



MINUTES
REGULAR CITY COUNCIL
TUESDAY, AUGUST 10, 2010, 7:00 P.M.
MULTI-PURPOSE ROOM
SENIOR CITIZEN/COMMUNITY CENTER
201 E. BONITA 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
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns
Associate Planner Marco Espinoza

ABSENT:

Assistant City Manager Ken Duran

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:03 p.m. and led the flag salute.

2. ANNOUNCEMENTS

- 50th Anniversary Flashbacks

Bill Emerson, Representative, San Dimas Historical Society, said the first stainless steel time capsule cost \$18.50 and contained the program for the first meeting of the City Council on August 4, 1960 at San Dimas Elementary School. He said the oath of office took place for the Mayor and Councilmembers and the event was attended by several officials. The August 3, 1961 San Dimas Press reported the sale of Bill Knapp Ford Agency; on August 10, 1961 over 450 people attended the barbecue dinner sponsored by the Chamber commemorating the first anniversary.

- Pui-Ching Ho, Librarian, San Dimas Library

Pui-Ching Ho, Library Manager, San Dimas Library, said the summer reading program continues with great prizes until end of August; adults can participate county-wide on the online summer reading program at www.colapublib.org/srp. On August 12 create beautiful sand paintings at a fun workshop designed for children six years old and over. Space is limited to 25 participants - sign up now at the reference desk. Create a beautiful handmade book at the August 28 workshop; and the Book party group discussion is on Wednesday, September 1; book for September is *The Piano Teacher*. For more information, call the Library at (909) 599-6738.

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

a. Members of the Audience

1) **Gil Gonzalez** said he mentioned at the previous meeting that he wanted the second story to have a reduced footprint for the NJD project. He had also requested that there be a user friendly process to schedule appointments with staff. He would like residents to fill the 30 minute time slot in oral communications.

City Attorney Brown stated that the City's obligation is to proceed in good faith to consider and process NJD's application along with the General Plan, Specific Plan and amendments necessary. He said NJD is going through the necessary environmental studies and no agreement has been approved by the City Council. He stated that there will be required public hearings at the Planning Commission and City Council for the opportunity to review the environmental impact report.

Assistant City Manager Stevens said under the current schedule, the matter will be brought to the Planning Commission in mid-November and to the City Council in early December.

2) **Joe Castro** would like the City Council to consider allowing a 24-hour period before a citation is issued to residents parking their recreation vehicles, boats and trailers in their driveways. He received a citation for parking his boat in his driveway for two hours.

3) **Margie Green** said the Walker House has a great restaurant and great Historical Society and twice a month the Festival of Arts features an art show and exhibition at the 2nd Story Gallery. She invited everyone to drop in on August 13-14 and 20-21 from 5:30 to 9:00 p.m. to view and purchase the spectacular glass art by Russ Huff, Robin Provart-Kelly and Gloria Miller. She said wine and hors d'oeuvres will be available at the Artists Reception on Fridays.

4) **Margie Green**, Chairman of the Board of the Chamber of Commerce, thanked all volunteers for putting on the birthday barbecue on Saturday, August 7th. She said the community had a great time celebrating the City's 50th anniversary and enjoyed fantastic music, food, and great partying fun.

5) **Sid Maksoudian** addressed the City Council and stated he will continue to address the Council until he receives an apology. He mentioned receiving a threatening letter from a private individual in the past, and said the harassment continues from that same individual.

6) **David Harbin** said Mr. Maksoudian owes citizens of San Dimas an apology for comparing our city to the City of Bell.

4. CONSENT CALENDAR

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

Mayor Pro Tem Ebner said he would abstain from voting on item 4c. He said regarding NJD's second story homes, he would suggest changing the minutes to state Mr. Gonzalez favors a second story only if the second story is smaller than the first floor. He requested that page two of July 27, 2010 minutes be amended to substitute word "apathy" to replace word "empathy".

