



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, OCTOBER 11, 2011, 7:00 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVE.**

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**PRESENT:**

Mayor Curtis W. Morris  
Mayor Pro Tem Jeff Templeman  
Councilmember Emmett Badar  
Councilmember Denis Bertone  
Councilmember John Ebner arrived  
City Manager Blaine Michaelis  
City Attorney J. Kenneth Brown  
City Clerk Ina Rios  
Assistant City Manager for 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 Kristi Grabow

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

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

**2. PRESENTATIONS**

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

Pui-Ching Ho, Library Manager, highlighted activities held at the Library including Preschool Story Time at 10:30 a.m. on Fridays; Teen Advisory Board Meeting at 12:00 p.m. on October 15, 2011, to gather input from innovative energetic teens grades 6-12; Thursday evening Book Club on October 20, 2011, at 6:30 p.m., reading books set in Los Angeles beginning with Toby Barlow's Sharp Teeth. She invited children to a special Halloween program on Saturday, October 29, at 3:00 p.m., to learn about spiders, lizards, snakes and a variety of bugs. Students grades Kindergarten to 12<sup>th</sup> grade are invited to enter the annual Bookmark Contest. This year's theme is Pictured Adventure – Read. Entry forms are available at the Library or online at [www.colapublib.org](http://www.colapublib.org). For detailed information, contact the Library at 909/599-6738.

- Mitchell Crawford, Chair, Chamber of Commerce, Western Days recap

Mitchell Crawford, Chair, Chamber of Commerce, reported that the Chamber had a very successful Western Days event, with 75 entries in the parade, various nonprofit business and crafters displays, and no public safety incidents. Mr. Crawford expressed his gratitude to the Mayor and Councilmembers for volunteering and for supporting their event. He thanked the many volunteers for their assistance and mentioned that the Bonita Corridor Merchants helped pick up no parking signs along Bonita Avenue after the parade.

Councilmember Bertone thanked Mr. and Mrs. Crawford for their service in organizing the event.

In response to Councilmember Badar, Mr. Crawford replied that Little Miss San Dimas can be brought to a City Council meeting to be introduced to the community.

**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) Gary Enderle, San Dimas H.E.R.O.E.S., distributed fliers and invited the City Council and public to the Rotary Club's Pancake Breakfast on Saturday, October 15<sup>th</sup>, from 7:00-11:00 a.m. at Eastshore RV Recreation Village to raise funds for the H.E.R.O.E.S. Memorial project. Mr. Enderle said they anticipate Phase I of the project to be completed by November 11, 2011 and invited everyone to the unveiling ceremony at 3:30 p.m. He said approximately 210 pavers have been sold and the organization has raised \$171,569.12 to date. Once Phase I is completed, Phase II will begin. He said the project is moving forward thanks to city staff, architect, and crews for their cooperation and assistance.

2) Kathryn Klasse, San Dimas High School, invited the City Council to the San Dimas homecoming parade on Friday, October 14, 2011 and said the high school game will be held at Charter Oak at 7:00 p.m. and the homecoming dance will be held at Pomona Fairplex.

**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 Badar, and carried to accept, approve and act upon the consent calendar, as follows: (Councilmember Ebner was not present.)

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

(1) **Resolution No. 2011-50**, A Resolution of the City Council of the City of San Dimas Approving certain demands for the months of September and October, 2011.

b. Approval of minutes for September 27, 2011 regular City Council meeting.

c. Tax Sharing Resolutions approving and accepting negotiated exchange of property tax revenues resulting from annexation to County Sanitation District No. 21 (Annexation No. 713) one proposed single-family home on Puddingstone Drive.

END OF CONSENT CALENDAR

**5. PLANNING/DEVELOPMENT SERVICES**

a. Review of Development Plan Review Board's decision regarding removal of oak tree for DPRB Case No. 11-14, Precise Plan No. 11-02 and Tree Permit 11-25 (Olive Garden restaurant).

- 1) **RESOLUTION NO. 2011-44**, (Revision) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING PRECISE PLAN NO. 11-02 AND DEVELOPMENT PLAN REVIEW BOARD CASE NO. 11-14, A REQUEST TO CONSTRUCT A 7,537 SQUARE FOOT SIT-DOWN RESTAURANT (OLIVE GARDEN) WITHIN THE CITRUS STATION (APN: 8383-009-073).

Associate Planner Grabow exhibited a Powerpoint presentation and reviewed the 4-2-1-0 decision of the Development Plan Review Board to remove all the oak trees at the Olive Garden project location. Planner Grabow reviewed the applicant's Arborist's evaluation and said city staff, the city arborist and Councilmember Bertone went onsite to review comments of the applicant's Arborist. Planner Grabow highlighted the pros and cons for preserving tree No. 4 and stated that revised Resolution No. 2011-44 reflects the decision of the Board to remove all the trees. In the event the City Council determines that the tree should be preserved, Planner Grabow offered a new condition to replace Condition No. 26 contained within Resolution No. 2011-44.

Councilmember Bertone stated that the developer, city staff, and the city arborist agree the oak tree is healthy and can be preserved. He recommended saving this one oak tree.

Assistant City Manager for Community Development Stevens stated that the developer indicated they could work with the tree as long as they were able to retain 129 parking spaces on site and the parking plan accommodates that number. He added that Costco representatives expressed concern about how the future retail building could be adversely affected by the tree preservation, but were willing to abide by the Board's decision.

