



MINUTES
REGULAR CITY COUNCIL
TUESDAY, SEPTEMBER 28, 2010, 7:00 P. M.
SENIOR CITIZEN/COMMUNITY CENTER,
MULTIPURPOSE ROOM, 201 E. BONITA AVE.

PRESENT:

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

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
Associate Planner Marco Espinoza

ABSENT:

Councilmember Jeff Templeman

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:01 p.m. and led the flag salute.

2. RECOGNITIONS

- Proclaim October as National Planning Month

Mayor Morris read and presented to Development Services Director Coleman a Proclamation proclaiming October as National Community Planning Month.

3. ANNOUNCEMENTS

- 50th Anniversary Flashbacks

Bill Emerson, Representative, San Dimas Historical Society, recited news from the News Advertiser, September 22, 1966 that Bonita had their first game under lights and A & P Food Stores opened in Canyon Center. Mr. Emerson also recited news from the San Dimas Press for September 25, 1975: Gem Steel Company of San Dimas completed fabrication of ten (10) largest steel tanks used to store English walnuts, purchased by a plant processing in Modesto, California; to be shipped in five Santa Fe Railroad cars. According to San Dimas Press, January 8, 1976, the San Dimas City Council adopted an ordinance prohibiting the riding of bicycles and wheeled toys on the City's wooden sidewalks. Further, the Sheriff's Department was instructed to strictly enforce an ordinance prohibiting the riding of horses on the wooden sidewalks, the golf course, or little league ball fields. In addition, Councilmember Jim McLean emphasized that horseback riding on the wooden sidewalks is dangerous and infringes on the rights of others by frightening customers of downtown businesses.

➤ Pui-Ching Ho, Library Manager, San Dimas Library

Pui-Ching Ho, Library Manager, San Dimas Library, said the Friends of San Dimas Library Book Sale will be held Friday through Sunday, October 1-3, during San Dimas Western Days. The upcoming Book Party is scheduled for Wednesday, October 6, at 10:30 a.m. On Saturday, October 9, meet a teacher from 1890's Los Angeles Center for the Heritage Square Museum, for Victorian School lessons complete with a variety of teaching aides and historic artifacts. Log onto www.colapublib.org or www.librarytutor.org. for free online services for students grades 4-12 in English, Math, Social Studies, Science; as well as college level courses and tutor services for adults. She reminded that Lone Hill Middle School and High School textbooks in all subjects are available to check out - inquire at the reference desk.

➤ Announcement

Director Bruns announced that during the heatwave, the Senior Citizens Community Center will serve as a cooling center from 8:00 a.m. to 5:00 p.m. and most evenings until 8:00 p.m. to sit in the Library, read books, magazines or play games.

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) Ted Powl, President/CEO, Chamber of Commerce, invited the community to Western Days, Saturday and Sunday, October 2-3, beginning with a community parade at 10:00 a.m. Saturday; including fun games and rides for children, and continuous musical entertainment throughout the weekend. He said the Chamber offers free booth space to nonprofit organizations promoting their organization and providing entertainment for children from Life Pacific College gold panning to Parks and Recreation Department activities. He outlined activities to be enjoyed including crafts, food vendors, business expos and displays, Native American Pow Wow, vendors and food. He said with the exception of food or sales, all the activities and entertainment are free of charge.

2) Don Green, San Dimas Rodeo, said the annual San Dimas Rodeo will be held in conjunction with Western Days on Saturday and Sunday, October 2-3, 2010, including a pre-show at 1:00 p.m. on Sunday by the Challenged Buckaroos featuring special needs children who will be assisted by cowboys and clowns; and Police Helicopter and skydiving team. He said the Rodeo is also working with McKinleys Center to set up a facility to send kids to a riding academy. He added that funds raised at the Rodeo are donated to scholarships for local students of San Dimas and La Verne. He thanked the volunteers and sponsors of this annual event and expressed appreciation for the City's continued support. He replied to Mr. Ebner that buses, including handicapped buses with wheelchair access, would run every 15 minutes from downtown San Dimas.