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

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (1) **RESOLUTION NO. 2010-42**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF JULY AND AUGUST, 2010.
- b. Approval of minutes for the regular City Council meeting of July 27, 2010 and special meeting of July 22, 2010. Amended as stated above.
- d. Tax Sharing Resolutions approving and accepting negotiated exchange of property tax revenues resulting from annexation to County Sanitation District No. 22 (Annexation No. 371) Lot 4 of Tract 43086 on Rebecca Drive.

END OF CONSENT CALENDAR

Item 4.c:

- c. Award of Cash Contract No. 2010-07, Cataract and Bonita Landscape Improvement Project, to Siapin Horticulture, Inc., in the amount of \$66,400.00.

In response to Councilmember Bertone, City Manager Michaelis replied that it was the City Council's direction to proceed with the landscaping project.

It was moved by Councilmember Templeman, seconded by Councilmember Badar to award Cash Contract No. 2010-07, Cataract and Bonita Landscape Improvement Project, to Siapin Horticulture, Inc., in the amount of \$66,400.00. The motion carried 3.1.1; Councilmember Bertone opposed; Mayor Pro Tem Ebner abstained.

5. PLANNING/DEVELOPMENT SERVICES

- a. Development Plan Review Board Case No. 10-13, a request to construct an 80-foot high stealth wireless telecommunication facility resembling a water tower. The tower will accommodate four carriers. The request also includes two block wall enclosures to house the equipment at 211 W. Allen. (APN: 8392-012-024).

RESOLUTION NO. 2010-43, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING DEVELOPMENT PLAN REVIEW BOARD CASE NO. 10-13, A REQUEST TO CONSTRUCT AN 80-FOOT HIGH STEALTH WIRELESS TELECOMMUNICATION FACILITY RESEMBLING A WATER TOWER THAT WILL ACCOMMODATE FOUR CARRIERS. THE REQUEST ALSO INCLUDES TWO BLOCK WALL ENCLOSURES TO HOUSE THE MECHANICAL EQUIPMENT AT 211 W. ALLEN. (APN: 8392-012-0204).

Associate Planner Espinoza presented the applicant's proposal to construct an 80-foot high stealth wireless telecommunication facility resembling a water tower that will facilitate four carriers. The request also includes two block wall enclosures to house mechanical equipment at 211 West Allen Avenue. He reported that the Development Plan Review Board reviewed the proposal and made recommendations at their June 24, 2010 meeting. The applicant has complied with the Board recommendations and the proposal was approved unanimously by the Board. Staff expressed an issue of concern with the refurbishing of the existing landscape areas and recommended that the City Council approve DPRB Case No. 10-13 contingent upon the refurbishing of the existing landscaping and irrigation system. He said the applicant is present to answer any questions.

Mayor Morris invited the applicants to present their proposal.

Marc Myers introduced Brian Richmond and Kris Von Hoesteland from Anthem Telecom. He thanked staff for assisting with the analysis and design for the wireless facility that will provide service for multiple carriers to avoid future vertical elements and enhance the character of the community. He said the specific design element resembles the original historic water tank that may have been found in this region long ago. He added they have complied with the recommendations of the Development Plan Review Board and adjusted plans accordingly, however, he expressed concern for the addition of condition 17, a requirement to include landscaping around the perimeter of the property at additional expense. He stated that the project is proposed in the rear property line of a self-storage facility, adjacent to the 210 freeway, that is inside a gated area that has limited access. He respectfully requests approval of the project with the removal of condition 17.

In response to Mayor Morris, Mr. Myers replied that the four panel and dish-type antennas could be accommodated on one single pole with a base approximately 3 feet in diameter that tapers to 2.5 feet. He explained that each sector of three sectors has a cross bar to aim in different directions and would extend approximately ten-feet out. He added that at this location, the standard 60-foot monopole is a permitted use, however, it would only accommodate one carrier.

