



AGENDA
REGULAR CITY COUNCIL AND
REDEVELOPMENT AGENCY MEETING
TUESDAY, MAY 11, 2010, 7:00 P. M.
SENIOR CITIZEN/COMMUNITY CENTER
MULTIPURPOSE ROOM, 201 E. BONITA AVE.

CITY COUNCIL:

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

1. CALL TO ORDER AND FLAG SALUTE

2. RECOGNITIONS/PRESENTATIONS

- Association for Los Angeles Deputy Sheriffs - ALADS recognize City of San Dimas for ongoing support
- Bob Hardcastle to present check in the amount of \$6,028 from Ride for Life to the San Dimas Relay for Life Committee and San Dimas Team

3. ANNOUNCEMENTS

- a. 50th Anniversary Flashbacks

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

- a. Members of the Audience

5. CONSENT CALENDAR

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

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

- (1) **RESOLUTION NO. 2010-19**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF APRIL AND MAY, 2010.
- (2) **RESOLUTION NO. 2010-20**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING THE GENERAL CLOSURE OF CERTAIN STREETS FOR CITY SPONSORED OR OTHER SPECIAL EVENTS.

- b. Ordinances read by title, further reading waived, passage and adoption recommended as follows:
 - (1) Municipal Code Text Amendment 10-01 - A request to amend Chapter 18.14 of the City's Municipal Zoning Code, regarding Water Efficient Landscaping, to bring the City in compliance with SB 1881.

ORDINANCE NO. 1196, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 10-01, TO AMEND CHAPTER 18.14 OF THE CITY'S MUNICIPAL ZONING CODE. SECOND READING AND ADOPTION

- c. Approval of minutes for regular meetings of April 13, 2010, April 27, 2010, Special meeting of April 27, 2010, and City Council/Staff Retreat of April 19, 2010.
- d. Approval of City's Statement of Investment Policy: This investment statement outlines the policies for maximizing the efficiency of the City's cash management system.
- e. Reject claim for damages from Frederick Baisley.

END OF CONSENT CALENDAR

6. PUBLIC HEARINGS

- a. 2010-11 Annual City Budget
 - 1) Presentation of preliminary budget highlights
 - 2) Question and Answer Period/General Discussion
 - 3) Other Items of Community Interest.

7. SAN DIMAS REDEVELOPMENT AGENCY

- a. Oral Communication (This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.)
- b. Approval of minutes for April 27, 2010 meeting.
- c. Executive Director
 - 1) Façade Program

RESOLUTION NO. 190, A RESOLUTION OF THE SAN DIMAS REDEVELOPMENT AGENCY APPROVING A PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO THE OWNERS OF PROPERTY IN DOWNTOWN SAN DIMAS IN RECONSTRUCTING BUILDING FRONT FAÇADES.

- 2) Supplemental Revenue Augmentation Funds (SERAF) Funding Method; the Agency's intention to borrow the funds from Housing Set Aside Funds.
- d. Members of the Agency

8. SAN DIMAS PUBLIC FACILITIES FINANCING CORPORATION

- a. Oral Communication (This is the time set aside for members of the audience to address the Authority. Speakers are limited to three minutes.)
- b. Approval of minutes of the April 27, 2010 meeting.

9. ORAL COMMUNICATIONS

- a. Members of the Audience (Speakers are limited to five (5) minutes or as may be determined by the Chair.)
- b. City Manager
 - 1) Update on City Hall, Civic Center, and Stanley Plummer Community Building expansion and renovation project.
- c. City Attorney
- d. Members of the City Council
 - 1) Reappointments to Parks and Recreation Commission
 - 2) Reappointments to Senior Citizen Commission.
 - 3) Councilmembers' report on meetings attended at the expense of the local agency.
 - 4) Individual Members' comments and updates.

10. CLOSED SESSION

Recess to a Redevelopment Agency closed session pursuant to Government Code Section 54956.8:

a. CONFERENCE WITH REAL PROPERTY NEGOTIATOR

Property: 151 West Bonita Avenue

Negotiating Parties:

For Agency: Blaine Michaelis, Executive Director, Larry Stevens, Assistant City Manager of Community Development, and J. Kenneth Brown, Agency Attorney.

For Property: Todd Launchbaugh

Under Negotiation: Possible sale of property and terms and conditions of City/Agency possible participation.

b. CONFERENCE WITH LABOR NEGOTIATOR (Pursuant to G.C. Section 54957.6)

City Representative: Blaine Michaelis

Employee Group: City of San Dimas Employees

c. Report on closed session items

11. ADJOURNMENT

The next meeting is Tuesday, May 25, 2010, 5:30 p.m. for a study session regarding the Tree Ordinance and the Bonita/Cataract Landscaping project.

AGENDA STAFF REPORTS: COPIES OF STAFF REPORTS AND/OR OTHER WRITTEN DOCUMENTATION PERTAINING TO THE ITEMS ON THE AGENDA ARE ON FILE IN THE OFFICE OF THE CITY CLERK AND ARE AVAILABLE FOR PUBLIC INSPECTION DURING THE HOURS OF 8:00 A.M. TO 5:00 P.M. MONDAY THROUGH FRIDAY. INFORMATION MAY BE OBTAINED BY CALLING (909) 394-6216. CITY COUNCIL MINUTES AND AGENDAS ARE ALSO AVAILABLE ON THE CITY'S HOME PAGE ON THE INTERNET: <http://cityofsandimas.com>

SUPPLEMENTAL REPORTS: AGENDA RELATED WRITINGS OR DOCUMENTS PROVIDED TO A MAJORITY OF THE SUBJECT BODY AFTER DISTRIBUTION OF THE MARCH 11, 2008 AGENDA PACKET SHALL BE MADE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY CLERK'S OFFICE AT 245 EAST BONITA AVENUE DURING NORMAL BUSINESS HOURS. [PRIVILEGED AND CONFIDENTIAL DOCUMENTS EXEMPTED]

HEARING ASSISTANCE SYSTEM: HEARING ASSISTANCE IS AVAILABLE. PLEASE CONTACT THE CITY CLERK AT 909/394-6216 TO CHECK OUT A RECEIVER.

POSTING STATEMENT: ON MAY 7, 2010, A TRUE AND CORRECT COPY OF THIS AGENDA WAS POSTED ON THE BULLETIN BOARDS AT 201 EAST BONITA AVENUE (SAN DIMAS SENIOR CITIZEN/COMMUNITY CENTER); 186 VILLAGE COURT (SAN DIMAS TEMPORARY CITY HALL); 145 NORTH WALNUT AVENUE (LOS ANGELES COUNTY PUBLIC LIBRARY, SAN DIMAS BRANCH); AND 300 EAST BONITA AVENUE (UNITED STATES POST OFFICE); AND AS A COURTESY, AT THE VONS SHOPPING CENTER (PUENTE/VIA VERDE) AND THE CITY'S WEBSITE AT WWW.CITYOFSANDIMAS.COM.

RESOLUTION NO. 2010-19

A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN DIMAS, CALIFORNIA, APPROVING
CERTAIN DEMANDS FOR THE MONTHS OF
APRIL AND MAY 2010

WHEREAS, the following listed demands have been audited by the Director of Finance;
and

WHEREAS, the Director of Finance has certified as to the availability of funds for
payment thereto; and

WHEREAS, the register of audited demands have been submitted to the City Council for
approval.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Dimas
does hereby approve Prepaid Warrant Register: 04/30/2010; 21110 through 21182; in the amount
of \$2,722,135.62; Prepaid Warrant Register: 05/14/2010; 131125 through 131284; in the amount
of \$1,021,676.06.

PASSED, APPROVED AND ADOPTED THIS 11th DAY OF MAY, 2010.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Ina Rios, CMC, City Clerk

I HEREBY CERTIFY that the foregoing Resolution was adopted by vote of the City
Council of the City of San Dimas at its regular meeting of May 11, 2010, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Ina Rios, CMC, City Clerk

5a⁽¹⁾



***THE WARRANT DISBURSEMENT
JOURNAL IS NOT AVAILABLE TO
VIEW THROUGH LASERFICHE***

***A PAPER COPY IS AVAILABLE IN THE
FINANCE DEPARTMENT***

SORRY FOR ANY INCONVENIENCES.

DOCUMENT IMAGING DEPT.



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the Meeting of May 11th, 2010

From: Krishna Patel, Director of Public Works *KP*

Subject: **Approval of Resolution No. 10-20 Approving General Closures of Certain Streets for City-Sponsored or Other Special Events**

BACKGROUND

Over the years, with Council support, the City has sponsored or supported events including Western Days, Concerts in the Park, Earth Day, Family Festival, Downtown 5k, Holiday Fest, City Birthday Celebration, 5k and ½ marathon races at Bonelli Park, Farmer's Market, SC Velo Bike Race, Sheriff's Booster Car Show, and other similar events which have been held within the town core and on other City streets.

DISCUSSION

To ensure the success of these past events and safety of the public, Council has approved the full or restricted closure of portions of Bonita Ave, Walnut Ave, First St, Monte Vista Ave, Iglesia St, Exchange Pl, Gladstone St, San Dimas Ave, Cataract Ave, San Dimas Canyon Rd, Via Verde Ave, Cannon Ave, and Puddingstone Dr on an event basis with placement of appropriate traffic control devices approved by the Traffic Safety Committee. Last year, Resolution 09-15 authorized Staff to close First St east of Iglesia for City events without the need for specific Council approval.

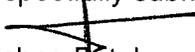
As the above-mentioned activities have become annual community events that have established closures, routes, and procedures. In an effort to continue with the success of these events, to improve efficiency, and streamline operations of various inter-departmental coordinating, Staff requests that Council consider authorizing the closure of town core and other streets for established City sponsored or other events without future need of individual Council approval. The attached resolution supersedes the previous Resolution No 09-15 and now includes the addition of several mentioned streets subject to full and/or partial closure.

RECOMMENDATION

Staff recommends that City Council adopt the attached Resolution No. 2010-20 that authorizes:

- I) Full or partial closure of Bonita Ave, First St, Walnut Ave, Iglesia St, Exchange Pl, Monte Vista Ave, Gladstone St, San Dimas Ave, Cataract Ave, San Dimas Canyon Rd, Via Verde Ave, Cannon Ave and Puddingstone Dr for City-sponsored or other events without further Council action.
- II) Authorizes City Departments to provide such traffic control and other devices for such events as necessary.

Respectfully submitted,


Krishna Patel
Director of Public Works
kp/lm 05-10-03

Attachment: Resolution 10-20

5a(2)

RESOLUTION NO. 10-20

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA,
APPROVING THE GENERAL CLOSURE OF CERTAIN STREETS FOR CITY-SPONSORED
OR OTHER SPECIAL EVENTS**

WHEREAS, a number of city sponsored or supported events, including Western Days, Concerts in the Park, Earth Day, Family Festival, Downtown 5k, Holiday Fest, City Birthday Celebration, 5k and ½ marathon races at Bonelli Park, Farmer's Market, SC Velo Bike Race, Sheriff's Booster Car Show, and other similar events which have been held within the city require the full or partial closure of streets in the city including Bonita Avenue, First Street, Walnut Avenue, Iglesia Street, Exchange Place, Monte Vista Avenue, Gladstone Street, San Dimas Avenue, Cataract Avenue, San Dimas Canyon Road, Via Verde Avenue, Cannon Avenue and Puddingstone Drive; and,

WHEREAS, the closure of these streets necessitates the placement of traffic control devices and the coordination of various city departments to ensure the success of the events, and safety of the traveling public, both pedestrian and vehicular; and,

WHEREAS, in the past, the City Council has approved the full or partial closure of these streets on an event-by-event basis; and,

WHEREAS, the City Council desires to adopt this statement of City Council policy and authorize the full or partial closure of streets within the town core and other streets, without further need of individual City Council action.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS,
CALIFORNIA DOES HEREBY RESOLVE THAT:**

SECTION 1. The City Council does approve the full or partial closure of city streets including Bonita Avenue, First Street, Walnut Avenue, Iglesia Street, Exchange Place, Monte Vista Avenue, Gladstone Street, San Dimas Avenue, Cataract Avenue, San Dimas Canyon Road, Via Verde Avenue, Cannon Avenue and Puddingstone Drive for those events listed above in the recitals and other similar city sponsored or supported events without further City Council action;

SECTION 2: The City Departments are authorized to provide such traffic control and other devices/support necessary for these events.

SECTION 3: This Resolution supersedes Resolution No. 09-15.

PASSED, APPROVED, AND ADOPTED this 11th day of May, 2010

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Ina Rios, CMC, City Clerk



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the meeting of May 11, 2010

From: Blaine Michaelis, City Manager *BM*

Initiated by: Kevin Frey, Administrative Aide

Subject: **ORDINANCE NO. 1196, SECOND READING AND ADOPTION
RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT
AMENDMENT 10-01, A REQUEST TO AMEND TITLE 18
CHAPTER 14 OF THE SAN DIMAS MUNICIPAL ZONING CODE**

SUMMARY

Ordinance No. 1196 revises the Water Efficient Landscape Ordinance to bring the City into conformance with the latest version of the updated State Model Landscape Ordinance.

The City Council amended portions of the Ordinance pertaining to Artificial Turf and introduced Ordinance No. 1196 at their April 27, 2010 meeting.

RECOMMENDATION

Adopt Ordinance No. 1196.

ORDINANCE NO. 1196

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 10-01, A REQUEST TO AMEND TITLE 18 CHAPTER 14 OF THE SAN DIMAS MUNICIPAL ZONING CODE

THE CITY COUNCIL OF THE CITY OF SAN DIMAS DOES ORDAIN AS FOLLOWS:

Section 1. Title 18, Chapter 14 of the San Dimas Municipal Code is hereby amended by Deleting the existing Chapter 18.14, Water-Efficient Landscapes and replacing, in its entirety, with the ordinance as shown in attached Exhibit A.

Section 2. This Ordinance shall take effect 30 days after its final passage, and within 15 days after its passage the City Clerk shall cause it to be published in the Inland Valley Daily Bulletin, a newspaper of general circulation in the City of San Dimas hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED THIS 11th DAY OF MAY, 2010.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Ina Rios, CMC, City Clerk

I, INA RIOS, CITY CLERK of the City of San Dimas, do hereby certify that Ordinance No. 1196 was regularly introduced at the regular meeting of the City Council on April 27, 2010 and was thereafter adopted and passed at the regular meeting of the City Council held on May 11, 2010 by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Ina Rios, CMC, City Clerk

Chapter 18.14

WATER-EFFICIENT LANDSCAPES

Sections:

18.14.010	Purpose and Intent
18.14.020	Definitions
18.14.030	Applicability
18.14.040	Implementation Procedures
18.14.050	Landscape Water Use Standards
18.14.060	Existing Landscapes
18.14.070	Artificial Turf
18.14.080	Minor Deviations
18.14.090	Implementation Guidelines
18.14.100	Enforcement and Penalties

18.14.010 Purpose and Intent

The intent of the water-efficient landscape chapter is:

- A. That this Chapter be at least as effective in conserving water as the State Model ordinance set forth in to Government Code §65595;
- B. To assure beneficial, efficient, and responsible use of water resources;
- C. To retain the land's natural hydrological role and promote the infiltration of surface water into the groundwater;
- D. To recognize that landscapes enhance the aesthetic appearance of developments and communities;
- E. To encourage the appropriate design, installation, maintenance, and management of landscapes so that water demand can be decreased, runoff can be retained, and flooding can be reduced without a decline in the quality or quantity of landscapes; and
- F. To reduce or eliminate water waste.

18.14.020 Definitions

“Applied Water” means the portion of water supplied by the irrigation system to the landscape.

“Artificial Turf” means a man-made material which simulates the appearance of live turf, organic turf, grass, sod, or lawn.

“Chapter” means Chapter 18.14 of the San Dimas Municipal Code.

“Ecological restoration project” means a project where the site is intentionally altered to establish a defined, indigenous, historic ecosystem.

“Estimated Applied Water Use” means the average annual total amount of water estimated to be necessary to keep plants in a healthy state, calculated as provided in the Guidelines. It is based

on the reference evapotranspiration rate, the size of the landscape area, plant water use factors, and the relative irrigation efficiency of the irrigation system.

“ET adjustment factor” or “ETAF” is equal to the plant factor divided by the irrigation efficiency factor for a landscape project, as described in the Guidelines. The ETAF is calculated in the context of local reference evapotranspiration, using site-specific plant factors and irrigation efficiency factors that influence the amount of water that needs to be applied to the specific landscaped area.

“Guidelines” refers to the “Guidelines for Implementation” as adopted by the City, which describes procedures, calculations, and requirements for landscape projects subject to this Chapter.

