



MINUTES
REGULAR CITY COUNCIL
TUESDAY, FEBRUARY 10, 2009, 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
Assistant City Manager Ken Duran
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

1. CALL TO ORDER

Mayor Morris called the meeting to order at 7:05 p.m.

2. ANNOUNCEMENTS

- a. Pui-Ching Ho, Librarian, San Dimas Library

Pui-Ching Ho, Library Manager, San Dimas Library, highlighted the Library's book party; English language practice class; Internet safety, classes, and entertainment. She said these programs could be found on their website at www.colapublib.org/libs/sandimas/ or by calling the Library at 909/599-6738.

- 3. 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

Captain Joe Hartshorne, San Dimas Sheriff's Station, provided a brief status report on a public nuisance complaint at San Dimas Avenue. He said it is his intention to contact the District Attorney for legal action against the property owner.

Mayor Morris stated that this issue is not on the agenda and Captain Hartshorne is unable to answer questions. However, he will be available in the lobby for private discussions.

2) **Matt Draayom** requested an ordinance to control the constant noise of motorcycle pipes coming from that same address on San Dimas Avenue. He also reported the running of a business from that front yard and said there are approximately ten trucks blocking the sidewalks. Several persons stood in agreement.

Mayor Morris said by consensus, the City Council would like a status report on the public nuisance and noise.

3) **Sid Maksoudian** reported that unpermitted campaign signs are being illegally posted at the Via Verde Shopping Center and added that his permitted signs are being removed.

4) With the City Attorney's approval, **Mr. Bertone** stated he and Mr. Templeman obtained permission from property owners. He said there is a misconception that the entire shopping center is owned by one person.

5) **Mr. Templeman** stated he takes full responsibility for any of his signs that are illegally posted. He can be contacted directly or through city hall.

6) **Debby Iketani** praised the City Council for the tremendous job of running the city with a great deal of integrity and interaction with the community. She said she is a member of the San Dimas Rescue Team and volunteers appreciate the help and support from the Sheriff's and the City Council.

7) **Steven Rodriguez**, Sound Commissioner, San Dimas High School, highlighted scholastic and athletic activities at San Dimas High School.

8) **Ed Gable** expressed concern with the Traffic Signal on Bonita Avenue/San Dimas Avenue and offered that the problem could be solved by installing north and south arrows.

9) **Kevin Kenney** stated that he obtained permission from property owners and individual business owners to post his campaign signs. He takes full responsibility for his signs and said if they are not supposed to be there, he can be contacted for removal.

10) **Susan Crawford** praised the City Council and staff, and said this is a wonderful place to live. She announced that the San Dimas Historical Society is hosting an "Antiques From Your Home" on Wednesday, February 25, 2009 in the Senior Citizens Community Center; and weather permitting, on February 21, 2009, the City Tour starts at 9:00 a.m. from the Martin House.

11) **Dr. Marvin Ersher** requested to speak on item 5B.

12) **Ted Powl**, President/CEO, Chamber of Commerce, reminded the public of a number of events: San Dimas General Municipal Election on March 3, 2009; Candidates Forum on February 18, 2009, in the Senior Citizens Center, starting at 6:00 p.m. to meet the candidates. He said written questions will be taken from the audience or can be mailed to the San Dimas Chamber at P. O. Box 175; the Forum will be taped for later viewing on KWST, Channel 3. On Thursday, February 26, 2009, a free monthly workshop to help small businesses; Luncheon with Assemblyman Adams at San Dimas Canyon Clubhouse on March 6, 2009; and a reminder of future events: 4th Annual Toast of the Town; Chamber Golf Tournament on April 30; and the 2nd Annual Teacher of the Year ceremony on May 13. He said eight seats are available for the Civic Academy starting in March.

13) **Debbie Iketani** announced that to raise funds for the Baker to Vegas Running Team the San Dimas Station and 60 volunteers are serving a spaghetti dinner from 11:00 a.m. to 6:00 p.m., Tuesday, February 17, 2009, for \$8.00.

4. 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.)