In response to Mayor Morris, Planner Espinoza clarified that the code allows monopoles along freeways, with a height limit of 60-feet and a base diameter of 30-inches, unlike works of art that do not have a height limit. He added that each monopole shall be constructed of marbilite and must be separated a minimum of 1,000-feet from any existing monopole. He stated that even at 60-feet, the monopole would allow for only one carrier, based on the way the structure is built with a 30-inch diameter.

In response to Mayor Morris, Assistant City Manager Stevens clarified that the selection of the pole material was to move away from a metal pole that has the potential of being shiny and marbilite has less sheen. He said the City Council can choose to approve the project as recommended or refer it to the Review Board to consider some alterations to the design presented. He said if alterations would be to include options not currently available in the ordinance, then the City Council would also have to direct staff to look at potential modifications to the ordinance to allow additional materials, more height, different styles, and change the review process.

Mayor Morris said he would not vote against this project because this is designed with existing limitations. He expressed concern that there would be a proliferation of towers to accommodate growing needs.

In response to Councilmember Bertone, Mr. Stevens replied that there are no nearby residents.

Councilmember Templeman supported the water tower and citrus label design, and said the facility does not impact any residents. He stated he strictly enforces graffiti maintenance and opposes advertising on the sign band.

The City Clerk read the title of Resolution No. 2010-43.

Mayor Morris asked if anyone wished to discuss condition 17 recommended by staff.

In response to Councilmember Templeman, Planner Espinoza said staff is looking to maintain existing landscaping, add drought tolerant plants, and repair the irrigation system.

Councilmember Templeman did not think it was reasonable for the applicant to hire a contractor to prepare and submit plans. He suggested condition 17 can be restated to say "repair or refresh existing landscaping".

Planner Espinoza said condition 17 can be reworded as follows: "The applicant shall submit landscape and irrigation plans for the site. The landscape and irrigation plans shall address refurbishing the areas of concern to the satisfaction of the Director of Development Services."

In response to Councilmember Badar, Planner Espinoza said there have been similar projects in other cities in which the carriers are willing to make improvements to the site to be allowed to be on the property. He said property owners also receive compensation for the facility to be onsite. He further explained that the applicant received the conditions as part of the Development Plan Review Board meeting and the City Council meeting.

In response to Council, Mr. Espinoza said the San Dimas sign will not go up until the fourth carrier takes the location; the actual design of citrus labels is not the final design selected but staff is looking at art with citrus fruit.

It was moved by Councilmember Badar, seconded by Councilmember Bertone, to waive further reading and adopt **RESOLUTION NO. 2010-43**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING DEVELOPMENT PLAN REVIEW BOARD CASE NO. 10-13, A REQUEST TO CONSTRUCT AN 80-FOOT HIGH STEALTH WIRELESS TELECOMMUNICATION FACILITY RESEMBLING A WATER TOWER THAT WILL ACCOMMODATE FOUR CARRIERS. THE REQUEST ALSO INCLUDES TWO BLOCK WALL ENCLOSURES TO HOUSE THE MECHANICAL EQUIPMENT AT 211 W. ALLEN. (APN: 8392-012-0204) amended to include refurbishing of the areas of concern. The motion carried unanimously.

- b. Consider a request to initiate a Zone Change and Municipal Code Text Amendment to allow RV storage and mini-storage at 642 E. Baseline Road (La Verne Nursery).

Associate Planner Espinoza said one of the applicants was unable to attend the meeting and they are requesting that this item be postponed to the next City Council meeting to allow them additional time to review the agenda packet which was received this date.

Mayor Morris said a courtesy notice was provided to the residents of the neighborhood and asked if anyone was present who wished to discuss this matter. There being no one present to comment, it was the consensus of the City Council to continue this request to the next regular City Council meeting.

6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 7:53 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 7:54 p.m..

7. ORAL COMMUNICATIONS

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

1) **Ben Swank** said he lives not far from the water tower. He stated that after reading about the City of Bell he thought it was time to keep an eye on things. He asked if the applicants of the wireless facility are paying rent for the property and if the city would be responsible for maintaining the property.

