



**AGENDA**  
**REGULAR CITY COUNCIL /**  
**REDEVELOPMENT AGENCY MEETING**  
**TUESDAY, NOVEMBER 9, 2010, 7:00 P. M.**  
**MULTI-PURPOSE ROOM**  
**SENIOR CITIZEN/COMMUNITY CENTER**  
**201 E. BONITA AVENUE**

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**COUNCIL:**

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

**1. CALL TO ORDER AND FLAG SALUTE**

**2. ANNOUNCEMENTS**

- 50th Anniversary Flashbacks
- Pui-Ching Ho, Library Manager, San Dimas Library

**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

**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 requests separate discussion.)

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

- (1) Consider approval of Warrant Register:

**RESOLUTION NO. 2010-59, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF OCTOBER AND NOVEMBER, 2010.**

- b. Approval of minutes for the regular City Council meeting of October 26, 2010 and special meeting of October 26, 2010.
- c. Approval of the City's Annual Independent Audited Financial Statements.
- d. Approval of Assignment and Assumption Agreement (Sunnyside Apartments).
- e. Rejection of claim for damages from Randy Argo.
- f. Rejection of claim for damages from Charles Douglas Cassidy.

END OF CONSENT CALENDAR

**5. PUBLIC HEARING**

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

- a. Consider Zone Change 10-02, a request to change the existing zoning designation of 702-762 West Arrow Highway from Creative Growth, Area 1 (CG-1) to Commercial Highway (CH) (APN: 8386-007-049).

- 1) **ORDINANCE NO. 1198**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING ZONE CHANGE 10-02, A REQUEST TO CHANGE THE EXISTING ZONING DESIGNATION OF 702-762 WEST ARROW HIGHWAY FROM CREATIVE GROWTH, AREA 1 (CG-1) TO COMMERCIAL HIGHWAY (CH) (APN: 8386-007-049). **FIRST READING AND INTRODUCTION**

**6. OTHER MATTERS**

- a. Cast vote for Councilmember Margaret Clark as representative to the San Gabriel Basin Water Quality Authority Board.

**RESOLUTION NO. 2010-60**, CASTING ITS VOTE(S) FOR ROSEMEAD COUNCILMEMBER MARGARET CLARK TO REPRESENT CITIES WITHOUT PRESCRIPTIVE PUMPING RIGHTS ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY.

- b. Authorization to Apply for Highway Safety Improvement Program Grant Funds for Pedestrian and Bikeway Trail from Cypress Street to Avenida Loma Vista

**7. SAN DIMAS REDEVELOPMENT AGENCY**

- a. Oral Communications. *(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 October 26, 2010 meeting.
- c. Executive Director
  - 1) Project status update.
- d. Members of the Agency

**8. ORAL COMMUNICATIONS**

- a. Members of the Audience *(Speakers are limited to five minutes or as may be determined by the Chair.)*
- b. City Manager
  - 1) Update on City Hall, Civic Center, and Stanley Plummer expansion and renovation project.
  - 2) Oral report explaining the information contained in the State Controller's Office summary of local government compensation throughout the state
- c. City Attorney

d. Members of the City Council

- 1) Councilmembers' report on meetings attended at the expense of the local agency.
- 2) Individual Members' comments and updates.

**9. ADJOURNMENT**

Next meeting is on Tuesday, November 23, 2010, at 7:00 a.m.

**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/minutes.cfm>.

**SUPPLEMENTAL REPORTS:** AGENDA RELATED WRITINGS OR DOCUMENTS PROVIDED TO A MAJORITY OF THE SUBJECT BODY AFTER DISTRIBUTION OF THE AGENDA PACKET SHALL BE MADE AVAILABLE FOR PUBLIC INSPECTION AT THE CITY CLERK'S OFFICE AT 186 VILLAGE COURT DURING NORMAL BUSINESS HOURS. [PRIVILEGED AND CONFIDENTIAL DOCUMENTS EXEMPTED]

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

**POSTING STATEMENT:** ON NOVEMBER 5, 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 CONVENIENCE, AT THE VONS SHOPPING CENTER (PUENTE/VIA VERDE) AND THE CITY'S WEBSITE AT [WWW.CITYOFSANDIMAS.COM/MINUTES.CFM](http://WWW.CITYOFSANDIMAS.COM/MINUTES.CFM).

**RESOLUTION NO. 2010-59**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF OCTOBER AND NOVEMBER 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: 10/31/2010; 21553 through 21624; in the amount of \$2,026,307.90; Warrant Register: 11/15/2010; 133283 through 133429; in the amount of \$298,726.30.

PASSED, APPROVED AND ADOPTED THIS 9th DAY OF NOVEMBER, 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 November 9, 2010, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
Ina Rios, CMC, City Clerk

4 a (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.***



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, OCTOBER 26, 2010, 7:00 P. M.**  
**MULTI-PURPOSE ROOM**  
**SENIOR CITIZEN/COMMUNITY CENTER**  
**201 E. BONITA AVENUE**

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**PRESENT:**

Mayor Curtis W. Morris  
Mayor Pro Tem Denis Bertone  
Councilmember Emmett Badar  
Councilmember John Ebner  
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  
Recreation Coordinator Erica Rodriguez

**ABSENT:**

Director of Development Services Dan Coleman

**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. ANNOUNCEMENTS**

➤ Halloween Carnival, Costume Contest and Haunted Maze on Sunday, October 31, 2010

1) Recreation Coordinator Erica Rodriguez invited everyone to a fun-filled, spooky and safe night of fun at the Halloween Carnival on Sunday, October 31, 2010, in the Civic Center Park, from 5:30 p.m. to 8:30 p.m.. The event will include game booths, stage activities, costume contests, and a Haunted Maze for ages 5 and up. Additional information is available at the Parks and Recreation Department at (909) 394-6230.

2) Recreation Coordinator Rodriguez said the Parks and Recreation Department is recruiting volunteers for the cleanup of the Walnut Creek Trail, on Saturday, November 6, 2010, from 9:30 a.m. to 11:30 a.m.. Interested individuals can contact Parks and Recreation Department at 909/394-6200 for additional information.

3) Recreation Coordinator Rodriguez said the City's year-long 50th Anniversary celebration will end with the New Year's Eve Party on December 31, 2010. Tickets are \$100 per person, and include a social, dinner, and dancing to live entertainment by the SoundBytes.

4) Recreation Coordinator Rodriguez said starting November 12, senior citizen residents can buy tickets for \$7 at the Senior Citizen/Community Center, for the annual Thanksgiving dinner.

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➤ 50th Anniversary Flashbacks

Bill Emerson, San Dimas Historical Society, recited headlines from the San Dimas Press for years 1967, 1971 and 1988.

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

Pui-Ching Ho, Library Manager, highlighted the various events and activities to be held at the Library during the months of October and November 2010. For detailed information, contact 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) Marc Gibbens, 760 Highland Place, said he was a victim of multiple vandalisms and was cited for graffiti on his wall. He said the citation only provides 48 hours to correct the violation or pay the fine. He suggested allowing 30 days after notification.

Assistant City Manager Stevens said he is aware of the circumstances which he will review and resolve.

**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 requests separate discussion.)

It was moved by Councilmember Bertone, seconded by Councilmember Templeman, 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) **RESOLUTION NO. 2010-57**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF OCTOBER, 2010.
- (2) **RESOLUTION NO. 2010-58**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, IN SUPPORT OF "BUSINESS FRIENDLY PRINCIPLES" AS PART OF SCAG'S DEVELOPMENT OF A SOUTHERN CALIFORNIA ECONOMIC GROWTH STRATEGY.

b. Ordinances read by title, further reading waived, passage and adoption recommended as follows:

- (1) **ORDINANCE NO. 1197**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, AMENDING CHAPTER 13.16.400 REGARDING REVISION OF THE DOG PARK RULES. **SECOND READING AND ADOPTION**

c. Approval of minutes for City Council/Staff Retreat meeting of October 11, 2010 and regular City Council meeting of October 12, 2010.

END OF CONSENT CALENDAR

## 5. OTHER MATTERS

- a. Approval of amendments to the Lease Agreements with American Golf Corporation for San Dimas Canyon Golf Course and Restaurant.

Parks and Recreation Director Bruns reported that in an effort to cover increased water costs, staff negotiated a lease extension with American Golf Corporation in exchange for their participation in covering two-thirds of the annual water budget for the golf course. She highlighted the key points of the lease extension and recommended approval of the final Lease amendment.

After Director Bruns responded to specific questions from the City Council, it was moved by Councilmember Bertone, seconded by Councilmember Badar, to instruct staff to prepare the final lease amendment documents for execution. The motion carried unanimously.

- b. Consider request from Five Cities Running Events to conduct a 7.58 mile portion of a marathon through San Dimas on October 9, 2011.

Parks and Recreation Director Bruns said a previous request was made by Five Cities Running Events that is now requesting approval to conduct a 7.58 mile portion of a marathon through San Dimas on October 9, 2011. She said the organization has applied for California and IRS non-profit status and is awaiting formal notice of approval. Five Cities will cover all associated expenses as well as a 30% of net profit donation to local nonprofits designated by each city. Staff recommends approval of the request subject to the conditions of approval and said representatives are in the audience to answer questions.

Vince Calderon, Safety Insurance Director, Five Cities Running Events, responded to Council's questions that they are willing to use both sides of the road if permitted; they are awaiting Federal IRS approval for their nonprofit status, which will have paid staff; and they also have a contract with the City of Ontario for a one-half marathon with a 30% donation going to Fallen Heroes.

It was moved by Councilmember Templeman, seconded by Mayor Pro Tem Ebner, to approve request from Five Cities Running Events to conduct a 7.58 mile portion of a marathon event on San Dimas streets on Sunday, October 9, 2011 at no cost to the city, and subject to conditions of approval. The motion carried 4.1; Councilmember Bertone opposed.

## 6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 7:49 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 7:52 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) Margie Green said the City will wrap up their 50th Anniversary celebration on December 31, 2010 with a New Year's Eve event at Via Verde Country Club. She encouraged everyone to call the Parks and Recreation Department to make reservations for a festive night of dinner, dancing and great camaraderie for only \$100 per person.

2) David Harbin thanked the City Council for allowing San Dimas High School to hold their homecoming parade last week. He said the well attended event was great for the community and the high school.

b. City Manager

City Manager Michaelis explained that Proposition 22 is on the November 2 ballot to keep balance of local government money that belongs to local government and does not raise taxes. He invited voters to read the ballot measure and consider supporting Proposition 22.

c. City Attorney

Mark Steres said it is a pleasure to be here this evening on behalf of his partner, Mr. Brown.

d. Members of the City Council

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

There were no comments.

- 2) Individual Members' comments and updates.

- 1) Councilmember Templeman said this year's homecoming parade is the one most well attended, and did not appear to have had a major impact on traffic.

- 2) Mayor Pro Tem Ebner said the State Controller recently launched a statewide database of local Government employees' salaries and compensation on their website at [www.sco.ca.gov](http://www.sco.ca.gov). He suggested City Manager Michaelis provide at the next meeting a brief oral report explaining San Dimas salaries and total compensation.

- 3) Councilmember Badar said he had the opportunity to ride with Councilmember Bertone in the homecoming parade, which has continued to grow in the last three years. He encouraged the community to come to the downtown.

- 4) Councilmember Bertone felt there were more people in attendance at the homecoming parade this year and presented a great opportunity for business people to introduce others to their businesses.

- 5) Councilmember Bertone said he was unable to attend the Bowser Bash held at the San Dimas Dog Park, but heard it was more than successful.

- 6) Councilmember Bertone said the City is working with the Tzu Chi Foundation to host a community clean up of the Walnut Creek Trail on November 6, starting at 9:30 a.m. and he invited anyone who wants to participate to contact the Parks and Recreation Department. He added that in about five years, approximately 200 acres of this pristine property will be jointly owned by the County of Los Angeles, the City of San Dimas, Tzu Chi Foundation, and the Rivers, Mountains Conservancy.

## 8. ADJOURNMENT

Mayor Morris adjourned the meeting at 8:00 p.m. The next meeting will be Tuesday, November 9, 2010, at 7:00 p.m.

Respectfully submitted,

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Ina Rios, CMC, City Clerk



**MINUTES**  
**SPECIAL MEETING OF**  
**SAN DIMAS CITY COUNCIL**  
**TUESDAY, OCTOBER 26, 2010, 6:00 P. M.**  
**SENIOR CITIZEN/COMMUNITY CENTER**  
**201 E. BONITA AVE.**

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**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 Mark Steres  
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

**ABSENT:**

Director of Development Services Dan Coleman

**1. CALL TO ORDER**

Mayor Morris called the meeting to order at 6:03 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

There were no speakers.

**3. STUDY SESSION PLANNING MATTERS**

- a. Opportunity to discuss concerns regarding the city's sign provisions.

Assistant City Manager Stevens provided a summary of commercial sign regulations and concluded that most of the concern might be related to retail and commercial signs with some focus on temporary signs and banners, as well as a growing concern that "for sale" or "for lease" signs in commercial centers are becoming permanent.

Mr. Stevens responded to Councilmember Bertone that there are no requirements for these types of signs, other than limitations by maximum size or quantity per property. He added there is heightened sensitivity since the City is proactively enforcing regulations and responding to over one hundred complaints related to banners and temporary signs.

In response to Councilmember Badar, Mr. Stevens replied that all types of sandwich board signs are not permitted

In response to Mayor Pro Tem Ebner, Mr. Stevens said Pozettos is permitted to install an icon sign and two wall signs in lieu of three wall signs, which will address their concern.

Mr. Stevens said most regulations prohibiting the advertisement of alcohol sales are in the conditional use permit, not in the sign ordinance. He added that in most cases the conditional use permit has to be amended to permit sale of beer advertisements.

Councilmember Templeman was not concerned with businesses having signs hung in a window. He felt the City should be as helpful as possible, especially first year businesses in the downtown corridor. He said staff can try regulating the appearance of lease signs rather than prohibiting them.

Mr. Stevens said the intention is to require a permit to regulate appearance, not to restrict lease signs. However, he thought there should be some time limit that has to be reviewed, rather than allow them to be open ended.

Mr. Stevens stated if the City Council expressed any interest in permitting sandwich board signs, staff can come up with a strategy to overcome concerns.

Bill Emerson felt it was time for staff to revisit the sign ordinance.

In response to Mayor Morris, Mr. Stevens replied that a multi-tenant building may have wall signs or icon signs, in addition to a monument sign.

Mr. Stevens added that the sign ordinance was amended to allow changes in monument signs to permit grouped tenant signs at San Dimas Station. He stated that five monument signs were approved for San Dimas Station on five street frontages that allowed tenant identification, but they were never installed. In addition to a walk through monument, San Dimas Station has now submitted a request for seven monument signs which will be considered by the Planning Commission in November or December.

Mayor Morris suggested the Planning Commission conduct hearings to solicit public input on sign code amendments for recommendation to the City Council.

Councilmember Bertone suggested advertising the hearings in the Frontier Newsletter.

Mayor Pro Tem Ebner requested that similar examples from other cities be provided when changes are recommended

In response to Mayor Pro Tem Ebner, Mr. Stevens replied that window signs are subject to limitations, but staff cannot regulate content. He added that political signs are addressed separately in the code.

The City Council felt it was worthwhile to consider a six-month flexible sign or banner program for new businesses; and to refer to the Planning Commission the idea of conducting appropriate hearings to collect data from the public relative to the sign ordinance, which will be brought before the City Council for discussion and recommendation.

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

Assistant City Manager Stevens said staff will continue to work on pending first and second priority projects and tasks, as well as other major projects and current planning tasks. He said projects are assigned to staff and the list is updated periodically.

#### **4. ADJOURNMENT**

Mayor Morris adjourned the meeting at 6:59 p.m. The next City Council meeting is Tuesday, October 26, 2010, 7:00 p.m.

Respectfully submitted,

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Ina Rios, CMC, City Clerk



# Agenda Item Staff Report

**TO:** Honorable Mayor and Council Members  
for the meeting of *November 9, 2010*

**FROM:** Blaine Michaelis, City Manager

**INITIATED BY:** Barbara Bishop, Finance/IS Manager

**SUBJECT:** Approval of the City's Annual Independent Audited Financial Statements

## **SUMMARY**

*The City's Annual Independent Audited Financial Statements are submitted for adoption by the City Council.*

## **DISCUSSION**

The attached are the City's Annual Independent Audited Financial Statements which must be approved by the City Council as the Annual Report. Prior to the City Council meeting the members of the Finance/Audit Committee; Mayor Curtis Morris, Councilman Jeff Templeman, City Manager Blaine Michaelis, Assistant City Manager Ken Duran and Finance/IS Manager Barbara Bishop are scheduled to meet with Don Parker, CPA and Richard Kikuchi, CPA from Lance, Soll & Lunghard to discuss the annual audit and the financial statements.

Per the auditor's *Report on Internal Control Over Financial Reporting and On Compliance and Other Matters Based on an Audit of Financial Statements Performed in Accordance with Government Auditing Standards*, they did not identify any deficiencies in internal control over financial reporting that they consider to be material weaknesses. Additionally, during the tests performed of compliance with certain provisions of laws, regulations, contracts, and grant agreements, the results of the tests disclosed an instance of noncompliance that is required to be reported under *Government Auditing Standards* as follows:

### **Redevelopment Agency Five-Year Implementation Plan**

The Agency was required to adopt a five year implementation plan before December 31, 2009, however it was noted that the implementation plan was adopted on June 22, 2010. The next implementation plan should be adopted before December 31, 2014, to be in compliance with the requirements of the Health and Safety Code.

The auditor concluded based upon the audit, that there was a reasonable basis for rendering an unqualified opinion that the City of San Dimas' financial statements for fiscal year ended June 30, 2010, are fairly presented in conformity with *Generally Accepted Accounting Principles (GAAP)* and present the results of the operations and financial position of the City for fiscal year 2009-10. As management we assert that to the best of our knowledge and belief, these financials statements are complete and reliable in all material respects.

The following is explanation for some of the major financial highlights found on pages 5 & 6 of the Management's Discussion and Analysis.

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**FINANCIAL HIGHLIGHTS**

The City's net assets (including capital assets such as land, buildings, infrastructure and equipment) increased by \$606,611 from \$75,799,866 to \$76,406,477 as a result of the 2009-10 operations.

The total for all fund revenues was \$34,186,751 and the cost of governmental activities was \$33,662,882 (refer to p13 of financial statements for detail) resulting in an increase in net assets (cash surplus) of \$523,869 for all funds. Transfers In and Transfers Out between funds are not shown as revenues and expenditures for financial statement presentation, but are recorded on the City books and for budget purposes as revenues and expenditures.

The General Fund reported actual excess revenues over expenditures of \$935,398 (p18). The General Fund as stated on the financial statements includes Fund 70 Equipment Rental Fund in the total. The General Fund Balance of \$30,419,495 is comprised of:

Fund Balance General Fund 01	\$29,388,640
Fund Balance Equipment Rental Fund 70	<u>\$ 1,030,855</u>
Total General Fund Balance	\$30,419,495

The Un-Assigned General Fund Balance and Assigned Fund Balance which is used for budgeting purposes and represents the **cash position** of the funds shows an ending balance or surplus of \$12,505,892 for **Fund 01** and \$1,030,855 for **Fund 70**. These amounts **do not** include the Non-Spendable General Fund Balances of \$16,882,748 for loans owed to the General Fund from SDRA and the Golf Course. When those are factored in, the total General Fund Balance **01/70** is the \$30,419,495 as stated above.

The financial statements include Budgetary Comparison Statements for the General Fund on page 21 the Golf Course Fund on page 22 and for all other special funds beginning on page 59. Total long term debt increased by \$7,418,691 during the current fiscal year. The key factor in this increase was due to the Lease Revenue Bonds for the Civic Center Renovation and Expansion (refer to page 40 & 41 of financial statements for detail).

**RECOMMENDATION**

It is recommended that the City Council accept and approve these statements as the Annual Report by minute action.

