



MINUTES
REGULAR CITY COUNCIL
TUESDAY, MARCH 24, 2009, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

CITY COUNCIL:

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

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
Senior Engineer Shari Garwick
Director of Parks and Recreation Theresa Bruns
Cecilia Ledesma, Recreation Coordinator

1. CALL TO ORDER

Mayor Morris called the meeting to order at 7:00 p.m. and led the flag salute. He said the SC Velo Club presented the City with a plaque for allowing them to host the San Dimas Stage Race in San Dimas for the past ten years. He said the organizers were very complimentary of city staff and expressed great appreciation.

Councilmember Templeman commented that volunteer Sheriff's Deputies man the intersections and provide assistance.

2. ANNOUNCEMENTS

- Announce 20th Annual Family Festival and Egg Hunt event to be held on April 4, 2009

Cecilia Ledesma, Recreation Coordinator for the City, outlined a variety of exciting activities to be held from 9:00 a.m. to 2:00 p.m. at the Festival. She reminded everyone to be on time for the Spring Egg Hunts at 10:00 a.m. sharp on Saturday, April 4, 2009, at Civic Center Park and Via Verde Park.

- Pui-Ching Ho, Librarian, San Dimas Library

Pui-Ching Ho, Library Manager, San Dimas Library, highlighted the Family Playtime program; book for April is "Pavilion of Women"; English language practice class; Book Party; search the library catalog; and the Student Union Book Club for Teens. She said these 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

1) **Ted Powl**, President/CEO, Chamber of Commerce, announced the 4th Annual Toast of the Town, on Thursday, April 2, 2009, 5:30-8:30 p.m. in the Plummer Building featuring a Jazz Combo from Citrus College. Only 400 tickets will be sold and are currently available for \$25 at the Chamber Office or San Dimas Wine Shop. He reminded everyone that the San Dimas Chamber and La Verne Chamber Joint Golf Tournament will be held on Thursday, April 30, 2009, at the Sierra-La Verne Country Club. He said a contest would be conducted with prizes of \$1500 or \$500, entertainment, and a Bunco Tournament.

2) **Alta Skinner** thanked the City Council for the beautiful Walker House, and giving a home to three great organizations. She commented that everyone waited so long and enjoyed the first Open House tour. She said it was nice telling them the City Council renovated the Walker House for future generations.

3) **Margie Green** announced that the Festival of Art is having their National Art Show in the Walker House on April 24-26, 2009, similar to the Downtown Garden Affair, to encourage people to shop downtown.

4) **Sid Maksoudian** said a few weeks ago, his daughter who is a Chamber member, asked about wine distributors, and he said anyone who buys a ticket is entitled to know who supplies the wine.

Councilmember Bertone stated that the Chamber Board met on March 17, 2009 and the Director gave President Powl a unanimous vote of confidence on the way he handles situations.

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 Ebner, 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. 09-14**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF MARCH, 2009.

(2) **RESOLUTION NO. 09-15**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING THE CLOSURE OF FIRST STREET, EAST OF IGLESIA STREET, FOR CITY SPONSORED SPECIAL EVENTS.

b. Approval of minutes for regular meeting of March 10, 2009 and special meetings of February 10, 2009 and March 17, 2009.

END OF CONSENT CALENDAR

5. PLANNING/DEVELOPMENT SERVICES

a. Update on proposal by Salem Radio Properties to build five radio towers near Buzzard Peak on unincorporated land (L.A. County Application Project #R2008-00883 and Permit #T2008-00088) - APN: 8277-031-018 and 8277-046-005.

Director of Development Services Coleman reported that the City Council directed staff to this issue on the agenda in response to public testimony at the March 10, 2009 City Council meeting requesting the City Council to adopt a Resolution opposing this proposal. Director Coleman said Salem Radio

Properties submitted an application to Los Angeles County to construct five 285' tall radio towers near Buzzard Peak in unincorporated area between Walnut and West Covina. He said the site is located in an area the County has designated as a Significant Ecological Area (SEA) and is requiring an Environmental Impact Report. He said there has been no change in the status of this proposal and recommended waiting until after the Draft Environmental Impact Report (EIR) is circulated for public review in order to allow the City Council to make an informed decision as to whether to take a formal position on this matter.

