



MINUTES
REGULAR CITY COUNCIL
TUESDAY, AUGUST 24, 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
Assistant City Manager Ken Duran
Director of Development Services Dan Coleman
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns
Facilities Manager Karon DeLeon
Associate Planner Kristi Grabow
Administrative Aide Ann Garcia

1. CALL TO ORDER AND FLAG SALUTE

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

2. RECOGNITIONS

- Recognition of City Swim Team members who represented San Dimas at the Southern California Swimming Championships in La Mirada, California.

Facilities Manager DeLeon provided a brief background of the Swim Team activities and steps taken to achieve the Championship level.

Assisted by Recreation Coordinator Amanda Carson, Mayor Morris congratulated and presented City of San Dimas Proclamations to **Ellie Allec, Lauren Anderson, Amanda Avery, Amber Blakesley, Madison Egan, Matthew "Parker" Egan, Morgan Egan, Alexis Enrique, Daniel Farag, James Hull, Jerrod Humphrey, Alexis Moore, Amanda Smith, Katlyne Stiles, Gabriella Terry, Darin Vera, and Phillip Wu**, members of the City's Swim Team who qualified to represent City of San Dimas and the regional in the Southern California Municipal Athletic Federation Championship in La Mirada.

Mayor Morris also presented to Swim Team members a Certificate from Assemblyman Curt Hagman's office congratulating them on their qualifications.

3. ANNOUNCEMENTS

- 50th Anniversary Flashbacks

Bill Emerson, Representative, San Dimas Historical Society, reported on the realignment of Bonita Avenue and Arrow Highway and said in 1965, the new section of Arrow Highway opened to traffic 1.6 miles from Bonita Avenue to Walnut as part of a lane widening. In 1963 Gladstone Elementary School

opened; in 1965, Allen Avenue Elementary School opened; in 1970, San Dimas High School opened. He stated that the 1969 time capsule was opened at the City's 50th Anniversary celebration and the contents are available for viewing on Tuesday and Thursday from 1:00 p.m. to 4:00 p.m. at the museum in the Walker House. He added that one of the items was a building permit for the construction of city hall and the Plummer building and the cost for the electrical permits was \$44.00.

➤ 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. The following activities will be conducted at the Library: Saturday, August 28, handmade book workshop designed for teens and adults; Wednesday, September 1 the Book Party Group meets; book for September is *The Piano Teacher*. She invited everyone to join the Family Drum Circle beginning September 15 for fun exploring a variety of percussion instruments. Mystery Authors Hannah Dennison, Dorothy Howell, Kathryn Lilley, Harley Janes Kozak, and Avery Aames will be at the Library on Saturday, September 18 to discuss writing humorous crime novels, and their latest books. She said this free event is sponsored by Sisters in Crime, Speakers Bureau, Los Angeles Chapter. For more information, call the Library at (909) 599-6738.

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) Ernie Pierson Maguire extended an invitation to attend the Annual Flag Retirement Ceremony sponsored by San Dimas Masonic Lodge on September 11, at 7:15 p.m. He thanked City Manager Michaelis for allowing citizens to drop off flags at city hall.

As a memento of past friendship, Mr. Maguire presented to Mayor Morris a football program dated October 26, 1951 with a list of names that included C. Morris. Mayor Morris thanked Mr. Maguire.

2) Phil Hewsman, Director, Shepherd's Pantry in Glendora, said the nonprofit organization provides food, clothing and resource counseling to needy families. He invited the City Council to attend Shepherd Pantry's first fundraising event on September 18, 2010.

3) Margie Green, San Dimas Chamber of Commerce, extended an invitation to the Chamber's 43rd Annual Western Days on Saturday and Sunday, October 2-3, 2010; starting with the parade on Saturday. She said the event includes craft booths and entertainment, a Pow Wow and Rodeo, and the Chamber is looking for volunteers to help with the big event.

4) Ted Powl, President/CEO, Chamber of Commerce, said every organization in town should think about being part of the parade for only \$15. Applications are available at the Chamber office. He encouraged everyone to come enjoy the event.

5) Sid Maksoudian stated he has been criticized in the past for addressing the City Council and said if he has done wrong, he would like to know.

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.)