McKenna Long  
& Aldridge  
Attorneys at Law

300 South Grand Avenue • 14th Floor • Los Angeles, CA  
90071  
Tel: 213.688.1000 • Fax: 213.243.6330  
www.mckennalong.com

**MEMORANDUM**

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To: Honorable Mayor and Members of the City Council  
From: J. Kenneth Brown, City Attorney  
CC: Blaine Michaelis  
Diane Kasuyama  
Date: November 9, 2010  
Re: Approval of Assignment and Assumption Agreement  
(Sunnyside Apartments)

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In April, 2006, the City Council approved the sale of the Sunnyside Senior Apartment Complex to FG Sunnyside Senior Apartments, LP. At this time the apartment complex is in escrow to be sold to Strata Equity International, LLC, ("Strata") a California limited liability company. Diana Kasuyama talked with a representative of Strata and was told that it will provide the ongoing oversight and maintenance of the complex and will retain the present employees for this purpose.

The underlying Regulatory Agreement and Declaration of Restrictive Covenants (the "Regulatory Agreement") which extends through December, 2021, requires that not less than 20% of the units be designated as "Low Income Units" available to households whose income does not exceed 80% of the median income. As you will note from the attached memorandum from Diana Kasuyama, the present owner has submitted the current annual certification. It provides that 17 of the very low income units are rented at a rate of \$717 per month and the 17 low income units are rented at a rate ranging from \$850 (1 bedroom) to \$950 (2 bedroom). These rents comply with provisions of the Regulatory Agreement and are lower than the maximum rates allowable under the

Regulatory Agreement for 2009; i.e. \$793 for Very Low income units and \$1,269 for Low Income units.) The new owner agrees to continue to comply with the provisions of the Regulatory Agreement as evidenced by the attached Assignment and Assumption Agreement.

We recommend that the City Council approve the Assignment and Assumption Agreement and authorize the City Manager to execute the Consent of Issuer.

Respectfully submitted,



J. Kenneth Brown



## **CITY OF SAN DIMAS MEMORANDUM**

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**DATE:** October 13, 2010  
**TO:** City Attorney, Ken Brown  
**FROM:** Diana Kasuyama  
**SUBJECT:** Sunnyside Sr. Apartments Annual Rent Certifications

As you are aware, in 1996 City Council approved a refunding of the original Sunnyside bonds issued to construct the development and executed a Regulatory Agreement and Declaration of Restrictive Covenants between the Developer and the City. The Agreement restated the age to 55 and required that during the period beginning in 1996 and ending December 2021 not less than 20% of the units (34) would be designated as "Low Income Units" available to households whose incomes does not exceed 80% of the median income. Of those units, not less than one-half would be designated and maintained as "Very Low Income Units" available to households whose income does not exceed 50% of the median income. The remainder of the units (130) could be rented at market rate.

Annual certifications along with rent rolls have been provided to the City since its development displaying continued compliance with the Agreement. The most recent certification completed in January 2010 for 2009 was reviewed and found 17 very low income units at a rent rate of \$717 per month and 17 low income units at a rent rate ranging from \$850 (1 bedroom) to \$950 (2 bedroom) continuing compliance with the Regulatory Agreement. The maximum rates allowable under the Agreement for 2009 were \$793 for Very Low income units and \$1269 for Low Income units.

Foley & Lardner  
902 West Broadway, Suite 2100  
San Diego, California 92101  
Attn: Richard L. Moskitis, Esq.

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SPACE ABOVE THIS LINE RESERVED FOR RECORDER'S USE

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## Assignment And Assumption Agreement

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WHEN RECORDED MAIL  
TO:

Foley & Lardner  
902 West Broadway, Suite 2100  
San Diego, California 92101  
Attn: Richard L. Moskitis, Esq.

space above this line for recorder's use

ASSIGNMENT AND ASSUMPTION AGREEMENT

(Sunnyside Apartments | San Dimas)

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT (this "**Agreement**") is made as of the \_\_\_\_\_ day of \_\_\_\_\_, 2010, by and between FG SUNNYSIDE SENIOR APARTMENTS, LP, a Delaware limited partnership (the "**Assignor**"), and STRATA EQUITY INTERNATIONAL, LLC, a California limited liability company, its successors or assigns (the "**Assignee**"). This Agreement is hereby deemed to be effective by the parties hereto as of the date of recordation of the Grant Deed transferring title to the Project (as defined below) from the Assignor to the Assignee (the "**Grant Deed Recordation Date**").

WHEREAS, the Assignor acquired that certain real property and certain related amenities commonly known as the "Sunnyside Apartments" located upon the Land described in Exhibit A (the "**Project**") from SUNNYSIDE I-PGP, LLC, a Delaware limited liability company, successor-in-interest to Pacific Inland Communities, LLC (the "**Original Assignor**"); and

WHEREAS, pursuant to that certain Purchase and Sale Agreement dated as of September 17, 2010 between Assignor and Assignee (the "**Purchase Agreement**"), the Assignee desires to acquire and the Assignor desires to sell, convey, and transfer to the Assignee, the Assignor's entire ownership interest in the Project, which sale, conveyance, and transfer requires the assumption by the Assignee of the rights, duties, and obligations of the Assignor under the "Regulatory Agreement" (as defined below) relating to the period from and after the Grant Deed Recordation Date; and

WHEREAS, the Assignee is willing to assume such obligations under the Regulatory Agreement; and

WHEREAS, pursuant to Section 10 of that certain Regulatory Agreement and Declaration of Restrictive Covenants, dated December 1, 1996, by and between the City of San Dimas (the "**Issuer**"), the Trustee and the Original Assignor and recorded December 12, 1996 as instrument number 96-2005724 in the County of Los Angeles (the "**Regulatory Agreement**"), the Project may not be transferred without the written consent of the Issuer, which consent shall not be unreasonably withheld, and upon receipt by the Issuer of (i) evidence satisfactory to the

Issuer that the transferee has assumed in writing and in full, the Assignor's duties and obligations under the Regulatory Agreement, (ii) an opinion of counsel of the transferee that the transferee has duly assumed the obligations of the Assignor under the Regulatory Agreement and that such obligations and the Regulatory Agreement are binding on the transferee, (iii) evidence acceptable to the Issuer that either (A) the transferee has experience in the ownership, operation and management of rental housing projects such as the Project without any record of material violations of discrimination restrictions or other state or federal laws or regulations applicable to such projects, or (B) the transferee agrees to retain a property management firm with the experience and record described in subparagraph (A) above, (iv) evidence that no event of default exists under the Regulatory Agreement, and payment of all fees and expenses of the Issuer due under any of such documents are current; and

WHEREAS, the Issuer, in accordance with the Regulatory Agreement, is willing, by execution of the Consent Certificate attached to this Agreement as Exhibit B, to consent to (i) the sale, conveyance, and transfer of the Project to the Assignee and (ii) the Assignee's assumption of all obligations of the Assignor under the Regulatory Agreement as set forth herein.

NOW, THEREFORE, for good and valuable consideration, the sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. Recitals and Definitions. The recitals set forth above are true and accurate and are incorporated herein by reference. All capitalized terms used herein and not otherwise defined herein shall have the respective meanings given to such terms in the Regulatory Agreement.

2. Assignment and Assumption. The Assignor hereby assigns to the Assignee all of the Assignor's right, title, and interest under the Regulatory Agreement, and the Assignee hereby accepts and unconditionally assumes in full all of the duties, agreements, and obligations of the Assignor under the Regulatory Agreement which expressly survives repayment of the Bonds and which first arises and accrues from and after the Grant Deed Recordation Date, which assumption shall be effective upon the Grant Deed Recordation Date.

3. Release. Without limiting any release provided by Assignee to Assignor pursuant to the Purchase Agreement, the parties hereto agree that the Assignor shall be released from all liability in connection with the Regulatory Agreement, except for obligations of the Assignor contained in the Regulatory Agreement that arose prior to the Grant Deed Recordation Date. The parties hereto acknowledge and agree that, notwithstanding its execution and delivery of the Consent Certificate attached hereto, the Issuer does not waive any of the provisions of the Regulatory Agreement (except as the same shall be modified and amended in connection herewith), and all of the terms, conditions, and provisions of the Regulatory Agreement shall remain in full force and effect, except as the same may be explicitly modified or amended in connection herewith.

4. Representation and Warranty. The Assignee hereby represents, warrants, and covenants that Assignee has reviewed Section 10 of the Regulatory Agreement, and that Assignee satisfies the qualifications and requirements contained therein.

5. Consent to Transfer of Project. By its execution and delivery of the Consent Certificate attached as an exhibit to this Agreement, the Issuer hereby acknowledges its consent to the transfer of the Project from the Assignor to the Assignee, subject to the express limitations set forth in its Consent Certificate.

6. Release of Indemnity. The parties hereto agree that as of the Grant Deed Recordation Date, the Assignor shall be released from its obligation to provide indemnity, based upon, pertaining or due to, or arising with respect to any act or omission occurring on and after the Grant Deed Recordation Date, under the Regulatory Agreement.

7. Notice. All correspondence and notices given or required to be given to the Assignor under the Assumed Documents, from and after the Grant Deed Recordation Date, shall be provided to the Assignee and shall be addressed as follows:

Assignee: Strata Equity International LLC  
4370 La Jolla Village Drive, Suite 960  
San Diego, California 92122  
Attention: Carlos D. Michan  
Facsimile: (858) 546-8725  
Telephone: (858) 546-0900

With a copy to: Foley & Lardner LLP  
402 West Broadway, Suite 2100  
San Diego, California 92101  
Attention: Richard L. Moskitis, Esq.  
Facsimile: (619) 234-3510  
Telephone: (619) 685-6439

8. Successors and Assigns. This Agreement applies to, inures to the benefit of, and binds all parties hereto and their respective successors and assigns.

9. Counterparts. This Agreement may be executed in multiple counterparts, all of which, when taken together, shall be deemed an original upon execution.

[signatures on next page]

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

“ASSIGNOR”

**FG SUNNYSIDE SENIOR APARTMENTS, LP,  
a Delaware limited partnership**

By: FG SUNNYSIDE GP, LLC  
Its General Partner

By: FG PORTFOLIO, LLC  
Its Sole Member

By: FG Member, LLC  
Its Member

By: Commingled Pension Trust Fund (Strategic  
Property) of JPMorgan Chase Bank, N.A.  
Its Sole Member

By: JPMorgan Chase Bank, N.A.  
Its Trustee

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

By: FountainGlen Holdings LLC  
Its Member

By: FountainGlen Investors LLC  
Its Managing Member

By: J.P. Morgan Investment Management Inc.  
Its Member

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Title: \_\_\_\_\_

[Signatures continued on next page.]

“ASSIGNEE”

STRATA EQUITY INTERNATIONAL, LLC,  
a California limited liability company

By: \_\_\_\_\_  
Name:  
Title:

STATE OF CALIFORNIA )  
 )  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument  
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(Seal)



STATE OF CALIFORNIA )  
 )  
COUNTY OF \_\_\_\_\_ )

On \_\_\_\_\_ before me, \_\_\_\_\_  
personally appeared \_\_\_\_\_,  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument  
the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the  
foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

(Seal)

**EXHIBIT B**

**Consent of Issuer**

Unless expressly defined herein, all capitalized terms used in this Consent of Issuer (the "**Consent Certificate**") shall have the meanings ascribed to them in the Assignment and Assumption Agreement dated as of \_\_\_\_\_, 2010 (the "**Agreement**"), by and between FG SUNNYSIDE SENIOR APARTMENTS, LP, a Delaware limited partnership (the "**Assignor**"), and STRATA EQUITY INTERNATIONAL, LLC, a California limited liability company, its successors or assigns (the "**Assignee**"), to which Agreement this Consent Certificate is attached. The undersigned hereby consents to the transfer of the Project to the Assignee, and the assignment and assumption of certain obligations and the release of the Assignor from its obligations under the Regulatory Agreement, including, without limitation, its respective indemnification obligations, as and only to the extent set forth in Section 6 of the Agreement. The undersigned acknowledges that the Bonds have been defeased and paid, in full as of the date hereof and further acknowledges and agrees that the Regulatory Agreement shall expire and be of no further force and effect on December 1, 2021. The undersigned hereby represents and warrants to Assignee that no event of default or default has occurred under the Regulatory Agreement.

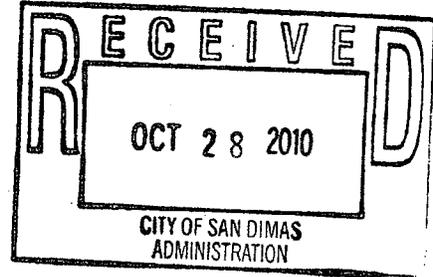
Dated: \_\_\_\_\_, 2010

CITY OF SAN DIMAS

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



October 24, 2010

TO: The City of San Dimas

ATTENTION: Ken Duran, Assistant City Manager

RE: Claim : Argo vs. The City of San Dimas  
Claimant : Randy Argo  
D/Event : 4/24/2010  
Rec'd Y/Office : 10/13/2010  
Our File : S-1538885-RWQ

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**

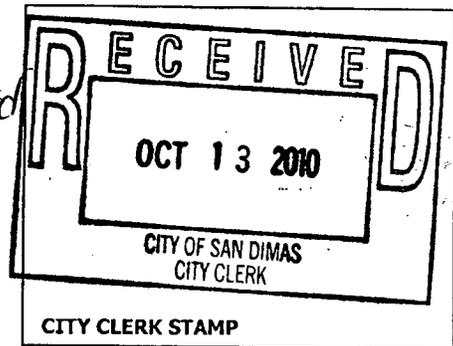
770 Placentia Avenue, Placentia, CA 92870-6832  
Mail: P.O. Box 25180 · Santa Ana, Ca 92799-5180  
Phone: (714) 572-5200 · (800) 572-6900 · Fax: (714) 961-8131

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**COPY**

ORIGINAL MAILED  
OCT 11 2010  
(SEE ATTACHED)  
RECEIPT



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

Received by RP initials

Via

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

TO TEMP  
ADDRESS GIVEN ON WEB SITE

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 Randy Argo
  - a. Address Po Box 372
  - b. City San Dimas Ca. Zip Code 91773
  - c. Telephone Number (909) 599 0746 X 17 d. Cell Number ( ) \_\_\_\_\_
  - e. Date of Birth N/A over 21 years of age f. Drivers' license N/a
  - g. e-mail: randya@argoconstruction.com
2. Name, telephone and post office address to which claimant desires notices to be sent if other than above:  
Same as Claimant
3. Event or occurrence from which the claim arises:
  - a. Date 1/1/1994 thru 4/24/10 as discovery date b. Time 12:30 per notice \_\_\_\_\_ a.m./p.m.
  - c. Place (exact & specific location) 358 E Bonita Ave San Dimas Ca. 91773 and in the City of San Dimas at various places determined in public records.
  - 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)  
City employe Mary Salman came onto private property and took a sign from the property of Randy Argo such trespassing has been noticed to the City in the past and specifically stated no employee shall be allowed on a property of Randy Argo with out his permission and with other prior incidences now identified as harasment and violations of Civil Rights and I Hate crime.
  - e. What particular action by the City, or its employees, caused the alleged damage or injury?  
trespassing into a landscaped area and breaking a sign holder while removing the sign. Adverse zoning of specific propertys owned by Randy Argo. Statements of untrue nature that have caused hateful harm to Randy Argo. Actions taken by City officials and employes that are not according to the then current Zoning law. Prior trespassing by City officials on to Randy Argo's Porperty. Unspecified actions by the City found during future discovery. Slander by Council member Dennis Bertone
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".  
Loss of sinage and damage to the sign holder. Plants died, Loss of revenue and future revenue bemifits.,

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

Eric Bilestine, Larry Stevens, prior City employees to be determined from further discovery. the City Council inclusive of claim dates  
Any and all participants of any meeting or conversations relevant to this where loss is applicable.  
All participants in illegal zoning restrictions placed into effect by Doe's, Doe's affected by adverse application of zoning law. DOE'S  
1 thru 100 where Civil rights violations pertaining to all matters where the zoning laws were not adhered to. Any Doe's in discovery

6. Name and address of any other person injured:

RMD Financial 358 E Bonita Ave unit C, DOES 1 TO 100 IDENTIFIED DURING ANY DISCOVERY

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

See # 6

8. Damages claims:

- a. Amount claimed as of this date: \$ 3 million dollars
- b. Estimated amount of future costs: \$ 20 million dollars
- c. Total amount claimed: \$ 23 million dollars
- 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. All City officials who were involved \_\_\_\_\_
- b. Those persons in which Public hearings watched who have witnessed how Randy Argo was addressed by the City in general \_\_\_\_\_
- c. Partners in the projects and situations described in B of # 9 per City Records \_\_\_\_\_
- d. Claim filed with the San Dimas Sheriff office where trespassing took place in 2007 by a City employee and hate crime. \_\_\_\_\_

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

This claim is accuulative of prior incidences where harrasment and neglegance were unclear and now accumulative in damages up to  
now. By time of discovery this shall be the time of notice as 4/24/10 where it became obvious the City's intent is to harm whether by  
accumulative actions of deception, direct false assumptions in applying zoning restrictions to Randy Argo and other DOES who might  
become a part of this claim in the future. Claimant reserves the right to become included in a Class action which pertains to any  
attributes in 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 19<sup>TH</sup> day of OCTOBER  
at 358 E BONITA AVE SAN DIMAS 2010

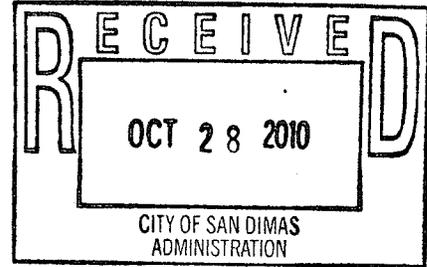
**COPY**  
\_\_\_\_\_  
Claimant's signature

Print Form

Clear Form



October 24, 2010



TO: The City of San Dimas

ATTENTION: Ken Duran, Assistant City Manager

RE: Claim : Cassidy vs. The City of San Dimas  
Claimant : Charles Douglas Cassidy  
D/Event : 6/3/2010  
Rec'd Y/Office : 6/23/2010  
Our File : S-1538886-RWQ

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

*H.f.*

THE LAW OFFICES OF  
KOTTLER & KOTTLER

3580 WILSHIRE BLVD., SUITE 1400, LOS ANGELES, CA 90010-9951  
TELEPHONE (213) 387-2266 FACSIMILE (213) 387-2889

June 23, 2010

Attn.: Administration Dept.  
City of San Dimas  
245 E. Bonita Ave.  
San Dimas, CA 91773

RE : Date of Incident : 06/03/2010  
My Client(s) : Charles Douglas Cassidy  
Location : 649 W. Gladstone St. San Dimas, CA 91773  
Our Case # : 12833

Dear Sirs:

Please be advised that this office has been retained to represent the interests of the above-referenced Client(s). A claim for damages is hereby being made on behalf of my client(s) for injuries arising out of the above-referenced incident. Enclosed please find claim for damages in triplicate.

If you are insured, you are required by your insurance company to immediately notify them of this letter. We request that a claims representative contact this office as soon as possible. Also, so that we do not initiate a lawsuit against you prematurely, please complete the portion of this letter and return it to us in the enclosed envelope.

If you are in possession of any physical evidence relating to the referenced incident or any photographs or video tapes relating to this incident, we request that it be preserved as evidence.

Very truly yours,

THE LAW OFFICES OF KOTTLER & KOTTLER

Douglas E. Kottler  
Attorney at Law

**FILE COPY**

DEK:mt

Please check one:

I DID NOT HAVE LIABILITY INSURANCE ON THE DATE OF INCIDENT  
SIGN: \_\_\_\_\_

INSURANCE COMPANY: \_\_\_\_\_

ADDRESS & PHONE : \_\_\_\_\_

POLICY NUMBER : \_\_\_\_\_

Our Client(s): Charles Douglas Cassidy Date of Incident: 06/03/2010

CERTIFIED MAIL 7010 0290 0001 0817 9348

(D02)

June 23, 2010

Administration Department  
City of San Dimas  
245 E. Bonita Ave.  
San Dimas, CA 91773

**CLAIM FOR DAMAGES**

Charles Douglas Cassidy whose address is 349 W. Gladstone St., San Dimas, CA 91773 is the claimant.