Councilmember Bertone stated he asked staff to put this item on the agenda and has no problem with staff's recommendation. He requested staff monitor this issue and keep the City Council informed.

Councilmember Ebner stated he also asked this item be placed on the agenda and made a motion that a letter be sent to the County expressing concern over the preliminary plan of constructing five 285' tall towers on a Significant Ecological Area. The motion was seconded by Mayor Pro Tem Badar.

Director Coleman noted that staff shared concerns with the County and requested that the City of San Dimas be included in the distribution list for the EIR Notice of Preparation.

Councilmember Templeman said due diligence is in place and felt it would be best to follow staff's recommendation to wait until after the EIR is circulated to take a formal position.

Mayor Morris stated this is a Federally exempt issue and thought it would be best to wait to send a detailed response to the EIR and a Resolution opposing the development.

Councilmember Badar withdrew his second motion.

The motion failed due to lack of a second.

It was moved by Councilmember Bertone, seconded by Councilmember Templeman, to direct staff to monitor this project and to keep the City Council informed when the Environmental Impact Report is circulated for public view, and to bring back an analysis for the City Council's approval or rejection.

The motion carried unanimously.

6. OTHER MATTERS

- a. Closure of First Street from the Municipal Parking Lot to San Dimas Avenue from 7:00 a.m. to 5:00 p.m. Wednesday, April 22 to Monday, April 27, 2009 for the San Dimas Festival of Arts.

Senior Engineer Garwick reported that the Festival of Arts annual Spring Show will be held at the newly restored Walker House on April 24-26, 2009 and a tent will be erected for various related activities. He presented a request from the Festival of Arts to close First Street from the Municipal Parking Lot to San Dimas Avenue from Wednesday, April 22 to Monday, April 27, 2009 in order to have adequate time for set up/tear down without interfering with the three-day event activities. Staff recommends approval pursuant to Conditions of Approval.

It was moved by Councilmember Bertone, seconded by Councilmember Templeman, to approve the closure of First Street from the Municipal Parking Lot to San Dimas Avenue from Wednesday, April 22 to Monday, April 27, 2009 contingent upon the Conditions of Approval as submitted by staff. The motion carried unanimously.

- b. Receive recommendations - provide direction regarding the installation of additional outside electrical service at the Walker House.

Assistant City Manager Duran reported that the Festival of Arts is requesting that the City consider installing a 50 amp exterior electric point in the northwest side (First Street) of Walker House to service the large tent to be erected on First Street, between San Dimas Avenue at Walker House westerly property line. The tent will be similar to those traditionally used for past events previously held at City Hall Plaza. He reported that there is also a need for an additional electric service to the patio area for use by the community and private events that benefit the City. Mr. Duran summarized the analysis conducted by Budlong and Associates, the original electrical engineering consultant for the Walker House.

1. Outside patio area: Mr. Duran stated that the Consultant's estimate was \$5,000.00 to install electrical outlets at the outside patio area, however, today, an actual estimate was received from one electrician for \$9,386 and it became apparent that a couple of elements were excluded from the Consultant's scope of work. Staff will attempt to secure another bid below \$9,300 and recommends that the City Council authorize installation of patio area electrical service with amount not to exceed \$10,000.

2. Exterior Service to North Side: He stated that the original estimate for a 50-amp service was \$4,200; however, the actual bid was \$3,600. The estimate for 100-amp service was \$6,000; actual bid received from AC Enterprises was \$6,175. He added that the Festival of Arts solicited bids from a contractor for \$5,300 for 50-amp service and \$4,200 for 100-amp service. Staff recommended installation of a 100-amp versus a 50-amp exterior service requested by the FWA, so there is adequate service available, and recommended the City Council authorize \$6,200 for installation of that service. It is the pleasure of the City Council to seek reimbursement costs from San Dimas Festival of Arts.

Mr. Duran said Ron Kranzer is in the audience, available to answer questions.

The City Council was supportive of staff's recommendation for the installation of electrical outlets to the outside patio area and 100-amp exterior service to the north side.

