



CITY OF SAN DIMAS

Meeting Agenda

COUNCIL – STAFF RETREAT SESSION AGENDA NOVEMBER 2, 2009 5:00 PM - 10:00 PM CITY COUNCIL CONFERENCE ROOM

- 1. Updates (written reports – council to ask questions or discuss as desired – some matters will require council direction):**
 - a. RV, trailer, etc. enforcement – report on our administrative plan of action and schedule. Answer any questions.
 - b. Special Projects status report – review of what is ready for consideration, schedule for the rest of the projects.
 - c. 50th Anniversary – update, background, council direction.
 - d. Agreement with the Pacific Railroad Society – update and council direction.
 - e. Gray Oaks sign at the entrance to Terrebonne Avenue – update and council direction.

- 2. Business – council direction:**
 - a. Walker House – report on activities since the completion of the restoration. Update on future events and activities. Also discussion and direction regarding the moving of furniture to accommodate events at the Walker House.
 - b. Christmas - Holiday decorations for the downtown – review of what has been done in recent years, merchant's desire for new decorations – direction from the city council and potential authorization of funding. Report on plan of action for holiday lighting for the Walker House. Request to light the two large trees on San Dimas Avenue.
 - c. Banners in the downtown area – review merchant interest in seasonal – event oriented banners – provide direction.
 - d. Grove Station – presentation on the current situation regarding the completion of the construction, stabilizing the rest of the property, property ownership status, status of the city owned residential units, and an update on development interest with the remaining vacant property. Potential council direction.
 - e. Commercial Use of public facilities and areas – particularly parks (open areas, parking lots, courts and fields), public parking lots, etc. Review of some recent issues, requesting general council discussion regarding the initial direction council may desire to take with these situations.
 - f. 18 acre development at the end of Valley Center – direction regarding open space preservation.

- g. Report regarding the Chevron Service Station at Bonita and San Dimas Avenue (to be reviewed as part of the Downtown Study Session November 10, 2009).
3. **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.
4. **Adjournment** – next meeting of the City Council November 10, 2009 5 pm Study Session – downtown matters in the Council Conference Room. Regular meeting at 7:00 pm City Council Chambers.

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CITY OF SAN DIMAS Staff Report

COUNCIL – STAFF RETREAT SESSION AGENDA NOVEMBER 2, 2009 5:00 PM - 10:00 PM CITY COUNCIL CONFERENCE ROOM

1. Updates (written reports – council to ask questions or discuss as desired – some matters will require council direction):
 - a. RV, trailer, etc. enforcement – report on our administrative plan of action and schedule. Answer any questions.

Staff has been working to implement the following enforcement procedure outlined to the City Council on June 30, 2009:

Steps	Status
1. MCTA 09-02 adopt definitions and other minor clarifications	Completed Sept. 8, 2009
2. MCTA 09-03 adopt administrative citations and fines	Completed Sept. 8, 2009 (fines adopted Oct. 13, 2009) Contract with hearing officer in progress.
3. Compile list of RV storage facilities	Completed
4. Community education campaign	Started August 2009 with Frontier article. Website launched October 15, 2009. Direct mailer to violators October 16, 2009. Post flyers on RVs in Nov-Dec 2009. 2 nd article in Frontier winter issue
5. Create free online temporary parking permit	In progress
6. Pro-active enforcement	Begin January 4, 2010 by posting 72-hour warning notice on RVs. Issue Administrative Citation if not abated.

- b. Special Projects status report – review of what is ready for consideration, schedule for the rest of the projects.

*Community Development Department
Project Update ~ November 2009*

First Priority Projects & Tasks

Project Title & Description	Staff Assigned	Current Status	Next Steps
Downtown Specific Plan – <i>review and existing zoning and development standards for town Core commercial and adjacent areas</i>	Larry & Kevin	Consultant preparing Draft for last round of workshops. Staff reviewing some issues at Nov 10 study session.	Consultant to complete Draft by mid-December; Workshops in mid-January; Public hearings in March 2010.
Walnut Creek Preserve – <i>develop master plan for future use</i>	Ann	Monitoring property maintenance.	Awaiting availability of RMC (lead agency) funds to start Master Plan (early 2010)
Wagon Renovation @ Arrow Hwy & Bonita Ave – <i>develop alternatives to redesign entryway</i>	Ann	Consultant prepared concepts for input at Nov 10 study session	Awaiting Council direction at study session
General Plan Update – <i>comprehensive review & update of 1992 General Plan</i>	Ann & others TBD	Preparing RFQ for consultant selection & developing preliminary issues/	On hold until January 2010 due to budget
Walker House Sign – <i>design & install new sign(s) for Walker House</i>	Ann	Both signs COMPLETE (April & September 2009)	NONE
Village Court freeway sign – <i>facilitate removal of nonconforming sign.</i>	Ann	Background information gathered. Reviewing options with City Attorney.	Awaiting options from City Attorney.
Trails Map – <i>update & print new equestrian/bicycle trails map</i>	Ann	Last and final draft being circulated to Departments.	Print map (December 2009)
Green Lawns & Artificial turf – <i>Review existing standards and regulations</i>	Kevin	Draft ordinance to allow artificial turf complete and minor revisions to green lawn standards nearly complete.	May combine with State Model Landscape ordinance (January 2010)

Wireless Co-location Standards – <i>review existing wireless regulations to verify compliance with SB1627</i>	Kevin	Minor revision to Zoning Code being prepared.	Schedule Planning Commission hearing (December 2009)
Affordable Housing Database – <i>verify compliance with AB987 requiring publicly accessible database</i>	Kevin	COMPLETE (April 2009)	NONE. To be monitored and updated by Housing Division.
Community Event Procedures – <i>review temporary use permit, parade permit and related City regulations for possible revisions.</i>	Kevin	Gathering data and information from various Departments and identifying issues and concerns.	Develop work program and alternatives. (December 2009)
Recreational Vehicle Parking – <i>review of regulations regarding RV and related parking</i>	Dan	COMPLETE (September 2009) Regulations updated.	Informational notices underway for proactive enforcement January 2010
Code Enforcement Assessment – <i>review of existing procedures and practices.</i>	Dan	COMPLETE (Report presented May 2009)	Monitoring
Membrane Structure Policy – <i>review existing policy for possible changes</i>	Dan	COMPLETE (May 2009)	None
Multi-Family Housing Standards – <i>review and modify MF Zone standards per 2008 Housing Element</i>	Michael	Finalizing work program to review standards and identify possible changes.	Prepare Staff Report and set Planning Commission hearing (early 2010)
Inclusionary housing – <i>evaluate possible standards within redevelopment areas per 2008 Housing Element</i>	Laura	Working with Keysor Marston on proposal. Reviewing recent court decision on inclusionary housing.	Approve contract and scope of work (December 2009)
SF-DR Setback Standards – <i>review of setback and related standards for possible revisions</i>	Kristi	Developing report with alternatives to determine if Code Amendment needed	Prepare Staff Report for presentation to City Council (December 2009 or January 2010)
Status of M & E building/use – <i>review of prior approvals and existing use to determine alternatives</i>	Laura	Background investigation completed	Prepare Staff Report for presentation to City Council (December 2009 or January 2010)