Please send all notices regarding this claim for damages to Law Offices of Kottler & Kottler, 3580 Wilshire Boulevard, Suite 1400, Los Angeles, California 90010.

The date and place of circumstances of transaction, which give rise to this claim are:

Date: : 06/03/2010  
Location : 649 W. Gladstone Ave., San Dimas, CA 91773

A general description of the indebtedness, obligation, injury, damage or loss incurred is as follows:

CLAIMANT WAS WALKING EASTBOUND ON GLADSTONE WHEN HE FELL ON UNEVEN PAVEMENT CAUSING INJURIES TO CLAIMANT.

The amount claimed as of the date of presentation of this claim including the estimate amount of any prospective injury, damage or loss, insofar as it may be known at the time of the presentation of the claim together with the basis of computation of the amount claimed is as follows:

Unable to determine at this time. Specials will be forwarded as soon as possible.

**FILE COPY**

DOUGLAS E. KOTTLER  
Attorney for Claimant  
3580 Wilshire Boulevard, Suite 1400  
Los Angeles, California 90010  
(213) 387-2266



# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
*For the Meeting of November 9, 2010*

**FROM:** Blaine Michaelis, City Manager

**SUBJECT:** Zone Change 10-02 – A request to change the existing zone designation of 702-762 West Arrow Highway from Creative Growth, Area 1 (CG-1) to Commercial Highway (C-H).  
APN: 8386-007-049

## **SUMMARY**

*A proposal has been submitted from the property owner to amend the existing zone designation from Creative Growth, Area 1 (CG-1) to Commercial Highway (C-H). The applicant's proposed location is 702-762 West Arrow Highway.*

*This item was presented at the June 16, 2010 Planning Commission Meeting, then continued until the July 7, 2010 Planning Commission meeting where it was determined by a vote of the Commission to initiate a Zone Change rather than the original Municipal Code Text Amendment. The Planning Commission reviewed the proposal at the October 6, 2010 meeting and recommended approval to the City Council. This item will be reviewed twice by the City Council and tonight is the first reading of the item.*

*A Mitigated Negative Declaration is proposed with this proposal.*

## **BACKGROUND**

The subject property is located at 702-762 W. Arrow Highway in the Creative Growth, Area 1 (Regional Commercial) Zone. The intent of the Creative Growth Area 1 Zone is to encourage the development of major commercial enterprises and to service needs related to freeway drivers since there is access and visibility from the 57 freeway.

The applicant originally submitted a request to amend the Municipal Code to allow thrift stores within the CG-1 Zone. At the June 16, 2010 Planning Commission meeting the proposal was heard and the Commission directed Staff to evaluate if it would be better to

5a

consider a zone change to either the Commercial Highway Zone (C-H) or the Commercial Neighborhood Zone (C-N). There was concern from the Commission and Staff that if thrift stores were allowed in CG-1, then there would need to be specific conditions set so that thrift stores could not occupy the larger tenant spaces in other shopping centers within that zone. It was also a concern to have a thrift store at the main entrance to the City, which is an issue due to the nature of the business.

At the July 7, 2010 Planning Commission meeting, Staff presented a comparison between the three zones and the Commission voted 3-1-1 (Schoonover no, Ensberg absent) to initiate a Zone Change. The applicant is only proposing the Zone Change at this time and the thrift store request has been removed from consideration. It was expressed from the property owner that there are limited uses allowed in the CG-1 Zone, which makes it difficult to find tenants.

At the October 6, 2010 Planning Commission meeting, Staff presented the request to change the zone of the subject site and identified how the provided parking spaces could hinder the opportunity for additional uses at the center. Staff proposed two mitigation measures in the Initial Study to address the concerns of parking: (1) The applicant should re-stripe the site to replace the seven parking spaces previously removed without City approval; and (2) the applicant should enter into a deed restriction limiting certain uses. The Commission voted 3-1-1 (Schoonover no, Bratt absent) to approve the Zone Change with the recommendation that the mitigation measure to require a deed restriction be removed and another option found to address parking.

The General Plan Land Use for both the CG-1 and C-H is Commercial.

## **ANALYSIS**

Currently, the subject site is zoned Creative Growth, Area 1 (Regional Commercial). This zone was created and applied to the property in 1983. The intent and purpose of the zone was to take full advantage of excellent freeway access and visibility and to encourage the development of major commercial enterprises, as well as those related to the needs of freeway travelers. The subject site is located at the southeast corner of the intersection of Bonita Avenue and Arrow Highway. The site is 67,000 square feet and was developed in 1986 with two buildings.

If the zone were to be changed to C-H, then the center would be open to the following permitted uses (*not currently allowed in the CG-1*):

- Permitted uses in the A-P zone:
  - Administrative, financial, professional and sales offices;
  - Medical and health services;
  - Public uses, including government agencies, libraries, post offices, utility company offices, museums, art galleries, and similar uses,
  - Special service agencies, including travel agencies, telephone exchanges, employment agencies and similar uses;
  - General research facilities, provided that such facilities shall not include the testing or use of materials, chemicals, products or technologies which are primarily found in industrial or "high-tech" facilities.

- Permitted uses in the C-N Zone:
  - Convenience goods and service businesses,
  - Specialty commercial uses, including antique shops, jewelry stores, music stores, auto and truck part and supply businesses and similar uses, and
  - Professional, administrative and sales office uses.
- Fortunetelling.

If the zone were to be changed to C-H, then the center would be open to the following conditionally permitted uses (*not currently allowed in the CG-1*):

- Those uses listed as conditional uses in the A-P zone:
  - Child care centers;
  - Church and related facilities;
  - Educational institutions;
  - Hospitals;
  - Mortuaries;
  - Performing arts studios;
  - Athletic clubs;
  - Private clubs, lodges and meeting halls;
  - Animal hospitals and veterinary facilities;
  - Vocational schools;
  - Theaters, provided that they shall be walk-in, indoor theaters only;
  - Utility structures, substations and distribution facilities.
- Automobile, boat and recreational equipment and vehicle sales and service uses;
- Ambulance services;
- Indoor and outdoor recreation facilities;
- Car washes;
- Hotels and motels;
- Outdoor commercial uses, including retail plant nurseries and retail lumber yards;
- Drive-thru convenience markets;
- Wholesale businesses;
- Gasoline and/or diesel service stations;
- Veterinary service facilities;
- Athletic clubs and performing arts studios;
- Thrift stores.

As the property is already fully developed, it should be noted that some of the uses listed above would obviously require demolition and/or reconstruction, such as car washes, hotels, motels, and gas stations.

### Parking Analysis

An issue that was discussed at the July 7, 2010 Planning Commission meeting was the amount of existing parking. When the building permits were issued in 1986, the site provided 85 parking spaces; however, in the past 25 years the amount of parking spaces has been reduced to 78 without approval from the City.

Based on the limitation of the site, it was only developed to support general retail in one building and furniture retail in the other building. Parking calculations are different between the two uses. Scenario 1: If Building 1, which is 11,500 square feet (currently the mattress store), were to be calculated at the furniture parking ratio (1/300 square feet) and Building 2, which is 8,500 square feet, were to be calculated at the general retail parking ratio (1/225 square feet), then the parking spaces required would be 76 and would make the existing parking configuration conforming. Scenario 2: If Building 1 were to be calculated at the general retail parking ratio and Building 2 were to be calculated at the furniture parking ratio, then the required spaces would be 79 and would make the existing parking configuration non-conforming. Both uses are permitted in the Creative Growth, Area 1 Zone and the Commercial Highway Zone. With the change of zone, the subject site is required to bring the site up to parking compliance.

	Scenario 1	Scenario 2	Scenario 3
<b>Building 1</b> (11,500 sq.ft.)	Furniture 38	Retail 51	Retail 51
<b>Building 2</b> (8,500 sq.ft.)	Retail 38	Furniture 28	Retail 38
<b>Total</b>	76	79	89
<b>Available</b>	78	78	78
	Over parked 2 spaces	Deficient 1 space	Deficient 11 spaces

With the Zone Change, the subject site would be allowed to include office and additional retail uses. However, based on the parking calculations, the site will only be able to provide sufficient parking if Building 1 remains furniture retail. Building 2 could then support office use. This site can never have all general retail, office or a combination of the two uses due to the limited size of the parcel and the limited parking availability (Scenario 3).

To address this parking concern, the applicant should continue to work with Staff to maximize parking. The applicant has submitted a preliminary plan to Staff for review; however, that plan was not in compliance to the Parking Ordinance. The parking related issues can be worked out at the Staff level. The mitigation measure for a deed restriction on the property limiting certain uses has been removed at the recommendation of the Planning Commission.

Spot Zoning

Another concern that was brought up by the Commission was whether this could be considered spot zoning. According to the California Planning Guide: An Introduction to Planning in California, spot zoning is defined as “the zone of an isolated parcel in a manner which is inconsistent or incompatible with surrounding zoning or land uses, particularly if done to favor a particular landowner.” The subject site is owned by one landowner and is an isolated parcel bordered by the 57 Freeway and Arrow Highway. However, the surrounding zoning and land uses are similar to the proposed uses as they are all commercial or retail oriented. Staff feels in looking at the Zone Change proposal

that the two zones are not inconsistent or incompatible and in fact are similar to each other. Therefore, Staff would not consider this proposal spot zoning.

### **FINDINGS**

- A. The proposed Zone Change will not adversely affect the adjoining properties as to value, precedent or be detrimental to any area.

The proposed Zone Change of the subject site from Creative Growth, Area 1 (Regional Commercial) Zone to Commercial Highway Zone is compatible with the zoning of the neighborhood. The proposed change could bring value to the surrounding area since the allowed uses will broaden the possibilities for new tenants at the site.

- B. The proposed Zone Change will further the public health, safety and general welfare.

The Zone Change from Creative Growth, Area 1 (Regional Commercial) to Commercial Highway will provide similar land uses and will not negatively impact the public health, safety and general welfare.

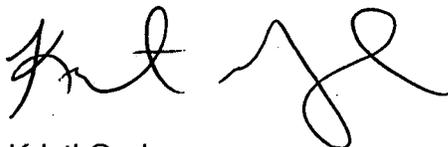
- C. The proposed Zone Change is consistent with the General Plan.

The proposed Zone Change is currently and will remain consistent with the General Plan.

### **RECOMMENDATION**

The Planning Commission and Staff recommends that the City Council approve Zone Change 10-02 and the Mitigated Negative Declaration associated with this project to change the zoning designation from Creative Growth, Area 1 (Regional Commercial) Zone to Commercial Highway Zone.

Respectfully Submitted,



Kristi Grabow  
Associate Planner

Attachments:

- Appendix A – General Information
- Exhibit A** – Vicinity Map
- Exhibit B** – Minutes from the June 16, 2010 Planning Commission Meeting

**Exhibit C** – Minutes from the July 7, 2010 Planning  
Commission Meeting

**Exhibit D** – Minutes from the October 6, 2010 Planning  
Commission Meeting

**Exhibit E** – Initial Study Part 1 (Completed by Applicant)

**Exhibit F** – Initial Study Part 2 (Completed by Staff)

PC Resolution No. 1422

Ordinance.No. 1198

## APPENDIX A

### GENERAL INFORMATION

**Project:** To change the existing zone designation of 702-762 West Arrow Highway from Creative Growth, Area 1 (CG-1) to Commercial Highway (C-H) (APN: 8386-007-049).

**Applicant:** Vicky Valenzuela, Thatcher Engineering & Associates

**Location:** 702-762 West Arrow Highway

**General Plan:** Commercial

**Surrounding Land use and Zoning:** North: Creative Growth, Area 1 (Regional Commercial) Zone  
South: SP-20, Area II (Commercial) Zone  
East: Creative Growth, Area 1 (Regional Commercial)

**Zone:** West: SP-20, Area II (Commercial) Zone

**Legal Notice:** A legal notice was published in the Daily Bulletin; posted at Temporary City Hall, the library, post office, Community Building/Senior Center, and Via Verde Shopping Center on September 16, 2010.

## EXHIBIT A

### VICINITY MAP



## **COMMISSION BUSINESS**

### **3. CONSIDERATION OF A REQUEST TO INITIATE A MUNICIPAL CODE TEXT AMENDMENT TO ALLOW OR CONDITIONALLY ALLOW A THRIFT STORE WITHIN CREATIVE GROWTH ZONE AREA 1 (CG-1)**

Staff report presented by **Associate Planner Kristi Grabow**, who stated this item is a request for the Commission to consider initiating a Municipal Code Text Amendment (MCTA) to allow "thrift store" as a use in the Creative Growth Zone, Area 1 (CG-1), and if so, to direct staff to hold a public hearing and analyze the proposal. The applicant would like to have a Goodwill Store and Donation Center in the building located closest to the freeway on-ramp/off-ramp of the 57 freeway, and they included for review a business proposal, findings, and architectural plans. In the letter passed out to the Commission tonight, they have indicated they do not object to the use being conditionally permitted. She stated a few issues to be considered is that a code amendment would affect all properties located in CG-1, and that all properties are located at the entrance to the City from the 57 freeway. The Commission should consider if this is an appropriate use at the gateway to the City. There are also concerns associated with the donation area, and the Commission might want to establish policies and/or procedures to address these concerns. Per the Zoning Code, the Planning Commission may initiate a MCTA, which would be subject to public hearings held by the Commission and City Council.

**Commissioner Ensberg** thought there was a thrift store on Foothill Boulevard and asked if there was a need to have another one so close.

**Assistant City Manager Larry Stevens** stated there is a Goodwill store on Lone Hill and Foothill, but it is not the City's job to analyze the market to say if another store is needed this close to the existing one. While this request is initiated by Goodwill, they are discussing all thrift stores in general. Some are well maintained, some are not, and it is the Commission's task to decide if they want the use in this zone or not.

**Commissioner Davis** asked for clarification on tonight's procedure.

**Assistant City Manager Stevens** stated if the Commission feels there is enough merit in the request and that circumstances have changed from when the code was first adopted, they can consider amending the code.

**Chairman Schoonover** asked if there was a definition for thrift store and if a consignment store would be considered the same thing.

**Assistant City Manager Stevens** stated there currently is not a definition; Staff would make a determination if it was like other uses in the zone or not. It could be argued that it is retail because they sell product, but because the product they sell is second-hand, it is viewed differently. Staff feels this needs a code amendment instead of a classification of use because it is not a standard retail use.

**Commissioner Rahi** asked about the approval process for the store if the Commission was to go forward with the MCTA. He thought maybe the definition of thrift store was that they included donation facilities, and inquired if the sale of used items would be allowed if there were no donation facilities associated with the store.

**Assistant City Manager Stevens** stated if the Commission wanted to go forward with the MCTA, the applicant could process the Conditional Use Permit concurrently at their own risk of

losing fees if the amendment was denied. As to a definition, they could see if the business license department has a definition for thrift or second-hand stores. Most thrift stores have a donation aspect, though for some you take them directly into the store.

**Commissioner Bratt** stated his only objection was that originally they wanted to be a permitted use, but now that they will accept being conditionally permitted, he did not have a problem with considering the item.

**Commissioner Ensberg** thought the intent of the zone is to have a higher quality of retail there and asked what type of business the City is trying to encourage in this area.

**Assistant City Manager Stevens** stated that is an issue for the Commission to consider. He related that at one point Staff was opposed to letting in dollar stores, but it was allowed in, and once you have one, it is difficult to restrict others from coming in. An argument could be made that thrift stores are not perceived as being a quality business, plus there are other zones in the City that permit them, so you might not want them at the entrance of the City. That could be a reason for not initiating a code amendment.

**Commissioner Davis** asked why the CG-1 zone has a problem with vacancies.

**Assistant City Manager Stevens** stated there has been a history of changes of ownership in the centers located in CG-1 which has led to them not being well managed or maintained. San Dimas Station has changed hands four to five times, been in foreclosures, etc., so that now there are multiple major owners with poor communication between them. The center where the Goodwill wants to locate was a freeway remnant that was developed after San Dimas Station by the same person that built the Levitz building.

**Chairman Schoonover** asked if they were to approve a code amendment, what would be the requirements for a CUP.

**Assistant City Manager Stevens** stated they would have to demonstrate the use is compatible to other uses in the area and apply conditions to ensure that compatibility. They can also make a discretionary decision that this might not be compatible in all areas of the CG-1 zone and limit it to a certain area.

Chairman Schoonover asked the applicant to address the Commission.

**Jian Torkan, owner**, stated this center has had a history of being difficult to lease because of access and visibility. Because of the small size of the center, they cannot have a freeway sign. His current tenants are struggling financially and pay less than their full rent. He is looking for ways to rejuvenate this center and felt the limited uses allowed in CG-1 make it difficult for him to find tenants, and that having vacancies creates maintenance issues with the center. He wanted to bring in a business that will maintain the store, and felt that Goodwill was a responsible tenant. He felt the donation area was going to be addressed in the design, and that they were not any different from other retailers. He felt having vacant tenant spaces would impact the character and image of the City more than having a Goodwill store would. He also felt that this type of store was important because it recycles unwanted items to others and keeps them from going into the landfill.

**Commissioner Rahi** stated Mr. Torkan mentioned that other businesses have failed in this center and asked why he thought a thrift store would be successful.

**Jian Torkan, owner**, stated it is difficult to attract national retail users that have a solid business model like Goodwill. They study the location and demographics, and they have the financial strength to stay here and survive during difficult economic times.

**Commissioner Rahi** asked if there was any information available on why Goodwill thinks they will be successful here when there is another store located very close by.

**Terry Takeda, Goodwill Industries**, stated the Glendora store was far enough away for them to consider another store to serve the area. San Dimas has its own character and they felt this would be a successful location for them. He felt it would be more convenient for San Dimas residents so they would come to this location instead of continuing to drive to Glendora.

**Commissioner Ensberg** stated he has high regard for Goodwill Industries and what they accomplish, but was concerned that this area is the entryway to the City and that people will form their impression of the City from what they see when they come off the freeway. He did not want to make a slippery slope argument that just because other businesses have not been successful in that center, then they need to allow a thrift store to come in. He felt they should not initiate a code amendment and that the applicant can look for a location in a zone that already allows them.

**Commissioner Bratt** stated if you look at all of CG-1, approximately 50% of the stores are empty. This is a successful business that could revive the area. They would be replacing a mattress store and didn't see how that was a more enticing business.

**Commissioner Davis** felt that maybe they should be examining the entire CG-1 code because he wasn't sure that the current zone reflects what is needed there for freeway users. He was also concerned about what people will see when they exit the freeway and wasn't sure a thrift store created the proper image. He was not sure if he would support holding a public hearing, and that even if they did hold one, that he could agree that this was a good location for a thrift store.

**Commissioner Rahi** agreed with Commissioners Davis and Ensberg that this is an important area for San Dimas, and since thrift stores are allowed in other zones, maybe they should be exploring those areas. While the owner would like to lease to a business that will survive, he was not sure if there was a demand to have a thrift store in San Dimas and if there was enough merit to move forward with the process.

**Commissioner Davis** felt the owner made a good point that the property was included in the CG-1 zone because of proximity but was at a disadvantage to the other centers in the zone because he could not have a freeway sign. He felt if he were going to rezone the area, he wouldn't make this parcel CG-1.

**Assistant City Manager Stevens** stated this area was probably included in the CG-1 zone because it fell within the boundaries of the Creative Growth Redevelopment Project Area and was given the same zoning as the surrounding properties. He stated an alternative to amending the CG-1 zone might be to consider rezoning this property to either Commercial Highway or Commercial Neighborhood. Because of the unique nature of this parcel compared to others within CG-1, it might be possible and would not be considered spot zoning. Staff could review that option and present their findings to the Commission on what would be the better option.

**Chairman Schoonover** stated he still felt there was the question on whether they wanted this type of store at the entrance to the City. He felt they should also develop a definition on what constitutes a thrift store. He thought if they were to allow it under a conditional use permit, there

would still be the issue of compatibility with other uses in the area, and that might be difficult to do within the current zone. Because of that it might be better to look at a zone change.

**Commissioner Ensberg** stated after hearing the discussion he would consider looking at this property separately to see if there is something they could do differently here without allowing it in all of CG-1.