In response to Councilmember Badar, Assistant City Manager Stevens replied that the landscape plan calls for twenty-six 36" box trees in the parking lot. He said to compensate for the loss of the trees, the developer upgraded the size of the trees to reach maturity sooner than a normal parking lot tree. He added that oak trees are relatively slow growers and are more sensitive with a drip line. He said a species of trees more suitable will be planted within the parking lot and the exact species and mix will be known when the landscape plan is submitted for review by the city arborist, city plan checker and city staff.

Mr. Stevens further responded to Councilmember Badar that a portion of the 5,000 square foot retail building is near the drip line, however, there is a possibility that there could be minor shifting of the building if the City Council decides to preserve the tree.

Mayor Pro Tem Templeman stated that the entire Costco project was developed with a well-thought out landscape plan placing trees in appropriate locations based on drainage issues. He does not support accommodating the retail building around an oak tree that may or may not survive.

Mayor Morris stated that the proposed parking plan falls below Olive Garden's company standards, however, they will abide with the decision of the Board. Mayor Morris stated he is in favor of a well-designed landscape plan for that location, and although he is in favor of preserving trees, if feasible, he does not support preserving an inappropriate parking lot tree at the wrong elevation.

Councilmember Ebner felt the one oak tree was worth preserving and suggested that the entrance to the retail building be relocated to the eastern side of the building nearest to prime parking spaces.

Mayor Pro Tem Templeman noted that due diligence is necessary to comply with civil requirements to address water management on site. He supports the Board's decision.

Councilmember Badar indicated that oak tree No. 4 posed a problem for Olive Garden and Costco. He thanked representatives of Olive Garden for working with staff to come up with a compromise.

In response to Councilmember Bertone, Assistant City Manager Stevens replied that Resolution No. 2011-44 (revision) reflects the Board's decision and includes conditions allowing removal of the four trees. He stated that the staff report provides alternate condition No. 26 that can be substituted if it is determined to preserve the tree.

In response to Mayor Pro Tem Templeman, Assistant City Manager Stevens explained that the alternate condition gives the City Council the option of preserving the tree and was provided to facilitate a decision without experiencing further delay.

After the title was read, it was moved by Mayor Pro Tem Templeman, seconded by Councilmember Badar, to waive further reading and adopt **RESOLUTION NO. 2011-44**, (Revision) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING PRECISE PLAN REVIEW 11-02 AND DEVELOPMENT PLAN REVIEW BOARD CASE NO. 11-14, A REQUEST TO CONSTRUCT A 7,537 SQUARE FOOT SIT-DOWN RESTAURANT (OLIVE GARDEN) WITHIN THE CITRUS STATION (APN: 8383-009-073).

Councilmember Ebner expressed his disappointment that the sole tree was not being preserved and said he would not vote in favor of the motion.

The motion carried by the following vote:

AYES: Councilmembers Badar, Templeman, Morris  
NOES: Councilmembers Bertone, Ebner  
ABSENT: None  
ABSTAIN: None

## 6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular meeting at 7:44 p.m. to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular City Council meeting reconvened at 7:45 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) Susie Crawford stated she appreciates everything the City Council and city staff do for the citizens, however, she inquired if the oak trees that line San Dimas Avenue sidewalks were subject to replacement because they are not getting protection of the drip line and mulch.

- b. City Manager

City Manager Michaelis reminded the public that the *Call the Mayor* show would be broadcast live on Thursday, October 13, at 7:00 p.m. He said the Mayor would appreciate telephone calls, but as a convenience, the program can also be reached by email at [askthemayor@cityofsandimas.com](mailto:askthemayor@cityofsandimas.com)

City Manager Michaelis reminded the City Council of the Homecoming Parade at 3:00 p.m. on Friday.

c. City Attorney

City Attorney Brown announced the City Council/Staff Retreat on Monday, October 17, 2011, and said there will be extensive discussion on Redevelopment project updates.

d. Members of the City Council

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

There were no meetings attended at the expense of the local agency.

- 2) Individual Members' comments and updates.

- 1) Mayor Pro Tem Templeman thanked Caryol Smith and her spouse who installed a fence line to protect plants on the sidewalk area from dogs participating in the Western Days Parade.

- 2) Mayor Pro Tem Templeman would appreciate a response to Bonnie Ackerman's letter related to a parking issue at Emeritus Assisted Living.

## **8. ADJOURNMENT**

Mayor Morris adjourned the meeting at 7:55 p.m. The next meeting is on Monday, October 17, 2011, 5:00 p.m. for the Fall City Council/Staff Retreat in the Council Chambers Conference Room. Mayor Morris further invited the community to attend a special Joint meeting of the City Council and Planning Commission to discuss the Sign Ordinance. The joint meeting will be held in the Community Building at 6:00 p.m. on Wednesday, October 19, 2011.

In response to Mayor Pro Tem Templeman, Assistant City Manager Stevens reported that notification for the joint meeting consisted of a website notice, an article in the Chamber newsletter, and notifying various parties who appeared at the community forums, and/or Planning Commission and City Council meetings. Additionally, staff will be meeting with the Chamber Sub-Committee prior to the special joint meeting on Wednesday.

In response to Councilmember Badar, Assistant City Manager Stevens replied that real estate signs will be included in the discussion, however, staff is not looking to revise the Code as it pertains to residential real estate. He will notify Mr. Launchbaugh and ask him to invite residential realtors who might be interested in attending the meeting.

Respectfully submitted,

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Ina Rios, CMC, City Clerk