<i>re building/property</i>			
Emergency Shelters & Transitional Housing – <i>review needed actions to comply with SB2 and 2008 Housing Element</i>	Marco	Preliminary review completed.	Preparing Staff report for Planning Commission hearing (January 2010)
Senior housing Standards – <i>review existing standards per 2008 Housing Element</i>	Kristi	Finalizing work program for Code Amendment	Preparing Staff report for Planning Commission hearing (January 2010)
Mixed Use Rezoning – <i>evaluate sites to be rezoned per 2008 Housing Element and determine appropriate standards</i>	Kristi	Partially completed re Grove Station and Bonita Canyon Gateway. Additional sites are Downtown and BUSD offices.	Finalizing Work Program (December 2009)
Green Building Program – <i>evaluate options for green building program per 2008 Housing Element</i>	Michael	Report presented to Council May 2009. Evaluating options based on feedback received	Finalizing draft for approval by City Council (January 2010)
Tree Preservation III – <i>review of 2006 Code amendments to determine if further changes needed.</i>	Marco	Finalizing report on areas of concern (backyard trees) and implementation of prior amendments	Prepare Report to City Council (December 2009 or January 2010)
SFA Rezoning/ Equestrian Standards – <i>revise zoning to conform with interim policy and make other necessary revisions</i>	Laura	Developing work program and gathering info on animal/horsekeeping standards	Schedule hearings Spring 2010
Climate change & SB375 – <i>review possible climate action plan opportunities.</i>	Larry	Monitoring options through SGVCOG. Report presented to City Council May 2009.	SCAG presentation scheduled for November 24
Storage Container Policy – <i>review existing policy</i>	Laura	Preparing report with info gathered and listing alternatives	Prepare Staff Report for presentation to City Council (December 2009 or January 2010)
ARRA Energy grants – <i>developing Strategic energy Conservation Plan</i>	Ann	Staff Committee working with consultant gathering information	Complete data gathering (November 2009)
SB811 – <i>determining appropriate level of participation in LA County program (energy conservation loans to private property to be paid back through property</i>	Kevin	Participating in SGVCOG Working Group	Monitor and report back as needed

taxes)			
Facades – <i>review of façade renovation options in block at exchange place & Bonita</i>	Larry & Kevin	Architect has prepared study for Council consideration (November 2009)	Await Council discussion and direction
Johnstone Building Seismic evaluation – <i>review seismic characteristics of building to facilitate possible renovation</i>	Larry & Kevin	Working with Owner & architect to evaluate and survey building condition and identify alternatives	On Hold pending written agreement with Owner

Second Priority Projects & Tasks

Project Title & Description	Staff Assigned	Current Status	Next Steps
Business license Ordinance Update – <i>comprehensive review and update of license and special permit procedures</i>	Kevin	Gathering information and identifying issues and concerns	Develop work program (early 2010)
Massage technician update – <i>monitor potential changes in State law affecting City regulations</i>	Kevin	COMPLETED (ordinance adopted August 2009)	None
East Gladstone Streetscape – <i>review interim policy to determine if any changes required</i>	Laura	Draft reviewed by DPRB September 2009.	Report scheduled for DPRB Review in November/December 2009
SP24 on north side of Gladstone – <i>review issues and concerns to determine if changes are necessary</i>	Laura	Identify issues and possible concerns for consideration	Report on issues or alternative (early 2010)
Historic Preservation Ordinance – <i>review existing regulations and procedures to determine if changes are needed</i>	Michael	Review existing procedures, Mills act properties, Historic Resources Survey and identify alternative for consideration	Report on issues or alternatives (early 2010)
Mansionization – <i>review existing regulations or procedures to determine if changes are needed</i>	Michael	Developing issues paper including alternatives for further consideration	Report on issues or alternatives (early 2010)

Zoning Code Update re Procedures – <i>review and update Chapters related to application processing</i>	Kristi	Develop work program defining scope of work needed	Report on Work program (early 2010)
Review compact parking regulations – <i>to consider elimination of compact parking</i>	Marco	Identify issues and alternatives	Report to City council for direction (early 2010)
Illegal signs in public right of way – <i>review need to address costs of removal</i>	Marco	Identify issues and alternatives	Report to City council for direction (early 2010)
“For Lease” sign regulations – <i>review existing regulations to determine if changes are necessary</i>	Marco	Identify issues and alternatives	Report to City council for direction (early 2010)
Underground Utility standards – <i>review existing standards for possible changes</i>	Not assigned		Assign early 2010
Review of street construction standards re DPRB approvals – <i>review and revise existing standards to ensure adequate nexus</i>	Not assigned		Assign early 2010
Bonita/Cataract – <i>review appropriate development opportunity for City property</i>	Larry	Prior RFP not successful	On Hold
Bonita/Eucla – <i>review appropriate development opportunity for City property</i>	Larry	Prior RFP not successful	On Hold
Water efficient Landscape Ordinance – <i>review and revise existing regulations per state 2010 Model Ordinance</i>	Kevin & Laura	Meeting with SGVCOG committee to develop area-wide model	Prepare draft ordinance for Planning Commission hearing (January 2010)
Penalties for removal of Historic structure – <i>determine what if any penalties might be appropriate</i>	Not assigned		
Update of Subdivision Ordinance – <i>review and revise existing</i>	Not assigned		

<i>regulations including Quimby fees</i>			
<i>Update of standards re Nonconforming Uses – review and revise existing regulations</i>	Not assigned		

Other Major Projects & Tasks(Current Planning)

Project Title & Description	Staff Assigned	Current Status
Bonita Canyon Gateway	Dan	Revised project approved. Grading nearly complete. Buildings not submitted for plan check. Working on RDA housing assistance agreement.
Grove Station	Larry	Monitoring existing construction to ensure completion of 14 units. Responding to inquiries regarding remainder of property. Update for city Council November 2009.
Costco pad development	Larry	Awaiting further submittals. Recent contact with Costco concerning a Costco car wash on the property.
DeFalco MCTA/GPA/ Development application	Dan	Incomplete letter sent re latest submittal (October 2009)
NJD Tentative tract/ GPA/ SPA	Larry	3 rd incomplete letter sent re latest submittal (October 2009)
Tract at terminus of Valley Center	Marco	Discussing property status (map recorded but grading incomplete) with potential buyers.