**MOTION:** Moved by Bratt, seconded by Davis to continue this item to the next regular Planning Commission meeting and direct Staff to prepare an analysis of rezoning the property to be discussed along with consideration of amending the current zoning. Motion carried unanimously, 5-0.

4. CONSIDERATION OF FENCES & WALLS GUIDELINES FOR INCLUSION INTO THE TOWN CORE DESIGN GUIDELINES

Staff report presented by **Planner Michael Concepcion**, who stated these guidelines were first presented to the DPRB for review and comment, and the next step is for the Planning Commission to provide comments for final review and decision by the City Council. Having these guidelines will promote and strengthen policies contained in the Housing Element. The current Town Core Design Guidelines have limited information regarding fences and walls, and adopting these guidelines will provide internal consistency. The guidelines address retaining walls, and landscaping in conjunction with fences and walls, as well as property line fencing and walls. He stated the DPRB supported the use of materials that were natural in nature, and discourage other materials such as chain link, wrought iron except in special circumstances, rough stucco, bare concrete, and vinyl if it is white, smooth, and shiny. The guidelines will also address existing nonconforming fences and walls, along with entry gates. Staff is recommending the Commission recommend approval of the Fences and Walls Guidelines to the City Council.

**Commissioner Davis** asked if there was a way to enforce these guidelines.

**Assistant City Manager Larry Stevens** stated these amended guidelines would encourage people to get Planning approval but they are not legally binding unless you modify the DPRB code to make it mandatory. If Staff received a call that someone is putting up a precision block wall, then they would try to encourage them to comply with the guidelines. If a fence was being installed in conjunction with a room addition, then complying with the Guidelines might be required.

**Commissioner Davis** asked why they were not recommending enforcement authority.

**Assistant City Manager Stevens** stated currently there is not a problem but if it became a problem with a number of inappropriate fences and walls being installed, they could look at amending the code.

**Commissioner Ensberg** felt if they were going to the effort of establishing guidelines, there should be the ability to enforce them.

**Chairman Schoonover** asked why they should treat someone living in the downtown differently than elsewhere in the City.

**Assistant City Manager Stevens** stated the guidelines are focused on the downtown due to the historic properties there. He believed this was initiated to be more flexible about the

# CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting  
Wednesday, July 7, 2010 at 7:00 p.m.  
270 South Walnut Avenue, Sheriff's Community Meeting Room

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## **Present**

Chairman Jim Schoonover  
Commissioner David Bratt  
Commissioner John Davis  
Commissioner M. Yunus Rahi  
Director of Development Services Dan Coleman  
Associate Planner Kristi Grabow  
Planner Michael Concepcion  
Planning Secretary Jan Sutton

## **Absent**

Commissioner Stephen Ensberg

## **CALL TO ORDER AND FLAG SALUTE**

Chairman Schoonover called the regular meeting of the Planning Commission to order at 7:00 p.m. and Commissioner Bratt led the flag salute.

## **CONSENT CALENDAR**

1. Approval of Minutes: June 16, 2010

**MOTION:** Moved by Bratt, seconded by Davis to approve the Consent Calendar. Motion carried 4-0-1 (Ensberg absent).

## **COMMISSION BUSINESS**

2. **CONSIDERATION OF A REQUEST TO INITIATE A MUNICIPAL CODE TEXT AMENDMENT TO ALLOW OR CONDITIONALLY ALLOW A THRIFT STORE WITHIN CREATIVE GROWTH ZONE AREA 1 (CG-1) (Continued from June 16, 2010)**

Staff report presented by *Associate Planner Kristi Grabow*, who stated at the last meeting the Commission directed staff to research if it would be better to consider a zone change to this property rather than amending the existing zoning. The original request to amend the CG-1 zone would impact all properties located at the entrance to the City. Changing the zone of this property would address the main concern of both Staff and the Commission for allowing a thrift

**EXHIBIT C**

store use in the CG-1 zone. The two alternate zones the Commission asked to have studied were the Commercial Highway (CH) and Commercial Neighborhood (CN) zones. She outlined the permitted and conditionally permitted uses in the CH zone first.

**Associate Planner Grabow** stated an issue that was identified when researching the center is a shortage of parking spaces. When the center was first built, it had 85 parking spaces, but over the years modifications have been done and there are now only 78, which makes it non-conforming. This is something that will have to be addressed by the applicant no matter which direction is taken by the Commission. She then outlined the permitted and conditionally permitted uses for the CN zone. She stated that whether the Commission felt a code amendment or zone change was appropriate, a thrift store would still require a Conditional Use Permit.

**Commissioner Davis** asked if Staff had a preference if they were to pursue a zone change.

**Associate Planner Grabow** stated Staff felt CH would be preferable as it allows more retail uses than CN. The applicant submitted a letter stating he preferred the CH zone also.

Chairman Schoonover opened the meeting for public comment. There being no response, public comments were closed.

In response to the Commissioners, **Associate Planner Grabow** stated if Staff was instructed to initiate a zone change, then the neighboring property owners would be notified and a public hearing held to take testimony and develop a recommendation to the City Council. The City Council would hold another public hearing and make the final decision. She reiterated that another public hearing would still have to be held for a Conditional Use Permit to approve a thrift store.

**Commissioner Davis** felt the CH zone worked better at the property than the CG-1 zone because it was smaller than the other centers and could stand on its own. He felt the uses were also better for a center that size. He would support changing the zone to CH but was not in support of amending the CG-1 zone.

**Commissioner Bratt** concurred.

**Commissioner Rahi** concurred that he would rather see a zone change than a code amendment, especially since the CH zone also included uses contained in the CN zone.

**Chairman Schoonover** stated he felt changing the zoning on this parcel was spot zoning and he was not comfortable with that. He also wasn't sure if he would support having a thrift store at this location, and stated he would still like to see a written definition for "thrift store."

**MOTION:** Moved by Davis, seconded by Bratt to direct Staff to initiate a zone change for this property to the Commercial Highway zone, and conduct the appropriate public hearings. Motion carried 3-1-1 (Schoonover no, Ensberg absent).

## PUBLIC HEARINGS

- ~~3. CONSIDERATION OF CONDITIONAL USE PERMIT 10-05 – A request to allow on-site sales of beer and wine in conjunction with a restaurant, located at 1126 Via Verde (APN: 848-022-013)~~

# CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting  
Wednesday, October 6, 2010 at 7:00 p.m.  
270 South Walnut Avenue, Sheriff's Community Meeting Room

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## **Present**

Chairman Jim Schoonover  
Commissioner John Davis  
Commissioner Stephen Ensberg  
Commissioner M. Yunus Rahi  
Director of Development Services Dan Coleman  
Associate Planner Kristi Grabow  
Planning Commission Secretary Jan Sutton

## **Absent**

Commissioner David Bratt

## **CALL TO ORDER AND FLAG SALUTE**

Chairman Schoonover called the regular meeting of the Planning Commission to order at 7:00 p.m. and Commissioner Rahi led the flag salute.

## **CONSENT CALENDAR**

1. Approval of Minutes: August 18, 2010

**MOTION:** Moved by Ensberg, seconded by Davis to approve the Consent Calendar. Motion carried 4-0-1 (Bratt absent).

## **PUBLIC HEARINGS**

2. **CONSIDERATION OF ZONE CHANGE 10-02** – A request to change the existing zoning designation of 702-762 West Arrow Highway from Creative Growth, Area 1 (CG-1) to Commercial Highway (CH) (APN: 8386-007-049)

Staff report presented by **Associate Planner Kristi Grabow** who stated originally the Commission considered the applicant's request for a Municipal Code Text Amendment, but after receiving testimony at the June 6 and July 7 Commission meetings, it was determined by a vote of the Commission to initiate a Zone Change instead. She outlined the uses that would be permitted by right and conditionally under the Commercial Highway zoning, adding that to

EXHIBIT D

actually consider some of the uses allowed would require demolishing the existing buildings and constructing from the ground up since the site is limited in size.

**Associate Planner Grabow** stated when the site was constructed there were 85 parking spaces but over the years parking has been reduced to 78 spaces without permits. She referred to the chart in the staff report that identified various scenarios that could occur on-site utilizing retail general and retail furniture and the impact on available parking. She stated that even though it appears there will be a broader range of uses allowed if the zone change is approved, the size of the site and permitted parking will limit the uses based on the square footage ratios. To address concerns regarding parking there are two proposed mitigation measures in the Initial Study: 1) The applicant should re-stripe the site to replace the seven parking spaces previously removed without City approval; and 2) The applicant should enter into a deed restriction limiting certain uses.

She stated another concern brought up at the July meeting was whether this could be considered spot zoning. Staff does not consider this spot zoning based the definition contained in the California Planning Guide and the surrounding land uses being similar in nature. Staff is recommending the Planning Commission adopt Resolution PC-1422 and recommend the City Council approve Zone Change 10-02.

**Commissioner Ensberg** asked if it was known when the reduction in parking occurred and if the current owner was responsible.

**Associate Planner Grabow** stated the owner was present and could address that issue during the public hearing.

**Commissioner Davis** asked for further explanation regarding the deed restriction.

**Director of Development Services Dan Coleman** stated using scenario three in the chart, if the owner were to re-stripe to the original 85 parking spaces, the center would still be deficient by four spaces. A deed restriction would limit the floor area of the buildings to certain uses in order to meet the parking requirements. Also, by having this restriction on title, it would provide a method to notify future owners or tenants of the complex that there is a limitation to the types of businesses allowed due to the amount of parking.

**Chairman Schoonover** asked what the intent of the Creative Growth Zone Areas 1 and 2 was.

**Associate Planner Grabow** stated the intent of Area 1 was to take full advantage of the freeway access and encourage the development of major commercial enterprises, while Area 2 was to provide for neighborhood commercial uses which service the day-to-day-living needs of nearby neighborhoods or a larger section of the City.

**Chairman Schoonover** stated then since the intent for Commercial Highway is to accommodate general commercial, office and other highway-oriented businesses and transportation-related service facilities, Staff is saying it is similar to the intent of CG-1.

**Associate Planner Grabow** stated that is correct, and that the Creative Growth Zone was created when San Dimas Station was developed with the idea that they could bring in some larger tenants into this area.

**Director Coleman** added while both zones are similar in intent, there are some uses allowed in the CH zone that are not allowed in CG-1 so it brings a greater choice to the property owner.

**Commissioner Ensberg** asked if the applicant still wanted the thrift store to go into this site though it appears it is temporarily removed from consideration.

**Associate Planner Grabow** stated the item before the Commission tonight is consideration of a zone change, not a specific project. However, Staff would have concerns about there being adequate parking if the applicant were to proceed with an application to allow the thrift store in Building 1.

Chairman Schoonover opened the meeting for public hearing. Addressing the Commission was:

**Jian Torkan, Owner**, stated the parking was already modified when he purchased the property, and he believed the lack of spaces was caused by the paint washing away behind the mattress store and never being re-stripped. He stated that when T-Mobile came to the center a re-stripping plan was submitted that provided adequate parking for the entire center to be retail.

**Commissioner Ensberg** asked if he thought a deed restriction would be feasible.

**Jian Torkan, Owner**, stated it was an interesting concept but felt he would be prevented from executing such a document because the way the financing on the property is structured it would require the approval of the lender before the title could be changed in any manner, and he wasn't sure that they would approve such a restriction.

There being no further comments the public hearing was closed.

**Commissioner Davis** asked if Staff was recommending approving the zone change with the deed restriction.

**Associate Planner Grabow** stated it was not a condition of the zone change, it was a proposed mitigation measure for the parking deficiency shown on page 16 of the Initial Study.

**Commissioner Ensberg** asked if the owner is unable to get permission from the lender for the deed restriction, would staff be willing to move forward anyway with the zone change.

**Director Coleman** stated if the applicant can provide a striping plan that provides 89 spaces and meets code requirements, then Staff would be able to support his application without a deed restriction.

**Commissioner Ensberg** asked wouldn't it be important to ensure the applicant can provide 89 spaces before moving forward.

**Commissioner Davis** stated there are other uses that could be accommodated on site that are different than those allowed in the CG-1 zone which would not require 89 spaces.

**Chairman Schoonover** stated if you look at the list of uses, many of them would require a much larger parcel than was available here, so parking as well as the use of the parcel does become an issue, and felt there were very few new uses that could be accommodated on that parcel.

**Commissioner Davis** felt the CG-1 zone didn't really work for this parcel because it does not provide an area for a large major tenant and is an isolated property. He felt CH was a more

appropriate designation for this parcel. He did not support having a deed restriction and felt they needed a better solution, such as providing 89 parking spaces.

**Commissioner Rahi** asked what the parking ratio was for office space.

**Associate Planner Grabow** stated it is more restrictive at one space per 200 square feet. If one building was to be designated retail and one office, required parking may be as high as 94 spaces. When this center was built, Building 1 was specifically intended to be used as a furniture store because the parking requirement was less intensive.

**Commissioner Rahi** stated whether they recommend the zone change or not, the site is limited in possible uses because of the size and parking restrictions. He felt a deed restriction was needed.

**Commissioner Ensberg** expressed concern that even if they approved the zone change the lender wouldn't approve a deed restriction, so how will they have accomplished anything.

**Director Coleman** stated it is not known at this time whether the lender would approve or deny a deed restriction; the applicant stated it has not been discussed with them yet. He stated the restriction would be to define a certain floor area amount that is restricted from use in order to comply with the number of parking spaces available.

In response to Commissioner Davis, **Jian Torkan** stated he felt restriction of floor space was done naturally based on the types of tenants in the center. If there is one tenant that requires more intensive parking, then that automatically prohibits them from leasing space to a similar use, or even leaving some space vacant in order to accommodate that use. He felt they could at least get the 85 spaces since that was in the original plan, and maybe by removing some hardscape or allowing tandem parking for employees, they could increase the lot to 89 spaces.

#### RESOLUTION PC-1422

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF ZONE CHANGE 10-02, A REQUEST TO CHANGE THE EXISTING ZONING DESIGNATION OF 702-762 W. ARROW HIGHWAY, APN 8386-007-049, FROM CREATIVE GROWTH, AREA 1 (CG-1) TO COMMERCIAL HIGHWAY (CH)

**MOTION:** Moved by Davis, seconded by Rahi to approve Resolution PC-1422 recommending the City Council approve Zone Change 10-02, but recommending that the mitigation measure to require a deed restriction be removed and another option found to address parking. Motion carried 3-1-1 (Schoonover no, Bratt absent).

#### ORAL COMMUNICATION

##### 3. **Director of Development Services**

**Director Coleman** stated construction was continuing on the Fresh & Easy, but the developer was more than likely going to have to sell the apartment portion of the project. He stated the City Hall was moving along on schedule and roof decking was completed. It was expected the building should be finished in early March 2011 with a move-in date of April 1, 2011. He added the City Council will be holding their fall retreat on October 11<sup>th</sup> at 5:00 p.m. at the Sheriff's Station Community Meeting Room.

EXHIBIT D



**ENVIRONMENTAL INFORMATION FORM**  
**Part I - Initial Study**  
**(To Be Completed By Applicant)**

Planning Division  
245 East Bonita Ave., San Dimas CA 91773  
(909) 394-6250

The purpose of this form is to inform the City of the basic components of the proposed project so that the City may review the project pursuant to City policies, ordinances, and guidelines; the California Environmental Quality Act (CEQA). The more thoroughly this form is completed by the applicant, the more quickly the development proposal may be considered. Attach all referenced special studies.

**GENERAL INFORMATION:**

*INCOMPLETE APPLICATIONS WILL NOT BE PROCESSED. Please note that it is the responsibility of the applicant to ensure that the application is complete and legible at the time of submittal. Type or print using black ink only.*

Application Number for the project to which this form pertains: \_\_\_\_\_

Project Title: Proposed Zone Change for APN 8386-007-049

Name & Address of project owner(s): R&N Partners, LLC  
C/O ICO Real Estate Group  
4221 Wilshire Blvd., #240  
Los Angeles, CA 90010

Name & Address of developer or project sponsor: ICO Real Estate Group  
Attn: Jian Torkan  
4221 Wilshire Blvd., #240  
Los Angeles, CA 90010

Contact Person & Address: Thatcher Engineering & Assoc., Inc. Attn: Vicky Valenzuela  
1461 Ford Street, # 105  
Redlands, CA 92373

Name & Address of person preparing this form (if different from above): \_\_\_\_\_  
Thatcher Engineering and Assoc., Inc. Attn Vicky Valenzuela  
1461 Ford Street, #105  
Redlands, CA 92373

Telephone Number: (909) 748-7777

**EXHIBIT E**

**PROJECT INFORMATION & DESCRIPTION** Attach additional sheets if necessary

- 1) Provide a full scale (8-1/2" x 11") copy of the USGS Quadrant Sheet(s) which includes the project site, and indicate the site boundaries.
- 2) Provide a set of color photographs which show representative views into the site from the north, south, east and west; views into and from the site from the primary access points which serve the site; and representative views of significant features from the site. Include a map showing location of each photograph.
- 3) Project Location (describe): The project site is located at 702 W. Arrow Highway, adjacent to the 210 freeway on the west side, and adjacent to the 210 freeway on-ramp on the southeast side of the project.
- 4) Assessor's Parcel Number(s): 8386-007-049
- 5) Gross Site Area (ac/sq. ft.): 90,845 SF (2.09AC)
- 6) Net Site Area (total site size minus area of public streets & proposed dedications): 67,208 SF (1.59 AC)
- 7) Describe any proposed General Plan Amendment or Zone Change which would affect the project site:  
The project proposes to amend the existing zone designation from 'CH-1' (Creative Growth) to 'C-H' (Commercial Highway).
- 8) Include a description of all permits which will be necessary from the City of San Dimas and other governmental agencies in order to fully implement the project:  
N/A- This application is for zone change only.
- 9) Describe any noise sources and their levels that now affect the site (aircraft, roadway noise, etc.) and how they will affect proposed uses:  
The project site is abutted by Arrow Highway to the north, the 210 freeway on the west side, and the 210 Freeway onramp along the south and east side. Road and highway noise currently affect the site from these travel ways.

**EXHIBIT E**

10) Describe the proposed project in detail. This should provide an adequate description of the site in terms of ultimate use which will result from the proposed project, proposed square footage, and number of floors of construction. Indicate if there are proposed phases for development, the extent of development to occur with each phase, and the anticipated completion of each increment. Attach additional sheets if necessary:

The project proposes to amend the existing zone designation from 'CG-1' (Creative Growth) to 'C-H' (Commercial Highway).

11) Will the proposed project change the pattern, scale or character of the surrounding general area of the project?

No.

12) Indicate the type of short-term and long-term noise to be generated, including source and amount. How will these noise levels affect adjacent properties and on-site uses? What methods of sound proofing are proposed?

N/A- This application is for Zone Change only.

13) Indicate proposed removals and/or replacements of mature or scenic trees:

N/A.

14) Indicate any bodies of water (including domestic water supplies) into which the site drains:

N/A.

EXHIBIT E

15) Indicate expected amount of water usage (See Attachment A for usage estimates). For further clarification, please contact Golden State Water Company at 121 Exchange Place, San Dimas, CA 91773, 909-599-1289.

a. Residential (gal/day) N/A Peak use (gal/day) N/A

b. Commercial/Industrial (gal/day/ac) N/A Peak use (gal/min/ac) N/A

16) Indicate proposed method of sewage disposal (check one):        Septic Tank        Sewer. If septic tanks are proposed, attach percolation tests. If discharge to a sanitary sewage system is proposed, indicate expected daily sewage generation (See Attachment A for usage estimates). For further clarification, please contact the San Dimas Public Works Department at 909-394-6240.

a. Residential (gal/day) N/A

b. Commercial/Industrial (gal/day/ac) N/A

**RESIDENTIAL PROJECTS:**

17) Number of residential units:

Detached Units (indicate range of parcel sizes, minimum lot size and maximum lot size: N/A

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Attached Units (indicate whether units are rental or for sale units): N/A

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18) Anticipated range of sale prices and/or rents:

Sale Price(s) \$ N/A to \$ N/A

Rent(s) (per month) \$ N/A to \$ N/A

19) Specify floor plan area (square feet, excluding garage) and number of bedrooms by unit type: N/A

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20) Indicate anticipated household size by unit type: N/A

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21) Indicate the expected number of school children who will be residing within the project. Contact the appropriate School District (see Attachment B).

a. Elementary: N/A

b. Junior High: N/A

c. Senior High N/A

**COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL PROJECTS:**

22) Describe type of use(s) and major function(s) of commercial, industrial or institutional use: \_\_\_\_\_

N/A- This application is for Zone Change only.