“Hardscapes” means any durable materials or feature (pervious and non-pervious) installed in or around a landscaped area, such as pavements or walls. Swimming pools and other water features are considered part of the landscaped area and not considered hardscapes for purposes of this Chapter.

“Homeowner installed landscape” means any landscaping either installed by a private individual for a single family residence or installed by a licensed contractor hired by a homeowner. A homeowner, for purposes of this Chapter, is a person who occupies the dwelling he or she owns. This definition excludes speculative homes, which are not owner-occupied dwellings and which are subject to the requirements applicable to developer-installed residential landscape projects.

“Irrigation efficiency” means the measurement of the amount of water beneficially used divided by the amount of water applied. Irrigation efficiency is derived from measurements and estimates of irrigation system characteristics and management practices. The minimum average irrigation efficiency for purposes of this Chapter is 0.71.

“Landscaped area” means all the planting areas, turf areas, and water features in a landscaped design plan subject to the “Maximum Applied Water Allowance” and “Estimated Applied Water Use” calculations. The landscaped area does not include footprints of buildings or structures, sidewalks, driveways, parking lots, decks, patios, gravel or stone walks, other pervious or non-pervious hardscapes, and other non-irrigated areas designated for non-development (e.g. open spaces and existing native vegetation).

“Landscape Documentation Package” means the documents required to be provided to the City for review and approval of landscape design projects, as described in the Guidelines.

“Landscape project” means total area of landscape in a project, as provided in the definition of “landscaped area”.

“Maximum Applied Water Allowance” or “MAWA” means the upper limit of annual applied water for the established landscaped area. It is based upon the area’s reference evapotranspiration, the ET Adjustment Factor, and the size of the landscaped area. The “Estimated Applied Water” use shall not exceed the “Maximum Applied Water Allowance”.

“Mined-land reclamation projects” means any surface mining operation with a reclamation plan approved in accordance with the Surface Mining and Reclamation Act of 1975.

“Permit” means an authorizing document issued by the City for new construction or rehabilitated landscape.

“Rehabilitated landscape” means any re-landscaping project that is greater than 2,500 square feet, is 50% of the total landscape area, and the modifications are planned to occur within one year.

“Special landscape area” means an area of the landscape dedicated solely to edible plants such as orchards and vegetable gardens, areas irrigated with recycled water, water features using recycled water, and areas dedicated to active play such as parks, sports field, golf courses, and where turf provides a playing surface.

“Turf” means a ground cover surface of mowed grass.

“Water feature” means a design element where open water performs an aesthetic or recreational function. Water features include ponds, lakes, waterfalls, fountains, artificial streams, spas, and swimming pools (where water is artificially supplied). The surface area of water features is included in the high water use hydrozone of the landscaped area. Constructed wetlands used for on-site wastewater treatment, habitat protection, or storm water best management practices that are not irrigated and used solely for water treatment or storm water retention are not water features and, therefore, are not subject to the water budget calculation.

18.14.030 Applicability

- A. All landscaping projects subject to this Chapter shall obtain a permit from the Department of Development Services prior to installation of any landscaping. All planting, irrigation, and landscape related improvements required by this Chapter shall apply to the following landscape projects:
1. Installation of new and rehabilitated landscaping for industrial, commercial, office and institutional developments; parks and other public recreational areas; multi-family residential; with a landscape area equal to or greater than 2,500 square feet.
 2. Installation of new landscaping at single family dwellings which are developer installed with a landscape area equal to or greater than 2,500 square feet.
 3. Installation of new landscaping at single family dwellings, which are homeowner installed, with a landscape area equal to or greater than 5,000 square feet.
 4. Special Landscaped Areas, such as areas dedicated to edible plants, irrigated with recycled water, or dedicated to active play, shall prepare a water efficient landscape worksheet and landscape documentation package according to specifications for Special Landscaped Areas;
 5. New and rehabilitated cemeteries shall be required to comply with this Chapter;

6. Irrigation of landscaped areas of any size shall be conducted in a manner conforming to the rules and requirements, and shall be subject to penalties and incentives for water conservation and water waste prevention as determined and implemented by the local water purveyor or as mutually agreed by the local water purveyor and the City of San Dimas.
7. Existing landscapes that are one acre or more shall not exceed their Maximum Applied Water Allowance.

B. This Chapter does not apply to:

1. Registered local, state, or federal historical sites;
2. Ecological restoration projects that do not require a permanent irrigation system;
3. Mined-land reclamation projects that do not require a permanent irrigation system; or
4. Plant collections, as part of botanical gardens and arboretums open to the public.

C. Except as provided in this Chapter a permit is required before the installation or rehabilitation of a landscape. Before a permit is issued the Director of Development Services or his designee must ensure the proposed landscape is in conformity with the conditions set forth in this Chapter.

18.14.040 Implementation Procedures

A. Prior to installation, a "Landscape Documentation Package" shall be submitted to the Development Services Department for review and approval of all landscape projects subject to the provisions of this Chapter. Any "Landscape Documentation Package" submitted shall comply with the adopted Guidelines.

B. Prior to assembling the landscape documentation Package, applicants are advised to consult the Development Services Department to ascertain if the subject property is located within an area subject to additional landscape requirements including, but not limited to various custom lot areas and scenic corridors. Information regarding additional landscape requirements shall be made available upon request.

C. Other regulations affecting landscape design and maintenance practices are potentially applicable and should be consulted for additional requirements. These regulations include but may not be limited to:

1. State of California Section 65595;
2. National Pollutant Discharge Elimination Permit for the Municipal Separate Sewer System;
3. Water Conservation and Drought Response Regulations of the Local Water Purveyor;
4. Zoning Code;
5. Building Code;
6. Specific Plans, Master Plans, General Plan, or similar land use and planning documents; and
7. Conditions of approval for a specific project.

- D. Landscape and irrigation plans submitted to the Development Services Department for review and approval shall include appropriate water use calculations.
- E. The “Landscape Documentation Package” shall bear the signature of a licensed landscape architect, licensed landscape contractor, or any other person authorized to design a landscape. This ordinance shall not be deemed to prohibit any person from preparing any plans, drawings, or specifications for any property owned by that person.
- F. Verification of compliance of the landscape installation with the approved plans shall be obtained through a “Certificate of Completion” in conjunction with the final permit process, as provided in the Guidelines and are certified to be in compliance with the provisions of a Chapter and Guidelines and that the landscaping has been completed in accordance with the approved plans.

18.14.050 Landscape Water Use Standards

- A. For applicable landscape installation or rehabilitation projects subject to this Chapter, the “Estimated Applied Water” use allowed for the landscaped areas shall not exceed the “Maximum Applied Water Allowance” calculated using an “ET adjustment factor” of .07, except for special landscaped areas where the “Maximum Applied Water Allowance” is calculated using an “ET adjustment factor” of 1.0; or the design of the landscaped area shall otherwise be shown to be equivalently water-efficient in a manner acceptable to the City as provided in the Guidelines.

18.14.060 Existing Landscapes

- A. Irrigation of landscaped areas of any size shall be conducted in a manner conforming to the rules and requirements and shall be subject to penalties and incentives for water conservation and waste prevention, as determined and implemented by the local water purveyor and as may be mutually agreed by the City.
- B. The City and/or local water purveyor may administer programs such as irrigation water use analyses, irrigation surveys and/or irrigation audits, tiered meter rate structures, water budgeting by parcel, or other approaches to achieve landscape water use efficiency community-wide to a level equivalent to or less than would be achieved by applying a MAWA calculated with an ETAF of 0.8 to all landscaped areas in the City over one acre in size.
- C. The architectural guidelines of a common interest development, including apartments, condominiums, planned developments, and stock cooperatives, shall not prohibit or include conditions that have the effect of prohibiting the use of low-water use plants as a group.
- D. Water Waste Prevention

1. Water waste resulting from inefficient landscape irrigation leading to excessive runoff, low head drainage, overspray and other similar conditions where water flows onto adjacent property, non-irrigated areas, walks, roadways or structures is prohibited.
2. All landscape areas, whether installed pursuant to this chapter or not, shall be maintained in a healthful and sound condition. Irrigation systems and their components shall be maintained in a fully functional manner consistent with the originally approved design and the provisions of this chapter.
3. Landscapes shall be maintained to ensure water efficiency. A regular maintenance schedule should include but not be limited to checking, adjusting, and repairing irrigation equipment; resetting the automatic controller; aerating and dethatching turf areas; replenishing mulch; fertilizing; pruning; and weeding in all landscaped areas.

18.14.070 Artificial Turf

- A. Artificial or synthetic turf is an appropriate substitute for natural turf in some cases for the purposes of water conservation. The use and maintenance of artificial turf shall be governed by Guidelines which shall be adopted as set forth in section 18.14.090.

18.14.080 Minor Deviations

- A. The Director of Development Services or his or her designee may grant minor deviations from the requirements of this chapter limited to the following:
 1. Minor modifications to approved landscaping irrigation or grading plans, which comply with the spirit and intent of this chapter and the accompanying Guidelines;
 2. Modifications of planting, installation, and/or preparation details;
 3. Final of permits prior to installation of landscaping due to exceptional and unforeseen circumstance, subject to the deposit of an appropriate performance guarantee with the Development Services Department.
- B. In granting a minor deviation, the Director of Development Services or his or her designee may impose conditions, as deemed necessary, to comply with the spirit and intent of this chapter and accompanying Guidelines;
- C. The Director of Development Services Department decision may be appealed to Development Plan Review Board in writing. The Development Plan Review Board shall not be required in granting a minor deviation to this chapter or accompanying Guidelines.

18.14.090 Implementation Guidelines

This Water Efficient Landscape Ordinance Guidelines shall be adopted by resolution of the Planning Commission.

18.14.100 Enforcement and Penalties

- A. Except for the provisions of Section 5.110.030(D)(13)(h), any firm, corporation or person, whether as principal, agent, employee or otherwise, violating or causing the violation of any

of the provisions of this chapter shall be guilty of a misdemeanor, and any conviction thereof shall be punishable as set forth in Chapter 1.12 of the San Dimas Municipal Code.

- B. Nothing herein shall prevent or restrict the city from taking such other lawful action in any court of competent jurisdiction as is necessary to prevent or remedy any violation or noncompliance. Such other lawful actions shall include, but shall not be limited to, an equitable action for injunctive relief or an action at law for damages.
- C. Further, nothing in this section shall be construed to prohibit the city from prosecuting any violation of this chapter by means of code enforcement established pursuant to the authority as provided by the laws of the state of California and the City of San Dimas.
- D. Any violation of the provisions of this chapter shall constitute a separate offense for each and every day during which such violation is committed or continued.



MINUTES
REGULAR CITY COUNCIL
TUESDAY, APRIL 13, 2010, 7:00 P. M.
SENIOR CITIZEN/COMMUNITY CENTER
MULTIPURPOSE ROOM, 201 E. BONITA AVENUE

PRESENT:

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

City Manager Blaine Michaelis
City Attorney J. Kenneth Brown
City Clerk Ina Rios
Assistant City Manager Ken Duran
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the regular meeting to order at 7:00 p.m. and led the flag salute.

2. RECOGNITIONS

- Proclaim May as Older Americans Recognition Month and recognize Jay Pace as the City's Older American Day honoree.

Councilmember Bertone, City Council Liaison to the Senior Citizens Commission, said Ms. Pace volunteers with the Chuck Wagon Nutrition program and other numerous events, and it is a pleasure working with her. She is well deserving of the recognition and will be honored on May 10, 2010 at a recognition celebration in Los Angeles.

Mayor Morris congratulated and presented a proclamation to **Jay Pace**, the City's honoree recognized at the Los Angeles County Older American Recognition Day, and he declared the month of May as Older Americans Month.

Jay Pace thanked the City Council for the recognition on behalf of all the other volunteers who work hard.

Councilmember Bertone said there are two vacancies on the Senior Citizen Commission and he encouraged participation. He said applications are available with the City Clerk's office.

- Presentation of banner to Andrew Ortiz, Senior Airman, U. S. Air Force, recently discharged from active duty in the Armed Forces.

Mayor Morris, Gary Enderle and Janie Graef, San Dimas H.E.R.O.E.S., presented the military banner that was flown on San Dimas Avenue to **Andrew Ortiz**, Senior Airman, who completed four years of exemplary service in the U. S. Air Force and was honorably discharged in December, 2009. Mayor Morris also presented a certificate in honor of his duty to his country.

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- Proclaim April 11-17, 2010 as National Library Week.

Mayor Morris read and presented to **Pui-Ching Ho**, San Dimas Librarian, a proclamation declaring April 11-17, 2010 as National Library Week.

- Proclaim April 19-23, 2010 West Nile Virus and Mosquito and Vector Control Awareness Week.

Mayor Morris read and presented to **Councilmember Templeman**, as representative on the Mosquito and Vector Control Abatement District, a Proclamation declaring April 19-23 West Nile Virus and Mosquito and Vector Control Awareness Week.

Councilmember Templeman reminded the community that West Nile Virus is a serious health threat to humans, horses, avian species, and other wildlife. He urged the community to remove standing water to minimize mosquito issues and to contact the Mosquito and Vector Control District if they encounter any difficulties.

- Proclaim April 21, 2010 as Earth Day.

Mayor Morris read and presented to **Lisa Monreal**, Environmental Services Coordinator, a proclamation declaring April 21, 2010 as Earth Day.

Lisa Monreal, Environmental Services Coordinator for the City of San Dimas, invited the community to the Public Works Department inaugural Earth Day celebration on Wednesday, April 21, 2010, at the Farmer's Market, from 5:00 p.m. to 9:00 p.m. She said there will be various fun activities to raise awareness and education about environmental consciousness.

- Proclaim April 2010 as Fair Housing month.

Mayor Morris read and presented to **Maria Benitez**, Outreach Coordinator with the Fair Housing Foundation, a proclamation declaring April 2010 as Fair Housing Month.

Maria Benitez, on behalf of the Fair Housing Foundation, thanked Mayor Morris for the great support in allowing them to come to San Dimas to educate the Council about landlord and tenant rights and to prevent discrimination.

- Arbor Day State Poster Contest Winner Claudia Lopez, 5th grader at Ekstrand School.

Director of Parks and Recreation Bruns stated that in an effort to teach students the benefits of trees, each year since 1992, the Arbor Day Foundation promotes a State Poster Contest open to all Fifth Grade students in the United States. This year's theme is "Trees are Terrific and Energy Wise" and the first place California State winner is Claudia Lopez, who is in the 5th grade at Ekstrand and accepted the award in Sacramento with her teacher, Mrs. Katherine Rojas. Claudia is now eligible to compete at the national level. This win marks the second California school to win the California First place poster contest.

Ms. Bruns extended a special thank you to Jeff Miedema who promotes the program every year at Ekstrand School and encourages participation in the contest.

Mayor Morris congratulated and presented a Certificate to **Claudia Lopez** as winner of the Arbor Day State Poster Contest. Claudia is a 5th grader at Ekstrand School. He praised Mr. Miedema and the parents who help encourage the kids.

- Proclaim April as Child Abuse Prevention Month.

Mayor Morris read and presented to **Kimberly Rohde**, Santa Anita Family Services, a proclamation declaring April 2010 as Child Abuse Prevention Month and calling upon citizens, community agencies, religious organizations, medical facilities and businesses to increase their participation in our efforts to prevent child abuse.

Kimberly Rohde, Clinical Intern, Santa Anita Family Services, a non profit organization that provides mental health services to low-income families, thanked the Mayor and City Council for proclaiming April as Child Abuse Awareness month and increasing public awareness of child abuse.

3. ANNOUNCEMENTS

- a. 50th Anniversary Flashbacks

Bill Emerson, San Dimas Historical Society, reported on the grand opening of the Via Verde Planned Community in November, 1965; groundbreaking held at the original Library for the new library under construction on Walnut Avenue in April, 1970; new motto "San Dimas Refreshing New City" for plans progressing for the redevelopment of the Downtown San Dimas; In July, 1970, a Sign consultant, hired for development of the Downtown, suggested 75% changes would be made by the City; including a proposal to widen the sidewalk; a welcome station to be built by Chevron; closing in of Exchange Place; a mini-park at Rhoades; outdoor café, many amusement parks where Liberty Ford stands. Residents were invited to come out to the median strip on Arrow Highway on Saturday, July 24, 1971 to watch several major improvement projects underway; and San Dimas JC's would be installing the 100 year old Covered Wagon they had been renovating throughout the past few months.

