



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 Hartshorne

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 Ebiner 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