



**AGENDA**  
**REGULAR CITY COUNCIL /**  
**SUCCESSOR AGENCY MEETING**  
**TUESDAY, FEBRUARY 28, 2012, 7:00 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVENUE**

**NOTE: Students in Government Day participants will be present at the City Council meeting and sit with their counterparts.**

**CITY COUNCIL:**

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

**1. CALL TO ORDER**

**2. RECOGNITIONS**

- Recognize Southern California Velo Cycling Club and Incycle Bicycle for sponsoring the Christmas Toy Ride to collect toys for the children of San Dimas
- Proclaim March 3, 2012 Arbor Day to support efforts to protect our trees and woodlands. Announce Regional Arbor Day Celebration on March 3, 2012, 9am-3pm at Bonelli Regional Park

**3. ANNOUNCEMENTS**

- a. Pui-Ching Ho, Librarian, San Dimas Library
- b. Walnut Creek Habitat and Open Space Project Final Presentation on March 6, 2012
- c. San Dimas HEROES update on the Veterans Monument

**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 and ask 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

**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.)

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

- (1) **RESOLUTION NO. 2012-09**, A Resolution of the City Council of the City of San Dimas approving certain demands for the month of February, 2012.
  - (2) **RESOLUTION NO. 2012-10**, A Resolution of the City Council of the City of San Dimas authorizing the City Engineer to proceed with the preparation of annual reports for the annual Levy of Assessments for the Boulevard Open Space Maintenance District (TR 32818).
  - (3) **RESOLUTION NO. 2012-11**, A Resolution of the City Council of the City of San Dimas authorizing the City Engineer to proceed with the preparation of annual reports for the annual Levy of Assessments for the Northwoods Open Space Maintenance District (TR 32841).
  - (4) **RESOLUTION NO. 2012-12**, A Resolution of the City Council of the City of San Dimas revising the provisions of the Parks and Recreation Commission.
- b. Approval of minutes for regular City Council meeting of February 14, 2012.
  - c. Lot Line Adjustment 11-03, The subject lots are within the Grove Station Development located on the east side of San Dimas Avenue just south of the rail road tracks (APN: 8390-018-077, 082, 083, 084, 085, 086 and 087). The lot line adjustment request is in order to accommodate the development of 43 residential units
  - d. Lot Line Adjustment 12-01, The subject lots are within the Grove Station Development located on the east side of San Dimas Avenue just south of the rail road tracks (APN: 8390-018-077, 085, 106, 107, 113, 114, 116, 126, 129, 153, 155, 154, 156, 159, 160, 162 and 163). The lot line adjustment request is in order to accommodate the development of 12 residential units.
  - e. Reject claim for damages from Ray Vantilburg.

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 71739**, A request to subdivide an existing 31,240 square-foot single-family residential parcel into two (2) 15,620 square-foot single-family residential parcels, located at 614 N. Valley Center Ave (APN: 8383-001-044).

**(1) RESOLUTION NO. 2012-13**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, APPROVING TENTATIVE PARCEL MAP 71739, A REQUEST TO SUBDIVIDE AN EXISTING 31,240 SQUARE-FOOT SINGLE-FAMILY RESIDENTIAL PARCEL INTO TWO (2) 15,620 SQUARE-FOOT SINGLE-FAMILY RESIDENTIAL PARCELS, LOCATED AT 614 N. VALLEY CENTER AVENUE (APN: 8383-001-044).

**7. PLANNING/DEVELOPMENT SERVICES**

- a. Authorize expenditure From General Fund Reserve for implementation of Downtown Façade Program

## 8. OTHER MATTERS

- a. Adoption of Recognized Obligation Payment Schedule. (Successor Agency Action)
- b. Oversight Board appointments (Successor Agency Action)
- c. Report on potential amendments to the San Dimas Municipal Code pertaining to Animal Regulations and Welfare.

## 9. ORAL COMMUNICATIONS (Speakers are limited to five (5) minutes or as may be determined by the Chair.)

- a. Members of the Audience
- b. City Manager
- 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.

## 10. ADJOURNMENT

The next City Council meeting will be held on Tuesday, March 13, 2012, 7:00 p.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://www.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 DURING NORMAL BUSINESS HOURS. [PRIVILEGED AND CONFIDENTIAL DOCUMENTS EXEMPTED]

**POSTING STATEMENT:** ON FEBRUARY 24, 2012, A TRUE AND CORRECT COPY OF THIS AGENDA WAS POSTED ON THE BULLETIN BOARDS AT 245 EAST BONITA AVENUE (SAN DIMAS CITY HALL); 145 NORTH WALNUT AVENUE (LOS ANGELES COUNTY PUBLIC LIBRARY, SAN DIMAS BRANCH); AND 300 EAST BONITA AVENUE (UNITED STATES POST OFFICE) AND 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)

**W** *HEREAS, Southern California Velo Cycling Club has an 8 year history working with the San Dimas Sheriff's Station and the City of San Dimas, they have put on the San Dimas Stage Race here in the city; and*

**W** *HEREAS, the Sheriff's Volunteers, Reserves, Mountain Rescue and Posse Members are involved in this event; and*

**W** *HEREAS, every year at race end, the San Dimas Stage Race has made a very nice donation to these volunteer groups to help support them; and*

**W** *HEREAS, Mark Smits, owner of the San Dimas Incycle store also has a long history working with the Sheriff's Station supporting the Baker to Vegas Racing Team and making it possible for the station to purchase bike helmets at cost to be given out free to San Dimas residents at Safety Fairs; and*

**W** *HEREAS, together Southern California Velo Cycling and Incycle Bicycle Stores sponsored a Christmas Toy Ride which was held on December 4, 2011; toys collected at the four Incycle Bicycle Stores since the weekend after Thanksgiving were taken to the San Dimas Sheriff's Station to be distributed to needy families; and*

**W** *HEREAS, Southern California Velo Cycling secretary Bill McCusker and Mark Smits donated 24 bicycles to brighten many local children's Christmas; and*

**N** *OW AND THEREFORE, I, Mayor Curtis W. Morris, Mayor Pro Tem Jeffrey Templeman and Councilmembers Emmett Badar, Denis Bertone, and John Ebiner, do hereby recognize Demi Hechanova, Al Wiscovitch, Bill McCusker of Southern California Velo Bicycle Club and Mark Smits of San Dimas Incycle for their commitment and contributions to the community.*

**I** *N WITNESS THEREOF, I, Curtis W. Morris, have hereunto set my hand and caused the seal of the City of San Dimas to be affixed this February 28, 2012.*

*Curtis W Morris*

\_\_\_\_\_  
Mayor

*Ina Rin*

Attest \_\_\_\_\_

City Clerk

# Walnut Creek Habitat and Open Space Project

The Watershed Conservation Authority in partnership with the City of San Dimas invites you to attend the Final Presentation on March 6th to learn about the preferred schematic plan development and progress.

## WHAT

Join the Watershed Conservation Authority and the City of San Dimas for the third and final community meeting to learn about the outcome of the master planning efforts for the Walnut Creek Habitat and Open Space Project. We will present the preferred schematic plan for the site based on community comments, site analysis, and input from local agencies. Attendees will have the opportunity to respond to the schematic plan and ask questions of the project team, including staff from the Watershed Conservation Authority and the City of San Dimas.

We would like to thank all of you that previously attended the Visioning Workshops and shared your thoughts with us. Your participation in developing the plan is valued as part of a planning process that seeks to engage the community and provide a final concept that both enhances the site and preserves naturalized open space.

More information, including the previous community meeting presentations, can be found by visiting:

[www.watershedconservationauthority.org](http://www.watershedconservationauthority.org)

[www.cityofsan\\_dimas.com](http://www.cityofsan_dimas.com)

For regular updates, "like" us on FACEBOOK [www.facebook.com/walnutcreekhabitat](http://www.facebook.com/walnutcreekhabitat)

The Community Meeting will include a presentation followed by a Q&A session.

## WHEN

Tuesday, March 6th, 2012  
6:30 pm to 8:00 pm

*Refreshments will be provided.*

## WHERE

San Dimas City Hall,  
Council Chambers  
(please note location change from  
previous meetings)  
245 E. Bonita Avenue  
San Dimas, CA 91773



**RESOLUTION NO. 2012-09**

**A RESOLUTION OF THE CITY COUNCIL OF THE  
CITY OF SAN DIMAS, CALIFORNIA, APPROVING  
CERTAIN DEMANDS FOR THE MONTH OF  
FEBRUARY 2012**

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 Warrant Register: 02/29/2012; 139082 through 139194; in the amount of  
\$653,951.64.

PASSED, APPROVED AND ADOPTED THIS 28th DAY OF FEBRUARY 2012.

\_\_\_\_\_  
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 February 28, 2012, by the following  
vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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

5. 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.***



# Agenda Item Staff Report

**To:** Honorable Mayor and Members of the City Council  
*For the meeting of February 28, 2012*

**From:** Blaine Michaelis, City Manager

**Initiated By:** Theresa Bruns, Director of Parks and Recreation

**Subject:** Commencing Proceedings for Annual Levy of Assessments for Open Space Maintenance Districts

Summary

Adoption of Resolutions required to proceed with preparation of Annual Reports for the annual Levy of Assessments for Open Space Maintenance Districts.

BACKGROUND

The Boulevard and Northwoods Open Space Maintenance Districts were formed under the provisions of the Landscape and Lighting Act of 1972, Division 15, Part 2, of the Streets and Highways Code of the State of California. The Act further establishes procedures for the annual levy of assessments which begins with the preparation of an Engineer's Report. Last year the City Council filed annual assessments for Tract No. 32818, Boulevard Open Space Maintenance District and Tract No. 32841, Northwoods Open Space Maintenance District.

ANALYSIS

To initiate proceedings for the 2012-2013 fiscal year, staff is requesting authorization to proceed with the preparation of an Engineer's Report for Boulevard Open Space Maintenance District and Northwoods Open Space Maintenance District.

RECOMMENDATION

Staff recommends that City Council adopt Resolution No. 2012-10 and Resolution No. 2012-11 authorizing the City Engineer to proceed with the preparation of Annual Reports for the annual Levy of Assessments for the Boulevard and Northwoods Open Space Districts.

Attachments: Resolution No. 2012-10, Boulevard  
Resolution No. 2012-11, Northwoods

5. a. 2-3

**RESOLUTION NO. 2012-10**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA,  
ORDERING THE CITY ENGINEER TO PROCEED WITH THE PREPARATION OF A  
REPORT FOR THE ANNUAL LEVY OF ASSESSMENTS FOR OPEN SPACE  
MAINTENANCE DISTRICT NO. 1. (TRACT NO. 32818, Boulevard)

WHEREAS, the San Dimas City Council formed "Open Space Maintenance District No. 1" under Resolution No. 77-57 pursuant to the terms and provisions of the "Landscaping and Light Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California; and

WHEREAS, said district was established for the maintenance and restoration of landscaping improvements within the city limits of the City of San Dimas; and

WHEREAS, the City Council of the City of San Dimas, desires to initiate proceedings to levy annual assessments as required following the formation of said district for the annual levy of assessments for the fiscal year commencing July 1, 2012 and ending June 30, 2013.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS,  
CALIFORNIA DOES HEREBY RESOLVE THAT:

SECTION 1. The referenced "Open Space Maintenance District No. 1" be continued for the maintenance and restoration of landscaping improvements as set forth in the "Report" to be presented to this City Council for consideration.

SECTION 2. There are no substantial improvements to be added to said maintenance district, nor are there any proposed changes to the boundaries of the maintenance district.

SECTION 3. The City Engineer is hereby ordered to prepare a report in accordance with Section 22565 and 22622 of said Street and Highways Code.

SECTION 4. Upon completion, said "Report" shall be filed with the City Clerk, who shall then submit the same to this City Council for its consideration pursuant to Sections 22623 and 22624 of said Streets and Highways Code.

APPROVED AND ADOPTED THIS 28th day of February, 2012.

---

MAYOR

ATTEST:

---

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 February 28, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

CITY CLERK

**RESOLUTION NO. 2012-11**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA,  
ORDERING THE CITY ENGINEER TO PROCEED WITH THE PREPARATION OF A  
REPORT FOR THE ANNUAL LEVY OF ASSESSMENTS FOR OPEN SPACE  
MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 3 (TRACT NO. 32841, Northwoods)

WHEREAS, the San Dimas City Council formed "Open Space Maintenance District No. 1, Annexation No. 3" under Resolution No. 78-38 pursuant to the terms and provisions of the "Landscaping and Light Act of 1972," being Division 15, Part 2, of the Streets and Highways Code of the State of California: and

WHEREAS, said district was established for the maintenance and restoration of landscaping improvements within the city limits of the City of San Dimas: and

WHEREAS, the City Council of the City of San Dimas, desires to initiate proceedings to levy annual assessments as required following the formation of said district for the annual levy of assessments for the fiscal year commencing July 1, 2012 and ending June 30, 2013.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SAN DIMAS,  
CALIFORNIA DOES HEREBY RESOLVE THAT:

- SECTION 1. The referenced "Open Space Maintenance District No. 1, Annexation No. 3" be continued for the maintenance and restoration of landscaping improvements as set forth in the "Report" to be presented to this City Council for consideration.
- SECTION 2. There are no substantial improvements to be added to said maintenance district, nor are there any proposed changes to the boundaries of the maintenance district.
- SECTION 3. The City Engineer is hereby ordered to prepare a report in accordance with Section 22565 and 22622 of said Street and Highways Code.
- SECTION 4. Upon completion, said "Report" shall be filed with the City Clerk, who shall then submit the same to this City Council for its consideration pursuant to Sections 22623 and 22624 of said Streets and Highways Code.

APPROVED AND ADOPTED THIS 28th day of February, 2012.