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

Pui-Ching Ho, Library Manager, San Dimas Library, said on April 17, local historian and former President of San Dimas Historical Society Ralph Thomas will be presenting on the first 80 years of San Dimas' history in honor of the City's 50th Anniversary. Other programs available include a "not your average" Puppet Show at 3:00 p.m. on Saturday, April 24; Book Party will be at 10:30 a.m. on May 3; Book of the Month is *Dewey: The Small Town Library Cat Who Touched the World*; Pre-School Story Time on Friday mornings at 10:30 a.m. For more information on any program, call the Library at (909) 599-6738 or access their website www.co.la.publib.org.

- c. Senior Citizens Club's annual presentation regarding Club activities and programs.

Linda Groth, Senior Citizens Club Treasurer, reported that donations were made to the following: \$3,000 to San Dimas Utilities; \$2,400 for special events; \$200 for the Hunger Program; \$100 to the San Dimas Nature Center; \$1,500 for the Snow Program; \$500 to McKinley Childrens Home; \$500 to Salvation Army; \$200 to Los Angeles Mission; and \$3,000 for scholarships, for a total of \$11,400.

Councilmember Bertone commented that the Senior Citizens Club has a long tradition of donating funds to the City.

Mayor Morris expressed his appreciation for the Senior Citizens Club's participation in and contributions to the various programs.

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

a. Members of the Audience

1) **Breanna Celaya**, ASB President, San Dimas High School, reported that students are preparing for the California State testing; seniors are required to submit a Senior Connection project to graduate; the Science Olympic Team competed and took 21st Place at Valencia High School; students are raising funds for Melanoma and Leukemia patients; Sports are beginning; and the Band competed in Las Vegas and won 1st Place in Concert and Jazz, and 2nd Place in Drum Line.

2) **Zach Nemcek**, President, Lone Hill Middle School, reported that testing will begin on April 26, through May 13, 2010; while continuing all activities including photos; Elections; and end of year Election Dance to announce elected Officers.

3) **Ted Powl**, President/CEO, Chamber of Commerce, commended Pui-Ching Ho for participating in the Civic Academy along with 14 other individuals. He announced two upcoming events: 1) the Chamber is partnering with Inland Valley Health for a Fundraiser Golf Tournament on May 24, 2010, at the Via Verde Country Club. He expressed appreciation for the sponsors of this event and encouraged participation. 2) Mr. Powl invited the community to the Chambers Installation and Awards dinner on June 24, 2010, to install the new Chamber Officers and recognize businesses in the community. He said the Chamber is accepting nominations in any category.

4) **Margie Green** invited the community to the Festival of Art's 34th Annual National Art Exhibition and Sale beginning Friday, April 23, 2010 for the Premier Opening and Dinner catered by Saffron Restaurant. She said the Gallery will be open Saturday-Sunday, April 24-25, from 9:00 a.m. to 5:00 p.m., and will feature 28 National Artists. The Festival of Arts is also partnering with the Downtown Corridor for a Garden Affair on Bonita Avenue, and she encouraged participation. She said all events, with the exception of dinner, are free.

5) **Bill Emerson**, invited the community to David Dreier's 2nd Annual Congressional Art Show on May 1, 2010. He said Congressman Dreier invites all students within his district to participate. Admission is free.

6) **Sid Maksoudian** reiterated his concern with transparency concerning Saffron Restaurant and stated he has no interest in running or purchasing the concessionary lease.

5. **CONSENT CALENDAR**

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

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

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

- (1) **RESOLUTION NO. 2010-12**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF MARCH AND APRIL, 2010.

- (2) **RESOLUTION NO. 2010-13**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, DECLARING THE CITY'S SUPPORT FOR AN ENERGY PARTNERSHIP BETWEEN SOUTHERN CALIFORNIA EDISON AND THE CITY OF SAN DIMAS.
 - (3) Urban Greening Planning Grant Application Submittal to benefit citywide planning initiatives: **RESOLUTION NO. 2010-14**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING THE SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS FOR THE URBAN GREENING PLANNING GRANT PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84) TO BENEFIT CITYWIDE PLANNING INITIATIVES.
 - (4) Urban Greening Project Grant Application Submittal to benefit Walnut Creek Habitat and Open Space Area: **RESOLUTION NO. 2010-15**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING THE SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS FOR THE URBAN GREENING GRANT PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84) TO BENEFIT WALNUT CREEK HABITAT AND OPEN SPACE AREA.
- b. Approval of minutes for regular meeting of March 23, 2010.
 - c. Reject claim for damages from Southern California Edison Company.
 - d. Reject claim for damages from San Dimas Villas Apartments.
 - e. Proclaim April as Sexual Assault Awareness Month.

END OF CONSENT CALENDAR

6. PUBLIC HEARING

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

- a. Municipal Code Text Amendment 10-01 - A request to amend Chapter 18.14 of the City's Municipal Zoning Code, regarding Water Efficient Landscaping, to bring the City in compliance with SB 1881. (CONTINUED FROM MARCH 9, 2010 - REQUEST TO CONTINUE THIS ITEM TO APRIL 27, 2010)

Mayor Morris opened the public hearing for the purpose of continuing the public hearing to April 27, 2010 at the request of Assistant City Manager of Community Development Stevens who is unable to attend tonight's meeting.

It was the consensus of the City Council to continue the public hearing on Municipal Code Text Amendment 10-01 to 7:00 p.m. Tuesday, April 27, 2010.

7. OTHER BUSINESS

- a. Sycamore Canyon Equestrian Center request for lease extension
Receive report regarding the request; provide direction as desired; schedule the lease extension for decision at the April 27, 2010 Council meeting.

City Manager Michaelis provided a brief background and reported that the 2005 Agreement with Sycamore Canyon Equestrian Center included a five-year extension opportunity. Rather than a five-year extension, the Equestrian Center proposed a 20 year lease term to allow them to recover the costs of completed improvements and future investments. Mr. Michaelis outlined some operational changes permitted in 2005 as part of the lease and said since that time the Equestrian Center has implemented one fee increase. Mr. Michaelis concluded that the Center has been compliant with the Agreement and an extension could be appropriate. He provided four options for Council's consideration and suggested the proposal be considered over two Council meetings.

Laurie Adair, Sycamore Canyon Equestrian Center, responded to Council's questions concerning security lighting, fencing in the lower area, phasing the improvements, completed improvements, preparing the arena for the Rodeo, and maintaining the City's arena. She requested a minimum of ten years extension to recuperate costs and repay the loan, with two additional five-year extensions.

Mr. Michaelis suggested the City secure a 15-year plan to finance the restroom improvements alleviating the pressure to award a 15-year lease extension.

Mayor Morris suggested amortizing the future investments by the Adairs as an incentive to complete the improvements, and if the lease is not renewed, the City can assume the financial responsibility.

In response to Mayor Morris, Assistant City Manager Duran replied that the City has the right to exercise its discretion to review and approve a fee increase if the Boarder vacancy rate drops to 80% for a three month period.

Mayor Pro Tem Ebner supported financing the improvements and taking the burden off the Adairs.

City Manager Michaelis said the \$250,000 estimate is for a multi-purpose building and will go through the bidding process that will be brought to the Council for decision.

Mayor Morris felt further discussion was necessary on the house on the property and the main line sewer that will be brought for Council consideration. He inquired if it was feasible to demolish the house.

Mrs. Adair supported constructing a caretaker unit in the lower area and if the house is demolished, she inquired if they would be permitted to place a small trailer on the site.

Mayor Morris stated that this request can be considered at the next meeting.

Councilmember Templeman expressed concern with the duration of financing the improvement projects. He added that the City Council no longer hears from the Boarders.

In response to Councilmember Templeman, Mrs. Adair stated that the lease granted them autonomy so that the City Council was relieved from the burden of hearing complaints that the Adairs could manage.

It was moved by Councilmember Bertone to direct staff to bring back an Agreement to extend the contract for ten years, with the option of two additional five year extensions.

The motion failed due to lack of a second to the motion.

City Manager Michaelis stated that staff will explore flexible financing options with shorter terms and review the rent and associated maintenance costs on the house with a septic tank system. He added that property management will be included in the cost estimates.

Mayor Morris suggested that if additional time is needed to secure the financial data, it is not necessary to adhere to the timetable and staff can bring back the report when the necessary information is available, with the exception of the main line sewer.

It was the consensus of the City Council to defer this item until such time as staff secures flexible financing alternatives and an appropriate schedule for improvements to be completed.

Mayor Morris requested that a notice of the meeting to consider extension of the lease agreement be posted at the Sycamore Canyon Equestrian Center.

Don Green asked if the renewal would impact the rodeo, and he requested notification of the meeting. Mr. Green was assured that the Rodeo was not affected.

- b. Septic system repair to City-owned home at 1525 Sycamore Canyon Road
Receive report and approve replacement of the septic system.

Director of Public Works Patel offered a Powerpoint presentation concerning a drainage problem discovered at 1525 Sycamore Canyon Road residence and Horsethief Canyon Park. He said the initial contractor's bid was rejected and he outlined three options and cost alternatives for Council consideration and recommended Option A, the appropriation of \$50,000 from the Infrastructure Fund for the construction of the sewer force main and pump system, and authorization to proceed with formal bid process to receive a more competitive bid.

In response to Council, Director Patel explained the force main/pump system route of the sewer across the creek being supported on pier supports and the estimated costs for the proposed project. He added that for an additional cost, the gravity system can be constructed, rather than going under the creek which would create permitting challenges from environmental agencies.

In response, Councilmember Templeman suggested a route that runs on the eastside of the creek and crosses the creek at the street. Director Patel explained the Engineering challenges of crossing due to shallowness of the existing twin large diameter corrugated metal pipes. However, he indicated that he will investigate this route as part of final design upon council direction. Councilmember Templeman was supportive of the route even if it warrants additional funds or costs.

Councilmember Templeman felt that because of the high cost of septic system repairs, and in light of earlier discussions that Council would likely consider a plan to finance the restroom near the main barn as part of the Agreement with Sycamore Canyon Equestrian Center in negotiating a lease extension with the Adairs. Then Option B provides a more reasonable alternative, as it provides a benefit of flexibility for the future development of the Park and the Equestrian Center.

It was moved by Councilmember Templeman and seconded by Councilmember Ebiner to direct Staff to proceed with Option B, which was to extend the 8" main line sewer and the residences force main/pump sewer system, with a request that Staff review the feasibility of force main not crossing the creek on pier supports as proposed. The motion carried 4:1; Councilmember Bertone opposed.

8. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 9:17 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 9:18 p.m..

9. SAN DIMAS PUBLIC FACILITIES FINANCING CORPORATION

Mayor Morris recessed the regular meeting at 9:18 p.m. to convene a meeting of the San Dimas Public Facilities Financing Corporation Board of Directors. The regular meeting reconvened at 9:21 p.m..

10. ORAL COMMUNICATIONS

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

1) **Alta Skinner** applauded the past and current partnerships entered into in support of education of students and asked that the City Council support the Bonita Unified School District Resolution to the Governor and Legislators. She reported that throughout the State of California teachers' positions are being cut and many teachers are forced to leave the teaching field. She added that continued cuts cause young students in college to abandon their education and look to other careers. She said it has been proven that the community values education and is tired of putting hard earned funds into educational measures through bonds and taxes only to have those funds raided by Sacramento. She introduced Michelle Snow, President of Council for Bonita Unified School District, and Diane and Glen.

2) **Steven Perez** advised that on March 31, he was cited for two vehicles parked on the street minutes before 5:00 a.m. He added that he did not notice his registration tags were stolen and he was charged an additional fee. He said he is allotted one parking stall and explained he does not qualify for overnight parking permits as the vehicles are not registered to his apartment. He asked the Council for assistance.

Mayor Morris said Mr. Duran will review this matter to see if some accommodation can be made.

3) **Sid Maksoudian** stated that as a citizen, he should be able to communicate with any employee or member of the Council.

- b. City Manager

- 1) Update on City Hall, Civic Center, and Stanley Plummer Community Building expansion and renovation project.

Director Coleman stated that the move to Temporary City Hall on March 8, 2010 went well with minimal disruption to the public. He delivered a Powerpoint presentation on the demolition to the interior and exterior of city hall, community building, the plaza area, and the removal of hazardous materials. He added that the ground breaking ceremony was held on March 23, and if the public is interested in following construction progress, photos will be posted weekly on the City's website.

- c. City Attorney

There were no comments.

- d. Members of the City Council

- 1) Appointment to the Parks and Recreation Commission.

Mayor Pro Tem Ebner reported that there is one vacancy on the Parks and Recreation Commission and six candidates from a previous recruitment expressed an interest in serving. After careful consideration, the Committee recommended the appointment of Frank Neal.

It was moved by Mayor Pro Tem Ebner, seconded by Councilmember Bertone, that upon expiration of Commissioner Kane's final term, to appoint Frank Neal to the Parks and Recreation Commission for a two year term to commence July 1, 2010 through June 20, 2012. The motion carried unanimously.

- 2) Authorize the Mayor to sign letter supporting school funding and protecting local government revenues in the state budget process.

City Manager Michaelis stated that adequate education funding has been a casualty of the State budget process. He presented a request from Bonita Unified School District to support school funding and protecting local government revenue in the State budget process by authorizing the Mayor to sign a letter opposing the Governor's proposed 2010-2011 Budget for schools.

It was moved by Councilmember Templeman, seconded by Councilmember Badar, to authorize the Mayor to sign a letter supporting school funding and protecting local government revenue in the State budget process. The motion carried unanimously.

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

Councilmember Templeman reported that he, along with members of the Planning Commission and Director Coleman, attended the Planners Institute on March 24-26, 2010. He said the conference covered a variety of topics including State regulations on environmental mandates; Demystifying the Architectural and Site Plan Review process; Changing Climate and regulations; and How to read an EIR. He expressed concern that the Attorney General's office is enforcing mandates requiring cities to incorporate a Climate Plan into their General Plan and inquired about the date the City of San Dimas' General Plan was implemented.

Director Coleman replied that the Housing Element was adopted in 1991 and updated in 2008.

Councilmember Templeman suggested the General Plan be renewed every ten years to avoid exposure to strict oversight out of Sacramento.

- 4) Individual Members' comments and updates.

- 1) Mayor Pro Tem Ebiner commended Tim Rowe for the Autistic Little League and reported it was a great event.

- 2) Councilmember Bertone reported that the Metropolitan Transportation Authority agreed to fund Phase II(a) of the Gold Line from Pasadena to Azusa, from Measure R passed in 2008, which will be funded over a period of ten years. It is anticipated that service to Azusa will commence in 2014 barring any difficulties. He said San Dimas is in Phase II(b) from Azusa to Montclair, and Montclair to Ontario Airport is in Phase II(c). He would like the City of San Dimas to dedicate a specific location for the Gold Line and expressed hope that construction can begin in 2014 with service to begin in 2017.

11. ADJOURNMENT

Mayor Morris adjourned the regular meeting at 9:54 p.m. The next meeting will be Monday, April 19, 2010, 5:00 to 9:00 p.m. for a City Council/Staff Retreat at the San Dimas Sheriff's Station, 270 South Walnut Avenue.

Respectfully submitted,

Ina Rios, CMC, City Clerk



MINUTES
REGULAR CITY COUNCIL
TUESDAY, APRIL 27, 2010, 7:00 P. M.
SENIOR CITIZEN/COMMUNITY CENTER
MULTIPURPOSE ROOM, 201 E. BONITA AVENUE

PRESENT:

Mayor Curtis W. Morris
Mayor Pro Tem John Ebiner
Councilmember Emmett Badar
Councilmember Denis Bertone
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 Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns
Administrative Aide Kevin Frey
Environmental Services Coordinator Lisa Monreal

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the regular meeting to order at 7:07 p.m. and led the flag salute.

2. PRESENTATIONS

- a. California Parks and Recreation Society Award of Excellence for Cultural Facilities Design for the Walker House presented to the City Council by CPRS President Elect Pilar Alcivar McCoy

On behalf of the City Council, Mayor Morris and Parks and Recreation Director Bruns accepted an award from **Pilar Alcivar** McCoy, President Elect, California Park and Recreation Society, in the Cultural Facilities Design for the Walker House purchase and restoration. Ms. McCoy said the California Parks and Recreation Society represents almost 3800 members statewide and this award is the highest recognition bestowed by the Group. She also congratulated the San Dimas Historical Society, recently recognized for their efforts with the Community Service Award by the local California Park and Recreation Society District 13. The Historical Society was a key partner with the City in developing the renovated Walker House into a community treasure.

Director of Parks and Recreation Bruns presented to the Mayor and Councilmembers T-Shirts reflecting the slogan "Parks Make Life Better". She said while the Parks and Recreation Department was presented the award, it was a City program including all departments that made the dream come true. She said the Historical Society award was given in relationship with their efforts on the facility and in organizing the open house on three Saturdays and the museum.

