



CITY OF SAN DIMAS MINUTES

COUNCIL – STAFF RETREAT SESSION MAY 18, 2009 5:00 PM - 10:00 PM CITY COUNCIL CONFERENCE ROOM

PRESENT:

Mayor Curtis W. Morris
Mayor Pro Tem Denis Bertone (arrived at 5:24 p.m.)
Councilmember Emmett Badar
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
Planning Intern Michael Concepcion

Stephen Gaffney, AIA, Nestor+Gaffney Architects
Gary Chubb, Vice President, Griffin Structures, Inc.

CALL TO ORDER

Mayor Morris called the meeting to order at 5:02 p.m. He said Mayor Pro Tem Bertone is at a meeting in Paramount and would arrive later. Since Mr. Bertone is interested in item 1, items will be taken out of order and the first item to be heard is item 3 - Water Conservation issues and strategies.

3. Water Conservation issues and strategies:

- Report on issues and actions taken with Golden State Water Company.
- The need to adopt conservation requirements and practices.
- Potential impact of conservation programs on San Dimas residents.

Assistant City Manager Duran reported that the Metropolitan Water District (MWD) and Three Valleys Municipal Water District each has imposed a mandatory 10% water allocation reduction effective July 1, 2009. MWD is requesting that cities adopt a water conservation ordinance, which should contain voluntary conservation practices; and contain requirements enforced by the City or through cooperation with Golden State Water Company's mandatory conservation plan. He said penalties for not having an ordinance in place is non-eligibility for grants. Staff requested direction on the formulation of an ordinance to be brought back for Council's consideration.

In response to Councilmember Templeman, Mr. Duran indicated that the Water Company would have the ability to issue fines for non-compliance.

Mayor Morris said before an ordinance can be enacted, he suggested that the city initiate pro-active conservation efforts city-wide.

Mr. Duran further responded to Council that the County of Los Angeles is going through the process to adopt an ordinance; Golden State Water Company is penalized from Three Valleys Water District; and the City's newsletter contains articles notifying residents and providing water conservation tips.

4. **City's 50th celebration – planning activity – update report – questions.**

Parks and Recreation Director Bruns said a committee was appointed for each event. She highlighted the events scheduled for 2010 including the Mayor's State of the City dinner; City Birthday Barbecue; and the Grand Finale New Year's Eve reception/dinner. She stated that the focus and details still need to be done, and said the subcommittees are encouraging formal groups that have annual events to incorporate the City's 50th anniversary as part of their theme for 2010. Ms. Bruns indicated they are looking at promotional ideas and would like feedback on the use of decorative street banners on Arrow Highway, Bonita Avenue, and Via Verde Avenue.

Councilmember Templeman suggested contacting Mr. Black, the Art Teacher at San Dimas High School for ideas from students.

Ms. Bruns asked if there is opposition to using the 50th Anniversary logo on city vehicles, Sheriff's vehicles and Fire vehicles. Council suggested that Captain Hartshorne be consulted.

She concluded that the committees are working on a list of commemorative items and will set up a structure for the give-aways.

Mayor Pro Tem Bertone arrived at 5:24 p.m.

1. **City Hall and Plummer Building expansion project:**

- o Update – report from the Architect, renovation needs of the Plummer Building. Combining the Plummer addition, renovation, and plaza into one bid alternate project.

City Manager Michaelis reported that the architects have completed a detailed review of the city hall expansion project to explore an addition to the Plummer building to add community meeting rooms. He said if the addition is made to the Plummer building, it will be necessary to also renovate that building and complete the entire plaza renovation.

- o Review of updated cost figures – presentation and discussion of financing plan.

Steven Gaffney, AIA, Nestor+Gaffney, said they conducted a study to explore the use of the Plummer Building for the city hall expansion project. He said the auditorium is in good shape; however, it will be necessary to renovate the restrooms and kitchen which do not meet Health Department standards. He said the cost for that renovation would be \$840,000. He said the base project for a single story is \$9.5 million with an additional \$100,000 for minimal Plaza improvements, and the addition to the Plummer Building that connects the addition to the Plaza and the existing city hall building will cost approximately \$1.47 million. The addition will provide operational flexibility with multiple meeting rooms. He said the total cost for the three combined projects is approximately \$12.9 million.