23) Total floor area of commercial, industrial, or institutional use by type: N/A

24) Indicate hours of operation: N/A

25) Number of employees: Total: N/A

Maximum Shift: \_\_\_\_\_

Time of Maximum Shift: \_\_\_\_\_

26) Estimation of the number of workers to be hired that currently reside in the City: N/A

27) For commercial and industrial uses only, indicate the source, type and amount of air pollution emissions. (Data should be verified through the South Coast Air Quality Management District, at (818) 572-6283):

N/A

**EXHIBIT E**

**ALL PROJECTS:**

28) *Have the water, sewer, fire, and flood control agencies serving the project been contacted to determine their ability to provide adequate service to the proposed project? If so, please indicate their response.*

N/A  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

29) *In the known history of this property, has there been any use, storage, or discharge of hazardous and/or toxic materials? Examples of hazardous and/or toxic materials include, but are not limited to, PCB's; radioactive substances; pesticides and herbicides; fuels, oils, solvents, and other flammable liquids and gases. Also note underground storage of any of the above. Please list the materials and describe their use, storage, and/or discharge on the property, as well as the dates of use, if known.*

There is no known history of this property using, storing, or discharging any hazardous or toxic materials.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

30) *Will the proposed project involve the temporary or long-term use, storage or discharge of hazardous and/or toxic materials, including but not limited to those examples listed above? If yes, provide an inventory of all such materials to be used and proposed method of disposal. The location of such uses, along with the storage and shipment areas, shall be shown and labeled on the application plans.*

No, the project site does not propose to use, store, or discharge any hazardous or toxic materials.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**ENVIRONMENTAL SETTING**

31) *Describe the physical setting of the site as it exists before the project including information on topography, soil stability, plants and animals, mature trees, trails and roads, drainage courses and scenic aspects. Describe any existing structures on site (including age and condition) and the use of the structures. Attach photographs of significant features described. In addition, cite all sources of information (i.e., geological and/or hydrologic studies, biotic and archeological surveys, traffic studies):*

The property is currently occupied by two buildings with related parking, access, and landscape improvements. Building 'A' is a 9,417 SF multi-tenant building. Current tenants occupying this building include a T-Mobile retail store, a carpet and flooring store, and a hydroponies store. Building 'B' is 11,506 SF and is currently occupied by a mattress outlet store. No known endangered plants or animals exist on the project site. There are no known scenic aspects of the project site.  
\_\_\_\_\_

**EXHIBIT E**



## ATTACHMENT A – WATER & SEWER SERVICE DEMAND

### Water Usage – Average use per day

<b>Residential</b>	
Single Family	600 gal/day
Apartment/Condominium/Townhome	400 gal/day
<b>Commercial/Industrial</b>	
General and Regional Commercial	3000 gal/day/ac
Neighborhood Commercial	1500 gal/day/ac
General Industrial	1500 gal/day/ac
Industrial Park	3000 gal/day/ac
<b>Peak Usage</b>	
For all uses: Average use x 2.0	

### Sewer Flows

<b>Residential</b>	
Single Family	270 gal/day
Apt/Condos	200 gal/day
<b>Commercial/Industrial</b>	
General Commercial	2000 gal/day/ac
Neighborhood Commercial	100-1500 gal/day/ac
General Industrial	2000 gal/day/ac
Heavy Industrial	3000 gal/day/ac

## ATTACHMENT B – SCHOOL DISTRICTS

**Bonita Unified School District** (east of Cataract, south of Base Line Rd., east of Valley Center, north of Puente St.)  
115 W. Allen Avenue  
San Dimas, CA 91773  
(909) 971-8320

**Glendora Unified School District** (north of Base Line Rd., west of Cataract Avenue)  
500 N. Loraine Avenue  
Glendora, CA 91723  
(626) 963-1611

**Charter Oak Unified School District** (west of Valley Center)  
20240 Cienega Avenue  
Covina, CA 91723  
(626) 966-8331

**Covina-Valley Unified School District** (south of Puente Street and Walnut Creek)  
519 E. Badillo Street  
Covina, CA 91723  
(626) 974-7000

**EXHIBIT E**



Planning Division  
245 East Bonita Ave., San Dimas CA 91773  
(909) 394-6250

## ENVIRONMENTAL CHECKLIST FORM Part 2 - Initial Study (To Be Completed By Staff)

### BACKGROUND:

1. **Project File:** Zone Change 10-02
2. **Related Files:** N/A
3. **Description of Project:** A request to amend the existing zone designation from Creative Growth, Area 1 (CG-1) to Commercial Highway (C-H) for the property located at 702-762 West Arrow Highway (APN: 8386-007-049).
4. **Project Sponsor's Name and Address:**  
Vicky Valenzuela, Thatcher Engineering + Associates  
1461 Ford Street #105  
Redlands, CA 92373
5. **General Plan Designation:** Commercial
6. **Zoning:** Creative Growth, Area 1 (CG-1)
7. **Surrounding Land Uses and Setting (Briefly describe the project's surroundings):** North: Commercial; South: Commercial; East: Commercial; West: Commercial.
8. **Lead Agency Name and Address:**  
City of San Dimas  
Planning Department  
245 East Bonita Avenue  
San Dimas, CA 91773
9. **Contact Person and Phone Number:**  
Kristi Grabow  
(909) 394-6250
10. **Other agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

### GLOSSARY – The following abbreviations are used in this report:

EIR – Environmental Impact Report  
FEIR – Final Environmental Impact Report  
NPDES – National Pollutant Discharge Elimination System  
NOx – Nitrogen Oxides  
ROG – Reactive Organic Gases  
PM<sub>10</sub> – Fine Particulate Matter  
RWQCB – Regional Water Quality Control Board

SCAQMD – South Coast Air Quality Management District  
SWPPP – Storm Water Pollution Prevention Plan  
URBEMIS7G – Urban Emissions Model 7G

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact," "Potentially Significant Impact Unless Mitigation Incorporated," or "Less Than-Significant-Impact" as indicated by the checklist on the following pages.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> Aesthetics                  | <input type="checkbox"/> Agricultural Resources             | <input type="checkbox"/> Air Quality                       |
| <input type="checkbox"/> Biological Resources        | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology & Soils                   |
| <input type="checkbox"/> Hazards & Waste Materials   | <input type="checkbox"/> Hydrology & Water Quality          | <input type="checkbox"/> Land Use & Planning               |
| <input type="checkbox"/> Mineral Resources           | <input type="checkbox"/> Noise                              | <input type="checkbox"/> Population & Housing              |
| <input type="checkbox"/> Public Services             | <input type="checkbox"/> Recreation                         | <input checked="" type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities & Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |  |

**DETERMINATION - On the basis of this initial evaluation:**

- I find that the proposed project COULD NOT have a significant effect on the environment. A NEGATIVE DECLARATION will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by, or agreed to, by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find that the proposed project MAY have a "Potentially Significant Impact" or "Potentially Significant Unless Mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standard and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects 1) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and 2) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Prepared By: \_\_\_\_\_ Date: \_\_\_\_\_

Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**EVALUATION OF ENVIRONMENTAL IMPACTS:**

<b>1. AESTHETICS.</b> <i>Would the project:</i>				
a) Have a substantial affect a scenic vista?	()	()	()	(✓)
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?	()	()	()	(✓)
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	()	()	()	(✓)
d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?	()	()	()	(✓)

**Comments:**

- a) There are no significant vistas within or adjacent to the project site. The General Plan identifies a number of "scenic highways" as the major means in which one experiences the rural environment of the City of San Dimas. The site is not within a scenic highway according to General Plan Exhibit V-4.
- b) The project site contains no scenic resources and no historic buildings within a State Scenic Highway. There are no State Scenic Highways within the City of San Dimas.
- c) The site is located 702-762 West Arrow Highway and is characterized by retail development to the north, south, east and west. The visual quality of the area will not degrade as a result of this project. Design review is required prior to approval. City standards require the developer to underground existing and new utility lines and facilities to minimize unsightly appearance of overhead utility lines and utility enclosures.
- d) The project would not increase the number of streetlights and security lighting used in the immediate vicinity. The design and placement of light fixtures will be shown on site plans which require review for consistency with City standards that requires shielding, diffusing, or indirect lighting to avoid glare. Lighting will be selected and located to confine the area of illumination to within the project site. The impact is not considered significant.

<b>2. AGRICULTURAL RESOURCES.</b> <i>Would the project:</i>				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	()	()	()	(✓)
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	()	()	()	(✓)

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	()	()	()	(✓)

**Comments:**

- a) There is no Class I prime agricultural soils within the City of San Dimas according to the General Plan Exhibit VI-1. Further, there are no Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), according to maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency. The 1991 General Plan estimated that there were 507 undeveloped acres of Class II potential prime agricultural soils located in the northern half of the city, and areas north of Bonelli Regional Park. Of the total 507 acres, 172 acres were designated open space while the remaining 335 acres were undeveloped parcels of various sizes. The General Plan concluded that "most of these parcels are adjacent to existing residential developments, making the agricultural uses incompatible because of the use of pesticides, fertilizers and equipment noise. Therefore, the impact is considered less than significant.
- b) There are seven areas of agriculturally zoned land within the City of San Dimas, mostly landscape plant nurseries of approximately 5 acres each. There are no Williamson Act contracts within the City. Therefore, no adverse impacts are anticipated.
- c) The site is located 702-762 West Arrow Highway and is characterized by retail development to the north, south, east and west. The nearest agricultural use is more than a half a mile southwest and northeast from the project site. Therefore, no adverse impacts are anticipated.

<b>3. AIR QUALITY. Would the project:</b>				
a) Conflict with or obstruct implementation of the applicable air quality plan?	()	()	()	(✓)
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	()	()	(✓)	()
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable Federal or State ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	()	()	()	(✓)
d) Expose sensitive receptors to substantial pollutant concentrations?	()	()	(✓)	()
e) Create objectionable odors affecting a substantial number of people?	()	()	()	(✓)

**Comments:**

- a) The proposed project is located in the eastern portion of Los Angeles County in the City of San Dimas. The proposed project site is located within the jurisdictional boundaries of the

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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South Coast Air Quality Management District, within the South Coast Air Basin (SCAB). The SCAB encompasses 6,745 square miles and includes some portions of San Bernardino, Riverside, Los Angeles, and Orange Counties. The SCAQMD stretches from the Pacific Ocean in the west, to the Angeles National Forest to the north, Orange County to the south, and Riverside and San Bernardino Counties to the east. Currently, the SCAQMD is in the process of preparing the 2007 Air Quality Management Plan (AQMP).

The City of San Dimas is predominantly built-out. The majority of large undeveloped areas are designated as open space or conservation areas. Continued development will contribute to the pollutant levels in the San Dimas area, which already exceed Federal and State standards. The General Plan FEIR notes that if development is not more intensive than plans in effect when the Air Quality Management Plan (AQMP) adopted in 1982 by the Southern California Association of Governments (SCAG), then development-related emissions will have been properly anticipated and regional air quality impacts will be insignificant. The proposed project is consistent with the General Plan for which the FEIR was prepared and impacts evaluated.

- b) The project site is less than 5 acres and no development is proposed at this time; therefore, no adverse impacts are anticipated.
- c) Continued development would contribute to the pollutant levels in the San Dimas area, which already exceed Federal and State standards. The project proposed is consistent with the General Plan for which the FEIR was prepared and impacts evaluated.
- d) Sensitive receptors are defined as populations that are more susceptible to the effects of pollution than the population at large. The SCAQMD identifies the following as sensitive receptors: long-term health care facilities, rehabilitation centers, convalescent centers, retirement homes, residences, schools, playgrounds, child care centers, and athletic facilities. According to the SCAQMD, projects have the potential to create significant impacts if they are located within 1/4 mile of sensitive receptors and would emit toxic air contaminants identified in SCAQMD Rule 1401. The project site is located more than 1 mile from the nearest sensitive receptor. Therefore, no adverse impacts are anticipated.
- e) Typically, the uses proposed do not create objectionable odors. No adverse impacts are anticipated.

<p><b>4. BIOLOGICAL RESOURCES. <i>Would the project:</i></b></p> <p>a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?</p>	()	()	()	(✓)
<p>b) Have a substantial adverse effect on riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?</p>	()	()	()	(✓)

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	()	()	()	(✓)
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	()	()	()	(✓)
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	()	()	()	(✓)
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community conservation Plan, or other approved local, regional, or State habitat conservation plan?	()	()	()	(✓)

**Comments:**

- a) No development project is being proposed at this time. Therefore, the project will not adversely affect rare or endangered species of plants or animals due to the fact that the project is surrounded by urbanized land uses and is consistent with the General Plan Land Use Plan.
- b) The project site is located in an urban area with no natural communities. No riparian habitat exists on site, meaning the project will not have any impacts.
- c) No wetland habitat is present on site. As a result, project implementation would have no impact on these resources.
- d) The majority of the surrounding area has been or is being developed, thereby disrupting any wildlife corridors that may have existed. No adverse impacts are anticipated.
- e) There no heritage trees on the project site; therefore, the proposed project is not in conflict with any local ordinance.
- f) The project site is not located within a conservation overlay area according to the General Plan Exhibit II-4.1. No conflicts with habitat conservation plans will occur.

<b>5. CULTURAL RESOURCES.</b> <i>Would the project:</i> a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?	()	()	()	(✓)
b) Cause a substantial adverse change in the significance of an archeological resource pursuant to § 15064.5?	()	()	()	(✓)

Issues and Supporting Information Sources:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
c)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	( )	( )	( )	(✓)
d)	Disturb any human remains, including those interred outside of formal cemeteries?	( )	( )	( )	(✓)

**Comments:**

- a) There are 328 residential structures of cultural and historic significance identified by the San Dimas Historical Society according to the 1991 Historic Survey. The project site has not been identified as a "Historic Resource" by the City of San Dimas 1991 Historic Resources Survey. There will be no impact.
- b) There are no known archaeological sites or resources recorded on the project site.
- c) This project is only for a change of zone and not for any sort of construction. The site is fully developed.
- d) The proposed project is in an area that has already been disturbed by development. The project site has already been disrupted by previous construction of the existing buildings.

<b>6. GEOLOGY AND SOILS. <i>Would the project:</i></b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	( )	( )	( )	(✓)
ii) Strong seismic ground shaking?	( )	( )	( )	(✓)
iii) Seismic-related ground failure, including liquefaction?	( )	( )	( )	(✓)
iv) Landslides?	( )	( )	( )	(✓)
b) Result in substantial soil erosion or the loss of topsoil?	( )	( )	( )	(✓)
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	( )	( )	( )	(✓)
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	( )	( )	( )	(✓)

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	()	()	()	(✓)

**Comments:**

- a) No known faults pass through the site and it is not in an Earthquake Fault Zone according to the General Plan Exhibit VII-1, and Section 3.2 of the General Plan FEIR.
- b) The proposed project will not require the excavation, stockpiling, and/or movement of on-site soils.
- c) There are no areas in San Dimas identified as subject to potential subsidence according to the General Plan and General Plan FEIR. Subsidence is generally associated with large decreases or withdrawals of water from the aquifer. The project would not withdraw water from the existing aquifer. The site is not within a geotechnical hazardous area or other unstable geologic unit or soil type according to General Plan Exhibit VI-1 and VII-1. No adverse impacts are anticipated.
- d) The majority of San Dimas, including the project site, is located on alluvial soil deposits. These types of soils are not considered expansive. Soils, geologic and structural evaluation reports are required of all new development prior to issuance of grading and building permits. However, this project is for a change of zone and no development at this time.
- e) The project is connected to the existing local sewer system for wastewater disposal.

<b>7. HAZARDS AND WASTE MATERIALS. <i>Would the project:</i></b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	()	()	()	(✓)
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	()	()	()	(✓)
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 1/4 mile of an existing or proposed school?	()	()	()	(✓)
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	()	()	()	(✓)

Issues and Supporting Information Sources:		Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	( )	( )	( )	(✓)
f)	For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	( )	( )	( )	(✓)
g)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	( )	( )	( )	(✓)
h)	Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	( )	( )	( )	(✓)

**Comments:**

- a) The project will not involve the transport, use, or disposal of hazardous materials. No adverse impacts are expected.
- b) The proposed project does not include the use of hazardous materials or volatile fuels since this project is to only change the zone of the subject site.
- c) There shall not be any handling of hazardous waste or substance because of only changing the zone of the subject site.
- d) The project is not listed as a hazardous waste or substance materials site. Recent site inspection did not reveal the presence of discarded drums or illegal dumping of hazardous materials. No impact is anticipated.
- e) The site is within 2 miles of Brackett Field, the nearest public airport. The project would not result in a safety hazard for people residing or working in the project area. No impact is anticipated.
- f) There are no private airstrips within 5 miles of San Dimas. No impact is anticipated.
- g) The City's 2004 Natural Hazard Mitigation Plan includes policies and procedures to be administered by the Los Angeles County Fire Department, which is our City's contract fire service provider, in the event of a disaster. Because the project includes public street access and is required to comply with all applicable City codes, including local fire ordinances, no adverse impacts are anticipated.
- h) San Dimas faces the greatest ongoing threat from a wind-driven fire in the Wildland/Urban Interface area found in the hillsides and canyons in the northern part of the City according to the 2004 Natural Hazard Mitigation Plan. The proposed project site is not located within a high fire hazard area according to maps provided by the Los Angeles County Fire Department.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>8. HYDROLOGY AND WATER QUALITY. <i>Would the project:</i></b>				
a) Violate any water quality standards or waste discharge requirements?	()	()	()	(✓)
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	()	()	()	(✓)
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner, which would result in substantial erosion or siltation on- or off-site?	()	()	()	(✓)
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?	()	()	()	(✓)
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	()	()	()	(✓)
f) Otherwise substantially degrade water quality?	()	()	()	(✓)
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	()	()	()	(✓)
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	()	()	()	(✓)
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	()	()	()	(✓)
j) Inundation by seiche, tsunami, or mudflow?	()	()	()	(✓)

**Comments:**

- a) The subject site is already to connected to existing water and sewer systems.
- b) The proposed project is to change the current zoning of the property and no development is being reviewed at this time.
- c) The project will not cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff due to the amount of new building and hardscape proposed on a site.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- d) The project will not cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff due to the amount of new building and hardscape proposed on a site.
- e) The project will not cause changes in absorption rates, drainage patterns, and the rate and amount of surface water runoff due to the amount of new building and hardscape proposed on a site.
- f) There are no grading activities associated with the construction period that could result in a temporary increase in the amount of suspended solids in surface flows during a concurrent storm event, thus resulting in surface water quality impacts.
- g) The subject site is currently fully developed and no construction will be proposed.
- h) The project site is not located within a 100-year flood hazard area according to General Plan Exhibit VII-2. No adverse impacts are expected.
- i) The project site is not located within a 100-year flood hazard area according to General Plan Exhibit VII-2. No adverse impacts are expected.
- j) There are no oceans, lakes or reservoirs near the project site; therefore impacts from seiche and tsunami are not anticipated. The San Dimas area sits at the base of the steep eastern San Gabriel Mountains whose deep canyons were cut by mountain streams. Numerous man-made controls have been constructed to reduce the mudflow impacts to the level of non-significance within the City. This existing system includes several debris dams, and spreading grounds along San Dimas Canyon.

