



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, APRIL 26, 2011, 7:00 P. M.**  
**CITY HALL COUNCIL CHAMBERS**  
**245 E. BONITA AVENUE**

---

**PRESENT:**

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

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 Development Services Dan Coleman  
Director of Public Works Krishna Patel  
Director of Parks and Recreation Theresa Bruns  
Associate Planner Marco Espinoza  
Environmental Services Coordinator Lisa Monreal

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

Mayor Morris called the meeting to order at 6:58 p.m. and children Clarissa Suoko and Jessica Riley led the flag salute.

**2. RECOGNITIONS**

- a. Listen to children's choir and present Proclamation to Children's Montessori Center for "Week of the Young Child" April 11-15, 2011.

Terna Sepulveda, Children's Montessori Center, thanked the City Council for allowing the children the opportunity to perform and mentioned that Joshua Acosta, 2.5 years of age, is graduating today.

Children from Montessori Center sang for the City Council and Mayor Morris presented a proclamation to Terna Sepulveda, Children's Montessori Center, and declared April 11-15, 2011 "Week of the Young Child."

- b. Presentation of awards to winners of the Public Works Earth Day Recycling Contest

Environmental Services Coordinator Monreal reported on the successful Earth Day event at the Farmer's Market on Wednesday, April 20, 2011. She and Mayor Morris presented Recycling Art Contest awards to K-1 Category: Owen Ryan's Wishing Well; 2-3 Category: Jayda Monreal's Cork Family; 4-5 Category: Emily Landa's Silly Banz Robot. Participants received a prize package from the City and a gift from the Tzu Chi Foundation. First Prize winners received a \$10 gift certificate to the movies and \$15 gift card to Coldstone Ice Cream.

- c. Presentation of Proclamations for the *Every 15 Minutes* Program

Mayor Morris welcomed and thanked the participants of the Every 15 Minutes program.

Councilmember Templeman thanked Co-Founder Rita Kear and Principal Mike Kelly who are strong supporters of the program. He explained that the two-day program focuses on high school juniors and seniors, and challenges them to think about drinking, driving, personal safety & texting, and the responsibility of making mature decisions and the impact their decisions have on family, friends, and many others. The program brings together local agencies, law enforcement, the Department of Alcoholic Beverage Control, California Highway Patrol, local hospitals, emergency medical responders, schools, businesses, and service clubs, and validates the importance of working together to ensure a healthy community. He expressed appreciation to all the organizations and students who participated and maintained their role.

Mayor Morris, Councilmember Templeman, Rita Kear, and Mike Kelly presented a proclamation to each of the students present for participating in the two-day "Every 15 Minutes" Program. Proclamations will be delivered to students and teachers who were unable to attend

**Rita Kear**, Vice Principal, San Dimas High School, said this year, Ed Jones School students were included in the program and five students participated. Alan Dabe, School Liaison, aided with the program and will accept Proclamations for his students unable to attend tonight. She thanked Mayor Pro Tem Templeman, the City, Fire Department, Sheriff's Department, and everyone who supported the program.

Student Katie presented a bouquet of flowers to Rita Kear in appreciation for making the program possible.

### 3. ANNOUNCEMENTS

- a. Pui-Ching Ho, Librarian, San Dimas Library

Pui-Ching Ho, Library Manager, announced activities for the months of April and May 2011. For detailed information, contact the Library at 909.599.6738.

- b. Update on the H.E.R.O.E.S. program and the Veteran's Memorial

Penny Stevenson, U. S. Marine Corp. Veteran, representing HEROES, said brick pavers are now available for sale and announced the HEROES fundraiser Golf Tournament will be held on September 12, 2011 at Via Verde Country Club. Early registration discounts are available. For details, call 909.542.8511.

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

- a. Members of the Audience

- 1) Dennis Phillips, 525 No. Amelia Avenue, stated that Code Enforcement Officer Shono is investigating complaints against him based on photographs of his 1930 boxcar. Mr. Phillips stated that the photographer would have had to trespass on his property to take the photographs. He was informed that identities are confidential when he asked for the name of the person who made the complaint.