Mr. Michaelis explained the following cost estimates:

1. \$9.5 million base project - one-story expanded city hall with another \$100,000 in plaza work.
2. \$1.47 million to add just over 4,000 square feet to the Plummer building with a design that connects the addition to the plaza and the existing building and provides for operational flexibility for multiple uses.
3. \$840,000 to address the renovation costs of the existing Plummer building.

4. \$1.050 million to renovate the plaza and complete related site work.

Mr. Michaelis said there are two alternatives for the expansion project: a one story addition to the city hall for \$9.6 million or the combined renovations for \$12.960 million. He reviewed the General Fund balance and future income stream, as well as benefits of financing a portion of the costs.

- o Review of project schedule.

In response to Council's concerns, **Gary Chubb**, Vice President, Griffin Structures, Inc., explained that the City's Agent conducts the bidding process on the City's behalf, and once bids are open and the apparent low bidder is recommended for City Council approval, the City Council has the flexibility to not accept the alternative and/or the option of not going forward.

- o Approve amendment to the architect and project management fees to accommodate the change in design and project.

City Manager Michaelis said the new design scheme requires changes to the architect's contract scope of work to include the addition to the Plummer Building; renovation of existing areas of the Plummer Building; and redesign of the Plaza to accommodate said addition. Staff recommended the City Council take the following actions:

1. Approve a \$132,750 increase to our contract for architectural services with Nestor+Gaffney Architecture LLP for a total design cost of \$669,750 with the agreement/language to be completed by the City Manager and City Attorney.
2. Approve a \$20,000 increase to our Phase I contract for program and construction Manager-at-risk services with Griffin for a total design cost of \$207,500 with the agreement/language to be completed by the City Manager and City Attorney.
3. Approve budget adjustment transferring the increased amounts of the contracts from the Reserve for city hall renovation in the General Fund to a line item expenditure in Fund 12.
4. That the city receive a guaranteed maximum price for both city hall and Plummer Building renovation and expansion projects prior to going out to bid on September 22, 2009.
5. That the Plummer Building and plaza addition and renovation will collectively be bid separately when the city hall addition and renovation project goes out to bid on December 22, 2009.

Mr. Michaelis said the City Council will decide whether or not to proceed with the Plummer Building and Plaza projects.

In response to Councilmember Badar, Mr. Michaelis said if the City Council wishes to move forward with this process, there will be additional Architect costs in the amount of \$132,750 and \$20,000 for Construction Management fees to accommodate the change in the scope of the project.

- o Questions

Mayor Morris expressed concern with the uncertain economy and spending the additional funds when the City Council may decide to not move forward with the project. He said the bigger uncertainty is the City's revenue.

Mr. Gaffney replied that the City will receive a better picture of actual costs when the bids come in in December and the City will reap the benefits of lower construction costs.

Mr. Chubb assured the Council that Griffin Structures recommends pre-qualified contractors, but as long as the apparent low bidder has bid bonds, license, and insurance, they will recommend that the contractor be hired for the project.

In response to Mayor Morris, Mr. Gaffney replied that once the Plummer Building remodel was completed, furniture would be procured, and temporary offices would be set up for employees in the Plummer Building while the city hall building was being renovated. He said it could take approximately nine months.

Councilmember Ebner suggested utilizing the foyer in the Plummer Building for restrooms. Mr. Gaffney replied that if restrooms are relocated, it will drive up the cost; however, he will come back with the layout of the building for Council's consideration.

It was moved by Councilmember Templeman, seconded by Councilmember Ebner, to authorize staff to allocate the additional Architect and Construction Management fees for the new design of the project.