3) Sid Maksoudian disagreed with a letter he received assigning him to conduct business with the Assistant City Manager when he has a good relationship with Planning and Engineering staff. He said he was informed that a business had not been issued a permit to operate; however, friends who called city hall were informed the business is operational. He felt staff should look into this issue.

4) Joe Fransen, representing American Cancer Society, pointed out that October is Breast Cancer Awareness and Prevention Month, and a lot of hospitals and health fairs offer mammograms for little or no cost during the month of October. He reported that between 3-5% of incidents of breast cancer occur in males, who need to be made aware to mention it during their annual physical examinations.

5) Margie Green reminded that during the big weekend for the Rodeo and Western Days, the community parade will be coming down San Dimas Avenue from Gladstone at 10:00 a.m., with one group of horses and mini horses; an exciting shoot out; Ladies dressed in historic clothing; and a 12 band competition. She said the Western Days event includes a Native American Pow Wow in Civic Center Park, and Native American vendors.

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 Councilmember Badar, and carried to accept, approve and act upon the consent calendar, as follows: Councilmember Templeman was absent.

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

(1) **RESOLUTION NO. 2010-49**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF SEPTEMBER 2010.

(2) Consider adopting Amended Standardized Conflict of Interest Code for Designated Employees
RESOLUTION NO. 2010-50, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING A STANDARDIZED CONFLICT OF INTEREST CODE FOR DESIGNATED EMPLOYEES.

(3) **RESOLUTION NO. 2010-51**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, ADOPTING AN ADMINISTRATIVE PROCEDURES AND REIMBURSEMENT POLICY FOR DECLARED EMERGENCY/DISASTER.

b. Approval of minutes for regular meeting of September 14, 2010 and special meeting of September 14, 2010.

c. Award of Cash Contract 2010-08, Cataract Avenue Storm Drain MTD 1804 to VCI Construction, in the amount of \$255,432.00.

d. Authorization to Waive Formal Bid Process for the Purchase of Video Detection Cameras and Accessories for the Bonita Avenue/San Dimas Canyon Road Signal Modification Project and Award bid to RodefX, Inc. (affiliate of Iteris, Inc.) in the Amount of \$23,584.18

END OF CONSENT CALENDAR

6. 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 24, 2010).

Associate Planner Espinoza presented the applicant's proposal for a code text amendment and zone change to allow an Recreation Vehicle storage facility and mini-storage at southwest corner of North San Dimas Canyon Road and East Baseline Road. He said the property is currently zoned Light Agriculture (AL) and the applicant is requesting that the zone be changed to Commercial Highway (CH) or Commercial Neighborhood (CN) to comply with the General Plan's Commercial Land Use designation. He outlined a number of challenges with the proposed changes and added that the proposed code text amendment would conditionally allow recreational vehicle storage lots and mini-storage for any future development. Planner Espinoza stated that this is not a public hearing and the City Council shall determine whether or not the information provided warrants a public hearing. Staff recommended that the City Council deny the request as submitted by the applicant. As a second option, if the City Council feels that staff should process the proposed zone change and code text amendment, Mr. Espinoza recommended:

- 1) that the existing zone should remain the same (AL) and a General Plan Amendment should be processed to change the Land Use designation from "Commercial" to "Industrial", making the proposed uses consistent with the zone and General Plan; and change the code text amendment to conditionally allow mini-storage in the AL since RV storage is currently allowed with a Conditional Use Permit.
- 2) change the zone to Single Family from AL and the General Plan designation to Single Family Low to allow the site to be developed for 12-15 residential properties as shown in Exhibit F; and
- 3) direct staff to conduct a Land Use study of the area and evaluate a range of options area-wide before determining the best land use for the area.

Mr. Espinoza said the applicant and property owner are in attendance to answer any questions.

Associate Planner Espinoza responded to Council that public hearings would be necessary for the code amendments; the AL classification was a pre-existing zone classification; and a zone change or code amendment would affect all properties with the same zoning classification in other areas of town. He further responded that a few underdeveloped properties on Foothill can accommodate RV storage.