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- c. 50th Anniversary – update, background, council direction.

The 50th Anniversary Committee is moving forward with the planning and preparation for the year long 2010 celebration.

A “Community Rally” was conducted on October 26 for all civic organizations, churches, schools, service clubs, and other community organizations. Over 50 people attended, representing 27 organizations. The purpose of the mixer was to spread the word about the City’s 50th Anniversary year, to encourage all community groups to participate in the planned activities, and to invite them to incorporate the 50th Anniversary in their annual events. Official Event Sanctioning applications were distributed so that groups may submit for use of the official logo, use of one display banner, listing of their event on the City’s website, promotion with other sanctioned events in press releases, and an official 50th Anniversary event certificate.

Other events being planned include:

- Kick off event - Mayors State of the City dinner to be held on January 13, 2010, 6:00 p.m. at the San Dimas Canyon Golf Course Clubhouse. The program will include speakers who will provide a glimpse of San Dimas and the world by decade from 1960 to 2010. The subcommittee is planning to produce a DVD and is looking for photographs.
- City Birthday event to be held on Saturday, August 7, 2010, from 1:00 to 10:00 p.m., currently planned for Civic Center Park, First Street, and Iglesia Street. The event will include entertainment, games and food throughout the day, with the traditional BBQ dinner at 5:30pm.
- Concluding Event - New Year's Eve Party on December 31, 2010, 6:30 p.m. to 1:00 a.m. at Via Verde Country Club. The event will include a social hour, dinner, dancing and a midnight toast.

A distinct commemorative item will be featured at each of the special events and distributed to those in attendance. In addition to these items, an Anniversary lapel pin will be available for general distribution throughout the year at all events and activities. The committee has also discussed the sale of commemorative items. Staff is seeking Council input regarding interest in providing items for sale. Staff concerns include the logistics of ordering, inventorying, storing and tracking sales throughout the year. Do commemorative items add "value" to the celebration?

Promotion for the events will include street banners, posters, stickers, press releases, web site, and vertical street banners. Staff is seeking Council input regarding offering sponsorship opportunity on the vertical banners to be hung from the street light poles. By selling sponsorship for \$250, the full cost of production and installation would be covered. The banners would be given to the sponsor upon completion of the year long celebration. It is proposed that the banners be hung on Bonita Avenue and Arrow Highway and remain up for the entire year.



SPONSOR NAME
HERE

The banners would look similar to this sample and would measure 3'x6' (same size as the Heroes banners).

- d. Agreement with the Pacific Railroad Society – update and council direction.

Pacific Railroad Society (PRS) Lease Agreement

The City originally entered into a Lease Agreement with the Pacific Railroad Society for their use of the Santa Fe Depot in 1995. The original presumption under the Lease was that the Society would make initial upgrades to the Depot, provide ongoing maintenance of the Depot and to provide a railroad Museum open to the general public. In exchange for the above the City would allow the Society to occupy the building for their office and archives.

Key Elements of the Lease were:

Term – The initial term of the lease was for 3 years with the option to extend for an additional 2 years if certain improvements were completed by the Society within a specified time frame.

Maintenance and Repair – PRS is responsible for the continued restoration and on-going maintenance of the building.

Museum – PRS shall provide interesting and informative displays available to the general public a minimum of 21 hours a week. They also shall continue to maintain a fully functional railroad library available to the general public.

Historical Society – The PRS would maintain a side agreement with the Historical Society to allow them to use a portion of the Depot for a museum.

A new lease was entered into in 2002 maintaining the original intent with almost the same terms and conditions as the original; lease with the exception of a 10 year term.

As the Council will recall, with the moving of the Historical Society museum to the Walker House the railroad Society expressed their desire to expand their use of the building into the space. The City Council ultimately, agreed to allow the Rodeo Committee to occupy the space for their office. At that time the Society asked to renegotiate and extend their lease with the City.

Staff has since had a couple of meetings with PRS representatives to discuss the lease. There are really only two substantive changes to the lease they would like to make.

- *The first is for an additional 10 year term. This request is to allow them to invest in some capital improvements, for example painting the exterior, with the comfort of knowing that they will be allowed to occupy the building beyond the current term ending in 2012.*

- *The second change is to eliminate the space that is occupied by the Rodeo Committee from the PRS lease space. In addition, to eliminate the PRS from any responsibility to restore or maintain that portion of the building. This is a change in that the PRS has always maintained the entire building during their occupancy, even when the Historical Society occupied the west end. The space occupied by the Rodeo represents approximately 20% of the overall building square footage.*

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- e. *Gray Oaks sign at the entrance to Terrebonne Avenue – update and council direction.*

BACKGROUND

On April 17, 2008, a letter (Attachment A) was mailed out to all (160) residents on Terrebonne Avenue and adjacent cul-de-sacs notifying them of the removal of the damaged “gray oaks” sign that spans over the archway to the entrance to Terrebonne Avenue. This was after an accident initiated the inspection of the arch which showed significant corrosion and wear that compromised its stability.

The sign spans approximately 45 feet across Terrebonne Avenue and the Gray Oaks letters face south (Attachment B). For public safety, existing loose leaves on the arch were taken down by Staff. In addition, to prevent other leaves and/or lettering from falling, the remaining lettering and leaves were temporarily tied to the steel archway.

Prior to sending the notice of removal letter, City records were checked for permits to establish ownership of the sign. At the time, no permits or other documents were found and therefore, it was assumed the archway was a private structure and probably installed by the developer as marketing tool for the sale of the Gray Oaks subdivision.

*Subsequent to the removal notification letter, several residents had called or contacted City staff as some wanted to purchase the letters or entire sign. Some wanted the person who damaged the sign held responsible and some wanted the City to replace it. With differing resident views, in May 2008, Staff decided to retain a welding inspector/specialist who concluded that the “deterioration of the sign was due to lack of maintenance and its age and **not** due to the vehicle hitting the west pier holding the arch.”*

In the Fall of 2008, a group of residents led by Mr. Williams of Whitebluff formed an action committee to preserve the sign as it had “become part of the neighborhood’s character” (see attached letter from Staff, dated November 20, 2008, and response letter from Mr. Williams dated December 5, 2008 (Attachment C and Attachment D, respectively). With the upcoming holidays, the action committee requested time to allow them to work on their preservation effort. A few months later (in March 2009) by accident, an agreement was discovered which changed our position, as now the archway sign apparently belonged to the City and this was confirmed by the City

Attorney's office. The Agreement provides that City could have required Golf, Inc. at the time, to remove the archway any time after December 1970 by providing a notice to do so.