<b>9. LAND USE AND PLANNING. <i>Would the project:</i></b>				
a) Physically divide an established community?	()	()	()	(✓)
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	()	()	()	(✓)
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	()	()	()	(✓)

**Comments:**

- a) The site is located 702-762 West Arrow Highway and is characterized by commercial development. This project is of similar design and size to surrounding commercial development. The project is a part of the larger community. No adverse impacts are anticipated.
- b) The project site land use designation is commercial. The proposed project is consistent with the General Plan and does not interfere with any policies for environmental protection. As such, no impacts are anticipated.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- c) The project site is not located within any habitat conservation or natural community plan area. According to the General Plan Exhibit II-4.1 the project site is not within a conservation overlay area of sensitive biological resources; therefore, development will not adversely affect rare or endangered species of plants or animals due to the fact that the project is surrounded by urbanized land uses and is consistent with the General Plan Land Use Plan.

10. MINERAL RESOURCES. <i>Would the project:</i>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	()	()	()	(✓)
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	()	()	()	(✓)

**Comments:**

- a) The site is not designated as a State Aggregate Resources Area with significant mineral deposits according to the General Plan Exhibit VI-2; therefore, there is no impact.
- b) The site is not designated by the General Plan Exhibit VI-2, as a valuable mineral resource recovery site; therefore, there is no impact.

11. NOISE. <i>Would the project result in:</i>				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	()	()	()	(✓)
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	()	()	()	(✓)
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	()	()	()	(✓)
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	()	()	()	(✓)
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	()	()	()	(✓)
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	()	()	()	(✓)

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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**Comments:**

- a) There is an existing commercial center located on site and the proposed zone change will not expose an individual to any additional noise level than what they are currently exposed to.
- b) The uses associated with this type of project do not induce ground borne vibrations or noise. As such, no impacts are anticipated.
- c) The primary source of ambient noise levels in San Dimas is traffic and, for areas near rail line, train movements along the AT & SF rail line. The proposed activities will not significantly increase traffic; hence, are not anticipated to increase the ambient noise levels within the vicinity of the project.
- d) There will not be a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing.
- e) The site is not located within an airport land use plan and is within 2 miles of Brackett Field, a public airport, and is offset north of the flight path. No impact is anticipated.
- f) There are no private airstrips within 5 miles of the City limits. No impact is anticipated.

<b>12. POPULATION AND HOUSING. <i>Would the project:</i></b>				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	()	()	()	(✓)
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	()	()	()	(✓)
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	()	()	()	(✓)

**Comments:**

- a) The project is located in a developed area and will not induce population growth since the site is fully developed.
- b) The project site contains no existing housing units. No adverse impact expected.
- c) The project site is currently a commercial center with two commercial buildings. No impacts are anticipated.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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<b>13. PUBLIC SERVICES.</b> <i>Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:</i>				
a) Fire protection?	()	()	()	(✓)
b) Police protection?	()	()	()	(✓)
c) Schools?	()	()	()	(✓)
d) Parks?	()	()	()	(✓)
e) Other public facilities?	()	()	()	(✓)

**Comments:**

- a) The site is currently developed and is being serviced by the Los Angeles County Fire Department.
- b) Additional police protection is not required as the proposed project does not change the pattern of uses within the surrounding area.
- c) The Bonita Unified School District currently serves the subject area.
- d) The site is in a developed area, currently served by the City of San Dimas. The nearest park is located less than half a mile from the project site.
- e) The proposed project utilizes existing public facilities.

<b>14. RECREATION.</b> <i>Would the project:</i>				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	()	()	()	(✓)
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	()	()	()	(✓)

**Comments:**

- a) The site is in a developed area, currently served by the City of San Dimas. The nearest park is located less than half a mile away from the project site. This project is not proposing any new housing or large employment generator that would cause an increase in the use of parks or other recreational facilities.
- b) See a) response above.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>15. TRANSPORTATION/TRAFFIC.</b> <i>Would the project:</i>				
a) Cause an increase in traffic, which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	()	()	()	(✓)
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	()	()	()	(✓)
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	()	()	()	(✓)
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	()	()	()	(✓)
e) Result in inadequate emergency access?	()	()	()	(✓)
f) Result in inadequate parking capacity?	()	(✓)	()	()
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	()	()	()	(✓)

**Comments:**

- a) The proposed project will not cause an increase in traffic because the existing zoning designation has similar uses to the proposed zone.
- b) The proposed project will not cause an increase in traffic because the existing zoning designation has similar uses to the proposed zone.
- c) The proposed development will not result in a change in air traffic patterns from Brackett Field, a public airport, and will not change air traffic patterns. No impacts are anticipated.
- d) The project is in an area that is completely developed and already has the required street improvements (curb, gutter and sidewalk) along the street frontage of the site.
- e) The project is currently designed to provide access for all emergency vehicles.
- f) The site was developed with two buildings. One was built with the intended use of furniture store and the other building for retail use. The site meets the parking requirement of 85 spaces (furniture: 1 space/300 sq.ft. and retail: 1 space/250 sq.ft.). Since its development the furniture store has vacated and the parking lot has been re-stripped several times, losing seven spaces. The zone change would not have a significant impact on the parking requirements since retail is already a permitted use, but due to the limited parking spaces, individual uses would need to be calculated for sufficient parking.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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The following mitigation measures shall be implemented:

**1. The site shall be re-stripped to replace the seven parking spaces previously removed without the City's approval.**

- g) The subject site is designed to support transportation and vehicle trip reduction (e.g., bus bays, bicycle racks, carpool parking, etc.).

16. UTILITIES AND SERVICE SYSTEMS. <i>Would the project:</i>				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	()	()	()	(✓)
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	()	()	()	(✓)
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	()	()	()	(✓)
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	()	()	()	(✓)
e) Result in a determination by the wastewater treatment provider, which serves or may serve the project, that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	()	()	()	(✓)
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	()	()	()	(✓)
g) Comply with Federal, State, and local statutes and regulations related to solid waste?	()	()	()	(✓)

**Comments:**

- a) The existing site is served by the Golden State Water Company sewer system and meets the requirements of the Los Angeles Regional Water Quality Control Board regarding wastewater.
- b) The existing site is served by the Golden State Water Company sewer system and meets the requirements of the Los Angeles Regional Water Quality Control Board regarding wastewater.
- c) All runoff is conveyed to existing storm drain facilities, which is designed to handle the flows.

Issues and Supporting Information Sources:	Potentially Significant Impact	Less Than Significant With Mitigation Incorporated	Less Than Significant Impact	No Impact
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- d) The existing site is served by the Golden State Water Company water system and there is currently a sufficient water supply available to the City of San Dimas to serve this site.
- e) The proposed project is served by the Golden State Water Company sewer system. No impacts are anticipated.
- f) Solid waste disposal is provided by the current City contracted hauler who disposes the refuse at a permitted landfill with sufficient capacity to handle the City's solid waste disposal needs.
- g) This site complies with Federal, State, and local statutes and regulations regarding solid waste. The City of San Dimas continues to implement waste reduction procedures consistent with AB 939.

<b>17. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	()	()	()	(✓)
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	()	()	()	(✓)
c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	()	()	()	(✓)

**Comments:**

- a) The site is not located in a conservation overlay area of sensitive biological resources as identified on the City of San Dimas General Plan Exhibit II-4.1. Additionally, the area surrounding the site is developed. Based on previous development and street improvements, it is unlikely that any endangered or rare species would inhabit the site.
- b) If the proposed project were approved, then the applicant would be required to develop the site in accordance with the City of San Dimas General Plan. The General Plan was adopted along with the certification of a FEIR, and Findings of Fact, in the City and Sphere of Influence. The City made findings that adoption of the General Plan would result in significant adverse effects. Mitigation measures were adopted that reduce impacts to less than significant levels. With these no further discussion or evaluation of cumulative impacts is required.

- c) Development of the site under the proposed land use change would not cause substantial adverse effects on human beings, either directly or indirectly. The Initial Study identifies construction-related emissions of criteria pollutants as having a potentially significant impact. Proposed mitigation measures would further reduce emission levels. Additionally, impacts resulting from air quality would be short-term and would cease once construction activities were completed. The Initial Study identified potentially significant impacts associated with the exposure of people to increased noise levels. Mitigation measures contained in this Initial Study will ensure impacts are at less than significant levels.

**EARLIER ANALYSES:**

Earlier analyses may be used where, pursuant to the tiering, EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or Negative Declaration per Section 15063(c)(3)(D). The effects identified above for this project were within the scope of and adequately analyzed in the following earlier document(s) pursuant to applicable legal standards, and such effects were addressed by mitigation measures based on the earlier analysis. The following earlier analyses were utilized in completing this Initial Study and are available for review in the City of San Dimas, Planning Division offices, 245 East Bonita Avenue (check all that apply):

- (T) General Plan FEIR  
(SCH#91011017)

**APPLICATION CERTIFICATION:**

I certify that I am the applicant for the project described in this Initial Study. I acknowledge that I have read this Initial Study and the proposed mitigation measures. Further, I have revised the project plans or proposals and/or hereby agree to the proposed mitigation measures to avoid the effects or mitigate the effects to a point where clearly no significant environmental effects would occur.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Print Name and Title: \_\_\_\_\_

## RESOLUTION PC-1422

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF ZONE CHANGE 10-02, A REQUEST TO CHANGE THE EXISTING ZONING DESIGNATION OF 702-762 WEST ARROW HIGHWAY, APN 8386-007-049, FROM CREATIVE GROWTH, AREA 1 (CG-1) TO COMMERCIAL HIGHWAY (CH) ZONE.

WHEREAS, a Zone Change application was filed by Vicky Valenzuela, Thatcher Engineering & Associates; and

WHEREAS, a Zone Change application was initiated by the Planning Commission on July 7, 2010; and

WHEREAS, the Zone Change is described as a request to change the zone from Creative Growth, Area 1 (Regional Commercial) Zone to Commercial Highway Zone; and

WHEREAS, the Zone Change would affect the parcel located on the southeast corner of the intersection of Bonita Avenue and Arrow Highway; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on October 6, 2010 at 7:00 p.m., with all testimony received being made a part of the public record; and

WHEREAS, all requirements of the California Environmental Quality Act and the City's Environmental Guidelines have been met for the consideration of whether the project will have a significant effect on the environment. Based upon the facts and information contained in the proposed Mitigated Negative Declaration, the Planning Commission finds that there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Mitigated Negative Declaration.

NOW, THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the Commissioners at the hearing, including written and oral staff reports, together with public testimony, the Planning Commission now finds as follows:

- A. The proposed Zone Change will not adversely affect the adjoining properties as to value, precedent or be detrimental to any area.

The proposed Zone Change of the subject site from Creative Growth, Area 1 (Regional Commercial) Zone to Commercial Highway Zone is compatible with the zoning of the neighborhood. The proposed change

could bring value to the surrounding area since the allowed uses will broaden the possibilities for new tenants at the site.

- B. The proposed Zone Change will further the public health, safety and general welfare.

The Zone Change from Creative Growth, Area 1 (Regional Commercial) to Commercial Highway will provide similar land uses and will not negatively impact the public health, safety and general welfare.

- C. The proposed Zone Change is consistent with the General Plan.

The proposed Zone Change is currently and will remain consistent with the General Plan.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission recommends to the City Council approval of Zone Change 10-02 contingent upon submitted of a maximum parking plan and recording a deed restriction on allowable uses based upon parking requirements.

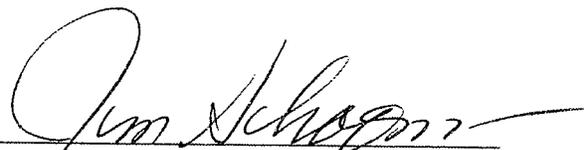
PASSED, APPROVED and ADOPTED, the 6th day of October 2010 by the following vote:

AYES: Davis, Ensberg, Rahi

NOES: Schoonover

ABSENT: Bratt

ABSTAIN: None



Jim Schoonover, Chairman  
San Dimas Planning Commission

ATTEST:



Jan Sutton  
Planning Commission Secretary

## **ORDINANCE NO. 1198**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING ZONE CHANGE 10-02, A REQUEST TO CHANGE THE EXISTING ZONING DESIGNATION OF 702-762 WEST ARROW HIGHWAY FROM CREATIVE GROWTH, AREA 1 (CG-1) TO COMMERCIAL HIGHWAY (CH) (APN: 8386-007-049).

WHEREAS, a Zone Change application was filed by Vicky Valenzuela, Thatcher Engineering & Associates; and

WHEREAS, a Zone Change application was initiated by the Planning Commission on July 7, 2010; and

WHEREAS, the Zone Change is described as a request to change the zone from Creative Growth, Area 1 (Regional Commercial) Zone to Commercial Highway Zone; and

WHEREAS, the Zone Change would affect the parcel located on the southeast corner of the intersection of Bonita Avenue and Arrow Highway; and

WHEREAS, the Planning Commission conducted a duly noticed public hearing on October 6, 2010 and, following the conclusion of that hearing, adopted Resolution No. PC 1422 recommending approval of the application upon certain stated conditions; and

WHEREAS, notice was duly given of the City Council public hearing on the matter and that public hearing was held on November 9, 2010 at the hour of 7:00 p.m., with all testimony received being made a part of the public record; and

WHEREAS, all requirements of the California Environmental Quality Act and the City's Environmental Guidelines have been met for the consideration of whether the project will have a significant effect on the environment. Based upon the facts and information contained in the proposed Mitigated Negative Declaration, the City Council finds that there is no substantial evidence that the project will have a significant effect upon the environment and adopts a Mitigated Negative Declaration.

NOW, THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the Commissioners at the hearing, including written and oral staff reports, together with public testimony, the City Council now finds as follows:

- A. The proposed Zone Change will not adversely affect the adjoining properties as to value, precedent or be detrimental to any area.

The proposed Zone Change of the subject site from Creative Growth, Area 1 (Regional Commercial) Zone to Commercial Highway Zone is compatible with the zoning of the neighborhood. The proposed change could bring value to the surrounding area since the allowed uses will broaden the possibilities for new tenants at the site.

- B. The proposed Zone Change will further the public health, safety and general welfare.

The Zone Change from Creative Growth, Area 1 (Regional Commercial) to Commercial Highway will provide similar land uses and will not negatively impact the public health, safety and general welfare.

- C. The proposed Zone Change is consistent with the General Plan.

The proposed Zone Change is currently and will remain consistent with the General Plan.

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

*Chapter 18.140, Exhibit A,*

**SECTION 1.** ~~Section 18.16.010~~ of the San Dimas Municipal Code is hereby amended by amending the Official Zoning Map of the City of San Dimas as shown in 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.

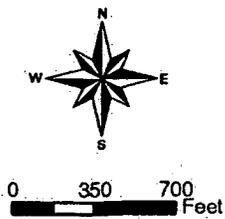
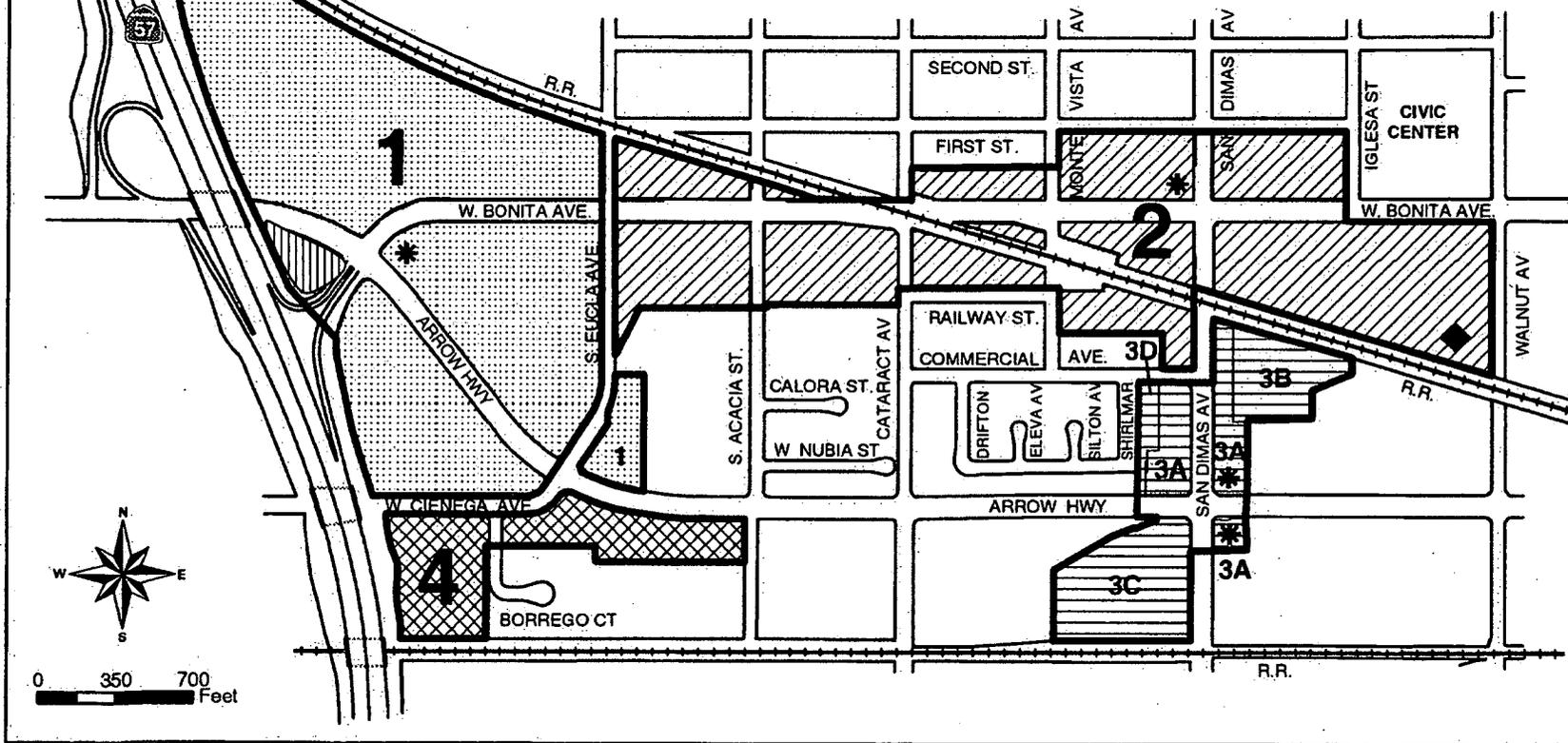
**PASSED, APPROVED AND ADOPTED THIS XX DAY OF NOVEMBER, 2010.**

\_\_\_\_\_  
Curt Morris, Mayor of the City of San Dimas

\_\_\_\_\_  
Ina Rios, City Clerk

# SAN DIMAS CREATIVE GROWTH AREA

SPECIFIC PLAN NO. 1 (as amended)



### Creative Growth Areas

Area 1 - Regional Commercial  
 Area 2 - Frontier Village

Area 3A - Mixed Use  
Area 3B - High Density  
Area 3C - Low-Medium Density  
Area 3D - Single Family

Area 4 - Commerical/Light Industrial  
 Subject site changed to C-H Zone

Service Station  
 Medium-high Density Residential

**EXHIBIT A - GROWTH AREAS**



# Agenda Item Staff Report

**To:** Honorable Mayor and Members of the City Council  
*For the meeting of November 9, 2010*

**From:** Blaine Michaelis, City Manager

**Subject:** Re-Elect Margaret Clark to the San Gabriel Basin Water Quality Authority Board – **RESOLUTION NO. 2010-60**

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## SUMMARY

Since 1993, Rosemead Councilmember Margaret Clark has served as a Board member to represent cities without prescriptive pumping rights on the San Gabriel Basin Water Quality Authority Board.

At its September 28, 2010 meeting, the City Council approved Resolution No. 2010-48 nominating Councilmember Margaret Clark.

## RECOMMENDATION

Adopt Resolution No. 2010-60 casting the City of San Dimas' full vote(s) to re-elect Margaret Clark to represent cities without prescriptive pumping rights on the San Gabriel Basin Water Quality Authority Board.