City Manager Michaelis announced that he and Mayor Morris will accept another award on behalf of the Walker House on Saturday, May 13, from the Los Angeles Conservancy, a premier restoration organization in the area.

b. Presentation of awards to winners of the Public Works Earth Day Recycling Contest

Environmental Services Coordinator Monreal reported on the successful Earth Day event Wednesday, April 21, 2010, with the help of dedicated partners and City Staff. She said an art show was displayed by San Dimas High School art students; Carli Carosco's design was reproduced into the Earth Day emblem used on canteen bottles. Coordinator Monreal also had a Recycling Art Contest that received many talented entries, and was voted on by visitors to Earth Day. Winning entries are: First Place - Owen Ryan for a recycled bottle train; Second Place - Yescenia Osorio for a Capri Sun Bag; Third Place - Gwen Ryan for a CD Earring Holder; and 4th Place - Claudia Lopez, for a Bulletin Board. Winners received a Raging Waters gift certificate donated by Web Metro, an Internet Marketing Agency in San Dimas. Coordinator Monreal said another giveaway was the Chico Bag, compact reusable shopping bags that fit in a purse or pocket.

3. ANNOUNCEMENTS

a. 50th Anniversary Flashbacks

Susan Davis, San Dimas Historical Society, provided brief flashbacks: From April 1967, San Dimas Elementary School shut down when preliminary Architects reported that the building may not be up to building code standards recently adopted by Legislation. She said the site is now Pioneer Park. According to a recent census report, the population in San Dimas in 1970 climbed to 16,870, an increase of 2,100 people since the last census. In 1971, ground was broken for the San Dimas Community Hospital, with an expected completion date of July 1972. It was believed to be 76,000 square feet of acute care. The hospital had 99 beds including an emergency room, areas for intensive care, coronary care and obstetrics.

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

Pui-Ching Ho, Library Manager, San Dimas Library, said the Book Party will meet on May 3, at 10:30 a.m.; Book of the Month is *Dewey: The Small Town Library Cat Who Touched the World*; She invited children and their parents to play a variety of percussion instruments on May 15, 3:00 p.m. at the Family Drum Circle hosted by Village Mandala; on Saturday, May 22, between 2:00-3:00 p.m.; Chef Andy Matsuda, from Sushi Chef Institute, will share years of knowledge, skill, and experience in making a variety of sushi. There will be food tasting at the end of the free program. Pre-School Story Time and age appropriate art activities are held on Friday mornings at 10:30 a.m. For more information on any program, call the Library at (909) 599-6738 or access their website www.co.la.publib.org.

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

a. Members of the Audience

1) Bill Emerson, representing the Historical Society and David Dreier's Art Show, said it's a busy time for the Walker House - the museum opens from 10:00 a.m. to 2:00 p.m.; David and Margaret home is conducting a fundraiser; House Tour at 1:00 p.m.; David Dreier's Annual Art Show on Saturday, May 1, 2010 showcasing 70 student art entries from his District in the 2nd Story Gallery conference room. Viewing is at 10:00 a.m. and Awards at 12:30 p.m. on the patio.

- 2) **Ted Powl**, President/CEO, Chamber of Commerce, announced three events: a) The Annual Golf Tournament will be held on May 24, 2010 in Via Verde. He thanked major sponsors and said businesses can advertise on Tee-signs for \$100; individuals play golf for \$150; and a four-some for \$400 with a tee-sign for an additional \$50.
- b) On May 12, 2010, the Chamber is partnering with the City and School District to honor teachers at San Dimas Canyon Clubhouse, for the work done the past year. Each teacher will receive a crystal apple and \$100 to spend in their classrooms, and their names will be engraved in a perpetual plaque at their school site.
- c) The Chamber's annual meeting and presentations to recognize Business of the Year, New Business of the Year, Businessperson of the Year, New Commercial Building of the Year and Renovated Commercial Building of the Year will be held at the Annual Installation and Awards dinner on June 24, 2010. The Chamber is still accepting nominations at 909/592-3818 and self nominations are encouraged.
- 2) **Mike Mohajer** said he never saw any indication that the City was installing a T-Mobile antenna in Via Verde. Development Services Director Coleman replied that the design approved by the Development Plan Review Board is a Chimney attached to an existing building. He said the City's Municipal Code does not require a public hearing to approve those types of applications, just a normal notification of neighbors and publishing in the newspaper.
- 3) **Margie Green** announced the San Dimas Historical Society will have its Spring dinner at 6:00 p.m. on May 13 at San Dimas Canyon Clubhouse. Dinner for members is \$22; non-members \$25.00. Entertainment provided by Vin Fiz Flyer, a blue grass band. For tickets or additional information, contact Susan Davis at the San Dimas Historical Society, at 909/592-1190.
- 4) **Dennis Phillips** reported that he has completed all work on his garage. He asked that the City Council cancel court extensions to allow him to complete the work on the room addition.
- 5) **Sid Maksoudian** said he discussed the installation of the T-Mobile antenna with the Development Services Department and Councilmember Badar who said it was approved three months ago.

In response to Mr. Maksoudian, Councilmember Badar said the Development Plan Review Board posted the agenda 72 hours prior to their meeting at four City sites, with a courtesy notice at Von's Shopping Center.

Mayor Morris stated that the City Council did not allow the antenna to be installed at a City Park.

Councilmember Templeman stated that this issue has been discussed for the past three years and approval was given for a Chimney which is fairly insignificant, but adequate for the job.

Mayor Morris said the City Attorney is prohibiting the City Council from further discussion as this item is not on the agenda.

5. CONSENT CALENDAR

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

Mayor Morris said the April 13 minutes will be removed for separate consideration.

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

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
- (1) **RESOLUTION NO. 2010-16**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF APRIL, 2010.
 - (2) Proposed 2010-2011 Assessment Rates for Open Space Maintenance Districts:
RESOLUTION NO. 2010-17, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN ASSESSMENT FOR FISCAL YEAR 2010-2011 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING FOR HEARING OBJECTIONS FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1 (TRACT 32818, BOULEVARD).
 - (3) **RESOLUTION NO. 2010-18**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN ASSESSMENT FOR FISCAL YEAR 2010-11 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIII D OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING FOR HEARING OBJECTIONS FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 3 (TRACT 32841, NORTHWOODS).
- c. Implementation of GASB Statement No. 54.
- d. Award of Cash Contract No. 2010-01, Alley reconstruction - Alley L, north of First Street from Acacia Street to Cataract Avenue, to Caliber Paving Co., Inc., for the bid amount of \$74,705.25.
- e. Award of Cash Contract No. 2010-03, Pavement Preservation Project in Maintenance Zone "C", to Roy Allan Slurry Seal, Inc., in the amount of \$384,706.89.
- f. Approval and Award of Development of Sewer Master Plan
1. Appropriation of \$50,000 from Sewer Expansion Fund
 2. Award of contract for development of Sewer Master Plan to RKA Consulting Group in the amount of \$125,000.
- g. Award of Contract for design of Horsethief Canyon Park Sewer Extension and Force Main system
1. Appropriation of \$23,000 from Sewer Fund
 2. Award of contract for design of Horsethief Canyon Park sewer extension and force main sewer system to Andreason Engineering for the amount of \$23,000.
- h. Proclaim May 6, 2010 National Day of Prayer.
- i. Proclaim April as County of Los Angeles Earthquake Preparedness Month.

END OF CONSENT CALENDAR

5.b. Approval of minutes for regular meeting of April 13, 2010.

The April 13, 2010 Minutes will be considered for approval at the next meeting on May 11, 2010.

6. PUBLIC HEARING

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

- a. Municipal Code Text Amendment 10-01 - A request to amend Chapter 18.14 of the City's Municipal Zoning Code, regarding Water Efficient Landscaping, to bring the City in compliance with SB 1881. (CONTINUED FROM APRIL 13, 2010)

ORDINANCE NO. 1196, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 10-01, TO AMEND CHAPTER 18.14 OF THE CITY'S MUNICIPAL ZONING CODE. FIRST READING AND INTRODUCTION

Administrative Aide Frey said the staff report was previously presented at the March 9, 2010 public hearing and supplemental materials responding to concerns raised were also addressed in a Special Meeting this evening. He outlined the legislative history of the Water Conservation in Landscaping Act requiring local government to adopt a water efficient landscape ordinance. He said the California Department of Water Resources developed a Model Ordinance that can be adopted by local agencies, can be modified, or serve as a template in the development of local agencies ordinances. Mr. Frey felt that the State's ordinance was confusing and not user friendly and recommended creating a separate document that contains the technical requirements and the ordinance enforcing compliance of the guidelines.

Mr. Frey stated that the proposed ordinance also gives the option of installing artificial turf as part of the landscaping. He reviewed the requirements for the installation of artificial turf. Mr. Frey indicated that as part of the normal plan check process, if an applicant's project falls into one of the applicable project categories, they would be notified and receive a Water Efficient Landscape and Irrigation Application package which details all items required for compliance with the ordinance. He outlined the criteria for approval of the installation and recommended that the City Council introduce Ordinance No. 1196 and provide comments on the draft guidelines, which will be brought back at a later date.

In response to Councilmember Bertone, Mr. Frey replied that the City Council can introduce the Ordinance and not include the Water Efficiency guidelines. He added that the ordinance includes the option of installing artificial turf.

Councilmember Templeman stated that staff presented in the Study Session responses to concerns that arose at the March 9 meeting and those documents are available to the public.

Mayor Morris opened the public hearing and invited the public to comment on this item.

1) **Mike Mohajer** requested to see the letter from the State Water Resources Board allowing adoption of the City's Ordinance past the deadline of January 1, 2010. Mayor Morris replied that the State Model Ordinance applies until the City has adopted an Ordinance.

Mr. Mohajer said the State's Ordinance does not include artificial turf. Although he did not oppose the adoption of artificial turf guidelines, he felt it should not be included as part of the Water Efficiency Ordinance.

Mr. Mohajer raised concerns with several of Staff's Questions and Answers and requested the City Council leave out the issue of Homeowners Associations; exempt residential single family homes from self-certification; require staff to assist the residents with calculations; and when the Planning Commission makes the final decision, keep the residents notified.

2) In response to **Bill Emerson**, Assistant City Manager Stevens replied that 2,500 square feet applies in the case of a developer installed landscape and it goes to 5,000 square feet when an individual existing homeowner is installing new landscaping or rehabilitating landscaping.

3) In response to **Sid Maksoudian**, Mr. Stevens stated that it only applies if all existing landscaping totaling 5,000 square feet is replaced.

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

Councilmember Templeman said the highlighted portions of the ordinance are mandated by the State and the City is burdened with making it work.

Mayor Morris said staff added the option of installing artificial turf as part of the landscaping and set standards. He said no one is required to substitute artificial turf for natural landscaping.

In response to Councilmember Bertone, Mr. Stevens replied that the City Council can incorporate into the ordinance to exempt the Homeowner's Association from artificial turf requirements, or delete any discussion of artificial turf from the ordinance, and consider it separately.

Mayor Morris stated that City Attorney Brown advised that the City Council can request an amendment to eliminate artificial turf or leave it in and amend the ordinance to add a paragraph to exempt the Homeowners Associations.

Councilmember Templeman thought it would be a mistake to prohibit artificial turf.

After the title was read, it was moved by Councilmember Badar, seconded by Councilmember Templeman to waive further reading of **ORDINANCE NO. 1196**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 10-01, TO AMEND CHAPTER 18.14 OF THE CITY'S MUNICIPAL ZONING CODE. The motion carried unanimously.

Mayor Morris asked if anyone would like to amend the ordinance pertaining to artificial turf.

It was moved by Mayor Pro Tem Ebner to amend Ordinance Subsection A, under 18.14.070, to read as follows: "Artificial or synthetic turf is an appropriate substitute in some cases for natural turf for the purposes of water conservation. The use and maintenance of artificial turf shall be governed by guidelines, which shall be adopted as set forth in Section 18.014.090."

The motion was seconded by Councilmember Badar and carried unanimously.

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Ebner, to introduce the amended **ORDINANCE NO. 1196**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 10-01, TO AMEND CHAPTER 18.14 OF THE CITY'S MUNICIPAL ZONING CODE. The motion carried unanimously.

In response to Mayor Pro Tem Ebner, Mr. Stevens stated that criteria about maximum limits can be incorporated into the guidelines.

In response to Mr. Mohajer's previous comment, Mr. Stevens replied that the homeowner can be the responsible party for certification if no professionals were involved in the installation or design.

In response to Councilmember Templeman, Mr. Frey replied that the State Model Ordinance provides several recommendations on soil requirements.

Mayor Morris invited Mr. Dieter Lodder to comment on what kind of soil testing would be required for landscaping.

Dieter Lodder, former owner of La Verne Nursery, said it is common to conduct a Ph test and soil compaction test.

In response to Councilmember Templeman, Mr. Stevens said it is staff's intent that guidelines be approved by the Planning Commission prior to the ordinance taking effect in 30 days. He said guidelines will be revised based on comments received tonight and will be made available to the public.

7. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 8:51 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 8:52 p.m..

8. SAN DIMAS PUBLIC FACILITIES FINANCING CORPORATION

Mayor Morris recessed the regular meeting at 8:52 p.m. to convene a meeting of the San Dimas Public Facilities Financing Corporation Board of Directors. The regular meeting reconvened at 8 54 p.m..

9. ORAL COMMUNICATIONS

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

- 1) **Mike Mohajer** praised the City for hiring Environmental Services Coordinator Lisa Monreal, who is very efficient and dedicated to her work. He would like to publish some photographs in the next edition of the Los Angeles County Solid Waste.

- 2) **Sid Maksoudian** would like the Girl Scouts of America, Spanish Trails, to be made accountable for illegally cutting down an oak tree.

- b. City Manager

There were no comments.

- c. City Attorney

There were no comments.

- d. Members of the City Council

- 1) Appointment to Public Safety Commission

It was moved by Councilmember Badar, seconded by Mayor Morris, to appoint James McCants and Patrick Jones to the Public Safety Commission each for a two year term through February 10, 2012. The motion carried unanimously.

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

No one attended any meetings at the expense of the City.

- 3) Individual Members' comments and updates.

Councilmember Bertone said the Festival of Arts Annual Exhibition and Sale was successful. He thanked Festival of Arts Chairman Dave Bratt and Margie Green who did a fantastic job. He added that Saffron catered excellent meals.

10. ADJOURNMENT

Mayor Morris adjourned the regular meeting at 9:05 p.m. to continue the Study Session to discuss the Downtown Façade. The next meeting will be held on May 11, 2010, 5:00 p.m. for a Budget Study Session.

Respectfully submitted,

Ina Rios, CMC, City Clerk



MINUTES
SPECIAL JOINT MEETING OF
CITY COUNCIL/PLANNING COMMISSION
TUESDAY, APRIL 27, 2010, 5:30 P. M.
SENIOR CITIZEN/COMMUNITY CENTER
201 E. BONITA AVE.

PRESENT:

CITY COUNCIL:

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

PLANNING COMMISSION

Chair Jim Schoonover
Vice-Chair David Bratt
Planning Commissioner John Davis
Planning Commissioner Stephen Ensberg
Planning Commissioner M. Yunis Rahi

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
Administrative Aide Kevin Frey

1. CALL TO ORDER

Mayor Morris called the meeting to order at 5:35 p.m.

2. ORAL COMMUNICATIONS

(For anyone wishing to address the City Council on an item on this 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. Speakers are limited to three minutes or as may be determined by the Chair.)

a. Members of the Audience

1) **Ben Lewis**, Golden State Water Company, introduced himself and said he looks forward to working with the City.

3. STUDY SESSION PLANNING MATTERS

a. Water Efficient Landscape Ordinance Update

Assistant City Manager of Community Development Stevens presented a highlighted revised Ordinance that addressed questions from the Council and the public from the March 9, 2010 public hearing on the proposed Municipal Code Text Amendment 10-01 to revise, in its entirety, the Water Efficient Landscape Ordinance to comply with new state requirements. Mr. Stevens also discussed the highlighted version of the Guidelines. Although he felt it was important to the Plan processing, he thought it would be clearer to put most of the technical detail in the guidelines. He said it is Council's discretion whether or not to include artificial turf that is incorporated into the Ordinance as a matter of convenience. He said the state is silent on artificial turf.

In response to Councilmember Bertone, Mr. Stevens replied that artificial turf will be permitted if it meets the standards, but there is not a separate ordinance for artificial turf.

In response to Mayor Morris, Mr. Stevens stated that homeowners would be encouraged to get a Homeowners Association approval to install artificial turf, however, if the Homeowners Association prevented the installation, that property owner can apply through the City's process. This would not prevent the HOA from enforcing their rules. If pending State Law prohibited the HOA from denying artificial turf, State law would prevail.