Mayor Morris thought that some sort of compensation would be paid to the property owner, but he was not familiar with the terms of the lease. He added that this continues to be private property and the City is not responsible for maintaining private property.

2) **Sid Maksoudian** said his remarks about comparing the City of San Dimas to the City of Bell were valid to show things can happen to small cities and people should be informed. He mentioned that with low voter turnout, a small group of individuals run the city and he is cleaning up this city.

b. City Manager

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

Director of Development Services Coleman provided a Powerpoint presentation on week 22 of construction on the renovation project. He said workers have focused on completing the metal roof decking on the city hall and the Plummer building; interior framing has begun at city hall; structural steel framing continues; mechanical lines have been installed in the trench that runs to the new exterior mechanical system in the parking lot; HVAC was tested and works well; final concrete pour completed in the west wing; solutions were presented to tie-in and insulation challenges; work began on fire sprinklers system in the Plummer Community Center and electrical and lighting was redone in portions of the building; concrete beam pour was completed; wood forms stripped off revealing new concrete beams; sandblasting began and brick veneer added; rough plumbing completed for restroom fixtures; challenge was addressed on the sewer running through the parking lot to the Plummer building. Mr. Coleman said progress can be followed on the website.

City Manager Michaelis said the I-beam on the west portion of the new addition will be raised on Monday, August 16, and a signature gathering party will be held between 4:00 and 5:00 p.m. to sign names on the I-beam.

In response to Councilmember Templeman, Director Coleman replied that the generator will be upsized and replaced.

c. City Attorney

There were no comments.

d. Members of the City Council

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

There were no meetings attended at the expense of the City.

- 2) Individual Members' comments and updates.

- 1) Councilmember Templeman said there is no question the 50th anniversary celebration was a huge event with a lot of volunteers. He said a lot of people came to hear The Answer, which added to the enjoyment of the evening. He thanked all volunteers, City and Chamber staff for orchestrating the event.

- 2) Councilmember Templeman said several people attended a nice flag raising ceremony in town for a decorated Marine of WWII, and he appreciates the people who made it happen.

- 3) Mayor Pro Tem Ebinger said the barbecue was a great event and many people came to hear The Answer play. He heard one comment that people were pleased and surprised that the rides were free. He said it was the City's present to the community. He praised the Chamber staff for a fabulous job.

- 4) Councilmember Badar thanked La Verne Chamber of Commerce staff, Brian McNerny, and said quite a few individuals came through the city on motorcycles with flags and between 75 to 100 people attended the event at 4th Street/Cataract to pay tribute to the 84-year old Marine.

- 5) Councilmember Badar commended the super barbecue event and The Answer. He said the concert featured a surprise singer who sang songs from Fleetwood Mac and everyone enjoyed the event. He praised the organizers and said Joe Fransen contributed his time all day.

6) Councilmember Bertone said it was a great birthday party that could not have happened without Chamber of Commerce President Ted Powl and Chairperson of the Board of Directors Margie Green, both of whom did a fantastic job. He thanked City staff and volunteers and said the birthday celebration goes on until News Year's Eve.

7) Mayor Morris said a lot of people put a lot of work into the event. He commended Matt Draayom who cut many pounds of meat and the lady volunteers who cleaned up. He thanked everyone for the great job. He added that boy scouts helped out by serving trays of food to senior citizens.

8) In response to Councilmember Templeman, Mr. Powl replied that approximately 1,800 were in attendance.

9) Ted Powl, President/CEO, Chamber of Commerce, thanked Co-chairs Scott Dilley and Laura Smolda and the many volunteers who helped out.

8. ADJOURNMENT

Mayor Morris adjourned the meeting at 8:18 p.m. The next meeting is August 24, 2010, 7:00 p.m.

Respectfully submitted,

Ina Rios, CMC, City Clerk