---

MAYOR

ATTEST:

---

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 February 28, 2012, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

---

CITY CLERK



# Agenda Item Staff Report

**To:** Honorable Mayor and Members of the City Council  
*For the meeting of February 28, 2012*

**From:** Blaine Michaelis, City Manager

**Initiated by:** Theresa Bruns, Director of Parks and Recreation

**Subject:** Resolution No. 2012-12 revising the provisions of the Parks and Recreation Commission

## SUMMARY

Resolution No. 2012-12 revises the provisions of the meeting schedule of the Parks and Recreation Commission.

## BACKGROUND

At their January 17, 2012 meeting, the Parks and Recreation Commission approved adjusting their regular meeting time. Commission Margis moved to change the start time of the Parks and Recreation Commission meetings from 7:00 p.m. to 6:00 p.m., seconded by Commissioner Martinez, and approved on a 5-0-1 vote, with Commissioner Neal abstaining.

Resolution No. 2012-12 revises the provision of meeting time for the Commission by eliminating a specific time, and including language that allows for all meetings to be held at an announced time.

In addition to revising the time for meetings, Resolution No. 2012-12 also addresses the meeting schedule, to allow for the Commission to meet on alternating months. Currently the Parks and Recreation meets every other month during the odd numbered months of the year, so this revision is consistent with that schedule.

## RECOMMENDATION

Staff recommends that the City Council adopt Resolution No. 2012-12 revising the meeting schedule for the Parks and Recreation Commission to alternating months at an announced time.

### Attachments:

- Resolution No. 2012-12
- Parks and Recreation Commission Minutes for January 17, 2012

**RESOLUTION NO. 2012-12**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS,  
CALIFORNIA, AMENDING THE MEETING SCHEDULE OF THE PARKS AND  
RECREATION COMMISSION**

WHEREAS, the guidelines for the frequency and time of meetings held by the Parks and Recreation Commission are set forth in Resolution 97-42,

The City Council of the City of San Dimas hereby resolve that:

Section 1. Section 5.A of Resolution 97-42 is hereby revised to read:

The Commission shall meet on alternating months, and more frequently upon the call of the City Council or any three (3) members of the Commission.

Section 2. Section 5.C of Resolution 97-42 is hereby revised to read:

Roberts Rules of Order shall constitute the parliamentary rules for the transaction of the Commission's business. All meetings shall be held at announced time and shall be open to the public in accordance with the Ralph G. Brown Act.

PASSED, APPROVED AND ADOPTED THIS 28<sup>th</sup> day of February, 2012.

---

MAYOR

ATTEST:

---

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 February 28, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

CITY CLERK



**MINUTES**  
**REGULAR CITY COUNCIL/**  
**SUCCESSOR AGENCY MEETING**  
**TUESDAY, FEBRUARY 14, 2012, 7:00 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVENUE**

---

**PRESENT:**

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

City Manager Blaine Michaelis  
City Attorney Mark Steres  
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 Marco Espinoza  
Recreation Coordinator Erica Rodriguez

**1. CALL TO ORDER**

Mayor Morris called the meeting to order at 7:00 p.m. and led the flag salute.

**2. RECOGNITIONS**

- Present Proclamation to San Dimas Community Hospital, Prime Healthcare

Mayor Morris said Thomson Reuters, the world's leading source of information, has recognized Prime Healthcare Services twice in four years as one of the 15 top health systems in the nation based on quality of care, efficiency and patient satisfaction. He congratulated and presented a Proclamation to Dr. Zuhair Yahya, Medical Director, Gregory Brentano, CEO, and Dora Noriega, Chief Nursing Officer for providing quality patient care in the community.

Gregory Brentano, CEO, San Dimas Community Hospital, accepted on behalf of Prime Health Care and the community of San Dimas. He said Prime Healthcare is recognized as one of the top 15 health systems in the United States and when a patient comes to their hospital, they can expect to receive care from the extraordinary staff who work hard to provide the quality care expected. He thanked the City Council for the recognition and said they will continue the work they do.

Kristy MacDougall, Senior Field Representative, on behalf of Assemblyman Hagman, Congressman Dreier, and Supervisor Antonovich, commended and presented Certificates of Recognition to Dr. Zuhair Yahya, Medical Director, Gregory Brentano, CEO, and Dora Noriega, Chief Nursing Officer for being recognized for the outstanding award.

5.6

- Present Certificates to winners of the University of La Verne Third Annual “My Home Town” Video Contest for High School Filmmakers

Mayor Morris presented Certificates of Recognition from the City of San Dimas and from Assembly Hagman’s office to Instructor Dr. Michael-John Morgan and San Dimas High School students Daniel Young, Ryan Thompson, and Jacob Booher, the Grand Prize Winners of the “My Home Town” Third Annual Video Contest hosted by the University of La Verne.

Dr. Morgan introduced Ryan Thompson and explained that the University of La Verne runs the “My Home Town” video contest for student filmmakers. The short video was aired and Dr. Morgan said the San Dimas students made a wonderful video and placed first from among 45 schools.

Shane Rodriguez, Acting Station Manager, University of La Verne, said every year they encourage local high school student filmmakers to make a video about their community and they are awarded various prizes. He congratulated student filmmakers Daniel Young, Ryan Thompson and Jacob Booher.

### 3. ANNOUNCEMENTS

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

Pui-Ching Ho, Library Manager, invited families to the Family Drum Circle on Wednesday, February 15, 6:30 pm. to tell stories using a variety of musical instruments. She invited readers to join the Thursday Evening Book Club at 6:30 p.m. on Thursday, February 16, 2012 to read Harley Jane Kozak’s hilarious mystery *Dating Dead Men*; All ages are invited to register for a papercutting workshop on Saturday, February 18<sup>th</sup>, 3:00 p.m. where Master Paper Cutter Marcelino Bautista Sifuentes will display artwork, present history, and provide a hands-on demonstration. The workshop is limited to 25 persons on a first come, first served basis. For detailed information, contact the Library at 909.599.6738.

- b. Update on sales process for four city-owned condominiums at Grove Station.

1) Assistant City Manager Stevens said as part of an effort to implement the Housing Element, the City of San Dimas acquired four housing units at the Grove Station Development Project. He said to comply with County-wide affordability requirements, the units are available to qualified moderate income persons. He reviewed the basic eligibility requirements and said detailed information is available on the City’s website at [www.cityofsandimas.com](http://www.cityofsandimas.com) or by contacting the City’s Housing Division at 909.394.6207.

2) Assistant City Manager Stevens announced two community meetings coming up: 1) Community Development Department is hosting a meeting on Wednesday, February 22, 2012, at 6:00 p.m. in the City Council Chambers, to provide information on business improvement districts to downtown businesses and property owners. 2) Staff has conducted two community meetings to date to solicit community input on the potential use of 60 acres of open space jointly owned by the City of San Dimas, Watershed Conservation Authority and the Rivers, Mountain Conservancy. He said staff is going to present conceptual plans at 6:00 p.m. on Tuesday, March 6, 2012, in the City Council Chambers on the Walnut Creek Habitat and Open Space project. He said copies of the plans and presentations will be available on the City’s website prior to the meeting.

- c. *Lighten Up San Dimas*, Fitness Kickoff on Wednesday, February 22, 2012, 5:00-8:00 p.m. at Lone Hill Middle School presented by the Cities of San Dimas and La Verne, the Bonita Unified School District and Citrus Valley Health Partners.

Recreation Coordinator Rodriguez, Parks and Recreation Department, invited the City Council and the community to attend *Lighten Up San Dimas*, Fitness Kickoff on Wednesday, February 22, 2012, 5:00-8:00 p.m. at Lone Hill Middle School. She said the health and wellness event is part of a series of events sponsored by Citrus Valley Health Partners in cooperation with Bonita Unified School District and Cities of San Dimas and La Verne.

**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 and ask 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) Phillip Grana said he appreciates seeing his grandson receive recognition by the City Council and thanked the City Clerk for preparing the video for presentation.
- 2) Ginny Phillips, 525 No. Amelia, said they were served with a search warrant, in the form of an affidavit, to search their box car, after winning the right to build a two-story garage.
- 3) Dennis Phillips, 525 No. Amelia, said he was given 15 days to vacate the boxcar, which has been on his property for several years and staff amended the code to determine he is not allowed to have a side yard. However, when he invited inspection of the box car, he was served with a search warrant.
- 4) Jumel Nicole Sacro, ASB President, San Dimas High School, reported on fundraisers, their scholastic and athletic achievements, and volunteer work assisting kids at the Senior Citizen/Community Center. She said seniors are completing their senior project and a select few will be participating in San Dimas Students in Government Day on February 29. She will be representing the Mayor on February 28<sup>th</sup>.
- 5) Tim Rowe, 2571 Terrebonne, San Dimas Little League, is proud that in this economy, the League was able to provide scholarships to over 30 families this year. He invited the City Council to their 55<sup>th</sup> Season opening day ceremony at 8:45 a.m. on Saturday, March 10, 2012, beginning with a parade from city hall to the field on Juanita Avenue. Mr. Rowe said he understands the budget constraints on municipalities and thanked the Parks and Recreation Commission for their continued support toward lighting the fields. He mentioned that the League was able to make several improvements through capital funding and thanked city staff for their assistance and loan of the boom truck. He said information is available on their website at sandimaslittleleague.com and Facebook.
- 6) Susie Crawford, Branch Hands, said she is working with City Arborist Deborah Day, and invited the community to Arbor Day Celebration from 9:00 a.m. to 3:00 p.m., on March 3<sup>rd</sup>, at Frank G. Bonelli Park to enjoy a myriad of fun activities and give-aways, sponsored by Waste Management, Golden State Water Company, and San Dimas Hospital. She said Arborists will be available to answer questions and boy scouts will be planting 100 trees. She encouraged everyone to bring buckets and a trowel to take home free mulch.

In response to Councilmember Bertone, Ms. Crawford replied that Supervisor Antonovich is addressing the Branch Hands application for admission fees to be waived.

7) Mitchel Crawford, Chairman, San Dimas Chamber of Commerce, reminded that Toast of the Town is on Thursday, February 16, in the Stanley Plummer Building, and will feature 16 food purveyors; award winning wines from the cellars of the Los Angeles County Fair; live jazz performed by Ed Wolfe Jazz Ensemble; and raffle prizes. Tickets and are available for \$30 at the San Dimas Chamber of Commerce.

8) Janie Graef announced that the San Dimas Rodeo Scholarship applications have been mailed to schools. Additional information is available at sandimasrodeo.com and at Bonded Cleaners. She said the application process is open to all High School seniors who live in San Dimas, La Verne, or Glendora, and the Rodeo will be awarding \$5,000 this year.

9) Margie Green, Soroptimist International, San Dimas/La Verne Chapter, encouraged the community to attend their fund raiser dinner/Casino Night with entertainment, raffle prizes, and live and silent auction, on March 10, at Avalon, to help raise money to clothe children in town and provide grants to teachers. Additional information is available by contacting her at 909.599.8780 or by contacting the Chamber of Commerce at 909.592.3818.

10) Gary Enderle, 2044 Via Esperanza, invited the community to the San Dimas HEROES fundraiser, A Comedy Evening with Fritz Coleman, on March 10, in the Community Building, beginning with social hour at 6:00-7:00 p.m. He said the show will start at 7:00 p.m. with opening act husband and wife team, the Bornsteins, who have traveled all over the country entertaining our troops. Mr. Enderle said all proceeds will go toward the water feature at the Veterans Memorial project. He gave a brief update on the water feature designed by, and to be installed by, Water Studios.

## 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.)

Councilmember Ebner requested a separate vote on item 5.a.2, Resolution No. 2012-08 prohibiting parking on certain streets.

**MOTION:** It was moved by Councilmember Bertone, seconded by Councilmember Ebner, and carried to accept, approve, and act upon the consent calendar, as amended, as follows:

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

(1) **RESOLUTION NO. 2012-07, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF JANUARY AND FEBRUARY, 2012.**

b. Approval of minutes for regular City Council meeting of January 24, 2012.

c. Approval of minutes for joint City Council/San Dimas Housing Authority meeting of January 24, 2012.

d. Approval of minutes for the dissolved San Dimas Redevelopment Agency for the meeting of January 24, 2012. (Successor Agency Action)

e. Tax Sharing Resolutions approving and accepting negotiated exchange of property tax revenues resulting from annexation to County Sanitation District No. 22 (Annexation No. 416) one proposed single-family home on De Anza Heights.

END OF CONSENT CALENDAR

**ITEM 5.a.2:**

- (2) Annual update of parking prohibition on certain streets:  
**RESOLUTION NO. 2012-08, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS PROHIBITING PARKING OR STOPPING OF VEHICLES ON CERTAIN STREETS.**

It was moved by Councilmember Bertone, seconded by Councilmember Badar, to waive further reading and adopt **RESOLUTION NO. 2012-08, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS PROHIBITING PARKING OR STOPPING OF VEHICLES ON CERTAIN STREETS.**

Councilmember Ebner said the parking restrictions are unnecessary, particularly at Fresh and Easy. He will vote against adoption of Resolution No. 2012-08.

The motion carried 4.1; Councilmember Ebner opposed.