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

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (1) **Resolution No. 09-05**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF JANUARY AND FEBRUARY, 2008.
 - (2) **Resolution No. 09-06**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, FOR FUNDING FROM THE URBAN FORESTRY GRANT PROGRAM ENTITLED, "URBAN GREENING & URBAN FORESTRY EDUCATION GRANT", AS PROVIDED THROUGH PROPOSITIONS 40 AND 84.
 - (3) **Resolution No. 09-07**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS OFFERING ITS APPRECIATION FOR LA WORKS AND THEIR MANAGEMENT AND OPERATION OF WORKFORCE INVESTMENT ACT PROGRAMS IN THE EAST SAN GABRIEL VALLEY.
 - (4) **Resolution No. 09-08**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, DECLARING ITS INTENT TO PARTICIPATE IN THE LOCAL AGENCY INVESTMENT FUND, OFFICE OF THE TREASURER, STATE OF CALIFORNIA AND NAMED OFFICIALS AUTHORIZED FOR THE PURPOSE OF INVESTMENT OF FUNDS.
- b. Approval of minutes for special joint City Council/Planning Commission meeting of January 24, 2009; and regular meeting of January 27, 2009.
- c. Tenth Annual Pomona Valley Stage Bicycle Race, March 21-22, 2009, Restricted street closures of Puddingstone Drive (Cannon Avenue to east city limits) and Cannon Avenue and Walnut Avenue (off Puddingstone Drive) on Saturday, March 21, 2009 - 6:00 a.m. - 5:00 p.m.; Closure of certain streets within the downtown area on Sunday, March 22, 2009, 6:00 a.m. - 5:00 p.m.
- d. Parking Lot Improvements at Lone Hill Park and Gladstone Elementary School:
 - 1) Appropriation of \$25,000 from Infrastructure Funds.
 - 2) Award of Cash Contract No. 2008-06 to International Pavement Solutions, Inc. (IPS) in the amount of \$117,545.
- e. Award of Cash Contract 2009-01 "City Yard East Wall Project" to Yakar, for the contract amount of \$22,740.00.

END OF CONSENT CALENDAR

5. OTHER MATTERS

- a. Update on Traffic Signalization at Bonita Avenue and San Dimas Avenue.

Director of Public Works Patel provided a Powerpoint presentation on the left-turn phasing added for safety at the traffic signalization at Bonita Avenue and San Dimas Avenue. He stated that the offset alignment was added to address the ongoing potential conflicts of the previously center-striped median turn lane. He said residents concerns were addressed at a Traffic Safety Committee meeting and a side-

by-side, 10-foot wide left turn striping was introduced to allow enough queuing to safely turn into the CVS driveway and City parking lot. Mr. Patel explained collision experience, accident experience for basic warrants, delay warrants, turning movement conflict and the Traffic Engineer concluded that existing conditions do not satisfy any of the established warrant guidelines. Therefore, at this time, staff was not recommending the installation of left-turn signals for east/west traffic. Staff recommends the City Council receive and file this report and provide direction.

In response to the City Council, Director Patel stated that the existing poles could handle additional left turn phasing, however, the mastings would need to be replaced. He believes that part of the congestion is caused by east bound motorists exiting on Arrow Highway and/or using Bonita Avenue to avoid the metering on the 210 freeway. Mr. Patel suggested convincing Caltrans to consider alternate options to relieve congestion.

In response to Councilmember Templeman, Mr. Patel said the goal is to monitor time and improve and optimize traffic.

- b. Request for direction regarding proposed wireless communication facility at Via Verde Park and Marchant Park.

Director of Development Services Coleman summarized a proposal submitted by Verizon and T-Mobile for wireless facilities at Via Verde and Marchant Parks, respectively. Staff is seeking initial direction from the City Council whether to proceed further to formal development application and site lease agreement negotiations.

In response to the City Council's questions regarding a clock tower at the Century-21 in Via Verde, Director Coleman replied that the entire shopping center falls under restrictions covered by CC&Rs that have tight controls on buildable areas.

It was the consensus of the City Council that the service would be of great benefit; however, they did not feel parks were an appropriate location for that use and suggested determining other options that did not have negative impact aesthetically.

1) Hugo Barreto, Delta Groups, representing Verizon Wireless, explained the need for the specific site in the area and stated his preference for a 45' antenna for optimal service. He replied to Council that a clock tower can contain multiple antennas inside.

In response to Council, Assistant City Manager of Community Development Stevens explained the difficulties with graffiti and maintenance with the two remote antennas. He added that a type of public art structure might be appropriate and said there might be other types of designs that are better than a clock tower. He did not want to focus on a specific design at this time.

2) Maryann Harwood, Reliant Land Services, Inc., representing T-Mobile, said she is in exploring all options and is currently in discussions with Wesleyan Church. She would like to submit an application for Marchant Park as an alternative, and has not yet discussed style or options with Director Bruns. She proposed security lighting at restrooms or a new scoreboard.

Mayor Morris invited audience participation.

1) Dr. Marvin Ersher opposed the City's use of any Park for commercial structures.

2) Patrick Jones stated that the antenna array in BelVintage is an eyesore and he opposes antenna in the Parks.