Mayor Pro Tem Bertone expressed opposition to the expense. He praised the Architect and said employees need more space, however, he felt the complete design could be done for less money.

Mayor Morris suggested considering the original project at a cost of \$6 million without the additional space.

Further discussion continued on the need for the project and costs. Mr. Gaffney stated that if the expansion is limited, staff would not get the elements needed. The \$9.5 million project meets staff's needs and will last another 50 years or more. He added that the city hall was designed for a specific use but space has become nonfunctional over a period of time.

Mayor Morris believes staff and the consultants feel the \$9.5 million is justified; however, he is concerned with putting the City in financial jeopardy.

The motion carried 4.1; Mayor Pro Tem Bertone opposed.

Mayor Morris invited comments from the public and from staff. There were no comments.

Mayor Morris requested staff to provide the proposed budget to include the \$1 million amortization in December, 2009.

In response to Councilmember Templeman, Mr. Chubb provided an overview of the construction schedule with first phase completion in November 2010 and start of city hall renovation in June 2011.

In consideration of audience members present, Mr. Michaelis suggested next discussion could be storage containers.

- Review of policy regarding cargo containers.

Assistant City Manager Stevens reported that the City does not currently have an ordinance or written policy regulating cargo storage containers and the City has received complaints that cargo containers have been parked behind commercial businesses within the downtown and residential neighborhoods. He said staff has taken the position that the containers are prohibited except in two circumstances: 1) construction trailers for purposes of storage with the caveat that they are required to remove them after the program; and 2) Target is issued a Temporary Use Permit to store overstock during the Christmas season. Staff researched surrounding cities' regulations and policies on cargo storage containers and found that cargo containers are only permitted on a temporary basis and/or on certain times of the year.

Cyndia Williams, Old Antique Mall, said no one uttered a word for ten years until now.

In response to Council, Mr. Stevens said staff only responds to complaints and the one complaint received was against the Old Antique Mall. He mentioned that there are a number of cargo storage containers on city facilities and on the school district facility, where the City does not have jurisdiction. He asked if the City Council wants to continue the current practice to prohibit storage containers or do they want to create a formal policy that allows containers in some fashion (temporary or permanent). If the City Council would like to make changes, staff will come back with standards for the City Council to consider.

Mayor Pro Tem Bertone said he was initially opposed to permitting storage containers; however, after taking a look at the site, he is inclined to allow them provided a policy containing strict regulations is approved. He said the following conditions must be met: the container cannot be visible from the street, side, or front, and cannot be a nuisance to the public.

Ms. Williams explained that she purchased the storage container to store antiques to prepare them for going into the shop and the container allows easy access on a regular basis. She said she cannot afford to rent storage and she would be locked out of the facility after hours.

Councilmember Templeman stated that if the decision is made to allow the containers, other businesses should have access to them as well. He said criteria must be developed that includes having a limit of one container on their property, not on public parking space, square footage, and set back requirements.

Mayor Morris would like a proactive enforcement policy rather than complaint driven. He suggested limiting the use to Downtown areas because of the unique small buildings.

Mr. Stevens stated that building additional storage space in the rear would be preferable. He said the storage container at the Old Antique Mall was done as well as it could be done and is not obtrusive; however he will come up with some kind of ancillary screening mechanism.

2. Walker House report and discussion points:

- Update – report on recent events, schedule for Saffron and other uses moving into the building.

City Manager Michaelis highlighted the successful open house and art show events and said the public's appreciation and reception for the renovated project has exceeded expectations. Saffron has announced its restaurant hours; the Historical Society is finalizing an interim tour schedule; the Festival of Arts anticipates moving in after the Historical Society is located in the building; and the San Dimas Rodeo is ready to move, however, suggestions have come forward to relocate them to open space in the Train Depot or the Martin House.

- Report on how the building will be managed – public hours, services and operations.

In response to Councilmember Badar, Mr. Michaelis said users will be issued the code and keys for access to the gate, building and their rooms. The user will assume responsibility for the building.