With the City now apparently owning the sign, in April 2009, a structural engineer was retained to provide a structural analysis of the stability of arch structure as well as several alternatives that revolved around preservation/restoration costs. The retention of the structural engineer by the City was relayed to the action committee but the information pertaining to the City owning the sign was not disclosed. Subsequently, the committee requested a review of the engineer's report and Staff agreed to share it with them at the time.

DISCUSSION

Summarized below are the structural engineer's findings and recommendation:

Findings

- Visual evidence suggests that the sign has experienced some distress over the years.
- Permanent lateral displacement (bending) of the sign was observed. Amount of displacement was measured by tying a string between the column tops as reference. The offset from the reference string line was measured to be 6-1/2 inches at midpoint of beam.
- Top I-beam showed signs of rotating or torqueing with respect to the bottom of the beams. However, the rotational movement was not measured, but a combination of torque and lateral displacement generally represents overstressing of the beam.
- Connection between beam and column top is very rusty and rudimentary.
- The small steel tabs embedded in the aluminum oak leaf garlands measuring two feet long by 8 inches high and welded to I-beam are rusting and showing signs of distress. Some of the welds are broken and several pieces are missing. For public safety, others have been temporarily tied by wire to the I-beam.

Recommendation

In short, the sign's overall condition is considered to be poor to fair. The I-beam shows sign of structural distress. The garlands are breaking away. It's unlikely that the sign can pass current code requirements even with significant structural reinforcement. The sign's longevity is probably due to the structural framework. The sign has undergone permanent deformation and its ability to resist any other forces seems to be coming to an end.

Since the City is now the owner of the golf course, and subsequently the owner of the archway within the public right-of-way, the City has the option to either remove the archway, or, should it be decided to allow it to remain, then the City has the responsibility to maintain the archway so as not to create a danger to the motoring public and other persons within the public right-of-way.

Alternatives

In respect to neighborhood preservation efforts, below are the available alternatives for the repair or replacement of the Gray Oaks sign for consideration:



Alternative 1

I-beam removed & replaced with structural steel tube matching arch. Garland & lettering salvaged and similarly reattached to current connection, or design a more alternate attachment.

Repair Cost: \$30,000

Alternative 2

Ornate variation - new aluminum beam, garland ornamentation, fabricated lettering installed on existing pipe columns. Column structure augmented with stone veneer & stucco.

Construction Cost: \$40,000



Alternative 3

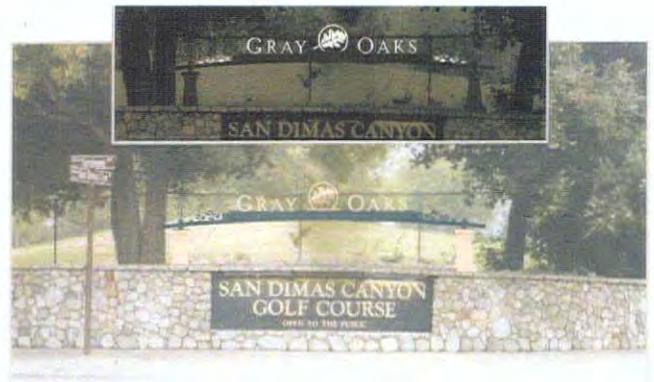
Illuminated version of Alternative 2 sign. Added costs to electrify sign with solar energy system

Construction Cost: \$50,000

Alternative 4

Remove sign from roadway & reconstruct a similar self-supporting sign above the San Dimas Canyon Golf Course sign. Sign placed behind existing retaining wall. Sign is half as long as existing sign (~5 feet high).

Costs for this option: \$22,000



Alternative 5

Remove existing archway sign, beam, columns and pilasters thereby removing all maintenance obligations and any future liabilities.

Cost: \$7,000

RECOMMENDATIONS

Staff will proceed at Council's pleasure. Since it is a policy issue, provided below are the options for council to consider.

Option 1: Remove Archway Sign, for approx. \$7,000.00 fee, thereby removes City's maintenance obligations and liability .

Option 2: Preserve sign, select the preferred Alternative 1-3, and accept obligation to maintain it.

Option 3: Remove Archway sign and reconstruct similar self-supporting sign (Alternative 4).

Staff requests Council direction to its preferred option and alternative. Together with the authorization to appropriate the necessary funding from the Infrastructure Fund to complete the work as directed.



2. Business – council direction:

- a. Walker House – report on activities since the completion of the restoration. Update on future events and activities. Also discussion and direction regarding the moving of furniture to accommodate events at the Walker House.

Staff plans on an oral report to summarize Walker House activities and events. Staff is interested in the council's overall assessment on how things have been progressing with the use of the building. We also need to receive some direction on the moving of furniture to accommodate events at the Walker House.



- b. Christmas - Holiday decorations for the downtown – review of what has been done in recent years, merchant's desire for new decorations – direction from the city council and potential authorization of funding. Report on plan of action for holiday lighting for the Walker House. Request to light the two large trees on San Dimas Avenue.

Downtown: In the past, holiday decorations were hung from the downtown street light poles until such time as the decorations were no longer usable. After that time, string lights and banner flags were hung, with the lights strung between the poles. The string lights have reached their limited life, and while the banner flags are still usable, they are showing wear. This year, with the completion of the downtown street lighting project new poles have been installed from Cataract Avenue to San Dimas Avenue. The new poles provide an opportunity for lit decorations to be hung from them. The street light poles between San Dimas Avenue and Walnut Avenue do not have an accessible power source, so will not accommodate a lit decoration.

The downtown merchants have requested new decorations and staff has investigated some possibilities. Staff has selected two options for consideration; a silhouette shooting star or silhouette holly leaf. Each of these can be ordered with or without lights. The previous decorations included a garland wrap, but based upon past experience, maintenance and life expectancy, staff does not recommend that option.



Staff recommends that holiday decorations be hung from Cataract Avenue to Walnut Avenue, on an every other pole configuration, for a total of 21 decorations. Those between Cataract Avenue and San Dimas Avenue (14) will include LED lighting, while those between San Dimas Avenue and Walnut Avenue (7) will not. Total budget required for the purchase of these decorations is \$11,500 and would be appropriated from the infrastructure fund.

Should Council approve purchase of holiday street decorations for the downtown, staff will review the decision with the Bonita Avenue Corridor Committee at their next meeting on Thursday, November 5, 2009.

In addition to the street decorations, two prominent community trees are lit: one at the Depot where the Annual Tree Lighting Ceremony is conducted; and one at the Bonita Avenue entry to City Hall. These trees will continue to be lit.

Walker House: In response to interest expressed about hanging holiday lights at the Walker House, staff has gathered information and quotes.