Mr. Frey responded to Council regarding calculations worksheet, and said it is up to the homeowner to determine what soils testing is required.

In response to Commissioner Rahi, Mr. Stevens said if AB1793 passes as written, the Homeowners Association would have to comply with that law to permit artificial turf with the process. He added that the Ordinance does not place a limit on artificial turf, only that the homeowner has to comply with the standards.

In response to Councilmember Templeman, Mr. Lewis, Golden State Water Company, said Three Valleys may have a rebate program for artificial turf and are looking to see if they can support matching funds.

In response to Commissioner Davis, Mr. Stevens stated that in the definition, areas of artificial turf do not contribute to areas that trigger the Water Efficiency Landscape Ordinance. He will clarify in the guidelines.

In response to Council, Mr. Stevens said staff is not advocating artificial turf, but has crafted standards in the event it is included. If the Council desires, this item can be discussed separately to allow staff to look at standards more carefully and be more specific. He added that independent research was not conducted beyond looking at what other agencies prepared to come up with something reasonable and rational.

b. Downtown Specific Plan

Assistant City Manager of Community Development Stevens presented the staff report which included the boundary map illustrating the scope of the needed General Plan Map changes and related zoning changes, including most of the Creative Growth areas 2 and 3, in addition to other properties. He stated that staff will use a "form-based code" approach to the Specific Plan, a common approach used in many cities throughout the State, which focuses more on building form/site development than on regulating uses. Mr. Stevens also included a vision of each of the three proposed sub-areas (Corridor Mixed Use, Traditional Downtown and Civic Center); a regulating map showing the boundaries of each; parking discussion; and the next steps based on input received in prior charrette and workshops. He indicated that the next steps include finalizing the draft plan with the consultant, community workshop to unveil, explain and answer questions regarding hearing draft of specific plan, a joint study session with the Planning Commission to review and discuss the hearing draft, and public hearings at the Planning Commission and City Council meetings.

In response to Mayor Pro Tem Ebiner, Mr. Stevens said most advocates are looking at pedestrian focuses. There are several different building types and different ways of providing parking. He said in the Mixed used District and Civic Center District, parking and shape location will be addressed differently, but most properties in the Downtown portion of the District would not have a parking requirement because they have the existing parking districts.

Mr. Stevens stated that the Parking Districts are maintained through general funds or Redevelopment Agency funds. He said staff will look at some strategies to reduce parking, implement a parking in lieu fee, and execute a Shared Parking Agreement. He said a survey of parking lots was conducted and the conclusion was there is more than adequate parking in the Downtown. He said staff can create a Parking Management Strategy and provide automated directional signs leading to the Parking Districts.

Commissioner Ensberg asked if staff considered the installation of meters as revenue generators to create a funding source. Mr. Stevens said it has been done in a way to commit the revenue for the benefit of the District, however, staff is not suggesting meters be installed, but it might be considered in the future.

In response to Sid Maksoudian, Mayor Morris said the Walker House is in the Parking District and an analysis was not necessary. He added that when a development plan for the downtown was presented, it included three-story structures, which was overwhelmingly opposed by the community.

Councilmember Bertone said he went to a meeting of the Local Government Commission that felt parking standards were too strict in all cities.

Mr. Stevens stated that once staff has identified and understands potential parking demand, it will be time to implement a parking in lieu fee as part of the development to generate sufficient funds to supplement parking at a point in time where demand exceeds supply.

Councilmember Templeman said before expenditure is made for that type of project, staff should wait until development drives the need for parking.

Mayor Pro Tem Ebiner mentioned that adjacent cities of Glendora and La Verne have more activity in their Downtown areas.

Mr. Stevens concluded that parking will be a continuing discussion item; staff is finalizing the draft plan with the consultant, a community workshop will be held to unveil, explain and answer questions regarding hearing draft of the Specific Plan; Staff will recommend a joint Study Session with the Planning Commission to review and discuss the Hearing Draft; and go through the public hearing process with the Planning Commission and City Council.

c. Façade Program Update

Assistant City Manager of Community Development Stevens reported that information relative to Downtown facades including the case study and possible program approaches have been presented at previous meetings to both the Planning Commission and City Council. He said staff has met with seven potential participants to discuss their willingness and desire to participate in the façade program. Mr. Stevens reviewed in detail estimated costs and likely participation. He stated that staff also reviewed a number of façade programs developed by other cities and he provided detailed comments on the Fontana and Santa Ana Façade programs. Mr. Stevens provided four funding strategies with three types of loans for Council consideration and said the recommended Façade program recognizes that it is critical to secure high participation levels and has been developed to maximize opportunities for the identified priority properties to participate; understand the current economic climate makes it difficult to invest in these improvements; recognize that affected businesses in the downtown have limited financial resources and need flexibility to participate, and achieve some recycling of the City investment funds. Staff recommendations are as follows: 1) Provide comments regarding revisions with the intent of taking the final façade program to the May 11, 2010 Council meeting; 2) Direct staff to bring back any needed budget adjustments; 3) authorize staff to solicit participation commitments from the seven identified properties; 4) authorize staff to seek design/plan preparation cost proposals for any committed participants.

In response to Council, Mr. Stevens said forgiveness is being considered versus grants; staff focused on seven property owners but will also consider others for the program.

Mayor Morris expressed concern with the high cost for the façade improvements.

In response to Council, City Manager Michaelis cautioned there are not unlimited redevelopment funds available.

The Council discussed the buildings with the most need of improvements and the owners' willingness to participate.

RECESS

Mayor Morris recessed the meeting at 7:06 p.m. to convene the regular City Council meeting.

RECONVENE

Mayor Morris reconvened the study session at 9:15 p.m.

Assistant City Manager Stevens requested direction on attachment A, the Draft Downtown Façade Program. He said staff plans to bring back this item for approval at the City Council's next meeting.

Mr. Stevens explained the loan options and said if there is no participation, he can amend the program. He said no one is unwilling to participate in the program and one owner has declined city funds, but is willing to participate in the program.

Mayor Morris felt it was worthwhile to provide funds to get participation from the Downtown business owners to revitalize the Downtown.

Councilmember Templeman expressed his support for the plan.

Mr. Stevens mentioned that Mark Salehpour has secured permits for interior alternations that include a mezzanine in the building he recently purchased. Mr. Stevens expressed reservations with the Shoemaker property which will be placed on the market for sale. He said none of the improvements would solve any structural problems.

4. ADJOURNMENT

Mayor Morris adjourned the meeting at 9:30 p.m. The next City Council meeting is Tuesday, April 27, 2010, 7:00 p.m.

Respectfully submitted,

Ina Rios, CMC, City Clerk



MINUTES
SPECIAL COUNCIL-REDEVELOPMENT AGENCY
BOARD-STAFF RETREAT SESSION
MONDAY, APRIL 19, 2010, 5:00 P. M.- 9:00 P.M.
SAN DIMAS SHERIFF'S DEPARTMENT
COMMUNITY ROOM
270 S. WALNUT AVENUE

PRESENT:

Mayor Curtis W. Morris
Mayor Pro Tem John Ebner
Councilmember Emmett Badar
Councilmember Denis Bertone
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
Captain Joseph Hartshome

CALL TO ORDER

Mayor Morris called the meeting to order at 5:05 p.m.

1. Updates (written reports - Council to ask questions or discuss as desired - some matters will require Council direction):

Mayor Morris stated that since the majority of people are present for item 1.b, the City Council would hear that item first.

- b. Greyoaks sign at the entrance to Terrebonne Avenue - received second opinion - update and Council direction.

Director of Public Works Patel presented the results of the peer review from Scott Fazekas & Associates, Inc. (SFA) for the Greyoaks sign at Terrebonne Avenue, which verified DJP Engineering Inc.'s assessment of the condition of the structure. It was also their opinion that due to unknowns, re-design and repair would involve as much work as described in the report, and likely substantially more. Staff requested that Council ratify Councilmember Denis Bertone's previous motion to remove archway sign and its associated structure, supports, and piers, thereby removing City's maintenance obligation and liability, and to appropriate \$7,000 for the work.

Mayor Morris advised that the owner of the sign is the La Verne-San Dimas Joint Authority (JPA) and the City would need consent to authorize any action on the Grey Oaks Sign.

In response to Councilmember Bertone, City Manager Michaelis stated that the City of San Dimas has an agreement in perpetuity with Golf Enterprises, Inc. for sign maintenance. He added that the JPA might make the decision to not expend funds to replace the sign.

Councilmember Templeman expressed remorse in staff's desire to remove the historic sign. He supported Alternative 1.

Councilmember Bertone expressed concern for safety and said he could support Alternative 2 if that is a better option.

Mayor Morris stated that the use of dissimilar metals created an inherent problem that weakened the structure and asked how can the garland and lettering be reattached without causing a problem.

In response to Council, Director Patel replied that in November, DJP did not consider that footings could be connected safely, however, in December, SFA addressed this option and repairs can be brought up to current code.

Councilmembers Bertone and Ebner supported preserving or repairing the historic sign.

Councilmember Bertone moved to approve Alternative 2, not to exceed the cost of \$65,000, or to bring back the item for discussion.

In response to Councilmember Badar, City Manager Michaelis said the decision can be made with agenda item 2.f regarding wayfinding and entrance signs, and the City Council can approve the expenditure from the General fund.

Councilmember Badar stated he is not against the preservation of the archway for its historical value, however, once the appearance of the sign has been changed, it can no longer be considered historic.

Councilmember Templeman selected Option 1 with a change of the structural tubing material.

Audience Member said the arch is unique to that community and requested keeping the historical archway sign. He felt the estimates are out of proportion. Mayor Morris explained that local agencies are subject to prevailing wage requirements.

Mike McMann said there is no reason to replace the sign and suggested supporting it with gussets. Mayor Morris said Public Works has been asked to look at cost effective solutions.

John Dankowski stated there are different methods of attaching dissimilar metals and suggested staff consider the use of epoxies. He offered to donate his services as a structural engineer to pursue other alternatives versus rebuilding a new structure.

Rick Williams suggested a second sign to view from both directions if the City Council is considering Alternative 4. He said preventative maintenance was negligent over the past 44 years and stated that a portion of the property tax should have gone to preventative maintenance for that time period.

Dan Edith said he has supported the City with different projects that reflects concern for the future as well as the past, and that's how he feels about the preservation of this sign.

Audience Member said the historical archway sign was the selling point in the purchase of his home in that community.

Mayor Morris said the City invested a tremendous amount of money in that community and no one wants to take the sign down. Staff has been directed to explore cost effective options and at some point the City can determine how much risk it is willing to take.

Councilmember Bertone moved to direct staff to keep the sign in a safe, historical manner and explore alternatives and cost estimates for Council consideration.

Mayor Morris suggested staff include costs for the repair of the archway sign.

The motion was seconded by Councilmember Templeman with the appropriation of funds for the cost of a design.

Mayor Morris thought the ownership of the sign should be transferred to the City of San Dimas.

The motion carried 5.0.

- a. Long Range Planning Projects Update - review of what is ready for consideration, schedule for the rest of the projects.

Assistant City Manager of Community Development Stevens summarized the status of completed and pending first priority and second projects and tasks, and other current planning projects.

He reported that the State released funds to initiate the process and he is working with Rivers Mountain Conservancy on the timing of the Walnut Creek Preserve project. In response to Council, Mr. Stevens replied that a notice of weed abatement was received and arrangements were made to bring in goats to clear weeds in late May.

Mr. Stevens said more work with the City Attorney is needed on the M & E Building; a presentation was made to the Planning Commission regarding the Storage Container Policy and it will be brought to the City Council within the next 30 days; the Johnstone Building evaluation is on hold; however, the requisite signatures were received and documents are expected to be delivered Tuesday, and the consultant will be authorized to proceed with the work.

In response to Gil Gonzales, Mr. Stevens replied that NJD filed a completed application with the City; staff determined a focus EIR is required and they are in the process of finalizing the scope, seeking environmental consultant for the environmental work to allow them to go forward with the hearings. Under the current assessment of time, they will get to the Planning Commission in the Fall, including the amendment to the General Plan, Specific Plan, and Tentative Tract Map and Development Review.

2. Business - Council direction:

- a. Sheriff's Department update - merger with County Parks Police, issue of non-revocable parolees, overall Department matters of interest, introduction of new personnel.

Captain Hartshorne, San Dimas Sheriff's Station, said in order to accomplish the recent requirements of reducing prison occupancy by 45,000 inmates, the Department of Corrections has created a non-revocable parolee classification that makes it difficult to send back parolees to prison. He said 86 non-revocable parolees reside in San Dimas.

In response to Councilmember Templeman, Captain Hartshorne replied that not more than one sex transient can be housed at the Red Roof Inn and the non-revocable parolees cannot be

required to reside at that location. He has consulted County Counsel to determine if local agencies can mandate them to notify the local law enforcement of their housing arrangements.

Captain Hartshorne also reported that the merger with the County Parks Police has increased the amount of manpower and there are now six deputies, a detective, and two Sergeants working out of Bonelli Park. He stated that they are a separate unit within the Sheriff's Department heading their own unit, and will service all County Parks in the area including Raging Waters, Walnut Creek and Santa Fe Dam.

Captain Hartshorne stated that some personnel were lost due to promotions; he named new personnel in the various divisions. He reported that budget cuts have mandated that no overtime be paid and this has caused some internal issues they are resolving with rotating shifts.

Captain Hartshorne explained the role and duties of the CAT Team Leader Senior Deputy McKenzie who now reports directly to him.

In response to Councilmember Templeman, Assistant City Manager Duran replied that approximately \$36,000 in grants was received from the Department of Justice for special projects.

- b. Update/direction - revision of the Redevelopment 5 year plan - extension of eminent domain authority as provided by state law. Purpose to receive Agency Board direction for action in June.

Assistant City Manager Duran reported that the Creative Growth Redevelopment Plan's eminent domain authority expired in 2009 and two public hearing will be conducted to amend the Plan. City Attorney Brown will explain the pros and cons of extending the Agency's eminent domain authority.

City Attorney Brown outlined the process to amend the Plan including a timeline, and discussed the findings that will need to be made, and the implications of extending or not extending eminent domain authority.

In response to Councilmember Bertone, Attorney Brown replied that Proposition 99 prohibits government from using eminent domain to take a single-family owner-occupied property for the purpose of transferring it to another private party. He said, with the exception of Costco, eminent domain has been used only to build public parks. Under the new law, substantial evidence of physical blight would have to be made in order to extend eminent domain authority. He and Mr. Stevens have discussed how important it is to have eminent domain authority and a consultant to identify blighted properties. Mr. Stevens is currently offering grants to merchants and discussing the possible acquisition of properties, with the owner's permission, over a period of time.

In response to Council, Attorney Brown stated that a consultant may be utilized on a limited basis to assist in drafting the blight process. He said the extension would not affect the physical boundaries of the Districts; and properties in the Creative Growth zone can be identified in a general basis, not property specific.

City Attorney Brown recommended extending eminent domain authority for an additional twelve years.

Assistant City Manager Duran provided a brief history of the Five-Year Implementation Plan adopted in 2000 and stated that a Five-Year Implementation Plan for the period of 2010-2015 must be adopted to provide documentation for the link between the elimination of blight and the proposed actions of the Redevelopment Agency. He reported that not much has changed since the last plan was adopted since the housing section and revenue projections were projected out through 2014. He provided an overview of the general goals contained in the existing plan and recommended making minor updates based on Council's direction. He anticipates the public hearing to be conducted on June 22, 2010.

- c. City Hall, Plaza, Community Building renovation and expansion project. General project update and recommendations regarding projects to increase parking capacity
 - along Bonita Avenue south side of city hall, and
 - along First Street

Director of Public Works Patel presented a Powerpoint of four alternatives to increase parking for the Civic Center. He said Alternative B introduces fourteen 45-degree parking spaces on Bonita Avenue, with a raised island and a four-foot striped median, at a cost of \$128,000. This option will gain one parking space, impact one tree, and for safety, through traffic will not be permitted in the median area.

Alternative A provides three additional diagonal parking spaces for \$133,000.

Director Patel said Alternative D adds a curb-out on Bonita at Walnut, provides a total of 18 spaces on Bonita Avenue, and a safe 12-foot buffer to back out, for \$154,000. This can be used for visitor or staff parking.

Mayor Morris expressed concern that liability issues may arise from a narrowing of lanes design. He suggested giving staff incentives to park at the municipal parking lot.

Mr. Patel stated that instead of spending \$154,000 for a net gain of only five spaces on Bonita Avenue, with the potential of future liability, staff also looked at creating additional parking spaces on First Street, south of Civic Center Park, which is included in the city hall expansion plan.

Councilmember Templeman expressed reluctance to spend funds on parking until the work on the city hall project was completed.