It was moved by Councilmember Templeman, seconded by Councilmember Ebner, to accept staff's recommendation for installation of electrical service for the outside patio area, not to exceed \$10,000.00; and 100-amp exterior service to the north side of the Walker House, not to exceed \$6,200.00, to be paid by the San Dimas Redevelopment Agency.

Ron Kranzer, representing the Festival of Arts, expressed concern about the \$6,200 for Alternate 2 on the north side pursuant to the estimate received by the electrical Engineer. He indicated that a contractor had submitted a bid for \$4,200. Mr. Duran replied that his recommendation was for the City Council to authorize allocation of a dollar amount, but not to award the contract to the engineer until additional bids are secured and analyzed.

Mr. Kranzer felt it was appropriate to make the authorization and said the system proposed by the electrical engineer may be a bit larger than necessary for present and future uses by various groups and individuals. He thanked the City Council and staff for the closure of First Street.

The motion carried unanimously.

7. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 7:50 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 7:53 p.m.

8. ORAL COMMUNICATIONS

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

1) On behalf of the Festival of Arts, co-chairing with Bob Poff, **Alta Skinner** thanked the City Council for allocating additional funds for panels. She invited the City Council to join them on April 24-26, 2009 for a great event.

2) **Sid Maksoudian** mentioned he introduced Mr. **Habib** to City Manager Michaelis to discuss the property adjacent to the Walker House.

- b. City Manager

There was no report.

- c. City Attorney

- 1) Approval of transfer of Agreement for Legal Services from Brown, Winfield, Canzoneri and Abrams to McKenna, Long & Aldridge and authorization to Execute Engagement Letter.

City Attorney Brown announced that he has joined the law firm of McKenna, Long & Aldridge and asked the City Council to approve the transfer of the City Attorney's Agreement to this law firm. He said everything remains the same and he looks forward to continuing the relationship.

It was moved by Councilmember Badar, seconded by Councilmember Bertone, to approve the Transfer Agreement as presented by the City Attorney. The motion carried unanimously.

- d. Members of the City Council

- 1) Reorganization of City Council
 - a) Appointment of Mayor Pro Tem

Councilmember Templeman nominated Denis Bertone for Mayor Pro Tem for a one year term. There being no other nominations, the nominations were closed.

It was moved by Councilmember Templeman, seconded by Councilmember Badar, to elect Mr. Bertone to the position of Mayor Pro Tem for a one year term. The motion carried unanimously.

- b) Confirm Commission, Committee and Organization representations and assignments.

It was moved by Mayor Pro Tem Bertone, seconded by Councilmember Ebner, to allow the Council members to keep the same assignments. The motion carried unanimously.

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

The City Council did not attend any meetings and did not have anything to report.

- 3) Individual Members' comments and updates.

1) Councilmember Ebner inquired about the status of RV parking, Downtown, and Tree Policy. Assistant City Manager Stevens replied that the Tree Policy would be brought to the Retreat for discussion; after Planning Commission concludes discussion on the Downtown, it would be brought to

the City Council; and the RV parking will be brought for preliminary discussion at the Retreat and at the regular City Council meeting.

2) Mayor Morris said he discussed with City Manager Michaelis the possibility of taking the entire retreat for a complete review of alternatives related to the renovation and expansion of the city hall project.

3) Mayor Pro Tem Bertone stated if another issue is to be discussed, it should be RV parking. Councilmember Templeman indicated that to serve each item well, only one item should be discussed at each meeting.

4) It was the consensus of the City Council to reschedule the City Council/Staff Retreat to Monday, April 20, 2009, from 4:00 p.m. to 8:00 p.m.

5) Mayor Pro Tem Bertone mentioned that the Toast of the Town will be held on April 2, for \$25.00. For tickets, the Chamber Office can be contacted at (909) 592-3818.

9. ADJOURNMENT

Mayor Morris adjourned the meeting at 8:14 p.m. The next meeting will be on Wednesday, March 25, 2009, 8:00 a.m. to meet with Supervisor Antonovich in the City Council Conference Room.

Respectfully submitted,

Ina Rios, CMC, City Clerk