**6. PLANNING/DEVELOPMENT SERVICES**

- a. Appeal of DPRB Case No. 08-47 Revised house layout and grading plan from the previously approved plans.  
DPRB CASE NO. 08-47, A request to construct a 5,117 sq. ft. two-story, single-family residence and several attached garages totaling 1,908 sq. ft. within Specific Plan No. 4 at 1658 Gainsborough Road (APN: 8426-034-020).  
ASSOCIATED CASE: TREE PERMIT 10-48, A request to remove a mature Coast Live Oak in order to accommodate the revised layout of the house and garages. (CONTINUED FROM JANUARY 24, 2012)
- 1) **RESOLUTION NO. 2012-05, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS DENYING THE APPEAL REQUEST AND UPHOLDING THE DENIAL WITHOUT PREJUDICE OF DPRB CASE NO. 08-47, A REQUEST TO CONSTRUCT A 5,117 SQ. FT. TWO-STORY, SINGLE-FAMILY RESIDENCE AND SEVERAL ATTACHED GARAGES TOTALING 1,908 SQ. FT. WITHIN SPECIFIC PLAN NO. 4 AT 1658 GAINSBOROUGH ROAD. (APN: 8426-034-020).**

Associate Planner Espinoza reported that this project was originally approved by the Development Plan review Board on June 28, 2007 as DPRB Case No. 07-34. The applicant allowed the approval to expire and did not apply for an extension. The project was resubmitted and approved by the DPRB on November 11, 2008 and grading permits were issued in March 2009. However, the project was stopped due to several complaints regarding excess amount of unpermitted soil imported to the site. In the interim, staff has worked with the applicant, his architect and engineer to review and modify the project to meet code requirements. Planner Espinoza informed the City Council that the applicant's engineer has moved out of state and at time of writing, a new engineer has not been hired. Planner Espinoza expressed concerns with soil erosion since the project was placed on hold in 2009, and recommended to the Board that the applicant be required to restore the site to its original grading level within three months. On October 27, 2011, the Development Plan Review Board denied the appeal without prejudice, and required the applicant to restore the site to its original grading level within three months. Planner Espinoza said the tree removal permit in conjunction with the application was also denied because staff did not have appropriate house plans to make a determination for the tree removal. Staff recommended that the City Council adopt Resolution No. 2012-05 upholding the Development Plan Review Board's determination to deny DPRB Case No. 08-47, without prejudice, and require the applicant to restore the site to its original grading level within three months.

In response to Mayor Pro Tem Templeman, Planner Espinoza replied that plans for the house are the same as originally submitted, however, approval of those plans was based upon an incorrect topographic map, and the house would have to be modified to comply with code requirements.

In response to Councilmember Ebner, Planner Espinoza replied that the applicant's engineer submitted the topographic map that contained incorrect information.

In response to Councilmember Bertone, Planner Espinoza replied that a grading permit was issued based upon the information submitted. He explained that the original calculations started with 800 cubic yards of soil imported, however, every time the applicant submitted revised plans, cubic yardage decreased. He said there was a lot of discrepancy in imported soil calculations.

Mayor Morris invited the appellants to present their case.

Pete Volbeda, Project Architect, requests that the City Council overturn the decision of the Development Plan Review Board to deny their request to build a two-story single family residence. He disagrees with Planning staff's suggestion for a split level design of the house with the appearance of one story placed in front and the second-story placed to the rear. He indicated that with the shape of the lot, the two-story house will still be visible from the rear view. He stated that the best way to design any hillside home is step pad footing of the house with the existing grade. He said that their slope below pad is less than 8% and there is a three-foot difference in elevation between floor levels from 698 feet to 695 feet. He was confused that staff reported that the rear of the yard was cut to an elevation of 690 feet and does not understand the requirements to draw the elevation to 690 feet because it is currently at 692 feet. They are in the process of exporting excess dirt off the site to comply with city guidelines. However, even if the lot is restored, he still disagrees with staff about how much split level to build the house. He added that the two adjacent homes are two-story homes with a similar slope, and requests that the City Council approve their design so they can submit a grading plan to resolve drainage issues.

In response to Mayor Morris, Mr. Volbeda admitted they had used incorrect topography and they hired a surveyor to survey the lot. With that survey information, they were able to determine the original topography, and their last submittal to the city was based on those new calculations.

In response to Councilmember Ebner, Mr. Volbeda replied that the original elevation was 698 feet by the front door and 697 feet was proposed in 2008, a difference of 1-foot, however, it was based on the incorrect topography. He further replied that the highest point of the fill is approximately 15-feet high, and an excess of 400 cubic yards of soil will be exported.

Mayor Pro Tem Templeman asked about their concept to address ongoing water retention issues that could impact adjacent residents. Mr. Volbeda replied that they have retained a new civil engineer who can address that issue.

2) Ed Eckert, Civil Engineer, Gilbert Engineering Company, Inc., said he did not prepare the original grading plan or topography. Based on review of the site, he is requesting approval of the proposed house design as submitted, and if approved, they can proceed to submit a revised grading plan to construct the project. He stated that the lot was graded after permits were issued, however, due to incorrect topography, more yardage was moved than approved. A plan was submitted to remove approximately 400 cubic yards of dirt, reduce the grading to approximately 111 cubic yards, which is in compliance with city requirements, reduce the height of the pad, and reshape the fill to fit in with the surrounding terrain. He said the recommendation to restore the lot to original grade would not benefit the City, property owner, or surrounding neighbors. He added that the project would be delayed, removal of the containment pit would negatively impact adjacent neighbors, and removal of the graded pad would require grading and hauling of approximately 600 cubic yards of soil. He said the best solution is to complete the home based on the submitted plans, reduce the height of the existing pad, and construct

proper drainage devices in compliance with National Pollutant Discharge Elimination System (NPDES) requirements.

In response to Councilmember Ebner, Planner Espinoza replied that the applicant is proposing to develop the property with a lot of soil, instead of developing with the original contours, which is in the intent of the code.

In response to Mayor Pro Tem Templeman, Mr. Eckert illustrated various ways to retain water. Planner Espinoza replied that an infiltration system is required for this project.

In response to Councilmember Badar, Mr. Volbeda replied that he has not had discussions with city staff since the project was denied by the Development Plan Review Board. He said the plans presented at the Review Board are the plans he would like approved tonight, including the water retention plan.

Mayor Morris stated that an analysis of the visual impact on lower properties was originally conducted to determine which lots would be designated A, B or C lots in this Specific Plan, and lot designations were prepared by a developer and engineer, and approved by the City, with a very specific kind of building that could be built on each of those lots. He said people with C lots generally changed the basic nature of the lot, even though it was in a sensitive area, and designed a building to fit the altered lot. He said the City Council is faced with the dilemma of whether or not to approve a design that does not comply with the code, or determine that the lot be restored to its original state and request an appropriate design to fit the lot.

3) James Polson, Owner's representative, Aspen Financial Group, Inc., explained that the lot was purchased with plans, soils report, and topographic map, and the City approved the plans for the house. He said the owners redesigned the house using the topographic map and soils report, and relied on the surveyor's report. He said the new civil engineer confirmed that the yardage of dirt being removed and imported is in compliance, with less than 200 feet outside of the footprint needed.

In response to Mayor Morris, Mr. Polson said only a small portion of the lot is off in the center area. Mr. Volbeda added that they thought the original grade was five feet higher, however, the existing grade is actually five feet lower as it was three years ago prior to grading the lot.

In response to Council, Assistant City Manager Stevens stated that staff has been going through this process for three years with the applicant and still does not have a plan that fits the original topography. He said staff is saying the applicant can take all the time they want after restoring the site to its original condition, and then come up with a plan that complies with code requirements. He said making the grading work with the proposed plan might not be compliant with a Lot C requirement.

In response to Councilmember Badar, Mr. Polson replied that during heavy rains, when first graded, there was a lot of mud and water runoff into the neighbors' lots. He said to address the problem, a containment pit was dug to dam the water, and every time the pool fills, the water is pumped out.

Assistant City Manager Stevens said the interim fix was developed in response to minimize the impact on neighbors while a permanent solution was found. He said it was not intended to last three years.

Mr. Polson stated that if the containment pit is taken out, water flow will flood the neighbor's yard and Weed Abatement will be necessary.

Planner Espinoza said as part of restoring the hillside to its original state, there are mitigation measures in place that require a retention basin be installed to minimize water runoff.

Dave Gilbertson, City Engineer, RKA Consulting Group, Inc., clarified that there is concern about controlling runoff in the interim if the hillside is restored to its natural state. As Planner Espinoza stated, a basin has to be installed in perpetuity, and as natural growth matures, the amount of runoff will decrease and homeowners below should be protected. City Engineer Gilbertson stated that it is unknown how much soil was brought in and because the original topographic map was inaccurate, city staff relied on the applicant to provide adequate numbers. He said the only thing to do is restore the hillside back to what natural was, create a new topographic map, and start the design from that point.

In response to Mayor Morris, City Engineer Gilbertson replied that that the issue exists with how much fill there is at the site and whether or not the improved development plan complies with the code.

Mayor Morris said this is an appeal, and invited residents with firsthand knowledge of the matter to comment on DPRB Case No. 08-47.

1) John Peggs, 1133 Edinburgh Road, felt the property owner has a right to build a home on his property as long as it complies with city regulations. He said the landowner is responsible for bringing in excess soil and creating the erosion problem, and adjacent neighbors had to complain to the City about mud coming onto their properties before the applicant installed a containment pit. He added that if the property owner is required to restore the hillside to its natural terrain, he should be held accountable for containing the mud and water to minimize damage to adjacent properties.

2) Paul Feintuch, 1139 Edinburg Road, said that over time, a C Lot was converted to a B or A Lot, which does not conform to the neighborhood and does not meet Specific Plan 4 lot requirements. He said the applicant essentially changed the terrain to match his house design, versus designing the house to fit the terrain. He added that staff is trying to reduce the visual impact to the southerly adjacent homes in the placement of the house. He added that in its natural state, there was always water flowing to a storm drain on Edinburgh, however, after all the soil was imported and grading done, a cliff was created in the rear of the lot and the water flow dramatically changed its path and became mud, which caused major damage to adjacent properties. To address this problem, two and one-half years ago, a retention pit was built, which is essentially a large water pond, with nothing structurally in place to hold that volume of water. He felt the concept of a retention pit is only as good as the diligence of the owner to pump out water and control erosion. He felt this giant pond poses a hazardous flooding condition that threatens public safety, and is not a long term solution. He strongly urged the City Council to uphold the Review Board's decision.

3) Mayor Morris read an email submitted by Tony Ponzio, stating that the land is an eyesore in its present condition and detracts from the neighborhood and the values of the surrounding homes. Mr. Ponzio is in favor of housing being constructed.

There being no one else wishing to speak, Mayor Morris invited the appellants to respond to comments.

1) James Polson said if the property is restored to its original condition, the County will order weed abatement, and with the removal of the containment pit, there will be runoff and mudslides.

Councilmember Badar stated that staff is requiring retaining the containment pit after the land has been brought back to a natural state. He added that the changes made caused the problem that required the containment pit.

In response to Councilmember Ebiner, City Attorney Steres replied that the City Council could uphold the Development Plan Review Board's decision, modify, or overturn their action. He added that the process of restoring the property back to its original grade is through a grading permit process that can include conditions of approval for erosion control. The applicant would have to comply with provisions of the National Pollutant Discharge Elimination System (NPDES).

Mayor Pro Tem Templeman said there is a code enforcement problem with debris piled up at the street and he expressed concern with vectors if the deep earthen pond is not properly maintained. He said staff needs to address all those issues.

2) Ed Eckhart submitted copies of his letter for the record.

There being no one else wishing to comment, Mayor Morris closed the appeal hearing.

Councilmember Ebner commented that a home on the lot should be encouraged and that it conforms to a Type C Lot. He felt the property owners should be responsible for controlling erosion and runoff.

**MOTION:** After the title was read, it was moved by Councilmember Bertone, seconded by Councilmember Ebner, to waive further reading and adopt **RESOLUTION NO. 2012-05, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS DENYING THE APPEAL REQUEST AND UPHOLDING THE DENIAL WITHOUT PREJUDICE OF DPRB CASE NO. 08-47, A REQUEST TO CONSTRUCT A 5,117 SQ. FT. TWO-STORY, SINGLE-FAMILY RESIDENCE AND SEVERAL ATTACHED GARAGES TOTALING 1,908 SQ. FT. WITHIN SPECIFIC PLAN NO. 4 AT 1658 GAINSBOROUGH ROAD. (APN: 8426-034-020).**

Mayor Pro Tem Templeman said it is unfortunate that the vote will cost the landowner more money, however, the City should not be blamed for the land failure or runoff caused by the landowner's actions.

Mayor Morris said the situation may not have been created by the property owner's agents present tonight, however, it is a situation that must be corrected. He said the property has always been designated as a C lot and it has to be brought back to its natural state and an appropriate design has to be submitted to match the lot.

The motion carried unanimously.

## 7. OTHER MATTERS

- a. Consider for Approval the 2012 Farmers Market proposal as submitted by Advocates for Healthy Living.

Parks and Recreation Director Bruns provided background on Farmer's Market activities since 2007 and said at the conclusion of each market season, staff has met with Mr. Cuellar and the community to evaluate the Market season. She stated that staff and Mr. Cuellar have been responsive to concerns of the business community and residents of the adjacent neighborhood. She presented current request to conduct the Farmer's Market on Wednesday evenings, April 4 through September 26, 2012 on First Street, adjacent to Civic Center Park. The proposal also includes use of the Civic Center Plaza based upon staff discretion. The Market's proposed hours of operation are 4:00 p.m. on First Street, 5:00 p.m. in the City Hall parking lot, to close at 8:30 p.m. on school nights, and 9:00 p.m. on non-school nights. Mr. Cuellar is requesting the closure of First Street at 3:00 p.m. and the parking lot closure at 4:00 p.m. until 10:00 p.m. Staff recommends the City Council authorize renewal of the temporary use permit for Advocates for Healthy Living to operate a 2012 Farmers' Market event in the public right-of-way, including approval of street closures on First Street, east from Iglesia Street, and the east side of the City Hall municipal parking lot each Wednesday, beginning April 4, 2012 through September 26, 2012, subject to standards and conditions. Adjustments include the following two items:

- 1) The requirement for posting resident parking on Iglesia Street was not utilized last year and was removed. The permit restricts vendor parking to event parking in the Municipal Lot on First Street, Bonita Avenue east side of Iglesia. Vendor parking is not permitted on the west side of Iglesia from Bonita Avenue to Second Street, or First Street, or on Second Street west of Iglesia.

Director Bruns reported that she met with Advocates for Health Living and they will continue posting or work with residents if a problem ensues.

2) Staff recommended Condition 30 to state:

“The applicant may provide low volume amplified entertainment until 8:00 pm on school nights and 9:00 p.m. on non-school nights during the weeks of the event when Music-in-the-Park and Movies-in-the-Park programs are not operating and may provide low volume amplified entertainment until 7:00 p.m. on evenings when Music-in-the-Park and Movies-in-the-Park are conducted. Performances should be located in the City Hall Municipal Parking Lot area and shall face away from residents in the direction other than north.”