Councilmember Badar suggested delineating spaces on the north side of Bonita Avenue in front of city hall to alert the public that parking is available.

Mr. Patel said that as a result of restriping First Street, south of Civic Center Park, to convert from parallel to perpendicular parking resulted in a net gain of seven parking spaces. However, he said parking is tight and curbs are too high. Three options are available for Council consideration. Alternate C moves the curb north by two-feet at a cost of \$56,000.

Mr. Patel responded to Council that steel reinforcement curbs would be added to allow tree growth; broken concrete would be removed; and the entire sidewalk would be replaced with decomposed granite (DG).

Mr. Patel stated that Alternate B is similar to Alternate C; it moves the curb two-feet north; removes and replaces broken concrete, includes striping with full curb and gutter, landscaping, and moving the sidewalk north of the existing site to allow trees to have more area for growth, at a cost of \$146,000.

Director Patel explained the use of DG; the difference between Alternate A and Alternate C and the need for the gradual transition for the raised sidewalk.

The City Council further discussed the use of DG versus concrete; ADA requirements; permeable surfaces; reverting to parallel parking from perpendicular parking; parking at the under utilized municipal lots; repair of the shuffleboard court; and adding benches and trees.

In response to City Manager Michaelis, Director Patel said the cost for removing all concrete is \$14,000.

Mayor Morris expressed his support to revert to parallel parking, removing sidewalk, and filling in with grass, however, he was willing to wait until a plan was available.

Councilmember Bertone did not support reverting to parallel parking. Mr. Stevens stated that perpendicular parking would require moving the curbs north two-feet.

Sid Maksoudian suggested marking First Street as a one-way street.

It was the consensus of the City Council to direct staff to reconvert First Street to parallel parking and come up with a cogent plan that meets all needs in accordance with standards.

d. Pro-active Code Enforcement for certain violations or conditions.

Director of Development Services Coleman provided a follow-up to Council's request to shift from a complaint-based to an observation-based program. Staff reviewed the following factors for Council consideration: A) Prioritization of Violation Types; B) Adequacy of Staffing; C) Availability of vehicles, office space, equipment and other resources; D) Enforcement tools; E) Expectations; and F) Weekend enforcement. Staff requested direction from the City Council as to what types of violations they feel need proactive enforcement so staff can prepare a program and staffing to implement the goal.

In response to Council, Director Coleman replied that Parking Control Officers are helping out by observing and reporting vehicle violations. He added that when Code Enforcement Officers go out to address the violation, they will also address additional violations observed. However, even with the assistance of Parking Control Officers, limited manpower confines enforcement. He outlined the lengthy steps of the process to address an enforcement issue.

Sid Maksoudian said in addition to part time personnel, the public can be recruited to report violations to the Development Services Department.

Councilmember Templeman requested a status report on cases being handled.

e. Review of San Dimas Dial-a-Ride service - possible service changes.

Assistant City Manager Duran presented a memorandum from George Sparks, Pomona Valley Transportation Authority Administrator, reporting the significant increase in ridership and cost of the Dial-A-Cab program over the last two years. Mr. Duran outlined policy changes for Council consideration and said Council's options are to 1) make no recommended changes at this time; 2) approve one or more of the adjustment options; or 3) defer action, while staff continues to monitor the program.

Councilmember Bertone stated that ridership is not being abused and he is not opposed to adjusting the fare. Assistant City Manager Duran said seniors and the disabled comprise 85% of ridership for medical appointments or shopping. He recommended Option 1 to adjust fares for senior and disabled riders pursuant to Mr. Sparks' memorandum.

In response to Councilmember Badar, Mr. Duran stated that Option 1 recommends an increase of 25 cents for Dial-A-Cab and if the adjustment affects overall ridership, it can be adjusted in the future. He explained the rate adjustments by 50 cents for Option 2.

It was moved by Mayor Pro Tem Ebner, seconded by Councilmember Bertone to make Dial-A-Cab accessible to the general public and increase the fare across the board by 50 cents. The motion carried unanimously.

f. Project update for Council discussion and direction:

- Bonita - Cataract Development Interest; provide reaction and direction

Mayor Morris stated that Mayor Pro Tem Ebner has a conflict of interest on Bonita-Cataract Development and discussion on this item will be deferred to the end of the meeting.

- Wagon Re-design, Wayfinding & Entrance Signs

Assistant City Manager Stevens presented preliminary cost estimates for Council consideration of signage options at main entry monument; gateway monument; and wayfinding signage. He said in Option A in the amount of \$50,000, the wagon can be elevated, turned 90 degrees, or painted.

Councilmember Templeman opposed the cloth covering for the wagon stating that it has been used as a shelter for homeless people and poses a maintenance problem.

Mr. Stevens described gateway monuments in the amount of \$14,000, using flagstone and the city logo; as well as two different types of wayfinding signs using wood or steel signs. If the City Council prefers one material over another, adjustments can be made.

Mr. Stevens reviewed Option B in the amount of \$105,000, using flagstone and incorporating tile murals on the renovated wagon; gateway signs are a combination of decorative banners and steel signs for \$18,000; and a simple pole for wayfinding signs for approximately \$3,600.

He said Option C is the most expensive at \$148,000 to rebuild the arch above the wagon, base, and renovation of wagon; gateway monument has an obelisk shape using flagstone with a wagon wheel for \$25,000; and wayfinding for up to \$18,000.

Option D for \$136,000 is similar to existing signs - rebuilds the arch over the wagon, renovates the wagon and base, using flagstone; Gateway and wayfinding signs mimic the design.

He said all options are based upon discussion and do not incorporate community organization signs which can be incorporated into the main entry monument in some fashion.

Mayor Morris and Councilmember Bertone felt it was not necessary to include the community organization signs.

Councilmembers expressed their preferences - Option C for the Main entry sign; Option A for the Gateway Monument and Wayfinding signs.

Mr. Stevens discussed methods of simplifying by reducing the base, substituting materials and/or the wagon, and changing dimensions, which will have variations in cost. He will bring back the item for Council consideration at the budget meetings.

- Downtown Specific Plan

Assistant City Manager Stevens said he will discuss the Downtown Specific Plan, along with the Façades, at the City Council study session on Tuesday, April 27, 2010.

- Tree Ordinance - report on Staff administration since last update and discussion of potential changes and adjustments.

Assistant City Manager Stevens recapped how the City Council's concerns were addressed as part of the Tree Preservation Ordinance amendments in December 2006 and said the purpose of this meeting is to address outstanding issues not adequately addressed by the ordinance such as 1) removal of dead, diseased or dying trees when part of a grove, commercial, or residential planned development; 2) allowing for some development or fill within the drip lines.

Mr. Stevens responded to Council's questions that the Ordinance has been successful, however, if the Council desires, additional amendments can be made. He said tree removal is evaluated on a case by case basis. He offered options to issue a permit not requiring replacement for various reasons.

In response to Council, Mr. Stevens said staff can look at ordinances that regulate oak tree trimming. He said tree topping is not allowed.

Councilmember Bertone felt tree topping should be permitted in Via Verde for the view shed.

Mr. Stevens said that is one issue raised that needs readdressing. He will bring back this item at a later date.

- Status of Village Court sign

Assistant City Manager of Community Development Stevens reported that the Village Court sign was required to be removed approximately six years ago, as part of the Lowe's project to bring the freeway signage into conformance with the City's Sign Code. The sign is in very poor condition with little or no maintenance. Staff stated that unless Lowe's has changed their prior position objecting to removal, the only viable approach is enforcement. Staff recommended proceeding to remove the sign via a nuisance abatement procedure.

- Bonita - Cataract Development Interest; provide reaction and direction

Mayor Pro Tem Ebner expressed a conflict of interest on this item and left the room at 9:05 p.m.

City Manager Michaelis presented a letter of interest from Bryan Garland, President of the California Street Hockey Association (CSHA) to explore the purchase of the Bonita-Cataract property for an ice skating rink and further development. Mr. Garland requested that the City grant him an Exclusive Negotiation Agreement for 12 months to explore private investment interest to make the project financially feasible. Mr. Michaelis stated if Council is interested, staff suggested: 1) subject to receiving a letter of commitment from SBA for their willingness to provide financing for this project, provide a 6-month ENA to allow CSHA time to make progress

toward securing private investment money for this project; 2) Should CSHA secure at least one-third of the needed private funds as demonstrated by a letter of commitment from private investors within the 6 month period, the ENA can be extended for an additional 6 months to secure the balance of the needed private money; 3) If CSHA is not able to secure one-third of the needed funds, the City may consider a) terminating the ENA, b) charging a non-refundable deposit for any further extension or modification of the ENA, or c) other approaches as the City may determine. Staff notes that if the City authorizes an ENA on this property, staff recommends that the City postpone the project to landscape the property.

Councilmember Templeman disagreed with the recommended course of action and felt the property could be better utilized with a hotel, restaurant, or retail/restaurant use.

In response to Councilmember Bertone, City Manager Michaelis replied that CSHA plans to purchase a portion of the property for their immediate need. He said they have been successful at street or roller hockey for some time.

Councilmember Bertone accepted the concept and was willing to approve a six month agreement.

Mayor Morris was not opposed to considering an ice skating facility on the property.

Councilmember Badar would prefer a bike track on the site, however, he was willing to allow the organization six months.

1) **Sid Maksoudian** suggested constructing a reception hall on the property to fill the need for community events.

2) **Gil Gonzales** cautioned the City Council that residents opposed the proposal to install a Metrolink Station at the site.

Mayor Morris said the site for the Gold Line Station is presently designated east of San Dimas Avenue.

It was moved by Councilmember Bertone, seconded by Councilmember Badar, to grant a six month Exclusive Negotiation Agreement to Bryan Garland, President of the California Street Hockey Association, to explore investment opportunities for an ice skating rink and further development. The motion carried 3.1.1; Councilmember Templeman opposed; Mayor Pro Tem Ebiner was absent.

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.

1) **Sid Maksoudian** reported a cone in the middle of San Dimas Avenue at Puente Avenue in front of Von's Grocery Store.

Director Patel reported ground water leak at the site.

2) **Sid Maksoudian** reported overgrown grass in the median.

4. ADJOURNMENT -

Mayor Morris adjourned the meeting at 9:20 p.m. The next meeting of the City Council April 27, 2010 5:30 p.m. Study Session - Water Efficient Landscaping Requirements & Downtown Façade Program Update - Meeting Room Senior Center. Regular meeting at 7:00 p.m. Multi-Purpose Room Senior Center

Respectfully submitted,

Ina Rios, CMC, City Clerk



Agenda Item Staff Report

TO: Honorable Mayor and Council Members
for the meeting of May 11, 2010

FROM: Blaine Michaelis, City Manager

INITIATED BY: Barbara Bishop, Finance/IS Manager

SUBJECT: Statement of Investment Policy

SUMMARY

Annual approval of Statement of Investment Policy

BACKGROUND

The City is required each year to have our Statement of Investment Policy approved by City Council. Attached is a copy of the policy (no change from previous year) that needs approval by the City Council.

RECOMMENDATION

It is therefore recommended that the City Council receive, approve and file the attached Statement of Investment Policy.

sd



CITY OF SAN DIMAS

STATEMENT OF INVESTMENT POLICY

PURPOSE – OBJECTIVE

This Annual Statement of Investment Policy is submitted pursuant to City practices and along the guidelines developed by the California Municipal Treasurers Association, the California County Treasurers Association, and the California Society of Municipal Finance Officers to be presented to the Chief Executive Officer and to the Legislative Body. This investment statement outlines the policies for maximizing the efficiency of the City's cash management system.

Procedures have been established to facilitate the monitoring and forecasting of revenues and expenditures, thus enabling the investment of funds to the fullest possible extent.

POLICY

The City of San Dimas operates its temporary pooled idle cash investments under prudent person rule (Civil Code Sect. 2261, et seq.)* This affords the City a broad spectrum of investment opportunities provided the investment is deemed prudent and is allowable under current legislation of the State of California (Government Code Section 53600 et seq.). Investment transactions are the responsibility of the City Treasurer. Investments may be made in the following media:

- ◆ Securities of the U.S. Government, or its agencies
- ◆ Certificates of Deposit (or Time Deposits) placed with commercial banks and/or savings and loan companies
- ◆ Negotiable Certificates of Deposit
- ◆ Local Agency Investment Fund (State Pool) Demand Deposits
- ◆ Repurchase Agreements (Repos)
- ◆ Passbook Savings Account Demand Deposits

Criteria for selecting investments and the order of priority are:

1. Safety
2. Liquidity (No Security shall be purchased for a term longer than can be reasonably held and which would subject the City to market risk on an investment)
3. Yield

* The prudent person rules states, in essence, that "in investing...property for the benefit of another, a trustee shall exercise the judgment and care, under the circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs..."

4/29/2010

Statement of Investment Policy (Continued)

Safekeeping. Securities purchased from brokers/dealers shall be held in third party safekeeping by the trust department of the local agency's bank or other designated third party trust, in the local agency's name and control, whenever possible.

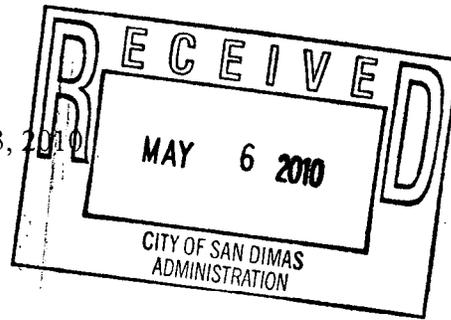
Investment Limitations. Security purchases and holdings shall be maintained within statutory limits imposed by the California Government Code. Current limits are: Banker's Acceptances – 40%, Section 53601(f); Commercial Paper – 30%, Section 53601 (g), and Negotiable Certificates of Deposit 30%, Section 53601(h).

The basic premise underlying the City's investment philosophy is, and will continue to be, to insure that money is always safe and available when needed.

CC COPY



May 3, 2010



TO: The City of San Dimas

ATTENTION: Ken Duran, Assistant City Manager

RE: Claim : Baisley vs. The City of San Dimas
Claimant : Frederick Baisley
D/Event : 12/30/2009
Rec'd Y/Office : 3/26/2010
Our File : S-1523550-SWQ

We have received and reviewed the above claim and request that you take the action indicated below:

**CLAIM REJECTION: Send a standard rejection letter to the claimant.
If the claimant is represented send the notice to
the attorney of record.**

Please provide us with a copy of the notice sent, as requested above. If you have any questions please contact the undersigned.

Very truly yours,

CARL WARREN & COMPANY

Richard D. Marque

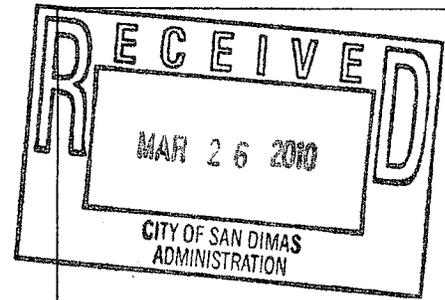
cc: CJPIA w/enc.
Attn.: Executive Director

CARL WARREN & CO.
CLAIMS MANAGEMENT CLAIMS ADJUSTERS
770 Placentia Avenue, Placentia, CA 92870-6832
Mail: P.O. Box 25180 · Santa Ana, Ca 92799-5180
Phone: (714) 572-5200 • (800) 572-6900 • Fax: (714) 961-8131

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COPY



CITY CLERK STAMP

**CLAIM AGAINST THE CITY OF SAN DIMAS
(For damages to Persons or Personal Property)**

Received by _____ initials

Via

- U S Mail
- Inter-Office Mail
- Over the Counter

A claim must be filed with the City Clerk of the City of San Dimas within six (6) months after which the incident or event occurred. Be sure your claim is against the City of San Dimas, not another public entity. Where space is insufficient, please use additional paper and identify information by paragraph number. Completed claims must be mailed or delivered to the City Clerk, the City of San Dimas, 245 E. Bonita Avenue, San Dimas CA 91773-3002.

TO THE HONORABLE MAYOR & CITY COUNCIL, THE CITY OF SAN DIMAS, CALIFORNIA.