Councilmember Ebner felt the building should be available more often, but he expressed concern with how the building would be manned. He suggested considering supplementation by staff in the future.

Mayor Morris said the Historical Society is willing to man the building. He said Historical Society President Ralph Thomas expressed concern about promises made in the past about docents. He added that the Festival of Arts is working together with volunteers to have the building open more hours.

Mr. Duran said as a result of the economy, Saffron has scaled back their hours of operation and when Saffron is open for lunch, the building will be open.

Mayor Morris said through the Festival of Arts, Margie Green is organizing art shows three out of four weekends and there is a good chance the building will be open a lot more.

David Bratt, Planning Commissioner Vice-Chair, said the Festival of Arts is looking to do one-person shows when Saffron is open. He said the Historical Society is flexible in putting together tours for school groups, trying to make the building accessible.

Mr. Michaelis said public tour hours will soon be established and advertised to let the public know. He said staff will develop utility costs for operating the building and find the most cost effective way to have the building open as much as possible.

- o Room reservations and cost.

Assistant City Manager Duran reviewed the elements of Saffron's agreement and said the calendar of use and scheduling of rooms, patio and veranda space is the responsibility of Saffron. He said the Festival of Arts has the right to use the building two weekends annually for the Art Show and six other days could be scheduled by the City and other community groups in non-restaurant areas.

Councilmember Templeman inquired why other user groups would reserve through Saffron. Mr. Duran replied that since Saffron hosts weddings, they would need to coordinate the use of the building by other users. He said Saffron has the exclusive catering for the building and they would like the opportunity to cater every event.

In response to Councilmember Badar, Mr. Duran replied that a per use fee is paid by Saffron to the City for the use of the patio, veranda, and parlor rooms.

He responded to Councilmember Templeman that the intention is there would be a certain timeframe to schedule dates for use of the building. He said this arrangement is for a one-year trial basis and if it does not work, there is a built-in flexibility.

Director Bruns said that upstairs Rooms 211/212 conference rooms are available for reserved use by the public through the Parks and Recreation Department and will be subject to the existing policies and procedures. She said the room will be available for city-sponsored activities and to the non-profit tenants at no charge to encourage the use. Ms. Bruns highlighted fees for resident non-profits, private and business and non-resident non-profit, private and business and said staff is proposing a different fee structure for the Walker House.

In response to Council, Ms. Bruns replied that art will be locked up for the night and as part of security measures, a staff member will be present. She said the fee structure is interim based on use of the facility and operational costs.

It was the consensus of the City Council to appropriate the fee structure.

- o Discussion regarding frequent First Street closure for Walker House events.

Mr. Michaelis said with the closing of First Street for the Festival's Spring show, there may be interest from other groups to do the same. He reviewed some disadvantages for closing the street for large groups and invited discussion and direction.

Mayor Morris felt the street closure should be limited as much as possible. He said there are insufficient restrooms to meet adequate standards.

In response to Mayor Pro Tem Bertone, Mr. Michaelis replied that staff is attempting to acquire the adjacent property and said because there are landscape requirements, approximately 13-15 spaces would be available.

In response to Councilmember Templeman, Mr. Michaelis said the only proposed closure for tent use is the Festival of Arts.

Councilmember Badar inquired if a tent would be used for the Fall Show. Mr. Bratt said a tent would be erected in the Civic Center Patio outside the Plummer Building.

Councilmember Templeman inquired when the Walker House After Action Report would be available. Mr. Duran replied that the critique meeting is scheduled for Tuesday, May 26, and comments would be incorporated. He further replied that there were no complaints from the residential side.

Mr. Bratt stated that First Street residents were contacted to let them know of the event and the schedule, which seemed to allay any problems.

- Status of the development of a Walker House Foundation.

City Manager Michaelis said staff hopes to have initial action on the details of the Foundation in the near future. The Walker House User Groups have expressed interest in assisting. He mentioned that the Historical Society has asked if they could charge \$5.00.

Councilmember Badar stated he is not in favor of having the Historical Society charge money.