Director Bruns mentioned that Bill Tilberry is in the audience.

Mayor Morris invited members of the public to express their position.

**MOTION:** It was moved by Councilmember Ebiner, seconded by Mayor Pro Tem Templeman, to authorize staff to renew the temporary use permit for Advocates for Healthy Living to operate a 2012 Farmers Market in the public right-of-way, subject to standards and conditions of approval including revised Condition 30 as outlined by staff, with a start date of April 4, 2012. The motion carried unanimously.

Mayor Pro Tem Templeman acknowledged Bill Tilberry and Charles McCants in the audience and thanked Mr. Tilberry for working with the neighborhood to make sure everything is in order.

- b. Consider recommendations from the Parks and Recreation Commission for naming the park where the HEROES Monument is located.

Parks and Recreation Director Bruns reported that at their January 27, 2012 meeting the Parks and Recreation discussed naming the park where the HEROES Monument is located. Names for the Park were solicited and Commissioners voted to recommend the following three names to the City Council for consideration: Patriots Park; Freedom Park; and Veterans Monument Park. Staff also recommended consensus on the need for a monument park sign and will return to the City Council during the upcoming budget sessions.

**MOTION:** It was moved by Councilmember Badar, seconded by Mayor Pro Tem Templeman, to name the Park where the HEROES Monument is located “Freedom Park”, and to not put up a park sign. The motion carried unanimously.

Assistant City Manager Stevens suggested that incorporating a sign into the entry way trellis design may be a more subtle way of getting the park name without detracting from the monument with a larger sign.

- c. Report on appointment process for Successor Agency Oversight Committee and update on the Redevelopment dissolution process. (Successor Agency Action)

Assistant City Manager Duran reported that the dissolution of the Redevelopment Agency took effect February 1, 2012 as part of AB 1x26, and the City became the Successor Agency assuming the responsibility of pre-existing obligations and contracts, and winding down the redevelopment operations. He said the process is very complex and ambiguous, and to comply, staff is preparing for a mandated fiscal audit of records from July 1, 2011 through January 31, 2012, and setting up new accounts for the Successor Agency. He clarified that the Successor Agency is not a new body and pointed out that certain actions to be taken fall under the scope of the role as Successor Agency such as adopting the Recognized Obligations Payment Schedule, which will be brought for approval at the next meeting, as well as appointments to the Oversight Board.

City Manager Michaelis stated that the role of the Oversight Board is to review the financial obligations of the former Redevelopment Agency. He said of the seven members, two are appointed by the Board of Supervisors; two by the City; one from the chancellor of the State Community College; one from the largest special district – identified as the Fire District; and one from the County Board of Education. Supervisor Antonovich asked for local nominations to consider appointing his two board members. City Manager Michaelis said some cities are appointing their local School District Superintendent; San Dimas has not yet heard from the Fire District or Community College. City Manager Michaelis stated that the Department of Finance indicated they do not have the resources to deal with over 400 agencies and the time schedule needs to be in place before May 1, 2012. He said on the agenda for the next City Council meeting, the City Council can consider recommendations for appointees and a list of recommendations we must submit to other agencies willing to accept the recommendations for their appointments to the Oversight Board.

City Manager Michaelis said there has been some initial legislation to address outstanding technical issues. Three legislative proposals are moving through the process – one bill is from Senator Steinberg that allows the Successor Agency to administer low-moderate housing funds for housing projects. Senator Steinberg wants to reinstate the urgency provision and hopefully goes before the Governor.

City Manager Michaelis said Senator Dutton's Senate Bill relates to payments of proceeds of bond issues. He said Assembly Member John Perez's legislation not only continues with low-moderate housing income funds, all monies are enforceable obligations if entered into within two years of the formation of the Agency are valid and binding upon the Successor Agency. Mr. Michaelis said of more assistance to municipalities, the bill helps define that city loans to the Redevelopment Agency may be contractually an obligation payable under the process. This has been submitted as an urgency measure and he hopes it is adopted soon to avoid issues when the Successor Agency submits proposals for payment.

Councilmember Bertone said that appointments to the Oversight Board should be people who can make decisions in the best interest of the city. He suggested the City Manager, Assistant City Manager of Community Development or Assistant City Manager be appointed to the Oversight Board.

Mayor Pro Tem Templeman felt that only people who are familiar with redevelopment and have an understanding of the debts that need to be paid should be considered for appointment to the Oversight Board.

## **8. ORAL COMMUNICATIONS**

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

- 1) Gary Enderle, thanked the City Council, Director Bruns and the Parks and Recreation Commission for considering the various names for the park. Freedom Park is appropriate. He mentioned that the water feature design features a five pointed star representing the five branches of the service and how they work together for freedom. It will be known as the Veterans Memorial at Freedom Park.

- b. City Manager

- 1) Establish a date for the Spring City Council – Staff Retreat  
possible dates: Monday, April 23; April 30; Wednesday, April 25; Saturday, May 5

It was the consensus of the City Council to conduct the staff retreat on Monday, April 23, 2012, at 5:00 p.m. – 9:00 p.m.

- 2) City Manager Michaelis encouraged callers to tune in on *Ask the Mayor* on Thursday, February 16, 2012, at 7:00 p.m..

c. City Attorney

City Attorney Steres said he is pleased to be here while City Attorney Ken Brown is out of town.

d. Members of the City Council

- 1) Appointments to Public Safety Commission.

Mayor Morris reported that he and Councilmember Badar interviewed seven candidates on January 31, 2012 and recommended appointing Charles McCowan and Cheryl Avelar to the Public Safety Commission.

**MOTION:** It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Templeman, to appoint Charles McCowan and Cheryl Avelar, to a two-year term through February 10, 2014, on the Public Safety Commission. The motion carried unanimously.

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

No one attended a meeting at the expense of the City.

- 4) Individual Members' comments and updates.

a) Mayor Pro Tem Templeman thanked Director Patel on the report regarding the sink hole at Cataract and First Street. He referred it to the Historical Society who felt that the concrete/rock pipe with a semi-flat bottom may have been constructed prior to 1920.

## 9. ADJOURNMENT

Mayor Morris adjourned the meeting at 10:10 p.m. The next meeting is 5:00 p.m., February 28, 2012, for Preliminary Budget Meeting. The regular meeting is at 7:00 p.m. with students for Student In Government Day.

Respectfully submitted,

---

Ina Rios, CMC, City Clerk



# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
*For the Meeting of February 28, 2012*

**FROM:** Blaine Michaelis, City Manager

**INITIATED BY:** Marco A. Espinoza, Associate Planner

**SUBJECT:** Lot Line Adjustment 11-03  
The subject lots are within the Grove Station Development located on the east side of San Dimas Avenue just south of the rail road tracks (APN: 8390-018-077, 082, 083, 084, 085, 086 and 087). The lot line adjustment request is in order to accommodate the development of 43 residential units.

---

## **BACKGROUND**

Lots 8 and 9 were rough graded as part of the Grove Station Development for two loft style residential buildings within Creative Growth Area 3 B. Due to the downturn in the economy the buildings were never constructed and the property was sold to a different developer. The new developer, The Olson Company, is looking to develop condominiums in a townhome design on the property.

The applicant is proposing to realign Lots 8 and 9 in order to facilitate the development of the townhome design of 43 units, in eight buildings within this portion of the project. The applicant is proposing to develop a total of 67 units within the project.

There are no minimum lot dimensions within the Creative Growth Area 3 B zone and the Lot Line Adjustment will not negatively affect the feasibility of developing each of the lots with the allowable uses permitted within Creative Growth Area 3 B.

Lot Line Adjustment 11-03 complies with 66412.d Map Act Exclusions of the Subdivision Map Act.

## **RECOMMENDATION**

Staff recommends approval of Lot Line Adjustment 11-03.

5.C

Respectfully Submitted,

Marco A. Espinoza  
Associate Planner

Attachments:

Aerial of Subjects sites  
Proposed Lot Line Adjustment

Aerial of Subject Site



Subject Sites (Lots 8 and 9)

RECORDING REQUESTED BY:  
City of San Dimas

WHEN RECORDED MAIL TO:

City Clerk  
City of San Dimas  
245 East Bonita Avenue  
San Dimas, CA 91773

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**Certificate of Compliance**  
**Lot Line Adjustment**  
**# 11-03**

I/we, the undersigned owner(s) of record of the following described real property within the City of San Dimas, County of Los Angeles, hereby request to adjust our lot lines and request that the City of San Dimas to determine if said real property complies with the provisions of the Subdivision Map Act, (Sec. 66411 et seq., Government Code of the State of California) and any local subdivision ordinances of the City of San Dimas.

See attached Exhibit "A" for legal description and Exhibit "B" for plat.

**PARCEL A:**

Assessor's Parcel Number (APN): PORTIONS OF 8390-018-083, 084, 085, 086 & 087

Site Address: NO ADDRESS AVAILABLE

Owner's Name(s): RON GROENEVELD OF PALADIN ASSET PRESERVATION  
& MANAGEMENT, APPOINTED RECEIVER FOR GROVE STATION  
LLC, A CALIFORNIA LIABILITY COMPANY

Owner's Mailing Address:  
(for tax statements) 9830 IRVINE CENTER DRIVE  
IRVINE CA 92618-4353

\_\_\_\_\_  
Signature <must be notarized>

\_\_\_\_\_  
Signature <must be notarized>

(Notary to attach appropriate acknowledgement)

*Note: Owners name(s) and signature(s) must match deeds- see instructions.*

*Corporation Note: Compliance with Corp Code Section 313 is required if the entity on whose behalf this document is signed is a corporation.*

**Certificate of Compliance  
Lot Line Adjustment  
# 11-03**

**PARCEL B:**

Assessor's Parcel Number (APN): PORTIONS OF 8390-018-082 & 8390-018-085

Site Address: NO ADDRESS AVAILABLE

Owner's Name(s): RON GROENEVELD OF PALADIN ASSET PRESERVATION  
& MANAGEMENT, APPOINTED RECEIVER FOR GROVE STATION  
LLC, A CALIFORNIA LIABILITY COMPANY

Owner's Mailing Address  
(for tax statements) 9830 IRVINE CENTER DR.  
IRVINE, CA 92618-4353

\_\_\_\_\_  
Signature <must be notarized>

\_\_\_\_\_  
Signature <must be notarized>

(Notary to attach appropriate acknowledgement)

*Note: Owners name(s) and signature(s) must match deeds- see instructions.*

*Corporation Note: Compliance with Corp Code Section 313 is required if the entity on whose behalf this document is signed is a corporation.*

**Certificate of Compliance  
Lot Line Adjustment  
# 11-03**

**PARCEL C :**

Assessor's Parcel Number (APN): PORTIONS OF 8390-018-082, 083, 084, 085, 086, 087 & 077

Site Address: NO ADDRESS AVAILABLE

Owner's Name(s): RON GROENEVELD OF PALADIN ASSET PRESERVATION & MANAGEMENT, APPOINTED RECEIVER FOR GROVE STATION LLC, A CALIFORNIA LIABILITY COMPANY

Owner's Mailing Address:  
(for tax statements) 9830 IRVING CENTER DRIVE  
IRVINE, CA 92618-4253

\_\_\_\_\_  
Signature <must be notarized>

\_\_\_\_\_  
Signature <must be notarized>

(Notary to attach appropriate acknowledgement)

*Note: Owners name(s) and signature(s) must match deeds- see instructions.*

*Corporation Note: Compliance with Corp Code Section 313 is required if the entity on whose behalf this document is signed is a corporation.*

**Certificate of Compliance  
Lot Line Adjustment**

# 11-03

**NOTICE**

This certificate relates only to issues of compliance or noncompliance with the Subdivision Map Act and local ordinances enacted pursuant thereto. The parcel(s) described herein may be sold, leased, or financed without further compliance with the Subdivision Map Act or any local ordinance enacted pursuant thereto. Development of the parcel may require issuance of a permit or permits, or other grant or grants of approval.

**DETERMINATION OF COMPLIANCE**

I hereby certify that the 3 parcels described above comply with the provisions of the Subdivision Map Act and local subdivision ordinances of the City of San Dimas, and may be sold, leased, financed, or transferred in full compliance with all applicable provisions of the Subdivision Map Act and local subdivision ordinances of the City of San Dimas.

By:		By:	
<hr/>		<hr/>	
<i>Dan Coleman</i>		<i>Dominic C. Milano</i>	
<i>Director of Development Services</i>	<i>Date</i>	<i>City Engineer</i>	<i>Date</i>
<i>City of San Dimas</i>		<i>City of San Dimas</i>	

State of California            )  
  ) ss  
County of                        )

On \_\_\_\_\_ before me, \_\_\_\_\_ a Notary Public, 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 \_\_\_\_\_ (Seal)

My principal place of business is in:  
My commission expires:

EXHIBIT "A"  
CERTIFICATE OF COMPLIANCE  
LOT LINE ADJUSTMENT  
11-03

PARCEL A:

THOSE PORTIONS OF LOTS 9 AND 10 OF TRACT NO. 66251, IN THE CITY OF SAN DIMAS, AS PER MAP FILED IN BOOK 1350 PAGES 87 TO 93 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT NO. 66251; THENCE NORTH 73°18'12" WEST 54.39 FEET, ALONG THE NORTHERLY LINE OF SAID TRACT NO. 66251, TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID NORTHERLY LINE, SOUTH 00°00'00" EAST 70.77 FEET; THENCE NORTH 90°00'00" WEST 121.10 FEET; THENCE NORTH 00°00'00" WEST 98.30 FEET; THENCE NORTH 90°00'00" WEST 20.00 FEET; THENCE SOUTH 00°00'00" EAST 98.30 FEET; THENCE NORTH 90°00'00" WEST 120.75 FEET; THENCE NORTH 00°00'00" WEST 142.39 FEET; THENCE NORTH 90°00'00" WEST 22.00 FEET; THENCE SOUTH 00°00'00" EAST 139.90 FEET; THENCE NORTH 90°00'00" WEST 48.00 FEET; THENCE NORTH 00°00'00" WEST 167.81 FEET, TO SAID NORTHERLY LINE OF TRACT NO. 66251; THENCE ALONG SAID NORTHERLY LINE, SOUTH 73° 18' 12" EAST 346.46 FEET, TO THE TRUE POINT OF BEGINNING.