**RESOLUTION NO. 2010-60**

**A RESOLUTION OF THE CITY COUNCIL OF  
THE CITY OF SAN DIMAS, CALIFORNIA  
CASTING ITS VOTE(S) FOR COUNCILMEMBER MARGARET CLARK  
TO REPRESENT CITIES WITHOUT PRESCRIPTIVE  
WATER PUMPING RIGHTS ON THE BOARD OF THE  
SAN GABRIEL BASIN WATER QUALITY AUTHORITY**

WHEREAS, on September 22, 1992, Senate Bill 1679 was signed into law by Governor Pete Wilson authorizing the creation of the San Gabriel Basin Water Quality Authority; and

WHEREAS, the Board of the San Gabriel Basin Water Quality Authority is composed of seven members with three appointed members from each of the three municipal water districts, one elected city council person from cities in the San Gabriel Basin with prescriptive water pumping rights, and one elected city council person from cities in the San Gabriel Basin without prescriptive water pumping rights; and two members representing water producers in the San Gabriel Basin; and

WHEREAS, the City of San Dimas is one of the cities in the San Gabriel Basin without prescriptive water rights;

WHEREAS, the City of San Dimas may cast its vote for a representative by resolution no later than December 20, 2010, at 5:00 p.m..

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:

SECTION 1. The City Council of the City of San Dimas casts its full vote(s) for Councilmember Margaret Clark as the representative for cities in the San Gabriel Basin without prescriptive water pumping rights.

PASSED, APPROVED AND ADOPTED this 9<sup>th</sup> day of November, 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 Resolution 2010-60 was passed at the regular meeting of the City Council held on November 9, 2010 by the following vote:

AYES:

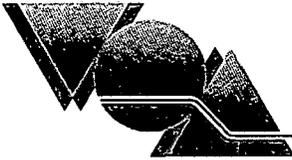
NOES:

ABSTAIN:

ABSENT:

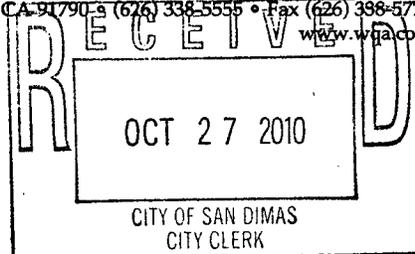
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Ina Rios, CMC, City Clerk



**San Gabriel Basin Water Quality Authority**

1720 W. Cameron Avenue, Suite 100, West Covina, CA 91790 • (626) 338-5555 • Fax (626) 338-5775  
www.wqa.com



October 26, 2010

City Manager  
CITY OF SAN DIMAS  
245 E. Bonita  
San Dimas, CA 91773

**RE: ELECTION FOR WQA BOARD MEMBER AND ALTERNATE MEMBER  
REPRESENTING CITIES WITHOUT WATER PUMPING RIGHTS**

Dear City Manager:

The nomination period for the election of the WQA board member and alternate member representing cities without water pumping rights was closed on October 22, 2010 at 5:00 p.m. Enclosed is an election ballot, a list of nominees, a sample resolution, and a list of cities without pumping rights and the number of votes each city is entitled.

Each city may cast their votes for only **one** of the listed nominees in the form of a resolution. **The resolution must be received at the above address by December 20, 2010 at 5:00 p.m. via hand delivery, certified mail, FedEx, or UPS WITH SIGNATURE REQUIRED or THE VOTE WILL NOT BE ACCEPTED.** Our office hours are Monday through Friday 8:00 a.m. to 12:00 noon and 1:00 p.m. to 5:00 p.m. Votes will be officially counted during the Water Quality Authority's regular meeting on December 21, 2010 at 9:30 a.m.

Each city has one vote for each 10,000 residents or majority thereof, as determined by the 2000 U.S. census data. The enclosed ballot indicates the number of votes your city may cast. Please note that a city must cast all of their votes to only one candidate and cannot split their votes. Please also note that a city is not limited to voting for its own city council members and that a city may vote in an election whether or not it nominated a candidate.

If you should have any questions, please contact me at (626) 338-5555 or by email at [Stephanie@wqa.com](mailto:Stephanie@wqa.com)

Sincerely,

Stephanie Moreno  
Administrative/IS Assistant  
San Gabriel Basin Water Quality Authority

Enclosures

BALLOT

ELECTION OF CITY MEMBERS AND ALTERNATES FROM  
CITIES WITHOUT PUMPING RIGHTS  
TO THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY  
PURSUANT TO SB 1679

CITY:           **SAN DIMAS**

NUMBER OF VOTES TO BE CAST:       **3**

TO THE CITY COUNCIL:

The following candidates have been duly nominated by qualified cities for the office of city member and alternate of the Board of the San Gabriel Basin Water Quality Authority ("the Authority") from cities without pumping rights.

The election of the city member and alternate will take place at an adjourned meeting of the Board of the Authority set for December 21, 2010, at 9:30 a.m., at 1720 W. Cameron Ave., Suite 100, West Covina, California.

Your city may cast its votes for one candidate by resolution of the city council. The number of votes to which your city is entitled, based upon population, is set forth above.

The resolution of the city council casting its votes must be delivered by certified mail, FedEx, UPS with **signature required** or hand delivered to the Authority **at least 24 hours before the meeting of the Board of the Authority at which the election of the city member and alternate will take place, or the votes will not be counted.**

This Ballot may accompany the resolution of the city council casting its votes for city member and alternate from cities without pumping rights.



**San Gabriel Basin Water Quality Authority**

1720 W. Cameron Avenue, Suite 100, West Covina, CA 91790 • (626) 338-5555 • Fax (626) 338-5775  
www.wqa.com

**ELECTION FOR WQA BOARD MEMBER  
AND ALTERNATE MEMBER  
REPRESENTING CITIES WITHOUT  
PRESCRIPTIVE PUMPING RIGHTS**

**LIST OF NOMINATIONS**

(In the order in which they were received)

**Name**

**Nominated by**

**Margaret Clark**  
City of Rosemead

San Dimas  
Rosemead  
Bradbury  
La Verne  
Duarte  
La Puente  
Temple City  
San Marino  
San Gabriel

**Louie Aguinaga**  
City of South El Monte

South El Monte

**Monica Garcia**  
City of Baldwin Park

Baldwin Park

Updated 10/25/10

# (SAMPLE RESOLUTION FOR VOTE)

If you would like an electronic version of this resolution please email Stephanie Moreno to request one at: [stephanie@wqa.com](mailto:stephanie@wqa.com)

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF \_\_\_\_\_, CALIFORNIA, CASTING ITS VOTE(S) FOR COUNCILMEMBER TO REPRESENT CITIES WITHOUT PRESCRIPTIVE PUMPING RIGHTS ON THE BOARD OF THE SAN GABRIEL BASIN WATER QUALITY AUTHORITY**

**WHEREAS**, on September 22, 1992, Senate Bill 1679 was signed into law by Governor Pete Wilson authorizing the creation of the San Gabriel Basin Water Quality Authority; and

**WHEREAS**, the Board of the San Gabriel Basin Water Quality Authority is composed of seven members with three appointed members from each of the three municipal water districts, one elected city council person from cities in the San Gabriel Basin with prescriptive pumping rights, and one elected city council person from cities in the San Gabriel Basin without prescriptive pumping rights; and two members representing water producers in the San Gabriel Basin and:

**WHEREAS**, the City of \_\_\_\_\_ is one of the cities in the San Gabriel Basin without prescriptive pumping rights;

**WHEREAS**, the City of \_\_\_\_\_ may cast its vote(s) for a representative by resolution no later than December 20, 2010 at 5:00 p.m.

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF \_\_\_\_\_, CALIFORNIA DOES HEREBY FIND, DETERMINE AND RESOLVE AS FOLLOWS:**

Section 1. The City Council of the City of \_\_\_\_\_ casts its vote(s) for Councilmember \_\_\_\_\_ as the representative for cities in the San Gabriel Basin without prescriptive pumping rights.

**PASS, APPROVED AND ADOPTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2010.



**San Gabriel Basin Water Quality Authority**

1720 W. Cameron Avenue, Suite 100, West Covina, CA 91790 • (626) 338-5555 • Fax (626) 338-5775  
www.wqa.com

## CITIES WITHOUT PUMPING RIGHTS

<u>City</u>	<u>2000 Population</u>	<u># of Votes</u>
Baldwin Park	75,837	8
Bradbury	855	1
Duarte	21,486	2
La Puente	41,063	4
La Verne	31,638	3
Rosemead	53,505	5
San Dimas	34,980	3
San Gabriel	39,804	4
San Marino	12,945	1
Sierra Madre	10,578	1
S. El Monte	21,144	2
Temple City	33,377	3
W. Covina	105,080	<u>11</u>
	<b>TOTAL VOTES:</b>	<b>48</b>

(2000 U.S. Census Figures)



# Agenda Item Staff Report

**To:** Honorable Mayor and Members of the City Council  
*For the City Council Meeting of November 9, 2010*

**From:** Blaine Michaelis, City Manager

**Initiated by:** Public Works Department

**Subject:** **Authorization to Apply for Highway Safety Improvement Program Grant Funds for Pedestrian and Bikeway Trail from Cypress Street to Avenida Loma Vista**

## Summary

Staff has been notified that the Highway Safety Improvement Program is scheduled to allocate \$15,000,000 to Los Angeles County for safety improvement projects. Staff has contacted Caltrans to discuss eligibility of the project and has received tentative support of the concept. Therefore, staff is recommending that Council provide direction and support for the grant filing to fund a multi use path from Cypress Street to Avenida Loma Vista (formerly the San Dimas Avenue Bike Path). This bicycle and pedestrian safety project is an important project for the City and will be an incredible addition to the City's bikeway network. The Highway Safety Improvement Program Grant Application is due December 8<sup>th</sup>, 2010.

## BACKGROUND

Starting over ten years ago, the City worked for several years to have a bicycle/pedestrian trail constructed adjacent to the 210 Freeway from San Dimas Avenue over to Cypress Street. In November of 2000, the City received a Bicycle Transportation Account (BTA) grant to construct this trail along with other bikeway improvements in the City. The grant was in the amount of \$210,942 with \$23,438 in City matching funds. The bulk of this money was intended for use on the construction of the trail, which at that time was called the San Dimas Avenue Bike Trail. Because this trail would lie predominately in Caltrans/FHWA right-of-way, these agencies needed to approve the placement as well as the design. Although conceptual approval for construction of the trail was granted in April 2002, this approval was conditioned that the trail meet restrictive Class I Bike Trail Standards, complicating the design by imposing slope restrictions; width requirements, radius restrictions, retaining walls, fencing, environmental and associated engineering considerations.

Through the lengthy process, several project changes, and back and forth negotiations, Caltrans would not alter their standards for ADA slope requirements, and also listed multiple other requirements that would be required before granting the request. The resultant design

625

caused the project costs to escalate to \$678,500 and as the initial project cost and grant award fell distinctly below the project need, sufficient BTA funds were not available to cover the project costs. Costs such as: Environmental Study, Hydrology, Geotechnical and Engineering Design came to almost \$150,000.00 which was well outside the scope of the grant. Meaning, the City was required to fund the upfront costs without receiving any formal approval. At that time City Council felt it was not fiscally responsible to spend any of the awarded funds as they did not come close to covering the project costs above the grant award and the consideration that staff had spent too much time and effort in pursuing this project with no tangible result in sight. The majority of these BTA funds therefore lapsed in 2004, and the project has been sitting dormant since that time.

## **DISCUSSION**

It may seem that the staff time dedicated to this project in previous years should have been more fruitful. However, staff feels this project should be resurrected to provide the "previously missing" pedestrian and bike trail link commencing between the Via Verde area of San Dimas and the rest of the City. Therefore, with a fresh set of eyes and after attending a workshop on the Highway Safety Improvement Program (HSIP), staff was able to see the multiple benefits of the project and its current viability. It appears the project is not only eligible for this funding program, but will be highly competitive. Staff has been working closely with Caltrans Local Assistance to ensure the project meets necessary specifications and has received assurances that the previous issues will be adequately addressed with the proposed submittal.

During informal consultation with Caltrans Local Assistance staff, it appears that the state, at the local level is in support of the project concept, which was not the case with our previous proposal. In addition, staff will be able to apply with the preliminary plans already prepared and then work with a consulting engineer to address necessary design changes and additions for approval.

## **Funding**

In response to Caltrans' recommendations in 2002, staff moved forward with several of the project requirements necessary for constructing in the Caltrans right of way and is aware of the additional studies and specifications that will be needed at this point. The path will be 8 feet in width, have striping for both directions, accommodate wheelchairs per ADA standards, have a retaining wall and fencing to protect users from steep slopes and highway encroachment, solar lighting, signage, and engineered drainage considerations.

Fortunately, with several plan modifications already incorporated into the project, staff awareness of the needs that will be required for the project to be funded through the HSIP program, and familiarity with Caltrans process, the project is ideally poised for funding eligibility. If awarded, the program will fund 90% of the project costs. With the preliminary estimate of \$774,290 (including preliminary engineering, environment studies, construction engineering and contingencies), the City's matching 10% funds would be approximately \$77,000 of the total project cost, which is proposed to be funded by Infrastructure Funds 12.

## **Route to School**

The current fact is students continue to use this unofficial pathway to school. Caltrans efforts to repeatedly repair the fence are unsuccessful. Students routinely cut the freeway right-of-way fence to access the existing dirt pathway. The unofficial trail cuts a 2.5 mile trip down to only 1500 feet, thereby allowing students to walk to school where otherwise they would have to maneuver a bicycle on busy streets, get a ride, or walk the entire 2.5 miles along San

Dimas Avenue, to Arrow Highway, to Cataract and then to Covina Blvd. Making this pathway official and up to safety standards will significantly increase its viability and usage.

#### Additional Bikeway and Pedestrian Path Connections

One element that is now incorporated into the project that was not in the previous application is connectivity. In addition to the bike and pedestrian path, the project will include incorporation of the southbound bike path on San Dimas Avenue into the pathway, a guardrail and continuation of the pathway on San Dimas Avenue, improved pedestrian striping, warning beacons for crossing to the equestrian trail on the east side of San Dimas Avenue, and signal modifications for a crosswalk at Loma Vista. These improvements will allow for connectivity for cyclists travelling from the north, as well as path users to safely cross and utilize the existing ADA path where the street width precludes the extension of the trail south to Loma Vista.

#### Funding Factor Considerations

When staff became aware that the HSIP funding allocation for local agencies in California was estimated to be \$70 million dollars, with the Los Angeles area allocation at over 15 million dollars, this project was proposed as an ideal candidate for several reasons.

- ❖ Over 600 of the approximately 2100 middle and high school students live in neighborhoods that could take the direct pathway to school.
- ❖ Providing this alternative transportation option will reduce vehicles on the road during peak hour times, as the majority of parents drive their children to school and will be able to send them safely on the pathway instead.
- ❖ With bus service reductions and further school funding restrictions, it is prudent for the City to move forward with the path through the HSIP program.
- ❖ The path will encourage non-motorized transportation, forwarding the City's Greenhouse Gas Reduction and Climate Action Plan goals. These behavioral changes can have a large affect on overall pollution levels as the non-motorized option becomes routine.
- ❖ With the growing childhood obesity problem in the country, the path will help to reduce this epidemic by promoting Healthy Kids who walk and bike to school.

#### Liability and Indemnification

As required by Caltrans, the project includes retaining walls and chain link fencing to ensure no path users venture unsafely onto the freeway right-of-way. Once the project is constructed the City will be required to indemnify Caltrans of liability, as is similarly necessary for other pathways and open space areas in the City.

#### Letters of Support

In order to be competitive with this grant application, we must have a letter of support from Council, the impacted schools, and our congressional representatives. Staff has prepared a letter for Council review and support. The grant application is due in early December. In order to ensure adequate time is available to secure all the necessary documentation, letters, and applications, staff would appreciate your support of this proposal as soon as possible.

#### **RECOMMENDATION**

In considering all the above, Staff requests that Council provide direction and approval for the following:

- Authorize the approval to file for applications for Highway and Safety Improvement Program (HSP) funds for a multi use path from Cypress Street to Avenida Loma Vista.
- Authorize the Mayor to sign the attached letter of support for the project.

Respectfully Submitted by



Lisa Monreal  
Environmental Services Coordinator

ATTACHMENTS:

- A. Support Letter
- B. Aerial Map

Lm 10-10-42



**Multi-Use  
Pathway**

**Neighborhood  
Student  
Population: 600**

**Southbound  
Bike Path  
Connection,  
Pedestrian  
Crossing  
Beacons,  
Guardrail  
Improvements**

**City Council**  
CURTIS W. MORRIS, Mayor  
EMMETT BADAR, Mayor Pro Tem  
DENIS BERTONE  
JOHN EBINER  
JEFF TEMPLEMAN

**City Manager**  
BLAINE M. MICHAELIS

**Assistant City Manager / Treasurer**  
KENNETH J. DURAN

**City Attorney**  
J. KENNETH BROWN

# San Dimas

**Assistant City Manager of  
Community Development**  
LAWRENCE STEVENS

**Director of Public Works**  
KRISHNA PATEL

**Director of Development  
Services**  
DAN COLEMAN

**Director of Parks  
and Recreation**  
THERESA BRUNS

**City Clerk**  
INA RIOS, CMC

November 9, 2010

To Whom It May Concern:

The San Dimas City Council fully supports the efforts in attaining grant financing/funding through the Highway Safety Improvement Program. The proposed multi-use pathway project from San Dimas Avenue to Cypress Street is set out to create a safe route in which students will be able to walk and bike safely to Lone Hill Middle School and San Dimas High School.

This project's priority is safety and enforcement of laws to enable safe traveling. This project will also encourage and promote walking and bicycling which will teach junior high and high school students the importance of exercising and development of healthy habits.

As public servants, it is our role to support and encourage improvements that will benefit the health and safety of our community. This project will provide a meaningful and direct pedestrian or bicycle connection for students who now have to travel a circuitous route on busy streets.

As the Mayor of San Dimas, I strongly urge your support to fund safer pedestrian routes for children, families, senior citizens and all pedestrians using the San Dimas Avenue to Cypress Multi-Use Pathway.

Thank you for your consideration, and please contact me if you have additional questions about our support to gain funding for this important project or contact Krishna Patel, Director of Public Works at (909) 394-6245.

Sincerely,

Curtis W. Morris  
Mayor, City of San Dimas



CITY OF SAN DIMAS  
MINUTES  
SAN DIMAS REDEVELOPMENT AGENCY MEETING  
TUESDAY, OCTOBER 26, 2010  
SENIOR CITIZEN/COMMUNITY CENTER  
MULTIPURPOSE ROOM, 201 E. BONITA AVENUE

---

**PRESENT:**

Chairman Curtis W. Morris  
Vice Chairman John Ebner  
Mr. Emmett G. Badar  
Mr. Denis Bertone  
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 Public Works Krishna Patel  
Director of Parks and Recreation Theresa Bruns

**CALL TO ORDER**

Chairman Morris called the meeting to order at 7:49 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. Ebner, seconded by Mr. Templeman, to approve the minutes of the October 12, 2010 meeting. The motion carried unanimously.

**EXECUTIVE DIRECTOR**

- 1) Status on current projects.

Executive Director Michaelis said the Agency has not yet been approached with an announcement date for the opening of the Fresh & Easy at the corner of Bonita Avenue/San Dimas Canyon Road. He reported that staff is meeting within the next ten days with potential buyers for the development of the remainder of the residential portion of the project. He added that the Housing Division is establishing a list of parties interested in applying for consideration to purchase four Agency homes, which will be sold under conditions based on the income of the buyers. Housing Division can be contacted at 909.394.6200.

**MEMBERS OF THE AGENCY**

There were no comments.

**ADJOURNMENT**

Chairman Morris adjourned the meeting at 7:52 p.m.

Respectfully submitted,

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Ina Rios, Secretary



# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
*For the Meeting of November 9, 2010*

**FROM:** Blaine Michaelis, City Manager *BM*

**SUBJECT:** State Controller's Office – web site posting of City compensation throughout the state

## **SUMMARY**

*Mayor Pro Tem Ebiner asked for a verbal explanation of the compensation information recently published on the State Controllers web site <http://www.sco.ca.gov/>.*

*The Controllers office established a standard format to collect and report city and county employee compensation information. A copy of the San Dimas submission is attached for your reference. At the council meeting I will review and explain the contents of each column.*

For your background, I will be providing the following information verbally at the meeting to explain the information that is included in each of the columns of the Controllers report:

### **Annual Salary – Minimum and Maximum**

The survey asked for annualized salary levels – even if the employee is a seasonal and/or part time employee. For example, with respect to Parking Enforcement Officers (and others) the survey asked us to annualize the range of their compensation rate which ended up being \$35,984 - \$43,763 – even though they are actually paid around \$22,000 for their part time work in a year's time.