Labor and materials estimate to install warm white LED, energy efficient lights on the north and east facing, upper and lower rooflines totals \$3,550: \$1,400 labor and installation; \$2,150 for materials. The City would own the materials for use in subsequent years, thus reducing future costs to labor and installation only, until such time as equipment needs repair or replacement. The estimate includes purchase of materials, installation, and removal. Materials are guaranteed for 2 years. Sufficient electrical service is available to accommodate this installation. There is no approved budget for this project.

Should Council choose to move forward with this project, staff recommends this to be the only decorative lighting on the exterior of the facility. This will allow for a consistent look and afford us the opportunity to evaluate the appearance, and thus determine if more lighting should be added in subsequent years.

A request to include lights in the two significant trees on the east yard of the Walker House has also been received. Currently there is no electrical service proximate to the trees to accomplish this task. A preliminary estimate for the installation of sufficient circuitry, conduit and breakers was received at \$3,900. An estimate to tight wrap the trunks of each tree with clear LED mini lights to a height of approximately 25' totals \$1,264: \$550 labor and installation; \$714 for materials. The City would own the materials for use in subsequent years, thus reducing future costs to labor and installation only, until such time as equipment needs repair or replacement. The estimate includes purchase of materials, installation, and removal. Materials are guaranteed for 2 years. This estimate does not include decorating the canopy of the trees. There is no approved budget for this project.

The City currently decorates two prominent community trees with significant lighting: one at the Depot where the Annual Tree Lighting Ceremony is conducted; and one at the Bonita Avenue entry to City Hall. These trees will continue to be lit.

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- c. Banners in the downtown area – review merchant interest in seasonal – event oriented banners – provide direction.

We hope to have a summary of what the downtown merchants are proposing by the time of the retreat – if not, we may postpone this discussion for a future council meeting.

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- d. Grove Station – presentation on the current situation regarding the completion of the construction, stabilizing the rest of the property, property ownership status, status of the city owned residential units, and an update on development interest with the remaining vacant property. Potential council direction.

The City Attorney has prepared a written summary of the Grove Station project which is attached for your review as "ATTACHMENT E".

Ongoing Construction: *The 14 unit live/work phase of the project continues to move forward at a slow pace. It is however likely that once the foreclosure takes places that a new contractor will replace William Fox homes to complete this phase. Staff has concerns about the following:*

- *Maintaining the pace of construction to timely completion*
- *Ensuring that any change in contractor does not result in a diminution of the expected quality (both inside and outside the units)*
- *Monitoring construction to ensure approved plans are followed and any changes are considered beforehand*
- *Determining needed improvements to allow occupancy of live/work phase and to accommodate future phases*

The City Building Inspector has been requested to pay a very high level of attention to ALL aspects of construction. There are some aspects of construction that are truly beyond his scope such as verifying fixtures, lighting, carpet, cabinetry, appliances, etc. which nevertheless, because the City will own four units, require careful attention and more time than the inspector can provide. Staff believes it would be beneficial to hire an owner's representative (probably a design professional like an architect) to conduct these additional detailed reviews of such things as shop drawings, manufacturer installation details, etc.

Since the project will not be completed as initially planned a number of project changes are necessary. These changes include:

- o Changes to needed erosion protection since some portions of the site will remain vacant for an unknown period of time. After several months plans have finally been submitted and are being reviewed by the City Engineer.*
- o Developing a phasing plan so that it is clear what improvements (access, hydrants, parking, trash storage, etc.) are needed to allow occupancy of the live/work phase. This also includes ensuring that all needed utilities (water, power, sewer, gas, etc.) to service the vacant parcels are provided at this time. A meeting has been scheduled to address this need.*

It appears to staff that some project changes are being pursued to save construction dollars which may be a detriment to the remainder of the undeveloped portions of the property. Staff intends to hold a firm line on not allowing such changes and will be equally firm in not allowing quality reductions in any changes.

Future Development of Remaining Vacant Parcels: Staff has been in contact with at least two developers who have interest in acquiring and developing the remaining portions of the Grove Station project.

USA Properties, which previously submitted but withdrew an application for development of a subsidized rental project on the easterly parcels, remains interested but is evaluating some changes to their prior proposal. They have not developed a specific revised project at this time. Staff advised them as follows:

- 1. Not to assume that any Agency assistance would be at the prior \$2.7 million level but to analyze the new project and its affordability gap on its own merits. Also to remember that City has already assisted the project with density bonus and street improvements.*
- 2. Any rental project is not considered a permitted use and requires an amendment to the Specific Plan.*
- 3. Any increase above 96 units on all of the remaining property requires a General plan amendment.*
- 4. The potential financial impact to the Agency tax increment must consider the beneficial pass through from this project area especially if a nonprofit housing developer is involved.*
- 5. At least some ownership housing is preferred.*

The other contact is through a real estate broker who has not identified his developer affiliation. They were provided status information but have since been in contact with the project architect and seemed highly interested in developing the middle phase of units as already approved.

If City Council has any feedback on future development preferences it would be beneficial to hear them at this time.

-
- e. Commercial Use of public facilities and areas – particularly parks (open areas, parking lots, courts and fields), public parking lots, etc. Review of some recent issues, requesting general council discussion regarding the initial direction council may desire to take with these situations.

Staff is seeking Council input and direction regarding the use of public facilities for commercial use. There have been reports and incidence of private business entities conducting for-profit business activities in various public spaces, such as parks, parking lots, tennis courts and the community riding arena. While the public space is open and available for public use, the question arises as to whether for-profit businesses should benefit from use of public space. Potential conflicts with the types of activities being conducted in inappropriate spaces as well as safety and liability issues result from such unauthorized use.

Activities that have been reported or observed include:

- *Paid tennis lessons on the public courts located in parks.*
- *Boot camp or exercise programs conducted at various times of the day in public park space, sports fields and parking lot areas.*
- *Dog Obedience classes conducted in public parking lot areas.*
- *Paid softball and baseball training conducted at sports fields.*
- *Equestrian training held in the community equestrian arena.*

There are currently three Municipal Code sections which have aided staff in the deterrence of these activities, but do not fully address the restriction of conducting business in public space.

Municipal Code Section 13.16.160 addresses and prohibits solicitation in parks for any purpose to sell or offer for sale any goods, wares, or merchandise or distribute or pass out any handbills advertising matter or literature, but does not address the conduction of business or services for a fee. Staff has cited this code when working with a few of the offenders, but again, it is a loose interpretation and not specific to fee for service activity.

Section 13.16.070 addresses disturbances and prohibits the disruption of peace and quiet in any park. This code has been cited when exercise camps have been operating with bull horns or whistles in the very early morning hours.

Section 13.16.190 is specific to park hours and has been referenced for those groups operating in the pre-dawn hours.

When appropriate, staff has approached various operators and suggested working with them to provide their program or activity as a contract program through the Parks and Recreation Department. To date, none of those contacted have been desirous of such an arrangement as the City would receive a percentage of their revenue. By operating in the public space, there is no overhead cost for space rental or lease to impact their net profit.