CONTAINING: 0.798 ACRES OF LAND, (MORE OR LESS).

PARCEL B:

THOSE PORTIONS OF LOTS 8 AND 10 OF TRACT NO. 66251, IN THE CITY OF SAN DIMAS, AS PER MAP FILED IN BOOK 1350 PAGES 87 TO 93 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF SAID TRACT NO. 66251; THENCE SOUTH 89°59'43" WEST 183.88 FEET, ALONG THE SOUTHERLY LINE OF SAID TRACT NO. 66251; THENCE LEAVING SAID SOUTHERLY LINE, NORTH 00°00'00" EAST 172.31 FEET; THENCE NORTH 90°00'00" EAST 48.00 FEET; THENCE SOUTH 00°00'00" WEST 166.97 FEET; THENCE NORTH 90°00'00" EAST 25.00 FEET; THENCE NORTH 00°00'00" EAST 64.14 FEET; NORTH 90°00'00" EAST 105.89 FEET; THENCE NORTH 00°00'31" EAST 8.92 FEET; THENCE NORTH 68°46'36" EAST 30.02 FEET; THENCE NORTH 45°07'57" EAST 18.51 FEET; THENCE NORTH 00°00'00" EAST 7.15 FEET; THENCE SOUTH 90°00'00" WEST 147.00 FEET; THENCE NORTH 00°00'00" EAST 65.33 FEET; THENCE NORTH 90°00'00" EAST 152.00 FEET; THENCE SOUTH 00°00'00" WEST 74.56 FEET, TO THE SOUTHEASTERLY LINE OF SAID TRACT NO. 66251; THENCE ALONG SAID SOUTHEASTERLY LINE, THE NEXT THREE COURSES: (1) SOUTH 45°07'57" WEST 20.59 FEET; (2) THENCE SOUTH 68°01'30" WEST 28.59 FEET; (3) THENCE SOUTH 00°00'31" EAST 75.01 FEET TO THE POINT OF BEGINNING.

CONTAINING: 0.605 ACRES OF LAND, (MORE OR LESS).

TITLE: LOT LINE ADJUSTMENT



Hall & Foreman, Inc.

Engineering · Planning · Surveying

14297 CAJON AVE, SUITE 101 · VICTORVILLE, CA 92392 · 760-524-9100

DATE OF PREPARATION: 01/31/12 JOB NO. 110207

**EXHIBIT "A"**  
**CERTIFICATE OF COMPLIANCE**  
**LOT LINE ADJUSTMENT**  
**11-03**

**PARCEL C:**

THOSE PORTIONS OF LOTS 8 THROUGH 10 INCLUSIVE OF TRACT NO. 66251, IN THE CITY OF SAN DIMAS, AS PER MAP FILED IN BOOK 1350 PAGES 87 TO 93 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT NO. 66251; THENCE NORTH 73°18'12" WEST 54.39 FEET, ALONG THE NORTHERLY LINE OF SAID TRACT NO. 66251; THENCE LEAVING SAID NORTHERLY LINE, SOUTH 00°00'00" EAST 70.77 FEET; THENCE NORTH 90°00'00" WEST 121.10 FEET; THENCE NORTH 00°00'00" WEST 98.30 FEET; THENCE NORTH 90°00'00" WEST 20.00 FEET; THENCE SOUTH 00°00'00" EAST 98.30 FEET; THENCE NORTH 90°00'00" WEST 120.75 FEET; THENCE NORTH 00°00'00" WEST 142.39 FEET; THENCE NORTH 90°00'00" WEST 22.00 FEET; THENCE SOUTH 00°00'00" EAST 139.90 FEET; THENCE NORTH 90°00'00" WEST 48.00 FEET; THENCE NORTH 00°00'00" WEST 167.81 FEET, TO SAID NORTHERLY LINE OF TRACT NO. 66251; THENCE NORTH 73° 18' 12" EAST 172.32 FEET ALONG SAID NORTHERLY LINE, TO THE EASTERLY LINE OF LOT 3 OF SAID TRACT NO. 66251; THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID LOT 3, THE NEXT 2 COURSES: (1) SOUTH 00°00'47" EAST 197.73 FEET; (2) THENCE SOUTH 89°59'13" WEST 42.13 FEET TO THE MOST WESTERLY LINE OF SAID LOT 10, ALSO BEING THE EASTERLY LINE OF SAN DIMAS AVENUE, AS SHOWN ON SAID MAP; THENCE ALONG SAID WESTERLY LINE, THE NEXT 3 COURSES: (1) SOUTH 00°00'47" EAST 29.14 FEET; (2) THENCE SOUTH 03°49'37" EAST 30.07 FEET; (3) THENCE SOUTH 00°00'47" EAST 28.88 FEET TO THE NORTHERLY LINE OF LOT 2 OF SAID TRACT NO. 66251; THENCE ALONG THE NORTHERLY, EASTERLY AND SOUTHERLY LINES OF SAID LOT 2, THE NEXT 3 COURSES: (1) NORTH 89°59'13" EAST 42.70 FEET; (2) THENCE SOUTH 00°00'47" EAST 149.41 FEET; (3) THENCE SOUTH 89°59'13" WEST 42.70 FEET TO THE MOST WESTERLY LINE OF SAID LOT 10, ALSO BEING THE EASTERLY LINE OF SAID SAN DIMAS AVENUE, THENCE ALONG SAID WESTERLY LINE, SOUTH 00°00'47" EAST 10.51 FEET, TO THE NORTHERLY LINE OF LOT 1 OF SAID TRACT NO. 66251; THENCE ALONG THE NORTHERLY LINES OF SAID LOT 1 AND THE SOUTHERLY LINE OF SAID TRACT NO. 66251, THE NEXT 3 COURSES: (1) NORTH 89°59'13" EAST 74.13 FEET; (2) THENCE NORTH 00°00'47" WEST 7.69 FEET; (3) THENCE NORTH 89°59'43" EAST 130.96 FEET; THENCE LEAVING SAID SOUTHERLY LINE, NORTH 00°00'00" EAST 172.31 FEET; THENCE NORTH 90°00'00" EAST 48.00 FEET; THENCE SOUTH 00°00'00" WEST 166.97 FEET; THENCE NORTH 90°00'00" EAST 25.00 FEET; THENCE NORTH 00°00'00" EAST 64.14 FEET; THENCE NORTH 90°00'00" EAST 105.89 FEET; THENCE NORTH 00°00'31" EAST 8.92 FEET; THENCE NORTH 68°46'36" EAST 30.02 FEET; THENCE NORTH 45°07'57" EAST 18.51 FEET; THENCE NORTH 00°00'00" EAST 7.15 FEET; THENCE SOUTH 90°00'00" WEST 147.00 FEET; THENCE NORTH 00°00'00" EAST 65.33 FEET;

TITLE: LOT LINE ADJUSTMENT



**Hall & Foreman, Inc.**

**Engineering • Planning • Surveying**

14297 CALORN AVE, SUITE 101 • VICTORVILLE, CA 92392 • 760-524-9100

DATE OF PREPARATION: 01/31/12 JOB NO. 110207

EXHIBIT "A"  
CERTIFICATE OF COMPLIANCE  
LOT LINE ADJUSTMENT  
11-03

THENCE NORTH 90°00'00" EAST 152.00 FEET; THENCE SOUTH 00°00'00" WEST 74.56 FEET, TO THE SOUTHEASTERLY LINE OF SAID TRACT NO. 66251; THENCE ALONG SAID SOUTHEASTERLY LINE, THE NEXT FOUR COURSES: (1) NORTH 45°07'57" EAST 26.52 FEET; (2) THENCE NORTH 51°21'13" EAST 90.43 FEET; (3) THENCE NORTH 67°53'35" EAST 54.58 FEET; (4) THENCE SOUTH 89°59'31" EAST 18.96 FEET TO THE EASTERLY LINE OF SAID TRACT NO. 66251; THENCE ALONG SAID EASTERLY LINE, NORTH 00°00'24" EAST 77.32 FEET, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM ALL OF LOTS 4, 5, 6 AND 7 OF SAID TRACT NO. 66251.

CONTAINING: 2.024 ACRES OF LAND, (MORE OR LESS).

EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED UNDER MY SUPERVISION:

Matthew H. Okubo      2/17/12  
MATTHEW H OKUBO, P.L.S. 8686      DATE

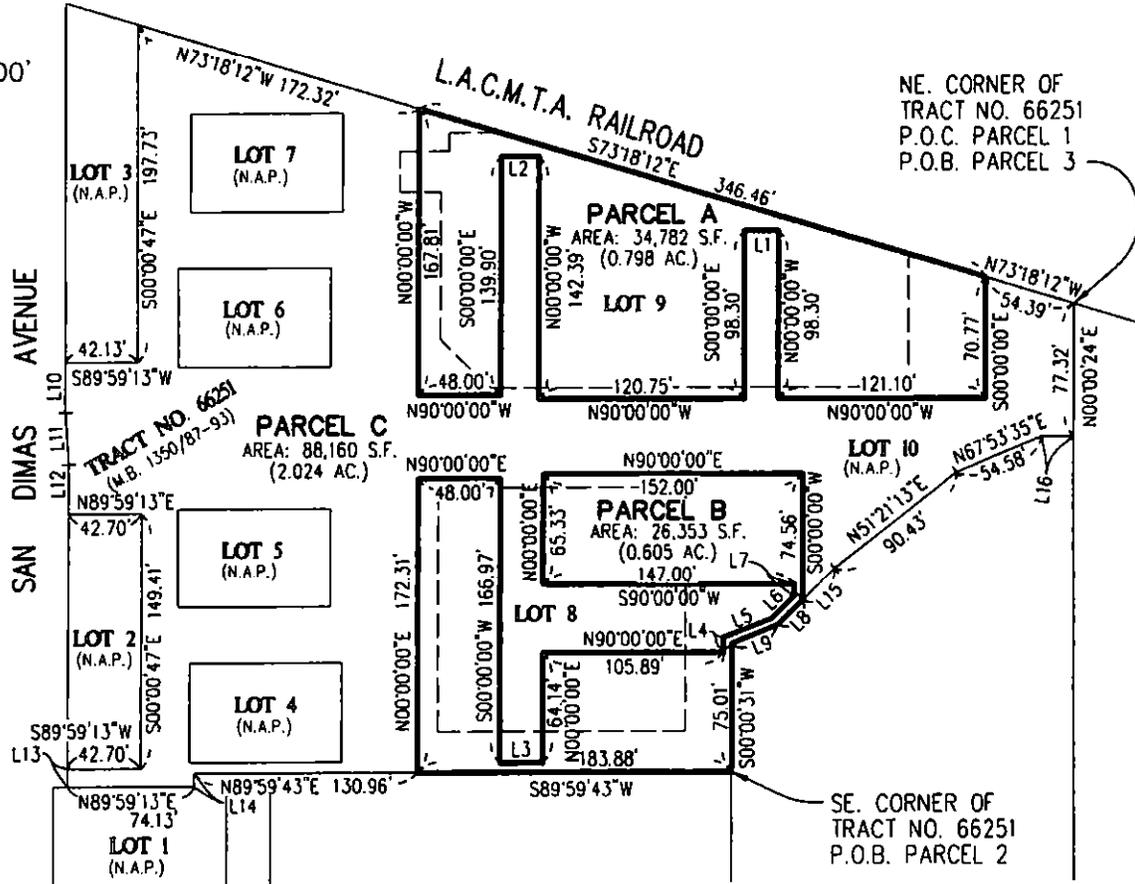
TITLE: LOT LINE ADJUSTMENT
 <b>Hall &amp; Foreman, Inc.</b>
<b>Engineering · Planning · Surveying</b>
14297 CAJON AVE, SUITE 101 • VICTORVILLE, CA 92392 • 760-524-9100
DATE OF PREPARATION: 01/31/12      JOB NO. 110207



**EXHIBIT "B"**  
**CERTIFICATE OF COMPLIANCE**  
**LOT LINE ADJUSTMENT**  
**11-03**  
**PARCELS AS ADJUSTED**



1"=100'



NE. CORNER OF  
 TRACT NO. 66251  
 P.O.C. PARCEL 1  
 P.O.B. PARCEL 3

SE. CORNER OF  
 TRACT NO. 66251  
 P.O.B. PARCEL 2

LINE	BEARING	LENGTH
L1	N90°00'00"W	20.00'
L2	N90°00'00"W	22.00'
L3	N90°00'00"E	25.00'
L4	N00°00'31"E	8.92'
L5	N68°46'36"E	30.02'
L6	N45°07'57"E	18.51'
L7	N00°00'00"E	7.15'
L8	S45°07'57"W	20.59'
L9	S68°01'30"W	28.59'
L10	S00°00'47"E	29.14'
L11	S03°49'37"E	30.07'
L12	S00°00'47"E	28.88'
L13	S00°00'47"E	10.51'
L14	N00°00'47"W	7.69'
L15	N45°07'57"E	26.52'
L16	S89°59'31"E	18.96'

**LEGEND**

- N.A.P. NOT A PART
- EXIST. LINE TO REMAIN
- NEW PROPERTY LINE
- OLD LINE TO BE DELETED

TITLE: **LOT LINE ADJUSTMENT**

**Hall & Foreman, Inc.**

**Engineering · Planning · Surveying**

14297 CAJON AVE., SUITE 101 · VICTORVILLE, CA 92392 · 760-524-9100

DATE OF PREPARATION: 01/31/12 JOB NO. 110207





# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
*For the Meeting of February 28, 2012*

**FROM:** Blaine Michaelis, City Manager

**INITIATED BY:** Marco A. Espinoza, Associate Planner

**SUBJECT:** Lot Line Adjustment 12-01  
The subject lots are within the Grove Station Development located on the east side of San Dimas Avenue just south of the rail road tracks (APN: 8390-018-077, 085, 106, 107, 113, 114, 116, 126, 129, 153, 155, 154, 156, 159, 160, 162 and 163). The lot line adjustment request is in order to accommodate the development of 12 residential units.