Assistant City Manager Stevens clarified that 95% of AL zone was adopted in 1961 and there were two amendments in 1975 relative to worm farming and agricultural worker housing.

Mayor Morris pointed out that this is not a public hearing to approve a zone change, but a presentation to consider whether or not the City Council would initiate a zone change. He invited the applicants to present their proposal.

Bud Wheeler, XL Storage, Inc. provided a handout for the City Council and staff outlining their proposal to develop an indoor recreational vehicle and self storage facility in San Dimas. He addressed potential resident concerns regarding noise and traffic issues and stated that the facilities have secured, restricted access for patrons only during daylight hours and trip generation is proposed at approximately 40 trips per day. He said the one ingress/egress is 500 feet away from the closest house on Cheyenne Drive. He pointed out that he is not opposed to limiting the facility to RV storage only, rather than go through the process of changing the zone for this type of project.

Mayor Morris said the applicant is willing to give up self storage and he asked staff if private garages comply with the present zoning. Planner Espinoza replied that the use complies with the present zoning, however, because RV storage tends to be in Industrial Park areas, there is a conflict with the commercial designation in the General Plan. He added that as part of the Conditional Use Permit, setback restrictions can be imposed for development of that type of use. He further added that a zone change can be initiated without changing the General Plan. If the General Plan were to be changed, it would be changed to Industrial.

Mayor Morris expressed his reluctance to change the General Plan to Industrial because the surrounding properties are either residential or commercial.

Assistant City Manager Stevens said there are two dilemmas: 1) whether the RV Storage is an appropriate use for the site; 2) and if so, it is staff's charge to find the most appropriate zoning/General Plan technique to provide the least amount of risk to other future uses. He stated that if the City Council feels there is not enough merit to initiate a change, there is no need to proceed further. However, if the City Council feels there is a reasonable opportunity to let the project move forward, staff can commence the noticed public hearing process.

Mr. Wheeler stated that the enclosed RV Storage has the least impact and an aesthetically pleasing design, with one entrance, and is filling a need in the City. He responded to the City Council that it is not an issue to build an enclosed garage for RVs only; and feasibility studies will be conducted to see if the project is financially viable for the neighborhood; he provided dimensions for the 170 units and occupancy rates at other facilities, and said a full-time manager will be onsite.

Mayor Morris invited the audience to comment.

1) Don Green praised the project and asked if there were some way to accommodate his concern that a 20-foot wall would block the view of the mountains for the residents on the west side.

2) In response to Sid Maksoudian, Mr. Wheeler replied that at the Rancho Storage Facility, each unit rents out for approximately \$200-\$300.

3) Sid Maksoudian stated that a survey has not been conducted to see if there are enough RVs or trailers to accommodate this facility or if this use would benefit the residents of San Dimas. He expressed concern that San Dimas residents would not be able to afford the storage facility that would attract clientele from surrounding areas.

4) Ken Hatch stated that the Rancho Cucamonga Facility has a number of customers from San Dimas and La Verne who store their large RVs. He said a study was conducted on indoor storage (which retains the value of the coach) versus outdoor storage (which depreciates the value of the RVs.)

Mayor Pro Tem Ebner stated he does not want to take away the property owner's right to build on his property, however, he is concerned about not constructing sound walls to protect residents on Cheyenne from excessive noise.

Councilmember Bertone stated this is a great project that is needed, however, he will vote to deny the project in a semi-residential area. He would vote in support of the project in any other zone.

In response to Councilmember Badar, Mr. Wheeler replied that attempts have been made to meet with residents. He said the units would have a 12-foot high roofline on the back portion facing Cheyenne residents and added that the design elements make the units look like residential housing, with a 45-foot setback green belt around the perimeter.

Mayor Morris said this property has some challenges and the use is permitted under the existing zone. He would support taking a further look at this project.

Councilmember Badar said by instructing staff to look into this project, the City Council would fulfill a commitment to the RV community to help provide storage space. He would like to hear concerns from the community.

It was moved by Councilmember Badar to direct staff to review the proposal and bring back a report to the City Council.

In response to Mayor Morris, Assistant City Manager Stevens outlined the process staff would take and said a preliminary report would be brought back to the City Council within 60 days.