### **Total 2009 Wages Subject to Medicare (Box 5 of the W-2)**

Rather than ask for actual taxable income, the survey decided to request what is included in Box 5 of the W-2 IRS statement of income. This number is used by the IRS to determine how much the taxpayer pays toward Medicare. Box 5 is a combination of different compensation measures.

- **Income**
  - Salary
  - Overtime
  - Longevity Pay

*86(2)*

Unused health insurance contribution  
Any annual Sick Leave incentive payments

- **Reimbursements for employees that are required to:**  
Provide their own vehicle to complete their work tasks (car allowance)  
Provide a cell phone for use on the job (cell phone allowance)
- **Pre-tax programs that are deducted from income in Box 5**  
Employee participation in a deferred compensation plan  
Employees participating in an IRS Section 125 program for un-reimbursed medical and child care costs.

In addition, some employees started with the city before Medicare contributions were mandatory. They have yet again a different number in Box 5

While Box 5 is an indication of overall payments, it is an inconsistent indication of actual and comparative compensation.

### **Employee's Share of Pension Contributions**

This column notes what the city's contribution toward retirement costs is for each position, but it does not report what employees pay out of their own pocket. Employees have been paying 2.5% for the past 8 years.

### **Deferred Comp**

The city has a matching program with full time employees where the city will contribute up to \$200 per month. The survey shows a higher amount for some employees because those employees have the option to have any unused health, dental, and vision contributions to go instead into their deferred compensation program.

### **Health, Dental, and Vision**

Not all employees use the Health, Dental, and Vision contribution equally, therefore there is a variation in the contribution depending on the employee's circumstance. The total city contribution available is \$1,060 per month.

### **General Comments:**

The several different compensation surveys used over the last several months by newspapers and others may give general overall information, but direct comparisons on compensation can be difficult to achieve. Actually, the city's compensation is straight forward. After explaining the Controller's Survey, I plan on explaining to the public how the city approaches compensation with the following summary:

- The city strives to stay within the median (middle) salary levels of 15 comparable cities in our region. We survey these cities and then

calculate the median salary level for comparable positions. The purpose of the survey is to define what the market salary range is and to try and keep compensation of current employees at the median. The other purpose of the market analysis is to be able to ensure that the city has a competitive opportunity to hire capable new employees within the job market by offering compensation that is at least in the median (middle) of the market.

- Once the city has established the middle of the market salary, the city considers the cost of living and inflation in making adjustments to keep employee salaries current and comparable. Employees have not received a cost of living salary increase for the past 3 years.
- A salary range is established for most positions. When employees demonstrate good performance and greater skills and experience, they can move up within the salary range. The top of the salary range represents the maximum compensation for their position. If they are at the maximum, and have been with the city at least 5 years, they are eligible, with good performance and if recommended, to receive a 2.5% increase in salary. 5 years later, they are eligible for another 2.5% increase up to a maximum of 10% after 20 years of service with the city.
- The city does not use the more expensive retirement programs that other cities use. In addition, unlike most other cities, San Dimas employees have been paying 2.5% of their own retirement costs for the last 8 years.
- To encourage employees to save toward their retirement, the city offers a \$200 per month deferred comp payment if employees match it with their own money.
- To save costs, and expenses, the city requires certain employees to provide their own vehicles and cell phones to perform their city work. The city pays an allowance to these employees to help address the costs to purchase and maintain vehicles and cell phones. The car allowance amount ranges from \$200 to \$400 per month depending on the employee. The cell phone allowance amount ranges from \$30 to \$40 per month.
- The city provides \$1,060 per month for full-time employees to use toward health, dental, and vision insurance coverage. The employee pays any insurance costs and premiums above the \$1,060 amount.
- Recent attention has been focused on what some employees receive when they leave the employment of some of the other cities in the region. In San Dimas, an employee leaving for other work is only paid the value of their unused vacation time and any unpaid overtime/comp time. There is a cap on how much vacation time an employee can accrue – the absolute maximum for a long term employee is 400 hours. That is it.

I will also welcome questions from the audience.



**Controller John Chiang**  
California State Controller's Office

[LGCR Home Page](#)  
[SCO Home Page](#)

[SCO Home Page](#) → [LGCR Home Page](#) → [Cities](#) → [Compensation Details](#)

## Local Government Compensation Reports

### Calendar Year 2009

**City of San Dimas**

**Population:** 36,878 (as of June 30, 2009)

**Web Address:** <http://cityofsandimas.com>

The information presented is listed by Department for this entity.  
However, you also have the option of sorting by each of the different headings.  
Please click on any of the underlined words to sort by that heading.

Column Definition

Department	Classification	Multiple Positions	Annual Salary Minimum	Annual Salary Maximum	Total 2009 Wages Subject to Medicare (Box 5 of W-2)	Applicable Defined Benefit Pension Formula	2009 Employees' Share of Pension Contributions	Co
Administrative Services	Accounting Technician		\$42,023	\$50,801	\$54,009	2% @55	\$2,400	
Administrative Services	Accounting Technician		\$42,023	\$50,801	\$57,984	2% @55	\$2,343	
Administrative Services	Administrative Intern		\$28,308	\$34,465	\$7,527	N/A	-	
Administrative Services	Administrative Secretary/Deputy City Clerk		\$43,576	\$52,998	\$31,582	2% @55	\$1,513	
Administrative Services	Assistant City Manager/Director Administrative Services		\$119,252	\$144,952	\$168,396	2% @55	\$7,175	
Administrative Services	City Clerk		\$74,488	\$90,540	\$103,623	2% @55	\$4,481	
Administrative	City Council Member		\$7,440	\$7,440	\$19,419	2% @55	\$355	

<http://lgcr.sco.ca.gov/CompensationDetail.aspx>

State Controller's Office - LGCR (Compensation Reporting)

LGCR Home Page  
SCO Home Page

Services						
Administrative Services	City Council Member	\$7,440	\$7,440	\$18,329	N/A	-
Administrative Services	City Council Member	\$7,440	\$7,440	\$20,529	2% @55	\$351
Administrative Services	City Council Member	\$7,440	\$7,440	\$20,589	2% @55	\$354
Administrative Services	City Manager	\$196,454	\$206,280	\$206,727	2% @55	\$9,061
Administrative Services	City Mayor	\$9,960	\$9,960	\$19,278	2% @55	\$465
Administrative Services	Code Enforcement Officer Parking	\$48,487	\$58,554	\$56,894	2% @55	\$2,560
Administrative Services	Deparmental Assistant/Deputy City Clerk	\$37,856	\$46,051	\$38,058	2% @55	\$1,849
Administrative Services	Finance/Information Systems Manager	\$92,475	\$112,405	\$130,935	2% @55	\$5,564
Administrative Services	Housing Coordinator	\$53,402	\$64,909	\$77,878	2% @55	\$2,932
Administrative Services	Housing Program Manager	\$82,128	\$99,827	\$117,265	2% @55	\$4,840
Administrative Services	Human Resource Specialist	\$48,487	\$58,554	\$62,436	2% @55	\$2,381
Administrative Services	Information Systems Applications Analyst	\$55,815	\$67,570	\$73,080	2% @55	\$3,116
Administrative Services	Office Assistant	\$28,038	\$34,070	\$24,934	2% @55	\$889
Administrative Services	Office Assistant	\$28,038	\$34,070	\$29,647	2% @55	\$1,334
Administrative Services	Parking Enforcement Officer	\$35,984	\$43,763	\$2,802	N/A	-
Administrative Services	Parking Enforcement Officer	\$35,984	\$43,763	\$22,894	2% @55	\$798
Administrative Services	Parking Enforcement Officer	\$35,984	\$43,763	\$2,768	N/A	-
Administrative Services	Parking Enforcement Officer	\$35,984	\$43,763	\$24,893	N/A	-
Administrative Services	Senior Accounting Technician	\$50,801	\$61,431	\$52,742	2% @55	\$2,398
Administrative Services	Senior Accounting Technician	\$50,801	\$61,431	\$66,247	2% @55	\$3,035
Community Development	Administrative Aide	\$48,487	\$58,554	\$54,237	2% @55	\$2,569

<http://lgcr.sco.ca.gov/CompensationDetail.aspx>

State Controller's Office - LGCR (Compensation Reporting)

LGCR Home Page  
SCO Home Page

Services							
Community Development Services	Administrative Aide	\$48,487	\$58,554	\$54,484	2% @55	\$2,451	
Community Development Services	Administrative Secretary	\$42,023	\$50,801	\$54,034	2% @55	\$2,343	
Community Development Services	Assistant City Manager Of Community Development	\$159,449	\$175,394	\$180,608	2% @55	\$7,892	
Community Development Services	Associate Planner	\$61,530	\$74,790	\$77,190	2% @55	\$3,365	
Community Development Services	Associate Planner	\$61,530	\$74,790	\$70,891	2% @55	\$3,277	
Community Development Services	Associate Planner	\$61,530	\$74,790	\$72,438	2% @55	\$3,151	
Community Development Services	Building Inspector	\$58,554	\$70,858	\$80,835	2% @55	\$3,285	
Community Development Services	Building Inspector	\$58,554	\$70,858	\$81,955	2% @55	\$3,348	
Community Development Services	Building Permit Technician	\$44,109	\$53,306	\$62,202	2% @55	\$2,453	
Community Development Services	Building/Safety Superintendent	\$90,220	\$109,663	\$125,004	2% @55	\$5,305	
Community Development Services	Code Enforcement Officer	\$48,487	\$58,554	\$30,927	2% @55	\$1,038	
Community Development Services	Code Enforcement Officer	\$48,487	\$58,554	\$58,427	2% @55	\$2,700	
Community Development Services	Code Enforcement Officer	\$48,487	\$58,554	\$17,607	2% @55	\$722	
Community Development Services	Departmental Assistant	\$37,651	\$45,765	\$46,908	2% @55	\$2,110	
Community Development	Director Of Development	\$119,252	\$144,952	\$143,862	2% @55	\$6,359	

<http://lgcr.sco.ca.gov/CompensationDetail.aspx>

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Services	Services					
Community Development Services	Planning Intern	\$28,308	\$34,070	\$16,822	N/A	-
Community Development Services	Plans Examiner	\$72,671	\$88,017	\$79,636	2% @55	\$3,682
Parks & Recreation	Activity Coordinator	\$39,353	\$47,840	\$22,040	2% @55	\$710
Parks & Recreation	Administrative Secretary	\$42,023	\$50,801	\$53,222	2% @55	\$1,929
Parks & Recreation	Building Maintenance Aide	\$20,217	\$24,564	\$1,448	N/A	-
Parks & Recreation	Building Maintenance Aide	\$20,217	\$24,564	\$12,619	2% @55	\$260
Parks & Recreation	Building Maintenance Aide	\$20,217	\$24,564	\$82	N/A	-
Parks & Recreation	Building Maintenance Aide	\$20,217	\$24,564	\$19,330	2% @55	\$869
Parks & Recreation	Building Maintenance Aide	\$20,217	\$24,564	\$97	N/A	-
Parks & Recreation	Building Maintenance Aide	\$20,217	\$24,564	\$15,149	2% @55	\$188
Parks & Recreation	Building Maintenance Aide	\$20,217	\$24,564	\$4,575	N/A	-
Parks & Recreation	Building Maintenance Aide	\$20,217	\$24,564	\$1,711	N/A	-
Parks & Recreation	Departmental Assistant	\$37,651	\$45,765	\$51,567	2% @55	\$2,110
Parks & Recreation	Director Of Parks & Recreation	\$110,737	\$134,602	\$149,377	2% @55	\$6,511
Parks & Recreation	Equipment Operator	\$43,076	\$52,091	\$57,300	2% @55	\$2,578
Parks & Recreation	Facilities Maintenance Worker	\$40,104	\$48,481	\$53,239	2% @55	\$2,457
Parks & Recreation	Facilities Maintenance Worker	\$40,104	\$48,481	\$44,327	2% @55	\$1,976
Parks & Recreation	Facilities Maintenance Worker	\$40,104	\$48,481	\$57,910	2% @55	\$2,588
Parks & Recreation	Facilities Manager	\$82,128	\$99,827	\$124,423	2% @55	\$4,941
Parks & Recreation	Facilities Supervisor	\$58,554	\$70,858	\$41,154	2% @55	\$1,580
Parks & Recreation	Landscape Maintenance Manager	\$69,249	\$83,884	\$100,031	2% @55	\$4,152
Parks & Recreation	Landscape Maintenance Supervisor	\$58,554	\$70,858	\$84,689	2% @55	\$3,221

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Parks & Recreation	Landscape Maintenance Worker	\$40,104	\$48,481	\$47,800	2% @55	\$2,246
Parks & Recreation	Landscape Maintenance Worker	\$40,104	\$48,481	\$55,002	2% @55	\$2,399
Parks & Recreation	Landscape Maintenance Worker	\$40,104	\$48,481	\$45,605	2% @55	\$2,012
Parks & Recreation	Landscape Maintenance Worker	\$40,104	\$48,481	\$45,363	2% @55	\$2,169
Parks & Recreation	Landscape Maintenance Worker	\$40,104	\$48,481	\$46,408	2% @55	\$2,055
Parks & Recreation	Municipal Arborist	\$58,554	\$70,858	\$75,435	2% @55	\$3,188
Parks & Recreation	Office Assistant	\$28,038	\$34,070	\$24,073	2% @55	\$1,137
Parks & Recreation	Office Assistant	\$31,067	\$37,401	\$40,915	2% @55	\$1,608
Parks & Recreation	Program Specialist	\$23,691	\$28,808	\$706	N/A	-
Parks & Recreation	Receptionist Senior Center	\$20,404	\$24,835	\$18,289	2% @55	\$823
Parks & Recreation	Recreation Coordinator	\$48,487	\$58,554	\$64,039	2% @55	\$2,766
Parks & Recreation	Recreation Coordinator	\$48,487	\$58,554	\$63,839	2% @55	\$2,669
Parks & Recreation	Recreation Coordinator	\$39,353	\$47,840	\$40,496	2% @55	\$1,611
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$1,817	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,570	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,347	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$4,569	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$1,832	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$348	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$431	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$1,179	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$4,273	N/A	-
Parks & Recreation	Recreation Leader	\$22,505	\$27,435	\$25,717	2% @55	\$871
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$3,075	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$4,220	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,082	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$728	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$3,659	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,992	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,491	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$469	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$4,451	N/A	-

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Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$75	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,911	N/A	-
Parks & Recreation	Recreation Leader	\$22,505	\$27,435	\$21,550	2% @55	\$890
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$5,255	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,376	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$4,002	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$1,150	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,128	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,911	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$7,828	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,683	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,955	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,749	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$10,817	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$3,063	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$6,599	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$2,220	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$1,147	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$5,319	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$1,039	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$4,789	N/A	-
Parks & Recreation	Recreation Leader	\$20,404	\$24,835	\$9,437	N/A	-
Parks & Recreation	Recreation Leader	\$22,505	\$27,435	\$10,476	N/A	-
Parks & Recreation	Recreation Services Manager	\$82,128	\$99,827	\$102,675	2% @55	\$4,492
Parks & Recreation	Recreation Specialist	\$23,691	\$28,808	\$4,661	N/A	-
Parks & Recreation	Recreation Specialist	\$23,691	\$28,808	\$5,304	N/A	-
Parks & Recreation	Shooting Stars Director	\$28,038	\$34,070	\$12,799	N/A	-
Public Works	Administrative Secretary	\$42,023	\$50,801	\$59,923	2% @55	\$2,232
Public Works	Associate Engineer	\$72,671	\$88,017	\$92,323	2% @55	\$3,960
Public Works	Director Public Works	\$110,737	\$134,602	\$155,136	2% @55	\$6,662
Public Works	Engineering Intern	\$28,308	\$34,465	\$7,676	N/A	-
Public Works	Engineering Intern	\$28,308	\$34,465	\$5,226	N/A	-
Public Works	Engineering Intern	\$28,308	\$34,465	\$17,639	N/A	-
Public Works	Environmental Service Coordinator	\$49,700	\$60,410	\$52,694	2% @55	\$2,179
Public Works	Equipment Mechanic	\$43,076	\$52,091	\$58,594	2% @55	\$2,402
Public Works	Equipment Operator	\$43,076	\$52,091	\$55,632	2% @55	\$2,214

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Public Works	Equipment Operator	\$43,076	\$52,091	\$62,952	2% @55	\$2,461
Public Works	Equipment Operator	\$43,076	\$52,091	\$59,159	2% @55	\$2,578
Public Works	Office Assistant	\$28,038	\$34,070	\$23,993	2% @55	\$1,079
Public Works	Public Works Inspector	\$58,554	\$70,858	\$66,557	2% @55	\$2,995
Public Works	Public Works Leadworker	\$46,318	\$56,300	\$72,341	2% @55	\$2,786
Public Works	Public Works Leadworker	\$46,318	\$56,300	\$77,047	2% @55	\$2,786
Public Works	Public Works Maintenance Superintendent	\$78,170	\$95,016	\$104,339	2% @55	\$4,650
Public Works	Public Works Maintenance Supervisor	\$58,554	\$70,858	\$90,135	2% @55	\$3,507
Public Works	Senior Engineer	\$90,220	\$109,663	\$128,203	2% @55	\$5,058
Public Works	Street Maintenance Worker	\$40,104	\$48,481	\$58,493	2% @55	\$2,399
Public Works	Street Maintenance Worker	\$40,104	\$48,481	\$63,637	2% @55	\$2,345
Public Works	Street Maintenance Worker	\$40,104	\$48,481	\$60,666	2% @55	\$2,162
Swim & Racquet Park	Building Maintenance Aide	\$20,217	\$24,564	\$1,683	N/A	-
Swim & Racquet Park	Building Maintenance Aide	\$20,217	\$24,564	\$10,312	N/A	-
Swim & Racquet Park	Cashier	\$21,652	\$26,332	\$18,447	N/A	-
Swim & Racquet Park	Cashier	\$21,652	\$26,332	\$19,591	2% @55	\$665
Swim & Racquet Park	Cashier	\$21,652	\$26,332	\$7,007	N/A	-
Swim & Racquet Park	Cashier	\$21,652	\$26,332	\$2,933	N/A	-
Swim & Racquet Park	Cashier	\$21,652	\$26,332	\$6,241	N/A	-
Swim & Racquet Park	Cashier	\$21,652	\$26,332	\$4,311	N/A	-
Swim & Racquet Park	Cashier	\$21,652	\$26,332	\$18,398	2% @55	\$794
Swim & Racquet Park	Cashier	\$21,652	\$26,332	\$6,875	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$2,351	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$2,274	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$22,505	\$27,435	\$5,025	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$2,041	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$1,809	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$22,505	\$27,435	\$2,834	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$22,505	\$27,435	\$1,628	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$22,505	\$27,435	\$2,428	N/A	-

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Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$3,142	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$22,505	\$27,435	\$4,502	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$22,505	\$27,435	\$3,696	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$2,731	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$1,942	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$2,150	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$2,651	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$2,005	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$3,250	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$2,604	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$22,505	\$27,435	\$2,653	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$3,303	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$2,821	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$22,505	\$27,435	\$3,861	N/A	-
Swim & Racquet Park	Lifeguard/Instructor	\$23,691	\$28,808	\$3,059	N/A	-
Swim & Racquet Park	Locker Room Attendant	\$20,217	\$24,564	\$5,255	N/A	-
Swim & Racquet Park	Pool Maintenance Operator	\$35,984	\$43,763	\$23,932	2% @55	\$1,237
Swim & Racquet Park	Recreation Coordinator	\$39,353	\$47,840	\$44,381	2% @55	\$1,964
Swim & Racquet Park	Supervising Lifeguard	\$31,013	\$37,668	\$4,286	N/A	-

Released on 10/26/2010

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