Councilmember Ebner suggested that once the Historical Society office opens, they can have a donation/contribution area during the tour.

Planning Commissioner Bratt said it is a city building and felt it is inappropriate to charge money.

- Report on the Historic Tax Credit program.

City Manager Michaelis reported that the Federal Department of the Interior submitted final approval of the City's tax credit application and the final tax credit number is over \$1.5 million.

- Use of upcoming vacant space at the Train Depot and Martin House.

City Manager Michaelis opened discussion as to where the San Dimas Rodeo would be located - either in the Walker House, Martin House or Train Depot. The Rodeo is willing to look at alternatives as long as they have a space in one of the three building. The Railroad group indicated they are ready to fill the entire Train Depot when the Historical Society moves out.

Mayor Morris mentioned that Lindsay Smith alluded that he and Councilmember Templeman had agreed to let them have the entire Train Depot when the Historical Society moves out. He disagreed that promises were made to that group.

Councilmember Bertone stated that the Chamber has expressed concerns with the Rodeo group being located in the Martin House.

Mayor Morris stated that the Rodeo has expressed similar concerns. He said there is a shortage of space and if there are no other uses for the vacated space, then he has no objections to allowing the Railroad Group to use it.

Mr. Michaelis said the Railroad group does not have entitlement but the space could be available for consideration as an alternate site for the San Dimas Rodeo if it does not work for them to locate to the Martin House.

It was the consensus of the City Council to allow the San Dimas Rodeo the choice to locate their organization at the Martin House or the Train Depot.

5. Community Development – Development Services staff work program:

- Update on long term project assignments including tentative schedule for the completion of these projects.

Assistant City Manager of Community Development Stevens highlighted the Department's pending and completed first priority projects and tasks; second priority projects and tasks; and other current planning projects and tasks. He said projects were assigned to staff and the list is updated every 4-6 weeks. He mentioned that one project on the list is green lawns and artificial turf, which will be heard by the Planning Commission in June.

Assistant City Manager Stevens provided a brief update on the Grove Station. He indicated that he is expecting an application within the next two weeks for affordable rental units in the rear portion of the property from a non-profit developer who is trying to get entitlement in place by August for State and Federal funds.

Mr. Stevens stated that the Costco pad development is on hold; he is still trying to work with Mr. DeFalco on his project.

- Review of Code Enforcement services.

Development Services Director Coleman said he examined the code enforcement process, and he established staff meetings and prepared a written procedure for code enforcement, including priority guidelines.

In response to Council, Director Coleman reviewed the enforcement process steps and other methods of enforcement. He stated that any health and safety issues will be addressed. He indicated that Sheriff's volunteers would be completing a survey of RVs and trailers parked in front yards and by end of June, it would be brought before the City Council. He said because staffing is limited, code enforcement responds to complaints and are proactive only on weekend patrol. He inquired if the City Council desires to shift to proactive enforcement.

Mayor Morris expressed concern with large dump trucks and inoperable vehicles parked in front of residences and said if additional staff is needed, he suggested hiring a retired code enforcement officer to work weekends.

In response to Mayor Pro Tem Bertone, Mr. Stevens said signs are a second priority and staff is looking at better enforcement.

Staff recommended the following:

1. Explore Hearing Officer for code enforcement;
2. Expand Code Enforcement staffing;
3. Adopt Administration Citation program;
4. Expand use of infraction citations;
5. Explore use of field data entry/query devices;
6. Review business license procedures to require all business licenses and change of address of existing licenses, to be reviewed by the Planning Division for zoning compliance.

The City Council discussed the recommendations, made some suggestions, and ranked as priorities RVs, exploring a Hearing Officer for code enforcement; expanding code enforcement staff; and adopting an Administrative citation program.

Councilmember Templeman stated that property management should be approached similar to parking. He said the goal is to get compliance, not more citations.

Mayor Morris said he is willing to spend more money to put into resources for code enforcement. He suggested eliminating complaint driven enforcement for a proactive enforcement program.