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Ebner, and carried 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) **No. 2010-44**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF AUGUST, 2010.

b. Approval of minutes for regular meeting of August 10, 2010.

END OF CONSENT CALENDAR

6. PUBLIC HEARINGS

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

a. Congestion Management Plan 2010 Local Development Report:

RESOLUTION NO. 2010-45, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL IMPLEMENTATION REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089.

Associate Planner Grabow presented the staff report and said the City is required to adopt an annual resolution certifying the City has met county-wide Congestion Management Plan requirements. She stated that balances are currently frozen waiting for completion of a nexus study, which has not yet begun. She said after action on this item, Assistant City Manager Stevens will present additional details on the status of this issue. Staff recommended adoption of Resolution No. 2010-45.

Mayor Morris opened the public hearing and asked if anyone wished to speak on this item. There being no one, he closed the public hearing.

After the title was read, it was moved by Mayor Pro Tem Ebner, seconded by Councilmember Bertone, to waive further reading and adopt **RESOLUTION NO. 2010-45**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, FINDING THE CITY TO BE IN CONFORMANCE WITH THE CONGESTION MANAGEMENT PROGRAM (CMP) AND ADOPTING THE CMP LOCAL DEVELOPMENT REPORT, IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65089. The motion carried unanimously.

In response to Council, Assistant City Manager Stevens replied that the MTA is proposing to change the program from a current debit/credit program to a fee based program. His presentation is about background for the fee program. He also replied that in the past, the City sold some credits; and most credits were obtained relatively inexpensively by re-striping Arrow Highway from four to six lanes. San Dimas is compliant with the laws as currently established by MTA in the program.

Assistant City Manager Stevens provided a Powerpoint presentation on Metropolitan Transportation Authority's (MTA) proposal to implement a fee-based program. He stated that the fee program is still in the analytical data collection stage and has not yet been established. Mr. Stevens stated that if the fee program is adopted, the debit/credit program used over the past 20 years would be replaced by the fee-based program and the funds collected would stay in the local jurisdiction accounts to spend on projects

that meet the eligibility criteria. He provided a brief history of the program and said the MTA is currently identifying projects and at the conclusion in about six weeks, the nexus study is anticipated to start and last approximately 12-18 months. The program will then go to the MTA Board with a recommendation as to whether or not to adopt the County-wide fee based program. Mr. Stevens said the San Gabriel Valley Council of Governments (SGVCOG) decided it would be beneficial to participate early to understand the program, implications of the program, and if the program is adopted, to make sure it properly reflects the concerns of cities. The SGVCOG has funded a pilot program and met with all jurisdictions in the San Gabriel Valley and continues to meet with the Steering Committee on which Mr. Stevens serves. Mr. Stevens outlined the proposed fee schedule and said the Public Works Department and Planning Department have been working on developing a list of projects to address continuing congestion on various main corridor streets in the city over the next ten years. He emphasized that no one is suggesting these numbers and it is not expected that these kinds of fees would be charged.

In response to Councilmember Templeman, Mr. Stevens replied that it is the view that the local project mitigation essentially addressed local needs associated with the project. There may be some improvements that are part of the California Environmental Quality Act (CEQA) mitigation that may allow a credit against this fee.

In response to Mayor Morris, Mr. Stevens said it was made clear that even though the City participated in the pilot study, the City may oppose the program when it goes to the MTA Board.

In response to Councilmember Bertone, Mr. Stevens stated the program would not weaken the CEQA and the only thing that would happen is that the fee may drop based upon whatever CEQA mitigation was completed for the eligible project.

At the request of Councilmember Badar, Mr. Stevens explained that the California Environmental Quality Act is state law in effect since 1972 that requires cities to evaluate various physical impacts to the environment created by development projects, to inform the public about those impacts as part of the process of considering approval of the project, and to a degree feasible, to mitigate or reduce those physical impacts by project changes or other methods.

7. PLANNING/DEVELOPMENT SERVICES

- a. 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). (CONTINUED FROM AUGUST 10, 2010)

Mayor Morris reported that the applicant has requested this item be continued due to scheduling conflicts with his partners.

Assistant City Manager Stevens said this item will be continued to a date uncertain. He said it does not require a notice and will be brought back when the two partners can both be in attendance.