The undersigned respectfully submits the following claim and information relative to damage to persons and/or personal property:

1. Name of Claimant Frederick Baisley
 - a. Address 5213 Premiere Ave
 - b. City Lakewood Zip Code 91007
 - c. Telephone Number (562) 920-7500 d. Cell Number (626) 437-8234
 - e. Date of Birth [REDACTED] f. Drivers' license [REDACTED]
 - g. e-mail: _____

2. Name, telephone and post office address to which claimant desires notices to be sent if other than above:

Law Offices of Todd. B. Becker
3750 E. Anaheim St. Suite 100, Long Beach CA 90804

3. Event or occurrence from which the claim arises:
 - a. Date 12-30-2009 b. Time Approx 11:30 A.M. a.m./p.m.
 - c. Place (exact & specific location) THE RACQUET CLUB
990 West Covina Boulevard San Dimas. CA 91773-2493
 - d. How and under what circumstances did damage or injury occur? Specify the particular occurrence, event, act or omission you claim caused the injury or damage. (Use additional paper if necessary)
The accident happend in a spa at The Racquet Club, a public facility in San Dimas. Claimant fell upon exposed steam pipes and sustained burns.
 - e. What particular action by the City, or its employees, caused the alleged damage or injury?
Premise liability - dangerous condition of public property, to wit, exposed steam pies resulted in burn to claimant's hands.

4. Give a description of the injury, property damage or loss, so far as is known at the time to this claim. If there were no injuries, state "no injuries".
Left hand severely burned in spa. unable to walk without crutches. Claimant reinjured left hip, and bruised and injured his head. 5 staples to close head wound. Lost a lot of blood.

5. Give the name(s) of the City employee(s) causing the damage or injury:

The Racquet Club in San Dimas, California

6. Name and address of any other person injured:

None

7. Name and address of the owner of any damaged property:

The Racquet Club

Owned by city of San Dimas

8. Damages claims:

- a. Amount claimed as of this date: \$ Not less than \$250,000
- b. Estimated amount of future costs: \$ Not less than \$250,000
- c. Total amount claimed: \$ Not less than \$250,000
- d. Basis for computation of amounts claimed
(attach copies of all bills, invoices, estimates, etc.)

9. Names and addresses of all witnesses, hospitals, doctors, etc.

a. Witness - Daryl Baisley, 626-437-8234

b. San Dimas Hospital, 1350 West Covina Boulevard San Dimas, CA 91773 (909) 599-6811

c. Dr. Moghadam, 1335 Cypress St. #205 San Dimas 91773, (909) 542-2770

d. _____

10. Any additional information that might be helpful in considering this claim:

WARNING: IT IS A CRIMINAL OFFENSE TO FILE A FALSE CLAIM!
(Penal Code §72: Insurance Code §556.1)

I have read the matters and statements made in the above claim and I know the same to be true of my own knowledge, except as to those matters stated upon information or belief as to such matters I believe the same to be true. I certify under penalty of perjury that the foregoing is TRUE and CORRECT.

Signed this 24 day of March, 2010
 at Todd Becker Law office

Frederick R. Baisley
 Claimant's signature



CITY OF SAN DIMAS
PARKS and RECREATION DEPARTMENT
SWIM & RACQUET CLUB

COPY

ACCIDENT REPORT

SUBMIT PROMPTLY TO PARKS and RECREATION OFFICE

Injured person's name: Fred Baisley Age: Adult

Address: 1012 Wellington Rd City: San Dimas

Phone: (626) 437-8234 Zip: 91773

Parents' Names: _____

Injury: about a 1 inch cut to back of head on left side and a scratch to left wrist.

First Aid: Applied pressure to head wound until EMS arrived

Taken Home Hospital Doctor

What was the person doing? sitting in steam room (see reverse)

Date of Accident: 12/30/2009

Witnesses:
Name: _____ Address: _____ Phone: _____
Name: _____ Address: _____ Phone: _____
Name: _____ Address: _____ Phone: _____

Location within the Facility: mens locker room; steam room

Submitted by: K. Lautzali Title: Rec. Coordinator
Supervisor: K. DeLeon Date: 12/30/2009
Department Head: Jerry [signature] AD Date: 12/30/09

This accident involves exposure to blood or other bodily fluids.



At around 920am Daryl Baisley was in the Sauna Room when he heard a crash, he found his father Fred Baisley lying on the floor of the steam room. He pulled him out to the locker area and came to the front office and asked us to call 911. Cashier Valerie Ciriacks called 911 at about 923am. When I went to the locker room I found him lying on the floor and unresponsive. He had blood coming from his head; I could not find where the blood was coming from but applied pressure. He become responsive and tried to sit up, his son helped him sit up and rested him against the bench, and I continued to apply pressure. EMS arrived at about 926am and took over, they transported him to San Dimas Community Hospital.



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of May 11, 2010

FROM: Blaine Michaelis, City Manager

INITIATED BY: Ken Duran, Assistant City Manager

SUBJECT: Public Hearing – FY 2010 – 11 Budget

SUMMARY

Staff will provide an oral summary of the proposed 2009 10 budget for the benefit of the public. We will explain Schedule A for the public's benefit as well. We will then take time to provide additional information and answer questions as desired. The other purpose is to receive public comments, suggestions or reports regarding the proposed budget.

RECOMMENDATION

1. Oral Presentation of the 2010 – 11 budget highlights from the City Manager.
2. Respond to questions and provide additional information as desired.
3. Receive public comments and reports.
4. Direct staff to incorporate any desired budget adjustments into the recommended budget to be considered for adoption at the June 8th Council meeting.

6a

CITY OF SAN DIMAS
SCHEDULE 1: SUMMARY OF ESTIMATED ENDING BALANCES
AND TRANSACTIONS FOR FISCAL YEAR 2010-11

FUNDS	ESTIMATED BEGINNING 7/1/2010	ESTIMATED REVENUES 2010-11	TRANSFER IN 2010-11	TRANSFER OUT 2010-11	ESTIMATED EXPENDITURES 2010-11	ESTIMATED ENDING BAL 6/30/2011
01 General	11,753,363	18,348,117	965,234	698,620	18,461,891	11,906,203
02 Gas Tax	117,853	584,865	0	225,000	361,300	116,418
03 Walker House	291,089	144,045	0	5,000	168,360	261,774
04 City Hall/CB	11,214,000	0	0	0	11,097,562	116,438
06 Sewer	743,757	29,829	0	0	140,000	633,586
07 Lighting	1,186,950	939,357	0	95,000	883,650	1,147,657
08 L/S Parcel Tax	68,431	770,300	0	0	838,400	331
12 Infrastructure	1,277,861	1,321,739	548,620	0	2,137,109	1,011,111
20 Comm Park/Fac	291,206	163,000	0	0	393,500	60,706
21 Open Sp #1	265,978	0	0	0	0	265,978
22 Open Sp #2	35,938	0	0	0	0	35,938
23 Open Sp #3	0	0	0	0	0	0
27 CC Pkg Dist	0	14,264	6,766	0	21,030	0
28 CC Redemption	0	11,465	0	0	11,465	0
29 CC Reserve	5,743	0	0	827	0	4,916
30 CRA	(398,762)	564	1,737,729	145,334	2,025,496	(831,299)
31 Tax Increment	0	6,659,000	0	3,069,529	3,589,471	0
34 Housing	5,397,808	552,250	1,331,800	421,048	3,010,447	3,850,363
35 Rancho SD	(202,451)	0	70,889	30,659	64,016	(226,237)
36 Tax Increment	410	212,000	0	113,289	98,300	821
37 Set Aside	244,092	0	42,400	0	199,207	87,285
40 CDBG	0	235,763	0	78,152	157,611	0
41 COPS	24,733	223,500	0	0	244,600	3,633
42 DOJ Law Enf	30,659	0	0	0	30,659	0
53 Golf Course	0	560,000	0	0	545,000	15,000
70 Equip Repl	1,012,179	4,000	181,250	0	798,685	398,744
71 AQMD	103,859	45,074	0	2,230	81,768	64,935
72 Prop A	736,649	503,851	0	0	730,134	510,366
73 Prop C	411,042	418,237	0	0	420,000	409,279
74 Measure R	315	309,710	0	0	294,000	16,025
75 Open Space Mnt	(5,954)	44,129	0	0	42,050	(3,875)
TOTALS	34,606,748	32,095,059	4,884,688	4,884,688	46,845,711	19,856,096



CITY OF SAN DIMAS
MINUTES
SAN DIMAS REDEVELOPMENT AGENCY MEETING
TUESDAY, APRIL 27, 2010
SENIOR CITIZEN/COMMUNITY CENTER
MULTIPURPOSE ROOM, 201 E. BONITA AVENUE

PRESENT:

Chairman Curtis W. Morris
Vice Chairman Denis Bertone
Mr. Emmett G. Badar
Mr. John Ebiner
Mr. Jeffrey W. Templeman
Executive Director Blaine Michaelis
Agency Attorney Ken Brown
Secretary 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

CALL TO ORDER

Chairman Morris called the meeting to order at 8:51 p.m.

ORAL COMMUNICATIONS (This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.)

There were no speakers.

APPROVAL OF MINUTES

It was moved by Mr. Templeman, seconded by Mr. Ebiner, to approve the minutes for the meeting of April 13, 2010. The motion carried unanimously.

EXECUTIVE DIRECTOR

There were no comments.

MEMBERS OF THE AGENCY

There were no comments.

ADJOURNMENT

Chairman Morris adjourned the meeting at 8:52 p.m.

Respectfully submitted,

Ina Rios, Secretary

IR



Agenda Item Staff Report

TO: Honorable Chairman and Members of the Redevelopment Agency
For the Meeting of May 11, 2010

FROM: Blaine Michaelis, City Manager

INITIATED BY: Community Development Department

SUBJECT: Establishment of Façade Improvement Program

BACKGROUND

At the April 27, 2010 Joint Study Session the City Council considered the attached Memorandum concerning the establishment of a Façade Improvement Program and directed Staff to bring the proposed program back for approval at the next meeting.

ANALYSIS

See attached report.

On May 4, 2010 the decision on the CRA lawsuit related to the State take of redevelopment funds was released allowing the State to take RDA funds. This decision is being appealed. In the interim the RDA may not have sufficient funds for this program.

RECOMMENDATION

Adopt Resolution No. 190.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Larry Stevens".

Larry Stevens,
Assistant City Manager for Community Development

Attachments:

1. Resolution No. 190
2. Staff Report dated April 27, 2010

7C (1)

RESOLUTION NO. 190

**RESOLUTION OF THE SAN DIMAS REDEVELOPMENT AGENCY
APPROVING A PROGRAM TO PROVIDE FINANCIAL ASSISTANCE TO THE
OWNERS OF PROPERTY IN DOWNTOWN SAN DIMAS IN
RECONSTRUCTING BUILDING FRONT FACADES**

WHEREAS, the redevelopment plan for the Creative Growth Redevelopment Project Area was originally adopted in 1972 and subsequently amended in 1976, 1983 and 1997 (as currently amended "the Project Area"); and

WHEREAS, the Project Area includes Frontier Village which includes a number of historic buildings, many of which date their construction to the early part of the twentieth century; and

WHEREAS, the Agency determines that it is important to the overall character and economic health of the City, that the historic downtown Frontier Village be preserved; and

WHEREAS, when the original Redevelopment Plan was adopted a number of the historic buildings in the downtown Frontier Village were found to manifest the conditions of economic and physical blight as defined in the Redevelopment law; and

WHEREAS, in many instances, these properties continue to suffer from these conditions; and



WHEREAS, over the past decades a number of financial programs have been developed to encourage the owners of historic property to improve their buildings but these programs have met with limited success; and

WHEREAS, the Agency's contribution to the San Dimas Hardware/Monte Vista Place and the historic restoration of the Walker House along with the undergrounding of utilities, the installation of period street lights and other improvements have contributed to the preservation of the historic values of Frontier Village; and

WHEREAS, meetings of the property owners, business owners and tenants in Frontier Village and the downtown corridor area, and the results of consultant's studies have concluded that many of the absentee and other landowners are unable to make the necessary façade improvements for financial and other reasons; and

WHEREAS, the Agency determines that it is necessary to explore other options to assist the property owners and business tenants to make improvements to the building facades to maintain the historic nature of Frontier Village and thus contribute to its economic viability; and

WHEREAS, one of the purposes of the adopted redevelopment plan for the Project Area was to remove blight and assist in the rehabilitation of existing structures and assist in the creation of jobs and the generation of income necessary for the City; and

WHEREAS, there are numerous instances where the Agency's successful utilization of the redevelopment process has resulted in the acquisition and disposition of properties which have been developed in a manner that not only removes the previous blighted conditions, but also provides new development, and with it, jobs and revenues for the City; and

WHEREAS, the successful redevelopment effort of the City has resulted in the provision of affordable housing for persons of low and very low income; and

WHEREAS, the implementation of a program of façade improvements, particularly in Frontier Village will enable buildings to be rehabilitated and the area made more attractive to persons who reside nearby and encourage persons to visit the historic downtown area; and

WHEREAS, a façade improvement program has been proposed that will make available a combination of loans and grants and other financial assistance programs to enable property owners to rehabilitate existing facades in a way that will maintain the historic nature of the downtown area.

NOW, THEREFORE, the San Dimas City Redevelopment Agency does find, determines and declare as follows:

1. The recitals hereinabove set forth are adopted as findings of the Agency;

2. The Façade Improvement Funding Program, as presented to the Agency and considered at its meeting on May 11, 2010, and attached as Exhibit A, is hereby approved.

Resolve further, that the executive director of the Agency is authorized to execute such documents in recordable form, as approved by the Agency Counsel, as may be required to implement the Façade Improvement Funding Program.

Passed, approved and adopted this 11th day of May, 2010.

Chairman

ATTEST:

Secretary

EXHIBIT A

DOWNTOWN FAÇADE PROGRAM

Participation:

Voluntary with initial focus on identified priority properties in first two years

Available Funding:

Redevelopment Agency (RDA) to provide approximately \$200,000 in FY 2009-10 and 2010-11 (NOTE: Recommended amounts could be affected by CRA lawsuit related to state takeover of RDA funds.)

Design Costs:

Paid by RDA up to \$7500 with pre-commitment letter from property owner to participate

Loan Options:

Maximum amount: Up to 100% of construction costs not to exceed \$50,000, unless larger amount approved by RDA*

Terms: Deferred – Full amount due and payable upon sale of property or after 10 years with 10% per year forgiveness if paid earlier than 10 years up to a maximum of 25%

No interest – Monthly payments (estimated \$416 for a 10 year loan of \$50,000 at 0%) with forgiveness after 7 years of any remaining amounts due if all payments timely

Low interest loan - Monthly payments (estimated \$483 for a 10 year loan of \$50,000 at 3%) with forgiveness after 5 years of any remaining amounts due if all payments timely

Duration: Up to a maximum of 10 years

Rebate Options:

60% rebate with no loan

Permits & Fees:

Waived

* Larger amount approvals may consider an RDA right of first refusal to purchase based on suitability for property as a land assembly opportunity



MEMORANDUM

DATE: April 27, 2010

TO: Mayor and City Council
Planning Commission

FROM: Larry Stevens, Assistant City Manager for Community Development
Kevin Frey, Administrative Aide

SUBJECT: Façade Program Update

At previous meetings both the Planning Commission (March 3, 2010) and City Council (November 2009 and February 23, 2010) have been presented information relative to Downtown facades including the case study and possible program approaches. Staff has met with the three additional owners identified in the highest priority category to understand their circumstances and possible participation. The following table summarizes possible costs and likely participation:

Address	Design (\$)	Construction ¹ (\$)	Other ² (\$)	Total (\$)	Participation
125 W. Bonita – Cynthia Williams	\$7500	\$40-45,000	\$9,000	\$54-59,000	Willing to participate. Prefers a wood/western façade. Believes cost estimates too high. May consider mural on east building elevation.
151 W. Bonita – Shoemaker Trust	\$10,000	\$107,000	\$9,000	\$124,000	Prefers to sell property. May be willing to participate depending on program.
155 W. Bonita – Gray & Frazier Trust	\$7500	\$37,000	\$9,000	\$51,000	Willing to participate.
157 W. Bonita – Meyers Trust	\$7500	\$63,000	\$9,000	\$77,000	May be willing to participate depending on program.
161 W. Bonita	\$7500	\$43,000	\$9,000	\$57,000	May be willing to

2

- Mark Salehpour					participate depending on program. Plans submitted for interior remodel including mezzanine. Also thinking of longer term multi-story development opportunity.
169 W. Bonita - Jerry Thornell	\$7500	\$40-60,000 ³	\$9,000	\$54-74,000	Willing to participate. Concerns about design approach.
213 W. Bonita - Paul Kirby	\$7500	\$40-60,000 ³	\$9,000	\$54-74,000	Willing to participate but may prefer to use own resources. Possible development opportunity with existing 2 nd floor and/or adjacent property.
TOTAL	\$55,000	\$370-415,000	\$63,000	\$488-533,000	

1. Assumes Mid-Term Renovation which is renovation/restoration of historic facades where feasible.
2. Estimated costs for asbestos and lead based paint testing and abatement.
3. No preliminary plans available.