Mr. Stevens suggested managing cases in a systematic fashion.

Councilmember Templeman stated that staff cannot go from a complaint driven enforcement to proactive enforcement overnight. He suggested marketing the program.

City Manager Michaelis stated that staff would also look at staffing resources available.

- Report and direction regarding climate protection/sustainability opportunities.

This item was not discussed. Staff will bring back this item at a later date.

- Federal Stimulus energy block grant application.

Assistant City Manager Stevens reported that the American Recovery and Reinvestment Act of 2009 appropriated funding for the Department of Energy (DOE) to issue/award formula-based grants under the Energy Efficiency and Conservation Block Grant (EECBG) Program. He said the City of San Dimas was allocated \$150,200 and he outlined the three projects that were listed as city priorities and meet the purposes of the grant:

Swim & Racquet Club - 1) Smart Pump Control System; 2) Replacement Filtration System;
Senior Citizen/Community Club - 3) Re-ballast and re-lamp with T8.

The due date for the grant is June 25, 2009 or sooner. Mr. Stevens said the City needs to discuss whether the application should include 10% to 15% of the funds to put toward the development of the energy strategy in place of one or more of the projects listed and include the possibility of developing a sub-regional strategy as proposed by the Council of Governments.

Mr. Stevens responded to Council that staff needs to first prepare a strategy for the grant funds.

The City Council felt that an energy strategy should be developed and staff could look into other sources for funds.

- Report and direction regarding Green Building Program (required by Housing Element).

Planning Intern Concepcion reported that the 2008 Housing Element established a goal to adopt a Green Building program by June 30, 2009. He presented an overview of the issues related to considering a Green Building program and outlined the specific policies and objectives in the Housing Element. He said a green building program would greatly improve the City's energy consumption and provide a set of environmentally-conscious regulations. The goal is to promote energy conservation and sustainable design in new and existing development, and if Council wishes, he will prepare a draft Green Building program or a report discussing the chosen possibilities.

Assistant City Manager Stevens stated that green buildings are being phased in and adopted in the next round of State code amendments. He said the Council is being asked if San Dimas should adopt a Green Building program that requires standards beyond the minimum standards required by the Building Code; whether the program should be voluntary or mandatory, include residential, industrial, and/or commercial; should the program apply only to Redevelopment Agency assisted affordable housing or include non-Redevelopment Agency, should the program apply only to new development and/or existing development, and should the City offer incentives to encourage voluntary participation.

Mr. Stevens responded to Council that AB 32 mandates dealing with the issue of energy conservation as part of green house gas emission reductions; the State mandates adoption of the Building Code; and the SGV Council of Governments is working with SCAG on the new round of growth projections. To start, staff can implement a mandatory green building policy.

6. Downtown matters:

- Progress report on recent construction activity/improvements and the consultant's work.
- Proposal for seismic evaluation and use feasibility for the Johnstone Building.

Assistant City Manager Stevens stated this item would be placed on the May 26, 2009 regular City Council agenda.

- Review of possible changes to downtown façade assistance program.

Assistant City Manager Stevens said this is a most important problem in the downtown and requested this item be continued to May 26, 2009.

- Report on seismic retrofit opportunities for unreinforced masonry buildings.

This item was not discussed.

- Consideration of property acquisition opportunities and priorities.

This item was not discussed.

- Preliminary consideration of wooden sidewalks in Downtown.

This item was not discussed.

- 7. Oral Communications** – Members of the audience. Anyone wishing to address the City Council on an item not on the agenda. No action or discussion shall be undertaken on any item not appearing on the posted agenda. Speakers may be subject to a time limit as may be determined by the chair.

No one came forward to speak.

- 8. Adjournment** – next meeting of the City Council May 26, 2009 7:00 pm City Council Chambers.

Mayor Morris adjourned the meeting at 10:08 p.m. The next meeting is on May 26, 2009, at 7:00 p.m.

Respectfully submitted,

Ina Rios, CMC, City Clerk