Councilmember Templeman said a member of that neighborhood was here last meeting and is present this evening. He suggested he provide his name and address to staff for notification of the meeting.

- b. Sustainable Communities Planning Grant Application Submittal to develop a Targeted General Plan Update.

RESOLUTION NO. 2010-46, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING THE SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS FOR THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAM UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84)

Administrative Aide Garcia said the City is considering applying for a Strategic Growth Counsel Sustainable Communities Planning Grant in the amount of \$800,000, to support the development of the targeted General Plan update. She said the primary goal of this grant program is to develop and implement plans that reduce greenhouse gas emissions and achieve objectives consistent with the State Planning Priorities. She said there will be three cycles of grant funding for fiscal year 2010-2011. The City's proposal application will be submitted under Focus Area #1 and is due August 31, 2010. She said in order to be competitive, the City's proposal must meet threshold requirements, develop a targeted General Plan Update, and include implementation activities such as updating zoning ordinances and building codes. She said this grant would assist the City in developing a General Plan update, provide consistency between element, ordinance guidelines, and other city and regional plans, and would also assist in addressing new legislature. Staff recommends approval of the application submittal and adoption of Resolution No. 2010-46.

In response to Councilmember Templeman, Assistant City Manager Stevens replied that the Strategic Growth Counsel would most likely fund a portion of funds requested and it is possible that the City would have to supplement funds for the General Plan update. Staff will determine if a supplement is necessary, determine the cost, and decide to go forward. He said some of the funds would go toward the General Plan update and some for the implementation. He felt it was worthwhile to apply for the funds.

In response to Mayor Pro Tem Ebner, Mr. Stevens said there are policies that could be revisited, updated, and better integrated, as well as looking at health benefits such as linking land use and recreation needs, and looking at open space and similar projects. The question is whether enough funds are received to complete the targeted projects.

After the title was read, it was moved by Councilmember Bertone, seconded by Councilmember Badar, to waive further reading and adopt **RESOLUTION NO. 2010-46**, A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING THE SUBMITTAL OF AN APPLICATION FOR GRANT FUNDS FOR THE SUSTAINABLE COMMUNITIES PLANNING GRANT AND INCENTIVES PROGRAMS UNDER THE SAFE DRINKING WATER, WATER QUALITY AND SUPPLY, FLOOD CONTROL, RIVER AND COASTAL PROTECTION BOND ACT OF 2006 (PROPOSITION 84). The motion carried unanimously.

8. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 8:24 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 8:25 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) James Witt said he moved to San Dimas 28 years ago because of the community and family values, schools, shops, and one of the most important reasons was the city's theme of western outdoors, farming and ranch community. He opposed the commercial development of the parcel of land on San Dimas Canyon/Baseline Road, the former Nursery property.

Assistant City Manager Stevens said an agenda would be mailed to Mr. Witt when the matter comes back to the City Council. Mr. Witt said he is a full time student and would be unable to attend the meeting.

Mayor Morris said the applicant is requesting the City Council to consider initiating a code amendment. He said a zone change requires two public hearings and staff will keep Mr. Witt informed of what goes on and if his neighbors want direct information, they can also be contacted.

2) Sid Maksoudian said while at a meeting at Supervisor Antonovich's office, he was handed a letter informing him that he was to speak directly to the Assistant City Manager on all city matters.

b. City Manager– Meeting dates and times for the Fall City Council/Staff Retreat

City Manager Michaelis said staff is looking to hold the Council/Staff Retreat in October and will have a list of available dates at the next meeting.

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.

Councilmember Templeman said the Finance Committee met today to conduct an audit of the City and he asked the Certified Public Accountants what they would do if they encountered Council and staff salaries similar to the City of Bell. Their response was that they would immediately report it to the City Attorney as a violation of the law. He said the City of San Dimas has checks and balances and account documents are a public record and anyone can always find out if something is not right. He added that because of good work by staff, the City has enjoyed positive audits.

10. ADJOURNMENT

Mayor Morris adjourned the meeting at 8:43 p.m. The next meeting is on September 14, 2010 at 7:00 p.m.

Respectfully submitted,

Ina Rios, CMC, City Clerk