The motion was seconded by Mayor Morris. The motion failed by the following vote:

AYES: Councilmembers Badar, Morris
NOES: Councilmembers Bertone, Ebner
ABSENT: Councilmember Templeman

7. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 8:38 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 8:48 p.m..

8. ORAL COMMUNICATIONS

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

- 1) Sid Maksoudian clarified that the total amount of \$15 million was paid by grants and taxpayer funds for the purchase of the Walker House and that \$2.5 million for the kitchen is a good estimate of the break down costs for the various rooms. He felt that the \$2,000 monthly rent for Saffron for using a \$2.5 million piece of real estate, is a losing investment.

- b. City Manager

- 1) City Manager Michaelis informed the public that there is information on the City's website concerning the High-Speed Rail System approved by voters in 2008 and a public Outreach meeting will be conducted between 4:00 p.m. to 8:00 p.m. on Wednesday, October 6, 2010, in the City of El Monte. He said additional meetings will be held when the City gets more specific in its particular discussion of the High-Speed Rail System.

Councilmember Bertone stated that he and a staff member will be part of a Committee set up by the San Gabriel Valley Council of Governments to keep San Dimas residents informed about the High-Speed Rail System.

- 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.

Mayor and members of the Council attended the League of California Cities annual conference and exposition in San Diego, on September 15-17, 2010.

Councilmember Bertone said the League of California Cities is a lobbying group that represents and promotes cities' interest with the State of California Legislature. The conferences provide an opportunity to communicate with representatives from other cities and Sacramento as it relates to budget, ethics, and redevelopment.

Councilmember Badar stated he is the representative for the City of San Dimas and the theme of the conference centered on Proposition 22, an initiative to protect local Redevelopment Agency funds from the State. He urged citizens to take a look at Proposition 22 at the November 2, 2010 election.

Councilmember Bertone added that Proposition 22 does not raise taxes in any way or form.

2) Individual Members' comments and updates.

a) Mayor Pro Tem Ebner said one of the main sponsors at the 5K and 1mile Fun Run was Christ Church of the Valley that did a great job providing breakfast. He said they provided a band and volunteers monitored, participated and helped with the event. He mentioned he enjoyed the age bracket for awards and spoke with an 86-year old lady who was so happy to get an award for walking the 5K course.

b) Councilmember Badar thanked Mike Kelly, Principal of San Dimas High School, who implemented Community Night, an opportunity for elementary school children to join in high school activities. He said at Friday night's game, the City presented certificates to the children who were pleased the community was recognizing what they had done for their community. He mentioned that after the presentation, parents expressed their appreciation for allowing the kids to have a parade in the downtown San Dimas.

c) Councilmember Bertone said he was honored to be invited by Buddhist Tzu Chi Foundation, located in San Dimas, to represent the City at Wave of Hope, a fundraiser for nondenominational charitable work. He said over \$1.9 million was raised and will be donated to Haiti. Mr. Bertone said he was also awarded the honor of ringing the peace bell, a Buddhist tradition.

d) Mayor Morris said the City Council was aware of the costs when they made the decision to purchase and restore the Walker House. The City Council felt it was necessary to preserve a building that was a part of the heritage of San Dimas and it was important to provide food service. He added that Mr. King agreed to terms under a Memorandum of Understanding with provisions that the restaurant would close down for several days, several times a year for events. He stated that public meetings were held to discuss the lease agreements and the City Council was aware of the rent provisions, as well as the right to audit their books. He said the success of the restaurant to the City of San Dimas/Redevelopment Agency is not how much money it brings in, but how much it adds to the experience of the Walker House, which is considered an important part of this community. Mayor Morris said Mr. Maksoudian is given the opportunity to speak at every meeting.

9. ADJOURNMENT

Mayor Morris adjourned the meeting at 9:07 p.m. The next meeting is on October 11, 2010, 5:00-9:00 p.m. for a City Council/Staff Retreat at the San Dimas Sheriff's Station Public Meeting Room.

Respectfully submitted,

Ina Rios, CMC, City Clerk