Staff is seeking Council input regarding amending existing park and public space ordinances to include language specific to the restriction or conduction of business in such spaces. Is there an interest in allowing the conduction of business opportunities in the public space if such activities are properly licensed, approved, insured and indemnification is provided to the City, or do we desire total restriction? If Council is interested in allowing such uses, then permitting policies and procedures, fees schedule, and ordinance language will be drafted by staff and brought back to Council for approval. If Council favors restriction of such practices, then staff will draft an ordinance amendment for Council approval.

On a related issue, city policy currently requires that parks are not available by reservation and only available on a first come first served basis. Staff would like Council input regarding the reservation of some, but not all, picnic shelters or park areas for group activities, such as picnics, parties or activities.

- f. 18 acre development at the end of Valley Center – direction regarding open space preservation.

Current Status: The Tract Map to create the 18 lot subdivision was recorded in May 2007. The site has been partially graded with installation of some retaining walls before the developer/ownership group went into foreclosure. The City facilitated erosion protection (primarily sandbags) at that time. There have been recent inquiries from potential buyers (Abell-Helou Homes and Tzu Chi Buddhist Foundation). Abell-Helou is currently advises us they are in a 45 day contingency review period expiring November 15 with an offer of \$2.5 million. It is believed the asking price is \$2.9 million but we have not been able to confirm this. We will get a further update prior to the meeting.

Open Space Preservation Policy: The City Council adopted Resolution No. 07-53 setting forth procedures and guidelines in selecting open space parcels to be protected. The subject property was not ranked at that time – presumably because it was nearing development.



- g. Report regarding the Chevron Service Station at Bonita and San Dimas Avenue.

Current Status: The current owners (Yang & Pil Han) acquired the property in 2005 for \$1.7 million. Staff met with them about 12 months ago regarding an obligation they had with Chevron to construct certain improvements (a convenience store). A letter was prepared advising that the current zoning did not permit such improvements. There was also a brief discussion about possible city interest in the property at some time in the future to which the owners were receptive. Staff has secured a preliminary title report for the property. Chevron may have a right of first refusal relative to any sale.

Downtown Plan: Staff has scheduled discussion for the November 10 Study Session on prioritization of various possible Downtown projects (acquisitions and/or improvements) as part of preparations for the last phase of the Downtown Specific Plan prior to hearings early next year.





3. **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.

4. **Adjournment** – next meeting of the City Council November 10, 2009 5 pm Study Session – downtown matters in the Council Conference Room. Regular meeting at 7:00 pm City Council Chambers.

ATTACHMENT A

San Dimas

City Council
CURTIS W. MORRIS, Mayor
JEFF TEMPLEMAN, Mayor Pro Tem
EMMETT BADAR
DENIS BERTONE
JOHN EBNER

City Manager
BLAINE M. MICHAELIS

Assistant City Manager / Treasurer
KENNETH J. DURAN

City Attorney
J. KENNETH BROWN

Assistant City Manager of
Community Development
LAWRENCE STEVENS

Director of Public Works
KRISHNA PATEL

Director of Development
Services
DAN COLEMAN

Director of Parks
and Recreation
THERESA BRUNS

City Clerk
INA RIOS

April 17, 2008

To All Residents:

This letter is to explain what will be happening in your neighborhood in the near future.

A recent traffic accident damaged the "Grey Oaks" archway that spans the entrance to Terrebonne Avenue. The archway was installed several decades ago by the developer of the first phase of the homes on Terrebonne Avenue. The accident created the need to inspect the arch for damage. The City Staff completed this inspection and noted significant corrosion. The corrosion has compromised the stability of the archway, and overall corrosion has affected the lettering and ornamental leaves leaving them worn and loose. Therefore, in the interest of public safety, the portion of the archway spanning the street will be removed by the city sometime over the next several days. All of the material will be preserved & stored in the City Yard. As noted before, the archway is a private structure, therefore the city's action is to just remove the unsafe arch – the city will not be replacing it with another one.

If you have any further questions or concerns regarding the signage, please feel free to call me at (909) 394-6240.