- 3) **Ted Ross** said less intrusive technology is available that does not require massive structures. He will provide information for the City Council to consider.
- 4) **Alan Nash** said better service is needed in Via Verde and suggested the City Council consider looking into the existing antenna in BelVintage or reconsidering Century-21.
- 5) **Gary Enderle** expressed mixed emotions. He does not oppose an antenna in Via Verde, however, he would like it to blend in with the neighborhood and he does not feel this is an appropriate use for Via Verde Park.
- 6) **Dr. Marvin Ersher** reiterated that commercial use in Parks is a bad idea.

Councilmember Templeman suggested continued discussion and alternate sites.

Councilmember Bertone opposed commercialization at any Park and thought the Via Verde Park and Ride lot might be appropriate.

Mayor Pro Tem Badar expressed interest in Ted Ross' suggestion about less intrusive technology.

Councilmember Ebiner opposed intrusive structures at Parks.

Mayor Morris said he would not rule out a structure of this type at a Park; however, he thought the focus should be to provide parks for park purposes, and he would not consider cell phone towers on undersized Marchant Park or Via Verde Park. However, he felt consideration should be given to provide adequate cell phone service.

Mayor Morris said the consensus of the City Council is to not consider commercial structures at either park.

6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 9:01 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 9:04 p.m.

7. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five (5) minutes or as may be determined by the Chair.)

- 1) **Alan Nash** said he obtained permission from the property owner to place campaign signs on the Via Verde property.
- 2) **Gary Enderle** clarified that it is not an issue of "not in my backyard". He did not have a problem with a clock tower going in a ball field or Horsethief Canyon Park; however, he did not want a cell tower in Via Verde.
- 3) **Dr. Marvin Ersher** thanked the City Council for the discussion and said no matter how it looks, Parks are not conducive for a cell tower.
- 4) **Sid Maksoudian** thanked Mr. Nash for coming forward, accepting responsibility for posting of campaign signs. He stated the issue of posting campaign signs should have been resolved and rules should be respected.

5) **Dr. Marvin Ersher** praised Messrs. Bertone and Templeman for their efforts on the City Council and as volunteer citizens; and commended the City Clerk for her efficiency in issuing absentee ballots. He encouraged voters who cannot make it to the polls, to apply for a Vote-By-Mail ballot.

6) Assistant City Manager Stevens commented that if election signs are improperly placed, candidates will be contacted to give them the opportunity to voluntarily address the problem. If signs are not removed from a public right-of-way, city staff will remove them after contact with the candidate. However, signs will not be removed from private property and staff will not verify if permission was granted to post the signs. Staff will continue to respond in the same manner if further complaints are received.

b. City Manager

There was no report.

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.

Councilmembers did not attend any meetings at the expense of the local agency and there was nothing to report.

2) Individual Members' comments and updates.

Councilmember Templeman said Mr. Nash is an honorable person; nevertheless, Mr. Templeman felt responsible for his campaign signs.

In response to Councilmember Ebner, City Clerk Rios replied that applications for Vote-By-Mail are due no later than Tuesday, February 24, 2009. She added that citizens can also deliver applications and vote at that time.

Councilmember Ebner reminded citizens that the Candidates Forum will be held on Wednesday, February 18, 2008, at 6:00 p.m. in the Senior Citizens Center.

Mayor Pro Tem Badar thanked Messrs. Templeman, Bertone, and Kenney for accepting responsibility for their election signs.

Councilmember Bertone stated that a special meeting was conducted earlier to discuss the fiscal year 2008-09 budget. He asked City Manager Michaelis to summarize the discussion.

City Manager Michaelis summarized the mid-year budget report and stated that budget projections will be met, and direction from the City Council was provided for the proposed 2009-2010 budget.

Mayor Morris said attending a budget session is a great way to understand the City's budgetary priorities.

In response to Mayor Pro Tem Badar, City Clerk Rios replied that applications for Public Safety Commission are being accepted until March 31, 2009.

8. CLOSED SESSION

Mayor Morris recessed at 9:22 p.m. to the continued budget session, followed by a Redevelopment Agency closed session pursuant to Government Code Section 54956.8:

- a. Property: Fox Project Grove Station L.L.C., San Dimas Avenue
Negotiating Parties:
For Agency: Blaine Michaelis, Executive Director, Larry Stevens, Assistant City Manager of Community Development, and J. Kenneth Brown, Agency Attorney.
For Property: William Fox; Jide Alade
Under Negotiation: Consideration of possible amendment of the Limited Agreement regarding Disbursement of Agency Funds between the Redevelopment Agency and California National Bank as it relates to the proposed development of 24 units in Sub-Phase II.

- b. Report on Closed Session items

There was no reportable action taken in closed session.

9. ADJOURNMENT

Mayor Morris adjourned the meeting at 10:04 p.m. The next meeting is 7:30 a.m., Thursday, February 19, 2009 for a meeting with Supervisor Antonovich.

Respectfully submitted,

Ina Rios, CMC, City Clerk