- 2) Joe Fransen new Chairman of the Board, McKinley Children's Center, introduced Rhonda Beltran, Director of Development.
- 3) Rhonda Beltran, Director of Development, McKinley Children's Center, invited the City Council and the community to participate in the 14<sup>th</sup> Annual Rubber Duck Race on June 4 at Raging Waters. For more information, call 909.670.1577 or [www.mckinleycc.org](http://www.mckinleycc.org).
- 4) Margie Green, Chairman of the Board, Chamber of Commerce, highlighted events including the Toast of the Town on May 19 to enjoy a wonderful evening of music, food and wine tasting; and Fundraiser Annual Golf Tournament to provide a networking opportunity for the benefit of local businesses on June 6, at the San Dimas Canyon Clubhouse.
- 5) Susan Kehr, Public Storage Center, said she attended the MTA workshop to state her objections to her business being the proposed site for the Metro Gold Line parking structure. She solicited the City Council's support to encourage MTA to consider an alternate location.
- 6) Assistant City Manager of Community Development Stevens announced that the Metro Gold Line Authority is scheduled to give a presentation to the City Council on May 10, 2011 on the topic of the parking structure. Everyone who participated in the workshop will be notified.

## 5. CONSENT CALENDAR

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

It was moved by Councilmember Ebner, seconded by Councilmember Badar, 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. 2011-15**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF APRIL, 2011.
  - (2) Proposed 2011-2012 Assessment Rates for Open Space Maintenance Districts:  
**RESOLUTION NO. 2011-16**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN ASSESSMENT FOR FISCAL YEAR 2011-2012 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING FOR HEARING OBJECTIONS FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1 (TRACT 32818, BOULEVARD).
  - (3) **RESOLUTION NO. 2011-17**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN ASSESSMENT FOR FISCAL YEAR 2011-12 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIIIID OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING FOR HEARING OBJECTIONS FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 3 (TRACT 32841, NORTHWOODS).

**(4) RESOLUTION NO. 2011-18, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, AUTHORIZING THE EXECUTION OF THE AUTHORIZATION/AGREEMENT SUMMARY BETWEEN THE STATE OF CALIFORNIA DEPARTMENT OF TRANSPORTATION AND THE CITY OF SAN DIMAS COVERING THE APPROVED FOOTHILL BOULEVARD AT SAN DIMAS WASH BRIDGE REHABILITATION PROJECT.**

- b. Approval of minutes for special meetings of February 8, 2011 and February 22, 2011.
- c. Reject claim for damages from Steve and Terese Fogwell.
- d. Reject claim for damages from Jerry and Pat Loustaunau.
- e. Reject claim for damages from Stan and Claudia Cook.
- f. Reject claim for damages from Donald Boyle.
- g. Reject claim for damages from Art and Beth Reynoso.
- h. Reject claim for damages from Mary L. Holloway.
- i. Reject claim for damages from Susan Burke.
- j. Proclaim April as County of Los Angeles Earthquake Preparedness Month.

END OF CONSENT CALENDAR

**6. PUBLIC HEARING**

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

- a. Tentative Parcel Map 71252, a request to subdivide one lot at 526 W. Gladstone (APN: 8386-005-050 & 051) (two assessor parcel numbers) into four lots for the future development of single-family residences. Applicant: Epifanio F. Quijano

**1) RESOLUTION NO. 2011-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING TENTATIVE PARCEL MAP 71252, A REQUEST TO SUBDIVIDE ONE LOT (TWO ASSESSOR PARCEL NUMBERS) INTO FOUR LOTS ON THE PROPERTY LOCATED AT 526 W. GLADSTONE STREET (APN: 8386-005-050 & 051)**

Associate Planner Espinoza presented a request to subdivide one lot with two assessor parcel numbers, into four lots ranging from 21,964 – 86,807 square feet, with the intention of building single family residences in the future. He stated that the property is located at 526 W. Gladstone Street within Specific Plan No. 3 which allows for a density of one residence per acre and the design is consistent and compatible with the existing neighborhood. He said that pursuant to code requirements, staff included condition of approval No. 6 requiring a recorded agreement that prohibits further subdivision of Lot No. 2. Mr. Espinoza said the Subdivision Committee and Planning Commission reviewed this Tentative Parcel Map to address issues of concern and staff recommends adoption of Resolution No. 2011-19 approving Tentative Parcel Map 71252.

Mayor Morris opened the public hearing and explained the procedure. He invited the applicant to present his proposal.

The applicant had no comments.