Sincerely,



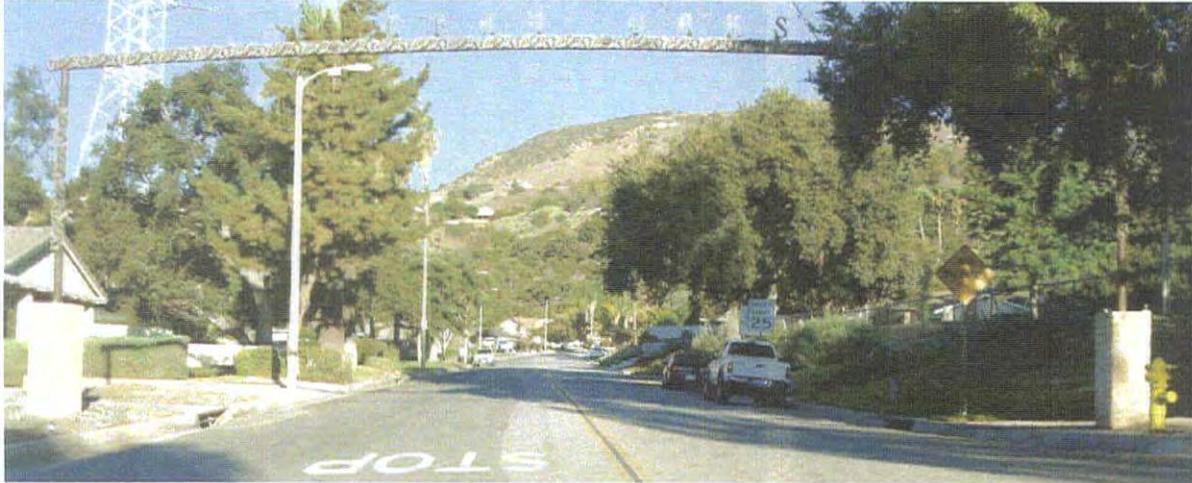
Krishna Patel
Director of Public Works

kp/jkl/04-08-24

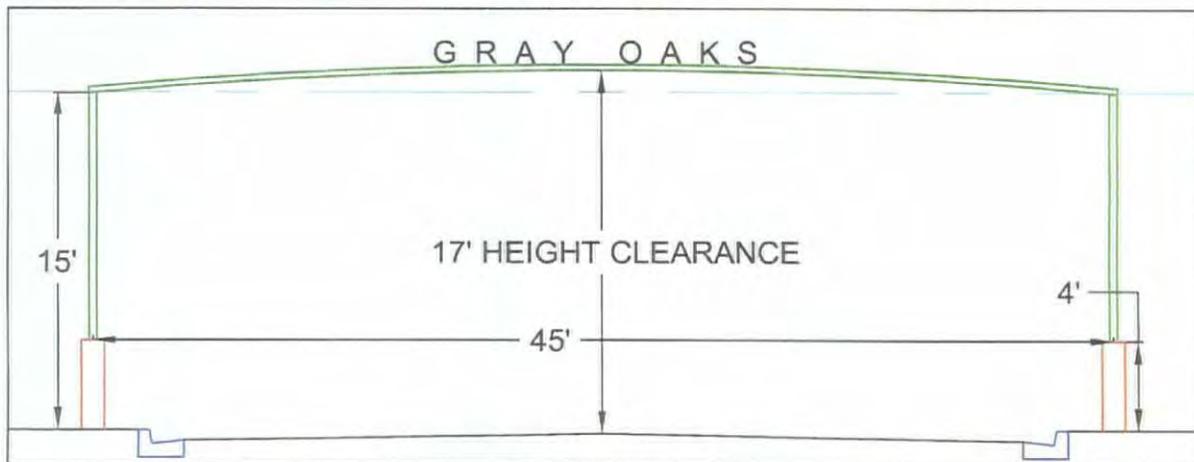
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ATTACHMENT B GRAY OAKS SIGN ON TERREBONNE AVE.

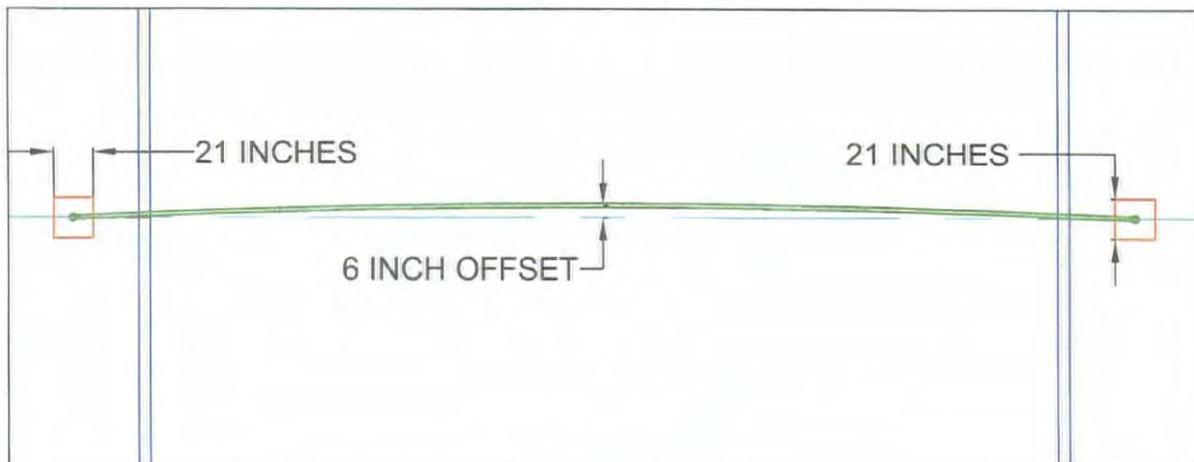
*MEASUREMENTS ARE APPROXIMATE



PHOTO



FRONT VIEW



TOP VIEW

ATTACHMENT C

San Dimas

City Council
CURTIS W. MORRIS, Mayor
EMMETT BADA, R. Mayor Pro Tem
DENIS BERTONE
JOHN EUBNER
JEFFREY NPLEMAN

City Manager
BLAINE M. MICHAELS

Assistant City Manager / Treasurer
KENNETH J. DURAN

City Attorney
J. KENNETH BROWN

Assistant City Manager of
Community Development
LAWRENCE STEVENS

Director of Public Works
KRISHNA PATEL

Director of Development
Services
DAN COLEMAN

Director of Parks
and Recreation
THERESA BRUNS

City Clerk
INA RIOS, CMC

November 20, 2008

Mr. Rick Williams
2062 Whitebluff Drive
San Dimas, CA 91773

Dear Mr. Williams:

Subject: Grey Oaks metal structure spanning across Terrebonne Avenue, just north of San Dimas Canyon Road

Thank you for your time, and for our discussion at the Public Works Counter a few days ago. I am glad that we were able to meet. I apologize that so much time passed before we were able to connect to discuss the Grey Oaks sign.

In reference to our conversation, please find enclosed the report from Ronald Rake, President of Mesa Inspection, Inc. The report details the visual inspection of the metal structure that spans across Terrebonne Avenue, just northwest of San Dimas Canyon Road.

As discussed, the visual inspection that Mesa conducted concludes that the foundation as well as the structural integrity of the fabricated metal arch is not sound. Day by day the structure continues to deteriorate.

Specifically the item of concern being as quoted in Mesa's report: "Multiple failures have occurred where the decorative leaves are welded to steel tabs (metal bars) as evidenced by the missing leaves and the heavy corrosion of the welds holding the existing leaves in place." Therefore, to temporarily, hold the leaves to the beam, the City crew has wrapped wires around the leaves and the beam (for additional support) due to failure of the original welds.

ATTACHMENT D

December 5, 2008

cc: Curtis. W. Morris – Mayor
Emmett Bader – Mayo Pro Tem
Denis Bertone- Councilman
John Ebner - Councilman
Jeff Templeman - Councilman

City of San Dimas
Mr. Krishna Patel – Director of Public Works
245 East Bonita Ave.
San Dimas, CA 91773

Dear Mr. Patel:

Subject: Gray Oaks Archway spanning across Terrebonne Ave.

Thank you for your time, and for making your staff available to answer questions for me at your Public Works Counter today. I very much appreciate the open dialogue and exchange of ideas we were able to have while we spoke.

I wanted to let you know that we are in the process of forming an "Action Committee" to work with you and the city staff to find a reasonable and acceptable solution to saving the arch. Our first order of business is to request from you and the City Council, an extension to the December 15 date for tear down and removal of the arch you specified in your April 17 letter.

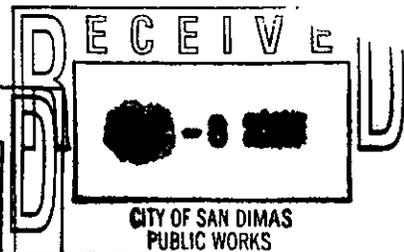
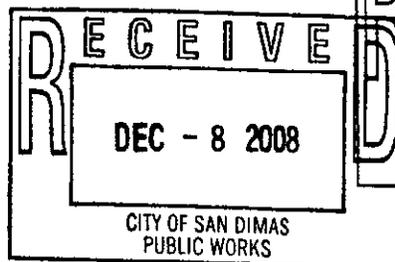
With the holidays fast approaching, we would like to have an extension of at least 120 days to finish forming the committee; meet with you and your staff as well as the members of the City Council, Historical Society and any other entities we all feel can help us reach an acceptable solution to all. I would also ask that this extension be open ended as long as we continue to work and make progress towards the goal of saving the Gray Oaks Arch.