## **BACKGROUND**

Lots 5 and 6 were rough graded as part of the Grove Station Development for two condominium style residential buildings within Creative Growth Area 3 B. Due to the downturn in the economy the buildings were never constructed and the property was sold to a different developer. The new developer, The Olson Company, is looking to develop condominiums in a townhome design on the property.

The applicant is proposing to move the South property line of Lot 5 approximately six feet further South and move North property line of Lot 6 approximately six feet further North to facilitate the development of the townhome design of 12 units within this portion of the project. The applicant is proposing to develop a total of 67 units within the project.

There are no minimum lot dimensions within the Creative Growth Area 3 B zone and the Lot Line Adjustment will not negatively affect the feasibility of developing each of the lots with the allowable uses permitted within Creative Growth Area 3 B.

Lot Line Adjustment 11-03 complies with 66412.d Map Act Exclusions of the Subdivision Map Act.

## **RECOMMENDATION**

5. d

Staff recommends approval of Lot Line Adjustment 12-01.

Respectfully Submitted,

Marco A. Espinoza  
Associate Planner

Attachments:

Aerial of Subjects sites  
Proposed Lot Line Adjustment

Aerial of Subject Site



Subject Sites (Lots 5 and 6)

RECORDING REQUESTED BY:  
City of San Dimas

WHEN RECORDED MAIL TO:

City Clerk  
City of San Dimas  
245 East Bonita Avenue  
San Dimas, CA 91773

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**Certificate of Compliance**  
**Lot Line Adjustment**  
**# 12-01**

I/we, the undersigned owner(s) of record of the following described real property within the City of San Dimas, County of Los Angeles, hereby request to adjust our lot lines and request that the City of San Dimas to determine if said real property complies with the provisions of the Subdivision Map Act, (Sec. 66411 et seq., Government Code of the State of California) and any local subdivision ordinances of the City of San Dimas.

See attached Exhibit "A" for legal description and Exhibit "B" for plat.

**PARCEL D:**

Assessor's Parcel Number (APN): PORTIONS OF 8390-018-106, 156, 155, 153, 126, 154, 107  
077 & 085

Site Address: NO ADDRESS AVAILABLE

Owner's Name(s): RON GROBEVELD OF PALADIN ASSET PRESERVATION  
MANAGEMENT, APPOINTED RECEIVER FOR GROVE STATION  
LLC, A CALIFORNIA LIABILITY COMPANY

Owner's Mailing Address:  
(for tax statements) 9830 IRVINE CENTER DRIVE  
IRVINE CA 92618-4353

\_\_\_\_\_  
Signature <must be notarized>

\_\_\_\_\_  
Signature <must be notarized>

(Notary to attach appropriate acknowledgement)

*Note: Owners name(s) and signature(s) must match deeds- see instructions.*

*Corporation Note: Compliance with Corp Code Section 313 is required if the entity on whose behalf this document is signed is a corporation.*

Certificate of Compliance  
Lot Line Adjustment  
# 12-01

PARCEL E:

Assessor's Parcel Number (APN): PORTIONS OF 8390-018-129, 1103, 114, 1100, 159, 162, 113,  
077 & 085

Site Address: NO ADDRESS AVAILABLE

Owner's Name(s): RON GROENEVELD OF PALADIN ASSET PRESERVATION  
MANAGEMENT, APPOINTED RECEIVER FOR GROVE STATION  
LLC, A CALIFORNIA LIABILITY COMPANY

Owner's Mailing Address  
(for tax statements) 9830 IRVINE CENTER DR.  
IRVINE, CA 92618-4353

\_\_\_\_\_  
Signature <must be notarized>

\_\_\_\_\_  
Signature <must be notarized>

(Notary to attach appropriate acknowledgement)

*Note: Owners name(s) and signature(s) must match deeds- see instructions.*

*Corporation Note: Compliance with Corp Code Section 313 is required if the entity on whose behalf this document is signed is a corporation.*

Certificate of Compliance  
Lot Line Adjustment  
# 12-01

PARCEL F :

Assessor's Parcel Number (APN): PORTIONS OF 8390-018 - 106, 156, 155, 153, 129, 163,  
114, 116, 126, 154, 107, 159, 162, 113, 077 & 085

Site Address: NO ADDRESS AVAILABLE

Owner's Name(s): RON GROENEVELD OF PALADIN ASSET PRESERVATION &  
MANAGEMENT, APPOINTED RECEIVER FOR GROVE STATION  
LL, A CALIFORNIA LIABILITY COMPANY

Owner's Mailing Address:  
(for tax statements) 9830 IRVING CENTER DRIVE  
IRVINE, CA 92618-4353

\_\_\_\_\_  
Signature <must be notarized>

\_\_\_\_\_  
Signature <must be notarized>

(Notary to attach appropriate acknowledgement)

*Note: Owners name(s) and signature(s) must match deeds- see instructions.*

*Corporation Note: Compliance with Corp Code Section 313 is required if the entity on whose behalf this document is signed is a corporation.*



**EXHIBIT "A"**  
**CERTIFICATE OF COMPLIANCE**  
**LOT LINE ADJUSTMENT**  
**12-01**

PARCEL D:

LOT 5 OF TRACT NO. 66251, IN THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1350, PAGES 87 TO 93 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THAT PORTION OF PARCEL "C" OF THAT CERTAIN LOT LINE ADJUSTMENT 11-03, RECORDED ON XX-XX-XX AS INSTRUMENT NO. XXXXXX IN THE COUNTY RECORDERS OFFICE OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE NORTH 89°59'13" EAST 89.89 FEET ALONG THE NORTHERLY LINE THEREOF, TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 00°00'47" EAST 63.83 FEET ALONG THE EASTERLY LINE AND ITS SOUTHERLY PROLONGATION THEREOF TO POINT ON A LINE PARALLEL WITH AND DISTANT 6.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES) FROM THE SOUTHERLY LINE OF SAID LOT 5; THENCE ALONG SAID PARALLEL LINE SOUTH 89°59'13" WEST 89.89 FEET TO A POINT ON A LINE DISTANT SOUTH 00°00'47" EAST 63.83 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 00°00'47" WEST 63.83 FEET TO THE POINT OF BEGINNING.

CONTAINING: 5,738 SQ. FT. (0.132 AC.) OF LAND, (MORE OR LESS).

PARCEL E:

LOT 6 OF TRACT NO. 66251, IN THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1350, PAGES 87 TO 93 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THAT PORTION OF PARCEL "C" OF THAT CERTAIN LOT LINE ADJUSTMENT 11-03, RECORDED ON XX-XX-XX AS INSTRUMENT NO. XXXXXX IN THE COUNTY RECORDERS OFFICE OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 6; THENCE NORTH 89°59'13" EAST 89.89 FEET ALONG THE SOUTHERLY LINE THEREOF TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE NORTH 00°00'47" WEST 63.83 FEET ALONG THE EASTERLY LINE AND ITS NORTHERLY PROLONGATION THEREOF TO A POINT ON A LINE PARALLEL WITH AND DISTANT 6.00 FEET NORTHERLY (AS MEASURED AT RIGHT ANGLES) FROM THE NORTHERLY LINE OF SAID LOT 6; THENCE ALONG SAID PARALLEL LINE SOUTH 89°59'13" WEST 89.89 FEET TO A POINT DISTANT NORTH 00°00'47" WEST 63.83 FEET FROM THE POINT OF BEGINNING; THENCE SOUTH 00°00'47" EAST 63.83 FEET TO THE POINT OF BEGINNING

CONTAINING: 5,738 SQ. FT. (0.132 AC.) OF LAND, (MORE OR LESS).

TITLE: **LOT LINE ADJUSTMENT**

 **Hall & Foreman, Inc.**

**Engineering · Planning · Surveying**

14297 CAJON AVE, SUITE 101 · VICTORVILLE, CA 92392 · 760-524-9100

DATE OF PREPARATION: 02/17/12 JOB NO. 110207

**EXHIBIT "A"**  
**CERTIFICATE OF COMPLIANCE**  
**LOT LINE ADJUSTMENT**  
**12-01**

**PARCEL F:**

THOSE PORTIONS OF LOTS 5 AND 6 OF TRACT NO. 66251, IN THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1350 PAGES 87 TO 93 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH PARCEL "C" OF THAT CERTAIN LOT LINE ADJUSTMENT 11-03, RECORDED ON XX/XX/XX AS INSTRUMENT NO. XXXXX IN THE COUNTY RECORDERS OFFICE OF SAID COUNTY AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID TRACT NO. 66251; THENCE NORTH 73°18'12" WEST 54.39 FEET, ALONG THE NORTHERLY LINE OF SAID TRACT NO. 66251; THENCE LEAVING SAID NORTHERLY LINE, SOUTH 00°00'00" EAST 70.77 FEET; THENCE NORTH 90°00'00" WEST 121.10 FEET; THENCE NORTH 00°00'00" WEST 98.30 FEET; THENCE NORTH 90°00'00" WEST 20.00 FEET; THENCE SOUTH 00°00'00" EAST 98.30 FEET; THENCE NORTH 90°00'00" WEST 120.75 FEET; THENCE NORTH 00°00'00" WEST 142.39 FEET; THENCE NORTH 90°00'00" WEST 22.00 FEET; THENCE SOUTH 00°00'00" EAST 139.90 FEET; THENCE NORTH 90°00'00" WEST 48.00 FEET; THENCE NORTH 00°00'00" WEST 167.81 FEET, TO SAID NORTHERLY LINE OF TRACT NO. 66251; THENCE NORTH 73° 18' 12" EAST 172.32 FEET ALONG SAID NORTHERLY LINE, TO THE EASTERLY LINE OF LOT 3 OF SAID TRACT NO. 66251; THENCE ALONG THE EASTERLY AND SOUTHERLY LINES OF SAID LOT 3, THE NEXT 2 COURSES: (1) SOUTH 00°00'47" EAST 197.73 FEET; (2) THENCE SOUTH 89°59'13" WEST 42.13 FEET TO THE MOST WESTERLY LINE OF SAID LOT 10, ALSO BEING THE EASTERLY LINE OF SAN DIMAS AVENUE, AS SHOWN ON SAID MAP; THENCE ALONG SAID WESTERLY LINE, THE NEXT 3 COURSES: (1) SOUTH 00°00'47" EAST 29.14 FEET; (2) THENCE SOUTH 03°49'37" EAST 30.07 FEET; (3) THENCE SOUTH 00°00'47" EAST 28.88 FEET TO THE NORTHERLY LINE OF LOT 2 OF SAID TRACT NO. 66251; THENCE ALONG THE NORTHERLY, EASTERLY AND SOUTHERLY LINES OF SAID LOT 2, THE NEXT 3 COURSES: (1) NORTH 89°59'13" EAST 42.70 FEET; (2) THENCE SOUTH 00°00'47" EAST 149.41 FEET; (3) THENCE SOUTH 89°59'13" WEST 42.70 FEET TO THE MOST WESTERLY LINE OF SAID LOT 10, ALSO BEING THE EASTERLY LINE OF SAID SAN DIMAS AVENUE, THENCE ALONG SAID WESTERLY LINE, SOUTH 00°00'47" EAST 10.51 FEET, TO THE NORTHERLY LINE OF LOT 1 OF SAID TRACT NO. 66251; THENCE ALONG THE NORTHERLY LINES OF SAID LOT 1 AND THE SOUTHERLY LINE OF SAID TRACT NO. 66251, THE NEXT 3 COURSES: (1) NORTH 89°59'13" EAST 74.13 FEET; (2) THENCE NORTH 00°00'47" WEST 7.69 FEET; (3) THENCE NORTH 89°59'43" EAST 130.96 FEET; THENCE LEAVING SAID SOUTHERLY LINE, NORTH 00°00'00" EAST 172.31 FEET; THENCE NORTH 90°00'00" EAST 48.00 FEET; THENCE SOUTH 00°00'00" WEST 166.97 FEET; THENCE NORTH 90°00'00" EAST 25.00 FEET; THENCE NORTH 00°00'00" EAST 64.14 FEET; THENCE NORTH 90°00'00" EAST 105.89 FEET; THENCE NORTH 00°00'31" EAST 8.92 FEET; THENCE NORTH 68°46'36" EAST 30.02 FEET; THENCE NORTH 45°07'57" EAST 18.51 FEET; THENCE NORTH 00°00'00" EAST 7.15 FEET; THENCE SOUTH 90°00'00" WEST 147.00 FEET; THENCE NORTH 00°00'00" EAST 65.33 FEET;

TITLE: **LOT LINE ADJUSTMENT**

 **Hall & Foreman, Inc.**

**Engineering · Planning · Surveying**

14297 CAJON AVE, SUITE 101 · VICTORVILLE, CA 92392 · 760-524-9100

DATE OF PREPARATION: 02/17/12 JOB NO. 110207

**EXHIBIT "A"**  
**CERTIFICATE OF COMPLIANCE**  
**LOT LINE ADJUSTMENT**  
**12-01**

THENCE NORTH 90°00'00" EAST 152.00 FEET; THENCE SOUTH 00°00'00" WEST 74.56 FEET, TO THE SOUTHEASTERLY LINE OF SAID TRACT NO. 66251; THENCE ALONG SAID SOUTHEASTERLY LINE, THE NEXT FOUR COURSES: (1) NORTH 45°07'57" EAST 26.52 FEET; (2) THENCE NORTH 51°21'13" EAST 90.43 FEET; (3) THENCE NORTH 67°53'35" EAST 54.58 FEET; (4) THENCE SOUTH 89°59'31" EAST 18.96 FEET TO THE EASTERLY LINE OF SAID TRACT NO. 66251; THENCE ALONG SAID EASTERLY LINE, NORTH 00°00'24" EAST 77.32 FEET, TO THE POINT OF BEGINNING.