Mayor Morris invited comments from members of the audience in support of, or opposed to, the project. There being no one wishing to speak, Mayor Morris closed the public hearing.

After the title was read, it was moved by Councilmember Bertone, seconded by Mayor Pro Tem Templeman, to waive further reading and adopt **RESOLUTION NO. 2011-19, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING TENTATIVE PARCEL MAP 71252, A REQUEST TO SUBDIVIDE ONE LOT (TWO ASSESSOR PARCEL NUMBERS) INTO FOUR LOTS ON THE PROPERTY LOCATED AT 526 W. GLADSTONE STREET (APN: 8386-005-050 & 051).** The motion carried unanimously.

## **7. SAN DIMAS REDEVELOPMENT AGENCY**

Mayor Morris recessed the regular meeting at 7:54 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting reconvened at 7:55 p.m..

## **8. ORAL COMMUNICATIONS**

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

1) Dennis Phillips, 525 No. Amelia Avenue, stated that his boxcar has been on his property for ten years and he was not cited during that time. He added that his property is three-sided and he wants a reasonable explanation why he does cannot have a side yard.

- b. City Manager

There was no report.

- c. City Attorney

1) Mark Steres, City Attorney, said it is a pleasure to be here, and he is excited and impressed to see the newly remodeled city hall.

- d. Members of the City Council

- 1) Consider and provide direction regarding changing public hearing notice radius from 300 feet to 1,000 feet.

Director of Development Services Coleman reported that state law requires that public hearing notice be provided a minimum of 10 days prior to the hearing date to property owners within 300 feet and be published in a newspaper. Director Coleman stated that pursuant to a complaint that inadequate notice was provided of a Development Plan Review Board (DPRB) meeting, it was requested by Councilmember Bertone to discuss a possible change to the radius distance of 300 feet from the subject property for public hearing notices. Director Coleman explained the existing posting, noticing and publicizing practices for public hearings and said the DPRB is not a public hearing. He presented several examples of different radii, points to consider, and recommended no change because the City already exceeds the minimum legal notice requirements.

Councilmember Bertone stated he realizes that staff goes beyond the minimum standards, however, he felt the City can do better. He was not opposed to paying more in postage and suggested increasing the radius distance from the subject property for a more transparent government.

Mayor Pro Tem Templeman felt staff already uses flexibility on issues critical to the community and should continue to do so. He supported not changing the existing requirements.

Councilmember Ebiner was in support of increasing the radius distance.

It was moved by Councilmember Bertone, seconded by Councilmember Ebiner, to increase the public hearing notice radius distance to 600 feet from the subject property.

Mayor Morris thought it was wise to stay with State law and not modify the public hearing notification requirements. He suggested leaving it to staff's judgment to increase the radius when necessary.

The motion failed 3.2; Councilmembers Badar, Templeman, Morris opposed.

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

No one attended any meetings at the expense of the City.

- 3) Individual Members' comments and updates.

- a) Mayor Pro Tem Templeman thanked Director Bruns and her crew for setting up the reception for the *Every 15 Minutes* families.

- b) Councilmember Bertone invited the community to come enjoy the 35<sup>th</sup> annual Festival of Arts Exhibition and Sale on Friday-Sunday, April 29-30 and May 1, 2011.

- c) Councilmember Bertone invited another Councilmember to join him at the San Gabriel Valley Council of Governments Homeless Coalition meeting on May 10<sup>th</sup>, at 4:00 p.m.

Assistant City Manager Stevens explained the role of the Consortium and said they are probably looking for support for homeless programs. He replied to Councilmember Bertone that the group is looking to identify development to house the homeless to transition from homelessness to starting back in a permanent resident and society. Councilmember Bertone invited Mr. Stevens to join him at the meeting.

- d) Mayor Pro Tem Templeman read in the newspaper that Richard McKee, founder of Californias Aware, an advocate of open meetings, had passed away. He remembers Mr. McKee praising San Dimas on the open manner of conducting business.

## **9. CITY COUNCIL/STAFF RETREAT**

- a. Council-Staff Retreat Session (continued from April 18, 2011).

## **10. ADJOURNMENT**

Mayor Morris adjourned the regular meeting at 8:31 p.m. and will convene the Council-Staff Retreat Session (continued from April 18, 2011). The next meeting will be held on May 10, 2011, 5:00 p.m. for a Budget Study Session.

Respectfully submitted,