and stated that findings by the Traffic Engineer determined that the intersection did not satisfy any of the stop sign warrants, nor does this intersection have sufficient traffic or pedestrian crossing volume. He said a new speed survey indicated that speeds were similar to 2003 when the 85th percentile speed was 31 miles per hour. He stated that studies have indicated that concrete bow-outs result in reduced traffic speeds and improved pedestrian safety.

Director Patel indicated that the existing four street lights at each intersection at Bonita Avenue/Exchange Place/Monte Vista would be relocated and placed behind the new curb with a new "superior" designed Copenhagen light style fixture. To improve lighting on Bonita Avenue, staff recommends moving forward on the Phase 1 Bonita Avenue Lighting between Cataract to San Dimas Avenue, a project that was placed on hold.

Director Patel said the Traffic Engineer analyzed the intersection of Bonita Avenue at Monte Vista for a signal light and concluded that this intersection does not satisfy the State of California warrants. Staff believes that bow-outs and landscaping would adequately address the needs of the community and the traveling public. However, the City Council could consider implementing a signal light with less capital investment due to the narrowed street width. The other alternative to consider instead of signals at Bonita/Monte Vista is to re-evaluate the concept of improved and full signalization and/or other superior traffic-calming and enhanced traffic improvements that are unique to Bonita/Cataract Avenue intersection.

Staff recommends that the City Council authorize and direct staff to proceed with the concrete bow-out traffic-calming measures on Bonita Avenue and Monte Vista including similar improvements at Bonita Avenue and Exchange Place; evaluate in 12 months upon completion of bow-out improvements, the effectiveness of this traffic-calming measure at this corridor on Bonita Avenue; remove from the hold list the Phase 1 Bonita Avenue Lighting project between Cataract Avenue to San Dimas Avenue and proceed with design with the intent of completing construction by the end of the fiscal year.

In response to Councilmember Templeman, Director Patel stated that lighting for the entire corridor would cost approximately \$350,000.

In response to Mayor Pro Tem Badar, Director Patel replied that staff will look at the effectiveness of the traffic calming measures and if after twelve months, the bow-outs do not work, a signal light would be installed at the bow-out. He added that the Consultant has reviewed the traffic calming measures for bow-outs, but has not seen the signal lights, since as part of the study, the intersection did not meet the warrants. He said the City Council has the discretion to direct staff to install signal lights.

Councilmember Templeman stated he previously voted in favor of bow-outs, with the caveat that he felt some type of control was more important there and a signal should be considered.

Councilmember Ebiner stated that while signalization would control vehicular traffic, he was not sure it was appropriate for protecting pedestrians in the crosswalk and he suggested waiting on this project.

Mayor Pro Tem Badar suggested an evaluation period of six months if looking at bow-outs as the first alternative. Mr. Patel felt six months would be sufficient time to study the bow-outs.

Mayor Morris said Mr. Kranzer submitted a letter and invited him to comment.

1) Ron Kranzer, North San Dimas Avenue, said vehicular and pedestrian problems have been identified at Bonita Avenue/Monte Vista Avenue. He indicated that warrants are guides and if a traffic signal is installed at that intersection it would address all associated problems. He said bow-outs were not needed if a traffic signal is installed.

Councilmember Bertone recommended approving staff's recommendation and if it is determined within six months that bow-outs do not work out, a traffic signal can be installed.

Councilmember Ebner said bow-outs have been adopted by other cities as a traffic calming measure.

Councilmember Templeman felt a traffic control device was needed and he would vote against bow-outs.

2) In response to **Paul Kirby**, Director Patel said by eliminating the existing red curb, the installation of bow-outs would add four additional parking spaces.

It was moved by Mayor Pro Tem Badar, seconded by Councilmember Bertone, to direct staff to proceed with the concrete bow-out traffic-calming measures on Bonita Avenue and Monte Vista including similar improvements at Bonita Avenue and Exchange Place; evaluate in 6 months upon completion of bow-out improvements, the effectiveness of this traffic-calming measure at this corridor on Bonita Avenue; remove from the hold list the Phase 1 Bonita Avenue Lighting project between Cataract Avenue to San Dimas Avenue and proceed with design with the intent of completing construction by the end of the fiscal year.

Mayor Morris said bow-outs at Exchange Place do not work to help pedestrians and he would vote against any motion that does not include commencing the installation of signal lights.

The motion carried by the following vote:

AYES: Councilmembers Badar, Bertone, Ebner
NOES: Councilmembers Templeman, Morris
ABSENT: None
ABSTAIN: None

9. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular City Council meeting at 10:35 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 10:36 p.m.

10. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five minutes or as may be determined by the Chair.)

1) **Marvin Ersher** said the service station would not be there if they had not agreed to it.

2) **Marvin Ersher** said the City Council worked hard to bring business to this well-planned, well-balanced community that does not have utility taxes and the City Council does its best to protect the neighborhood community.

- b. City Manager

There were no comments.

- c. City Attorney

There were no comments.

- d. Members of the City Council

- 1) Councilmembers' report on meetings attended at the expense of the local agency.

There was nothing to report.

- 2) Individual Members' comments and updates.

Mayor Morris praised the Deputies and Sheriff's Station for their tremendous accomplishments. He said one weekly report reflected no reportable crimes for an entire week.

3) Appointment to Parks and Recreation Commission.

There is one vacancy on the Parks and Recreation Commission. Mayor Morris and Councilmember Ebner conducted Interviews on Monday July 7, 2008.

It was moved by Councilmember Ebner, seconded by Councilmember Bertone, to appoint John Margis, to the Parks and Recreation Commission for a two year term ending June 30, 2010. The motion carried unanimously.

4) Reappointments to Planning Commission.

Two Planning Commissioner's terms will expire on August 31, 2008 and both are eligible for reappointment and have expressed a willingness to be reappointed.

It was moved by Councilmember Templeman, seconded by Councilmember Bertone, to reappoint Jim Schoonover and John Davis, to the Planning Commission for a two-year term ending August 31, 2010. The motion carried unanimously.

5) Appointments to Equestrian Commission.

Equestrian Commissioners Misty Reiss, Shari Nichols, and Debbie Humphreys' terms will expire on July 31, 2008. Mr. Reiss and Ms. Nichols are eligible for reappointment and have expressed interest in continuing to serve. Ms. Humphreys has served three terms and is not eligible for reappointment, creating one vacancy on the Commission. There is one application from the last recruitment, and the candidate has expressed a willingness to be reconsidered. To fill the vacant position, the Council can 1) appoint from the existing file based on October 2007 interviews; 2) direct the City Clerk to advertise a new recruitment.

It was moved by Councilmember Templeman, seconded by Councilmember Bertone, to appoint Claudia cook to the Equestrian Commission for a two-year term ending July 31, 2010 and to reappoint Misty Reiss and Shari Nichols to a second term ending July 31, 2010. The motion carried unanimously.

6) Designation of Director and Alternate for the California Joint Powers Authority.

The Joint Powers Insurance Authority requested certification of the Director and Alternate prior to their Board of Directors meeting on July 16, 2008.

It was moved by Mayor Pro Tem Badar, seconded by Councilmember Ebner, to appoint Mayor Curtis W. Morris as Director and City Manager Blaine Michaelis as Alternate to represent the City on the Board of Directors for the California Joint Powers Authority. The motion carried unanimously.

11. CLOSED SESSION

Mayor Morris recessed at 10:50 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.8:

a. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR**

Property: Discussion regarding potential property acquisition involving Vista Verde Ranch property generally located in the unincorporated county area adjacent to and north of the development in Via Verde.

Negotiating Parties:

For City: Blaine Michaelis, City Manager, Larry Stevens, Assistant Manager Development Services, and J. Kenneth Brown, City Attorney; Assistant City Manager of Community Development.

For Seller: Daniel Singh

Under Negotiation: Terms and conditions of sale of grant application involving potential acquisition of land and possible City participation.

- b. Property: Fox Project Grove Station L.L.C., San Dimas Avenue
Negotiating Parties:
For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown, City/Agency Attorney; Assistant City Manager of Community Development.
For Property: William Fox; Jide Alade
Under Negotiation: Terms, conditions, pricing and allocation of affordable units and/or Agency participation.

- c. Property: Agency owned property at the southeast corner of Bonita Avenue and Eucla.
Negotiating Parties:
For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown, City/Agency Attorney; Larry Stevens, Assistant City Manager of Community Development.
For Buyer: Jerry Zimmerman, Bravo Burgers
Under Negotiation: Terms and conditions of sale of land and City/Agency possible participation.

- d. Report on closed session items.

Pursuant to Section 54957.7(a), announcement was made that there was no action taken on closed session items.

12. ADJOURNMENT

Mayor Morris adjourned the meeting at 11:06 p.m. The next meeting is on July 22, 2008, 6:15 p.m. for a study session on the City Hall project update.

Respectfully submitted,

Ina Rios, CMC, City Clerk