EXCEPTING THEREFROM LOTS 4 AND 7 OF SAID TRACT NO. 66251.

ALSO EXCEPTING THEREFROM, LOT 5 OF SAID TRACT NO. 66251, TOGETHER WITH THAT PORTION OF PARCEL "C" OF THAT CERTAIN LOT LINE ADJUSTMENT 11-03, RECORDED ON XX-XX-XX AS INSTRUMENT NO. XXXXXX IN THE COUNTY RECORDERS OFFICE OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 5; THENCE NORTH 89°59'13" EAST 89.89 FEET ALONG THE NORTHERLY LINE THEREOF, TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE SOUTH 00°00'47" EAST 63.83 FEET ALONG THE EASTERLY LINE AND ITS SOUTHERLY PROLONGATION THEREOF TO POINT ON A LINE PARALLEL WITH AND DISTANT 6.00 FEET SOUTHERLY (AS MEASURED AT RIGHT ANGLES) FROM THE SOUTHERLY LINE OF SAID LOT 5; THENCE ALONG SAID PARALLEL LINE SOUTH 89°59'13" WEST 89.89 FEET TO A POINT ON A LINE DISTANT SOUTH 00°00'47" EAST 63.83 FEET FROM THE POINT OF BEGINNING; THENCE NORTH 00°00'47" WEST 63.83 FEET TO THE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM, LOT 6 OF TRACT NO. 66251, IN THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, AS PER MAP FILED IN BOOK 1350, PAGES 87 TO 93 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, TOGETHER WITH THAT PORTION OF PARCEL "C" OF THAT CERTAIN LOT LINE ADJUSTMENT 11-03, RECORDED ON XX-XX-XX AS INSTRUMENT NO. XXXXXX IN THE COUNTY RECORDERS OFFICE OF SAID COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 6; THENCE NORTH 89°59'13" EAST 89.89 FEET ALONG THE SOUTHERLY LINE THEREOF TO THE SOUTHEAST CORNER OF SAID LOT 6; THENCE NORTH 00°00'47" WEST 63.83 FEET ALONG THE EASTERLY LINE AND ITS NORTHERLY PROLONGATION THEREOF TO A POINT ON A LINE PARALLEL WITH AND DISTANT

TITLE: LOT LINE ADJUSTMENT

 **Hall & Foreman, Inc.**

**Engineering · Planning · Surveying**

14297 CAJON AVE, SUITE 101 · VICTORVILLE, CA 92392 · 760-524-9100

DATE OF PREPARATION: 02/17/12 JOB NO. 110207

EXHIBIT "A"  
CERTIFICATE OF COMPLIANCE  
LOT LINE ADJUSTMENT  
12-01

6.00 FEET NORTHERLY (AS MEASURED AT RIGHT ANGLES) FROM THE NORTHERLY LINE OF SAID LOT 6; THENCE ALONG SAID PARALLEL LINE SOUTH 89°59'13" WEST 89.89 FEET TO A POINT DISTANT NORTH 00°00'47" WEST 63.83 FEET FROM THE POINT OF BEGINNING; THENCE SOUTH 00°00'47" EAST 63.83 FEET TO THE POINT OF BEGINNING

CONTAINING: 87,081 SQ. FT (1.999 AC.) OF LAND, (MORE OR LESS).

EXHIBIT "B" ATTACHED HERETO AND MADE A PART HEREOF.

PREPARED UNDER MY SUPERVISION:

\_\_\_\_\_  
MATTHEW H OKUBO, P.L.S. 8686                      DATE

TITLE: LOT LINE ADJUSTMENT



**Hall & Foreman, Inc.**  
Engineering · Planning · Surveying  
14297 CAJON AVE, SUITE 101 · VICTORVILLE, CA 92392 · 760-524-9100  
DATE OF PREPARATION: 02/17/12    JOB NO. 110207



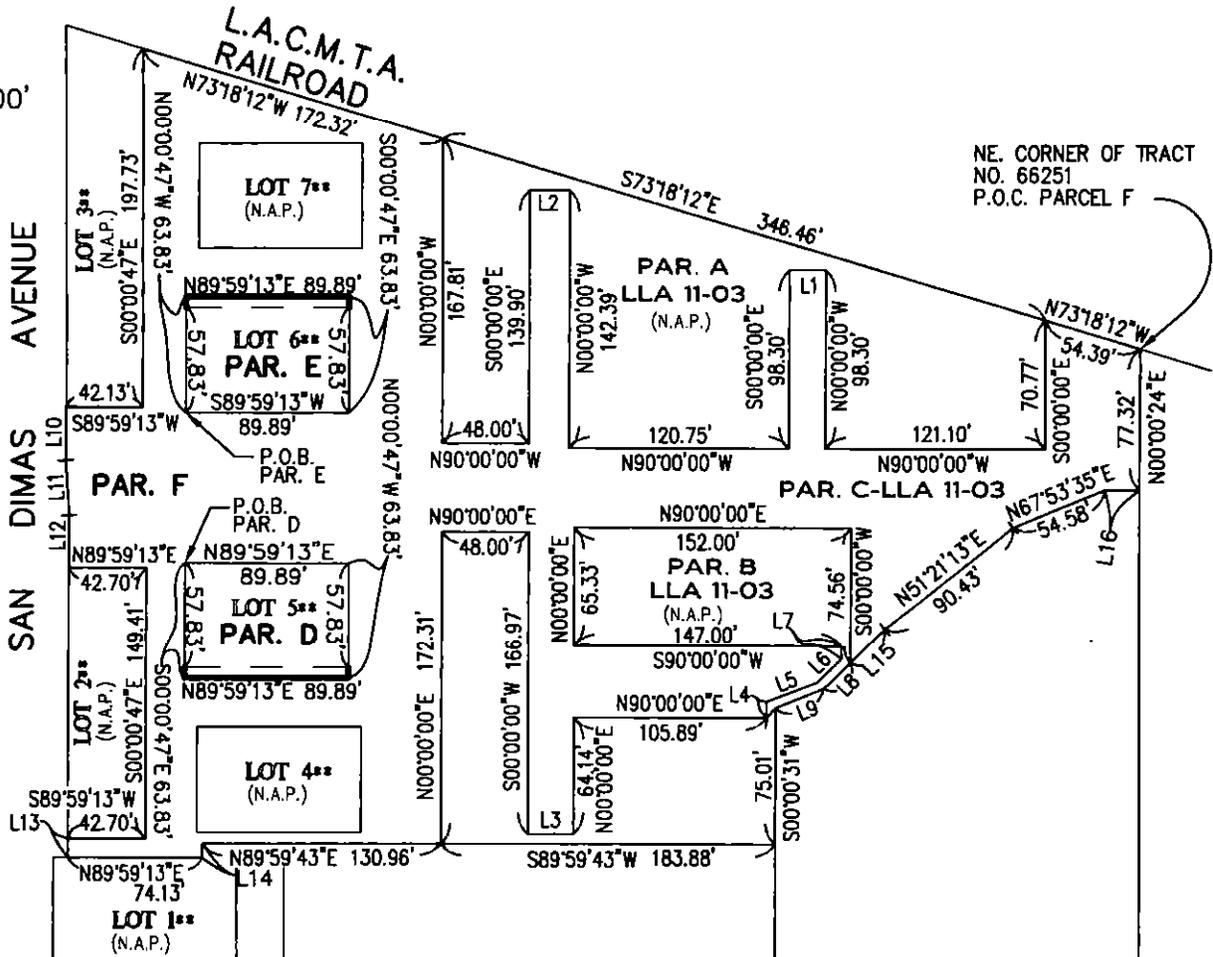
# EXHIBIT "B"

## CERTIFICATE OF COMPLIANCE

### LOT LINE ADJUSTMENT

#### 12-01

### PARCELS AS ADJUSTED



NE. CORNER OF TRACT  
NO. 66251  
P.O.C. PARCEL F

### LEGEND

\*\* TRACT NO. 66251, M.B. 1350/87-93  
P.O.B. POINT OF BEGINNING  
EXIST. LINE TO REMAIN \_\_\_\_\_  
NEW PROPERTY LINE \_\_\_\_\_  
OLD LINE TO BE DELETED - - - - -

TITLE: **LOT LINE ADJUSTMENT**

**Hall & Foreman, Inc.**  
**Engineering · Planning · Surveying**

14297 CAJON AVE, SUITE 101 · VICTORVILLE, CA 92392 · 760-524-9100

DATE OF PREPARATION: 02/17/12 JOB NO. 110207

LINE	BEARING	LENGTH
L1	N90°00'00"W	20.00'
L2	N90°00'00"W	22.00'
L3	N90°00'00"E	25.00'
L4	N00°00'31"E	8.92'
L5	N68°46'36"E	30.02'
L6	N45°07'57"E	18.51'
L7	N00°00'00"E	7.15'
L8	S45°07'57"W	20.59'
L9	S68°01'30"W	28.59'
L10	S00°00'47"E	29.14'
L11	S03°49'37"E	30.07'
L12	S00°00'47"E	28.88'
L13	S00°00'47"E	10.51'
L14	N00°00'47"W	7.69'
L15	N45°07'57"E	26.52'
L16	S89°59'31"E	18.96'

PAR.	AREA (SQ.FT)	AREA (AC.)
1	5,738	0.132
2	5,738	0.132
3	87,081	1.999



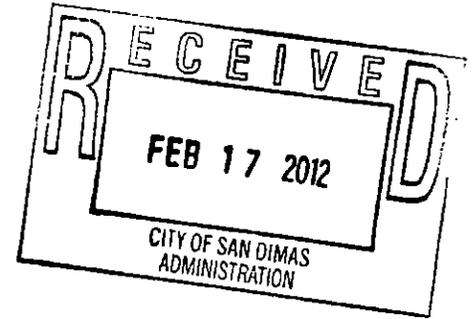


**CARL WARREN & COMPANY**  
Claims Management and Solutions

February 14, 2012

TO: The City of San Dimas

ATTENTION: Ken Duran, Risk Management



RE: Claim : Ray Vantilburg v. San Dimas  
Claimant : Ray Vantilburg  
D/Event : 12/01/11  
Date Filed : 02/01/12  
Our File : 1622144 DBQ

We have reviewed the above captioned claim and request that you take the action indicated below:

- CLAIM REJECTION: Send a standard rejection letter to the claimant.

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

  
Deborah Been

AN EMPLOYEE-OWNED COMPANY

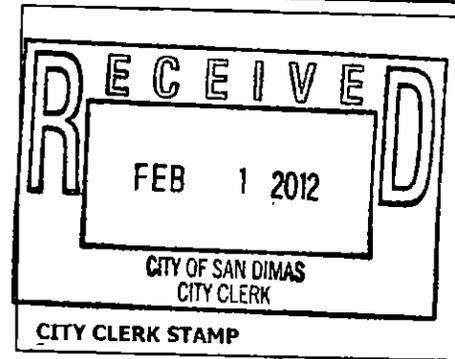
770 S. Placentia Avenue | Placentia, CA 92870

P. O. Box 25180 | Santa Ana, CA 92799-5180

www.carlwarren.com | Tel: 714-572-5200 | 800-572-6900 | Fax: 866-254-4423

CA License No. 2607296

5.2



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

Received by DR initials  
Via

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

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 Roy VAN TILBURG
  - a. Address 513 E RABORN
  - b. City SAN DIMAS Zip Code 91773
  - c. Telephone Number (909) 599-7104 d. Cell Number (909) 720-6072
  - e. Date of Birth [REDACTED] f. Drivers' license [REDACTED]
  - g. e-mail: VAN TILBURG ROY @ MSN.COM

2. Name, telephone and post office address to which claimant desires notices to be sent if other than above:  
\_\_\_\_\_  
\_\_\_\_\_

3. Event or occurrence from which the claim arises:
  - a. Date 12-1-11 b. Time 1-3 a.m./p.m.
  - c. Place (exact & specific location) IN FRONT OF 513 E RABORN ST  
SAN DIMAS CA.

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)  
ROOT DECAY AT BASE OF TRUNK + WIND

e. What particular action by the City, or its employees, caused the alleged damage or injury?  
\_\_\_\_\_  
\_\_\_\_\_

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".  
SEE PICTURES ATT.

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. Name and address of any other person injured:

\_\_\_\_\_  
\_\_\_\_\_

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

ROY VANTILBURG  
513 E RABORN  
SAN DIMAS

8. Damages claims:

- a. Amount claimed as of this date: \$ 2,483.94
- b. Estimated amount of future costs: \$ \_\_\_\_\_
- c. Total amount claimed: \$ \_\_\_\_\_
- 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. \_\_\_\_\_  
b. \_\_\_\_\_  
c. \_\_\_\_\_  
d. \_\_\_\_\_

10. Any additional information that might be helpful in considering 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 1st day of FEB, 2012  
at 513 E RABORN SAN DIMAS CA.

Print Form

Clear Form

\_\_\_\_\_  
Claimant's signature



# City Council Staff Report

**TO:** Honorable Mayor and Members of City Council  
For the Meeting of February 28, 2012

**FROM:** Blaine Michaelis, City Manager

**INITIATED BY:** Michael Concepcion, Assistant Planner

**SUBJECT:** **Tentative Parcel Map 71739**  
A request to subdivide one (1) 31,240 square-foot single-family residential parcel into two (2) 15,620 square-foot single-family residential parcels at 614 N. Valley Center Avenue (APN: 8383-001-044)

---

## **SUMMARY**

*Tentative Parcel Map 71739 is a request to subdivide one (1) 31,240 square-foot single-family residential parcel into two (2) 15,620 square-foot single-family residential parcels at 614 North Valley Center Avenue (APN: 8383-001-044).*

*The Planning Commission reviewed the project and recommended approval. Staff also recommends approval of this project.*

## **BACKGROUND**

The applicant is requesting to subdivide one (1) 31,240 square-foot single-family residential parcel into two (2) 15,620 square-foot single-family residential parcels at 614 North Valley Center Avenue. An aerial diagram showing the proposed two lots can be found in **Figure 1** (see next page) and the proposed Parcel Map Plan is attached as **Exhibit A**. Currently, the rectangular lot fronts two streets: Valley Center Avenue to the west and Darwood Avenue to the east. Both lots are primarily flat and exceed the minimum development standards for width and size.