I would also like to share with you that over the past couple of weeks I have discussed this issue with quite a few of the residents in the "Gray Oaks" neighborhood and I am delighted to say that not one of the residents that I have spoken with to date want the arch removed! I believe that with a little work and the sharing of ideas, we can find a solution to save the arch that will be acceptable to all parties.

Sincerely,

Rick Williams
Save The Arch Committee

626/695-1540 (cell)



I understand and deeply respect the fact that the arch seems to have become an emblem of identity for this particular portion of the San Dimas Community. However, the arch as considered by Mesa Inspection Inc. continues to be a concern in the short-term in respect to corrosion, deterioration, and failing overall structural integrity. We are concerned for the public's safety and feel the City has no alternative but to take down this structure. The City Crew will be directed to remove the metal leaves and the metal arch structure spanning Terrebonne Avenue by December 15, 2008.

If you have any questions or concerns regarding this matter, please feel free to contact me at (909) 394-6245.

Sincerely,



Krishna Patel
Director of Public Works

kp/jkl/11-08-26

cc: Blaine Michaelis, City Manager
John Campbell, Superintendent of Public Works Yard Dept.

Enclosure: Mesa Inspection Inc. Report of the metal signage spanning Terrebonne Avenue

**McKenna Long
& Aldridge, LLP**
Attorneys at Law

300 South Grand Avenue • 14th Floor • Los Angeles, CA
90071
Tel: 213.687.2100 • Fax: 213.687.2149
www.mckennalong.com

MEMORANDUM

TO: The Honorable Chairman and Members of the San Dimas Redevelopment Agency

CC: Blaine Michaelis
Larry Stevens

FROM: J. Kenneth Brown, Agency Counsel

DATE: October 23, 2009

RE: Grove Station

This memorandum is to provide a status report on this development. The existing entitlements provide for: (i) an office/retail building fronting on San Dimas Avenue; (ii) 14 for-sale units, including seven residential live/work units in two buildings, also fronting on San Dimas Avenue; and (iii) ninety-six additional for-sale units on the balance of the Property. The original agreement with the Developer provided that the Agency would acquire four of the units in the first phase and an additional eight units in the second phase which was planned for 24 for-sale units.

Because of the changes that occurred in the last two years in the real estate market, the transaction between the Agency and the Developer was changed and the Agency pre-paid for its four units, a total of One Million Five Hundred Ninety-One Thousand Dollars (\$1,591,000). These moneys were deposited with Cal National Bank (the "Bank"), the Developer's lender for this development. The Agency units have been identified and they are the following:

	<u>Address</u>	<u>Type of Unit</u>	<u>Square Footage</u>
<u>North Building</u>	234	2 Bedroom & Den	1541
	264	2 Bedroom & Den	1515
<u>South Building</u>	334	2 Bedroom & Den	1524
	354	2 Bedroom & Den	1517

At that same time, the Agency deposited with the Bank Two Million Seven Hundred Thousand Dollars (\$2,709,000) for the additional units it would acquire in the

second phase of the development. Earlier this year, when it was apparent that the second phase was not going forward, the Agency's \$2,709,000, with interest, was returned to it.

The office/retail building has been completed and there are tenants occupying some portions of first and second floors. The main driveway from San Dimas Avenue, which has not been completed at this time, also includes some parking that would be used for tenants of the office building. Recently the Bank agreed to fund the monies necessary to complete the driveway from San Dimas Avenue, along with the remaining street, parking areas, landscaping, etc. In addition, and because the balance of the project is not going forward, there are significant issues related to flood and erosion control which the Bank will also fund. At this time, the City staff and City engineer and the Bank's representative and Developer's consultants are developing plans that will be implemented before the official rainy season begins to address these issues. This involves not only the placement of sandbags but the availability on-site of pump(s), if required, to be sure that there aren't any standing pools of water in the areas that have been excavated in the rear portion of the properties.

As it relates to the 14 residential live/work units, eight of these are in the northerly building and six are in the southerly building. As you can observe by driving by these buildings, the southerly building is further along in its completion. I talked with Bill Fox, the Developer, and he thinks that these units will be completed in January with the units in the northerly building following in a month to six weeks thereafter. In the beginning, the budget for the 14 units was Four Million Three Hundred Fifty-Six Thousand Seven Hundred and Ninety-Six Dollars (\$4,356,796). As I noted, the Agency's four units and its contribution, total One Million Five Hundred Ninety-One Thousand Dollars (\$1,591,000). The balance of Two Million Seven Hundred Sixty-Five Thousand Nine Hundred Seventy-Six Dollars (\$2,765,976) was the Original Bank Loan secured by a First Deed of Trust on the Property.

As of October 1, 2009, after 12 draws to cover the work completed, the balance of the funds available to complete the 14 units is the following:

Balance as of October 1, 2009	Loan Funds
Original Budget – Bank's Loan	\$ 2,765,976.00
Total Funded from Loan Funds	\$ <u>(2,131,457.15)</u>
Remaining Available Loan Funds	\$ 634,518.85
	City Funds
Original City Funds	\$ 1,591,000.00
Total Amount Funded from City Funds	\$ <u>(756,760.90)</u>
Remaining Available City Funds	\$ 834,239.10

Total Funded to Date:

Loan Funds	\$	2,131,457.15
City Funds	\$	<u>756,760.90</u>
Total Funded	\$	2,888,218.05

Remaining Available Funds:

Loan Funds	\$	634,518.85
City Funds	\$	<u>834,239.10</u>
Total Available	\$	1,468,757.95

Although the Developer is in default under its Loan Agreements, the Bank and the Developer are in discussions about the Bank taking over the project and completing the 14 residential live/work units. I have had numerous discussions with all of the parties and everyone agrees that it is in everyone's best interest to complete the units, close the existing escrows, market the remaining units, and move on. Although the Developer has most of the 10 remaining units either under reservation or actually in escrow, we will not know until the buildings are completed, what financing will be available for these units nor at what price the units will appraise.

This project was first proposed and entitled as a for-sale development with 4 affordable units available in the first phase to persons of moderate income. Since only the first 14 units will be completed, the City staff is reviewing options relative to these 4 units. At a later time this issue will be brought to the Agency for discussion and direction. Mr. Michaelis also is in preliminary discussions with persons who have expressed interest in developing the balance of the property.

Respectfully submitted.


J. Kenneth Brown