Subsequent to these meetings, because of possible concerns about grant programs involving larger sums of money, staff also reviewed a number of façade programs developed by other cities. California Redevelopment Law provides statutory authority to redevelopment agencies to purchase any interest in property within a redevelopment area. Section 33391 of the Health and Safety Code states,

“An agency may purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property, any interest in property, and any improvements on it, including repurchase of developed property previously owned by the agency.”

Detailed comments on the Fontana and Santa Ana Façade Programs follow:

Fontana

The City of Fontana felt their Downtown was in need of revitalization and in 2002 created a program to improve the façades of the buildings in the Downtown core.

They implemented a three-phase, multiyear program. Each year a separate block of buildings would have their façades renovated. The City was responsible for design

and construction costs. The city purchased an 18 inch façade easement from the property owners. The City owns the first 18 inches of each building front for a period of ten years. The property owner receives back 10% of the façade each year for ten years (until ownership of the façade is completely returned to the owner). The property owner is required to maintain the new façade and is subject to City ordinances regarding signage, banners, temporary signs, and lighting. If the property or business changes ownership the new owner is responsible for new signage and lighting costs. Any changes to the façades are subject to City approval.

The City of Fontana reports that they are very happy with the results. They said that several of the business owners have seen an increase in business traffic. They said that because the City did façade improvements that this caused businesses to do interior tenant improvements to their buildings. They felt that the best way to achieve the desired quality and consistency that the City Council and the Community expected was for the City to fund and complete the entire project.

They used Redevelopment revenue to completely fund the work including the architectural fees and construction costs. The first phase of improvements which included costs for nine buildings totaled \$670,000. The average improvement cost was about \$50,000 per business.

Santa Ana

The City of Santa Ana developed a program that gives a cash rebate for improvements made to façades. Any building located within a specified boundary in the Downtown is eligible to receive a rebate for improvements. The City provides a list of projects which are eligible for funding.

The City funds the project with Redevelopment money. The property owner pays for the entire project then receives a rebate from the City. If the applicant spends between \$1 and \$14,999 then they are eligible to receive 75% of their costs back (maximum: \$11,250). If they spend between \$15,000 and 26,000 they are eligible to receive 65% of their costs back (maximum \$16,900). The City will also remove old signs and awnings with no cost to the applicant. In addition to the above rebate the City also offers a \$2,000 rebate for architectural and design drawings and a \$3,000 rebate for new signage or improvements to existing signage. The total maximum rebate allowable is \$21,900.

In the case of Santa Ana the applicant is responsible for paying all the costs upfront. And then for any projects which have been approved, by the City, the applicant is eligible for a partial rebate of their costs.

In addition, a less extensive survey of other façade programs was also conducted and is set forth in Attachment B.

Funding Strategies

(1) City pays for the entire project and completes all the work:

The City of Fontana had a clear vision of what they wanted their Downtown to look like and the property owners in the Downtown either did not have the resources or the interest to improve their building façades. In light of this Fontana's strategy was to completely fund the project and complete all the work.

California Redevelopment Law provides statutory authority to redevelopment agencies to purchase any interest in property within a redevelopment area. Section 33391 of the Health and Safety Code states, "An agency may purchase, lease, obtain option upon, acquire by gift, grant, bequest, devise, or otherwise, any real or personal property, any interest in property, and any improvements on it, including repurchase of developed property previously owned by the agency."

(2) Loan Program

A loan would be provided to business owners in order to complete façade improvements. The loan could be structured as a low interest loan or a no interest loan. The loan also could be forgiven in several years. Loan programs typically award anywhere from 50% to 100% of the improvement costs.

(3) Grant Program

A typical grant program would award applicants money to improve facades. The amount of funds may be awarded unilaterally or may vary as determined by the size of the building frontage, amount of owner participation, or some other predetermined factor. A grant can simply be awarded based on eligibility or a matching requirement can be implemented. Most of the grant programs are designed to provide partial funding.

(4) Rebate Program

The applicant pays for all the work and after completion receives money rebated back. Rebates typically range from 50% to 100% of the total cost but are generally limited to circumstances where less work is needed.

Analysis

Most city façade programs include matching dollar grants and loans. In many cases participation was low and the work that was completed resulted in moderate, and largely unnoticed or unremarkable improvement. That has been the case with our own past façade program.

A loan program (which will not be forgiven) is favorable, in certain respects, because it gives the applicant flexibility as to what kind of work to do and it allows the City to recoup some of its costs, but there are several cons associated with a loan program. Some of them include the following:

- Since the money must be repaid there tends to be a low participation rate; and
- It requires staff time to monitor the loan requirements, interest rates, and repayment schedules.

Grants tend to have higher participation rates than loans, but because of state law it becomes tricky to award large amounts of money. Some cities have opted to fund façade improvements through forgiveness of loans or by purchasing easements and paying for the entire cost of the project. This allows a City to pay for partial or entire façade improvement projects without issuing a grant or a loan which must be repaid. It also allows the City to pay for façade improvements without placing a financial burden on the applicant.

The recommended Façade Program (see Attachment A) recognizes that it is critical to secure high participation levels and has been developed to achieve the following:

1. Maximize the opportunity for the identified priority properties to participate
2. Understand that the current economic climate makes it difficult for these businesses to invest in this type of improvement
3. Recognize that affected businesses in the Historic Downtown currently have limited financial resources and need flexibility to participate
4. Achieve some recycling of the monies invested by the City over time

It is certainly possible to make further adjustments to the draft Downtown Façade Program as set forth in the attachment. Any comments are welcomed so that Staff may finalize the program and take the next step of securing participation agreements and start design/plan preparation.

Recommendation

Staff recommends as follows:

1. Provide any comments regarding revisions with the intent of bringing the Final Façade Program to the May 11, 2010 Council meeting
2. Direct Staff to bring back any needed budget adjustments at the same meeting
3. Authorize Staff to solicit participation commitments from the seven identified properties
4. Authorize Staff to seek design/plan preparation cost proposals for any committed participants

ATTACHMENT A

DRAFT DOWNTOWN FAÇADE PROGRAM

Participation:

Voluntary with initial focus on identified priority properties in first two years

Available Funding:

Redevelopment Agency (RDA) to provide approximately \$200,000 in FY 2009-10 and 2010-11 (NOTE: Recommended amounts could be affected by CRA lawsuit related to state takeaway of RDA funds.)

Design Costs:

Paid by RDA up to \$7500 with pre-commitment letter from property owner to participate

Loan Options:

Maximum amount: Up to 100% of construction costs not to exceed \$50,000, unless larger amount approved by RDA*

Terms: Deferred – Full amount due and payable upon sale of property or after 10 years with 10% per year forgiveness if paid earlier than 10 years up to a maximum of 25% [*Maximum Forgiveness = \$12,500*]
No interest – Monthly payments (estimated \$416 for a 10 year loan of \$50,000 at 0%) with forgiveness after 7 years of any remaining amounts due if all payments timely [*Forgiveness = \$15,000 or 30%*]
Low interest loan - Monthly payments (estimated \$483 for a 10 year loan of \$50,000 at 3%) with forgiveness after 5 years of any remaining amounts due if all payments timely [*Forgiveness = \$21,000 or 42%*]

Duration: Up to a maximum of 10 years

Rebate Options:

60% rebate with no loan (\$30,000 for the \$50,000 project)

Permits & Fees:

Waived

* Larger amount approvals may consider an RDA right of first refusal to purchase based on suitability for property as a land assembly opportunity

ATTACHMENT B

	Eligible Improvements	Funding	Lead: City or Applicant	Approved By	Extras provided by City i.e. designs
Atascadero	exterior painting; façade treatment; signs; canopies; awnings; exterior lighting; landscaping; streetscaping; doors; windows	Rebate up to \$10k.	Applicant	Program Committee	City will provide the services of an architect to assist in project development.
Beaumont	awnings & canopies; doors; windows; exterior façade improvements including clean & repair, painting, lighting, signage, landscaping	Reimbursement grant for 50% of costs. Maximum amount is \$50k.	Applicant	Administratively	
Buena Park	standard façade improvements; paint; brick; tile; awnings; stucco; signage; molding; lighting; windows; landscaping	Grant & loan combination. Grant for 75% of costs from small projects & repair. 60% grant for larger projects. The rest can be covered with a 15 yr. loan with 4% interest. Maximum amount for grants for small projects is 2k, large projects 25k & 50k for loans.	Applicant	Administratively	
Chico	storefronts; windows; paint & wood treatment; exterior lighting; painting; wall repair; awnings & canopies; ADA accessibility; landscaping	.05% - 6% loans paid over 15 years or less for 80% of the project not to exceed \$30k.	Applicant	Administratively	City will offer financial assistance for architectural plans.
Escondido	Standard façade improvements; paint; brick; tile; awnings; stucco; signage; molding; lighting; windows; landscaping	No interest loan, forgivable after 5 years. Maximum amount \$10k.	Applicant	Administratively	
Fontana	Standard façade improvements	City pays for everything. City acquires façade & returns 10% of it each year to the applicant	City	Administratively	City pays for architectural fees & construction costs.
Lompoc	removal of old signs & awnings; exterior cleaning & painting; new doors; new windows & window treatment; awnings; signage, exterior lighting; ceramic tile on exterior walls; landscaping; pavers in doorways; resurfacing & restriping of parking lots.	Low interest & no interest loans & grants to defray costs for permits & architectural designs. 50% grant up to \$1k. Loans up to 30k.	Applicant	Administratively	
Oceanside	standard façade improvements; paint; brick; tile; awnings; stucco; signage; molding; lighting; windows; landscaping	Grant for 50% of cost. 65% if three businesses participate together. Maximum amount is 25k.	Applicant	Administratively	
Pasadena	standard façade improvements; paint; brick; tile; awnings; stucco; signage; molding; lighting; windows; landscaping	Grant for 50% of costs. Maximum amount is \$10k, 15k if historic.	Applicant	Administratively	
Palm Springs	signs; awnings; painting or exterior surface treatment; asphalt paving, sidewalk paving; repair or replacement of masonry walls, outdoor lighting; fencing; windows; landscaping; fountains.	If the City provides all of the funds there is a maximum grant of \$2500. If the applicant provides matching funds \$5k in grants is available.	Applicant	Administratively	City will provide some assistance in scoping the project.
San Juan Capistrano	standard façade improvements; paint; brick; tile; awnings; stucco; signage; molding; lighting; windows; landscaping	Grant ranging from 50%-90% of costs. Depends on size of the building. Maximum grant is \$20k	Applicant	Administratively	
Santa Ana	new facades; landscaping & irrigation; painting; signage & awnings; exterior lighting; parking lots	Rebate program: If \$1 to \$15k is spent then 75% is rebated back. If 15k to 26k is spent then 65% is rebated back	Applicant	Rebate Committee	City will removed unsightly signs, awnings & other exterior clutter.
Sierra Madre	standard façade improvements; paint; brick; tile; awnings; stucco; signage; molding; lighting; windows; landscaping	Grant for 75%of costs for small projects & 50% for large projects. Maximum amount is \$2k for designs & \$10k for improvements	Applicant	Administratively	
Tulare	permits; lead paint testing; windows; doors; awnings; signage; masonry; stucco or brick repairs; disposal; ADA compliance	3 year loan between 3% % 9% with a maximum amount of \$100k.	Applicant	Loan Review Committee	
Whittier	standard façade improvements; paint; brick; tile; awnings; stucco; signage; molding; lighting; windows; landscaping	Loan for 50% of costs. Maximum loan is \$45k. No interest & forgivable after 5 years.	Applicant	Administratively	



Agenda Item Staff Report

TO: Agency Chairman and Board Members
For the Meeting of May 11, 2010

FROM: Blaine Michaelis, Executive Director

INITIATED BY: Ken Duran, Deputy Executive Director

SUBJECT: Supplemental Revenue Augmentation Funds (SERAF)
Funding Method – The Agency’s Intention to Borrow the
Funds from Accumulated Housing Set Aside Funds

In 2009 the State legislators approved and Governor Schwarzenegger signed in to law AB 26 4x to shift \$2.05 billion from redevelopment agencies to county Supplemental Revenue Augmentation Funds (SERAF). In the case of the San Dimas Redevelopment Agency the amount of the shift in FY 2009 – 10 is \$2,085,552. Subsequent, to the passing of this legislation California Redevelopment Agencies collectively filled a lawsuit against the state on the constitutionality of this taking. Earlier this week the ruling was handed down by the Judge in favor of the State. Therefore, the payment to the State is due May 10, 2010.

If a Redevelopment Agency does not have the funds available to make the payment there were a few limited options allowable in the legislation. One of them is to borrow the money from accumulated surplus revenue in its Housing Set Aside fund. If the money is borrowed it must be paid back within five years.

In February the Agency sent a letter to the County informing them that San Dimas’ intention is to borrow the money from its Set Aside fund. In order to be eligible to borrow the money the Agency must make a finding that there are insufficient other Agency funds to make the payment. Specifically, the wording in the legislation is:

“(2) As a condition of borrowing pursuant to this subdivision, an agency shall make a finding that there are insufficient other moneys to meet the requirements of subdivision 9a). Funds borrowed pursuant to this subdivision shall be repaid in full on or before June 30, 2015. An agency that fails to repay funds borrowed pursuant to this subdivision shall be required to allocate an additional 5 percent of all taxes that are allocated to that agency pursuant to Section 33670 for low and moderate income housing for the remainder of the time the agency receives tax revenue pursuant to Section 33670.”

7C(2)

Currently the San Dimas Redevelopment Agency does not have the funds available to pay the \$2,085,552. According to the Monthly Cash Balance Statement ending April 30, 2010 the Agency has a negative cash balance of \$1.38 million. Furthermore, the Agency's revised budget estimates for FY 09 -10 reflect administrative and project expenses in excess of available tax increment revenue. Therefore, the Agency can make the finding that there are insufficient funds available to make the required payment, and therefore is eligible to borrow the funds from the Housing Set Aside.

RECOMMENDATION

Staff recommends that the Agency find that the Agency currently has insufficient funds to meet the requirement to pay the \$2,085,552 and therefore is borrowing the funds from the accumulated Housing Set Aside funds.



CITY OF SAN DIMAS
MINUTES
SAN DIMAS PUBLIC FACILITIES FINANCING
CORPORATION
TUESDAY, APRIL 27, 2010
SENIOR CITIZEN/COMMUNITY CENTER
MULTIPURPOSE ROOM, 201 E. BONITA AVENUE

PRESENT:

President Curtis W. Morris
Mr. Emmett Badar
Mr. Denis Bertone
Mr. John Ebner
Mr. Jeff Templeman

Secretary/Treasurer Blaine Michaelis
Attorney J. Kenneth Brown

CALL TO ORDER

Chairman Morris called the meeting to order at 8:52 p.m.

ORAL COMMUNICATIONS (This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.)

There were no speakers.

APPROVAL OF MINUTES

It was moved by Mr. Templeman, seconded by Mr. Ebner, to approve the minutes of the April 13, 2010 meeting. The motion carried unanimously.

MEMBERS OF THE CORPORATION

Secretary/Treasurer Michaelis reported that Certificate of Participation financing documents with a potential closing date the first week of June will be presented for Corporation members to consider at their May 25, 2010 meeting.

In response to Mr. Templeman, Mr. Michaelis replied that the Underwriters are working to secure a rating and a conference call is scheduled with Standard & Poor's to review the process with the Analyst.

ADJOURNMENT

Chairman Morris adjourned the meeting at 8:54 p.m.

Secretary/Treasurer

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Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the meeting of May 11, 2010

From: Blaine Michaelis, City Manager

Initiated By: Theresa Bruns, Director of Parks and Recreation *[Signature]*

Subject: Parks and Recreation Commission Appointments

BACKGROUND

The terms for the following individuals on the Parks and Recreation Commission will expire at the end of June, 2010:

Susan Davis
Georgia Florentine
John Margis
Caryl Smith

All are eligible for and request reappointment.

RECOMMENDATION

Staff recommends that the City Council reappoint Commissioners Davis, Florentine, Margis, and Smith.

qd⁽¹⁾



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the meeting of May 11, 2010

From: Blaine Michaelis, City Manager

Initiated By: Theresa Bruns, Director of Parks and Recreation

Subject: Senior Citizen Commission Appointments

BACKGROUND

The terms for the following individuals on the Senior Citizen Commission will expire at the end of May, 2010:

Lorous (Connie) Brown
Judy Kephart
Donald Stevenson

Lorous (Connie) Brown is eligible for and requests reappointment. While Judy Kephart and Donald Stevenson are eligible for reappointment, neither desire to be reappointed.

There are currently four openings for the Senior Citizen Commission and recruitment is ongoing.

RECOMMENDATION

Staff recommends that the City Council reappoint Commissioner Brown at this time.

qd(2)