6.A.1



**Figure 1.** Aerial Diagram of Proposed Parcel Map

**ANALYSIS**

The attached Planning Commission Staff Report (**Exhibit B**) outlines the project analysis in detail.

**Lot 1** will consist of the existing house facing Valley Center Avenue. There are no conflicts with the existing residential structure and the proposed property lines. The lot is fully improved. The applicant would be required to underground existing overhead electrical, cable, and phone lines from the existing utility pole.

**Lot 2** will consist of the undeveloped portion facing Darwood Avenue. The vacant lot is currently unimproved. The City parkway is 10 feet wide and dedication has already been provided. Development requirements would include:

Street Name	Curb & Gutter	A.C. Pavement	Side-walk	Drive Approach	Street Lights	Street Trees	Equestrian Trail	Median Island	Bike Trail	Other
Darwood Avenue	X	X	X	X		X				

Both **Lots 1 and 2** will be required to install a 6-foot high decorative block wall along the perimeter.

### **Review by Environmental / Subdivision Review Committee**

The project qualifies as a Class 15 Minor Land Divisions Categorical Exemption under State CEQA Guidelines.

This project was heard by the Environmental / Subdivision Review Committee on October 6, 2011. The Subdivision Committee did not raise any major issues of concern. Comments include:

- For Lot 1 on Valley Center Avenue, the applicant shall underground the existing electrical, cable, and phone lines to the nearest utility pole on Valley Center Ave.
- 6-foot high decorative block walls shall be constructed along the project perimeter for both lots.

### **Review by Planning Commission**

This project was heard by the Planning Commission on December 21, 2011 (see **Exhibit C** for Meeting Minutes). A revision to Condition 9 was requested by the City Engineer to include a specific dimension of 10 feet be identified for the sewer connection so that the new language will read "The developer shall provide a 10 ft. wide sewer and drainage easement for the benefit of Parcel 2 over Parcel 1 to the satisfaction of the City Attorney and the Director of Development Services."

- City Engineer felt that in connecting to the existing sewer line on Darwood Ave., it may not be low enough to provide for the correct gravitational pull. In case it is not, City Engineer specified that a 10-foot wide sewer and driveway easement be provided for the benefit of Parcel 2 over Parcel 1.
- Likely location for the sewer and drainage easement would be along south property line, for which the existing house has a 10-foot existing setback.

The Planning Commission recommended approval to the City Council.

### **RECOMMENDATION**

Staff recommends approval of Tentative Parcel Map 71739, Resolution No. 2012-13 with Conditions of Approval, and filing of the Notice of Exemption.

Respectfully Submitted,



Michael Concepcion  
Assistant Planner

Exhibits:           A. Tentative Parcel Map 71739 Plan  
                      B. Planning Commission Staff Report, December 21, 2011  
                      C. Planning Commission Minutes, December 21, 2011  
                      Resolution No. 2012-13





# Planning Commission Staff Report

**DATE:** December 21, 2011

**TO:** Planning Commission

**FROM:** Michael Concepcion, Assistant Planner

**SUBJECT: Tentative Parcel Map 71739**  
A request to subdivide one (1) 31,240 square-foot parcel into two (2) 15,620 square-foot parcels at 614 N. Valley Center Avenue (APN: 8383-001-044).

## **SUMMARY**

*Tentative Parcel Map 71739 is a request to subdivide one (1) 31,240 square-foot parcel into two (2) 15,620 square-foot parcels at 614 North Valley Center Avenue (APN: 8383-001-044).*

*Staff recommends that the Planning Commission recommend to the City Council approval of Tentative Parcel Map 71739.*

## **BACKGROUND**

The applicant is requesting to subdivide one (1) 31,240 square-foot parcel into two (2) parcels at 614 North Valley Center Avenue. Each of the proposed lots would be 15,620 square feet. Currently, this rectangular lot fronts two streets: Valley Center Avenue to the west and Darwood Avenue to the east. An existing one-story house is located on the west side of the property facing Valley Center Avenue. There are no conflicts with the residential structure and the proposed property lines. The lot is primarily flat and the existing elevation of the lot at the northeast corner is 837 and slopes down in a southwest direction to 832. An aerial of the existing property is provided in **Figure 1** (next page).



**Figure 1.** Aerial of existing property at 614 N. Valley Center Ave. (outlined in green)

## ***Zoning***

Zoned Single-Family Residential 7,500 (SF-7500), the proposed lots would exceed the minimum lot size of 7,500 square feet. In addition, the lots would be larger than adjacent lots by approximately 2,800 square feet making them compatible with the existing neighborhood. The proposed lots also comply with the minimum lot width for 7,500 square-foot lots, which is 50 feet, and 15,000 square-foot lots, which is 100 feet. The proposed widths for both lots are 110 feet.

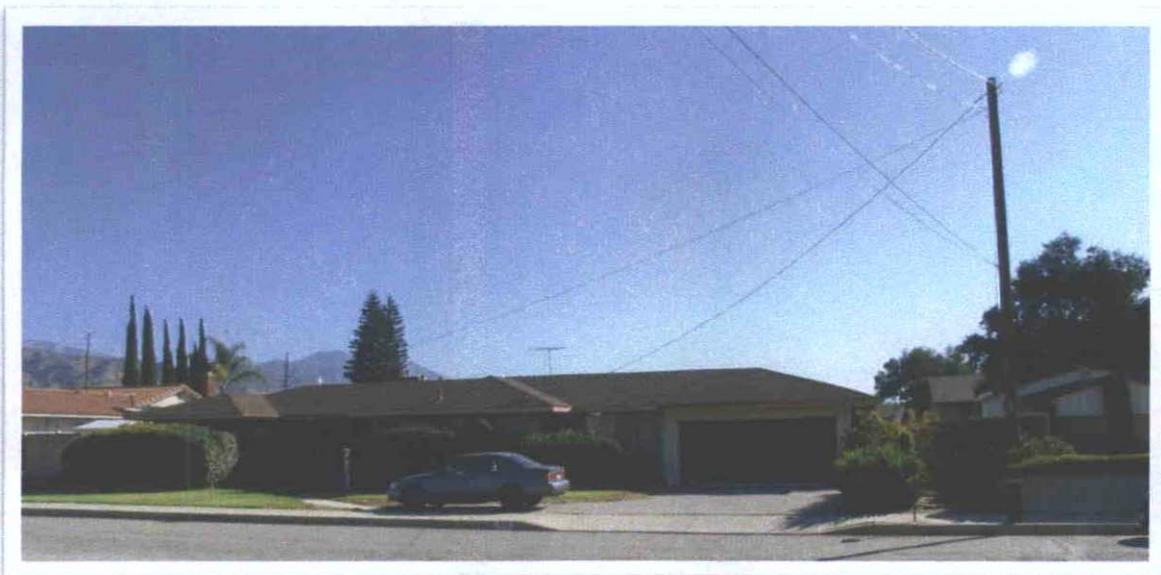
## ***Environmental / Subdivision Review Committee***

This project was heard by the Environmental / Subdivision Review Committee on October 6, 2011. The Committee did not raise any major issues of concern. Comments include:

- For the existing house on Valley Center Avenue, the applicant shall underground the existing electrical, cable, and phone lines to the nearest utility pole on Valley Center Ave.
- 6-foot decorative block walls shall be constructed along the project perimeter.

## ***Development Requirements***

Lot 1 is fully improved at this time. There is an existing utility pole for which existing overhead electrical, cable, and phone lines would be required to be undergrounded. (**Figure 2**).



**Figure 2.** Photo of existing house from Valley Center Ave. looking east.

Lot 2 (**Figure 3**) is currently not improved and would be required to install curb, gutter and sidewalk. The City parkway is 10 feet wide (6" curb, 5' landscaping, 4' sidewalk, 6" landscaping). Dedication has already been provided. Two parkway trees would be required for Lot 2, either Golden Medallion or Chinese Fringe.



**Figure 3.** Photo of existing property from Darwood Avenue looking west.

No street lights are required for either lots – they have already been installed on Valley Center and Darwood. 6-foot high decorative block walls will be required. Currently there is a mix of block walls and chain link fence.

### ***Environmental Determination***

The project is classified as Categorically Exempt, Section 15315: Minor Land Divisions, Class 15.

### **RECOMMENDATION**

Staff recommends that the Planning Commission recommend to the City Council approval of Tentative Parcel Map 71739 based on the conditions of approval and findings listed in Resolution No. 1456 (Exhibit A).

Respectfully Submitted,

Michael Concepcion  
Assistant Planner

Attachments:      Appendix A -      General Information  
                         Exhibit A -      Photographs  
                         Exhibit B -      Tentative Parcel Map Plans  
                         Resolution No. 1456

**EXHIBIT B**

## APPENDIX A

### GENERAL INFORMATION

**Applicant/Owner:** Mitsue Nakada

**Location:** 405 West Gladstone Street, San Dimas, CA. 91773

**General Plan:** Single Family Low (3.1 – 6)

**Surrounding  
Land Use and Zoning:** North: Single family residential – SF-7500  
South: Single family residential – SF-7500  
East: Single family residential – SF-7500  
West: Single family residential (City of Glendora)

**Legal Notice:** A legal notice was published in the Inland Valley Daily Bulletin; posted at City Hall, the Library, Post Office and Via Verde Shopping Center; and was mailed to property owners within 300 feet of the project on December 9, 2011.

**Environmental:** The Environmental Review Committee reviewed the project on October 6, 2011. This project is Categorically Exempt, Section 15315: Minor Land Divisions, Class 15.



EXHIBIT B



EXHIBIT B



EXHIBIT B

## **RESOLUTION PC-1456**

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF TENTATIVE PARCEL MAP 71739, A REQUEST TO SUBDIVIDE AN EXISTING 31,240 SQUARE-FOOT PARCEL INTO TWO (2) 15,620 SQUARE-FOOT PARCELS, LOCATED AT 614 N. VALLEY CENTER AVENUE (APN: 8383-001-044).

WHEREAS, an application for a Tentative Parcel Map has been filed by:

Mitsue Nakada  
614 N. Valley Center Avenue  
San Dimas, CA 91773

WHEREAS, the applicant is requesting the Tentative Parcel Map to:

Subdivide an existing 31,240 square foot-parcel into two (2) 31,240 square-foot parcels.

WHEREAS, the property to be subdivided is described as follows:

614 N. Valley Center Avenue (APN: 8383-001-044)

WHEREAS, the Tentative Parcel Map was submitted to appropriate agencies as required under Section 17.12.030 of the San Dimas Municipal Code with a request for their report and recommendations; and

WHEREAS, notice was duly given of the public hearing on the matter and that public hearing was held on December 21, 2011 at the hour of 7:00 p.m., with all testimony received being made a part of the public record; and

WHEREAS, the Planning Division Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines. The project qualifies under the Class 15 exemption under State CEQA Guidelines Section 15315: Minor Land Divisions because the project is a) in conformance with the General Plan land use designation of Single Family Low (3.1 to 6 dwelling units per acre), b) in conformance with Single Family Residential zone (SF-7500), no variances or exceptions are required, d) all services and access to the proposed parcels are existing, e) the property was not involved in a division of a larger parcel within the previous two years, and f) the property does not have an average slope greater than 20 percent. In addition, there is no substantial evidence that the project may have a significant effect on the environment. The Planning Commission has

reviewed the Planning Division's determination of exemption, and based on its own independent judgment, concurs in the staff's determination of exemption.

NOW, THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the Commissioners at the hearing, and subject to the Conditions attached as "Exhibit A", the Planning Commission now finds as follows:

- A. That the proposed Parcel Map is consistent with the General Plan and the applicable Land Use Zone.

The proposed parcel map meets the requirements of the Single-Family Residential (SF-7500) Zone and is consistent with the General Plan's goals and policies.

- B. That the design or improvement of the proposed subdivision is consistent with the General Plan and the applicable Land Use Zone.

The design of the tentative parcel map meets the requirements of the Single-Family Residential (SF-7500) Zone and the Single Family Low Land Use (3.1 – 6) Designation.

- C. That the site is physically suitable for the type of development proposed.

The proposed parcel map will have two parcels that are consistent with surrounding residential development. The site meets the minimum development standards required for subdivision according to the Single-Family Residential (SF-7500) Zone.

- D. That the site is physically suitable for the proposed density of the development.

The proposed tentative parcel map will subdivide the 31,240 square-foot lot into two (2) 15,620 square foot lots. The lots are surrounded by existing residential development and do not alter the existing density of the subject site and surrounding neighborhood.

- E. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damages or substantial and avoidable injury to wildlife or their habitat.

The subject site is surrounded by existing development and infrastructure; the proposed parcel map will not cause substantial environmental damage and avoidably injure wildlife or their habitat.

- F. That the design of the subdivision or the type of improvements are not likely to cause serious public health problems.

The subdivision and type of improvements proposed will not cause serious public health problems.

- G. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

The design of the subdivision will not conflict with easements for access through or use of property within the proposed subdivision.

- H. That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board. Conditions are imposed to protect the public health, safety and general welfare and to implement the intent and purpose of the General Plan.

Conditions that will be applied to this proposal will ensure the protection of the public health, safety and general welfare and to implement the intent and purpose of the General Plan.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission recommends to the City Council approval of Tentative Parcel Map No. 71739 subject to compliance with the Conditions in Exhibit "A" attached hereto and incorporated herein. A copy of this Resolution shall be mailed to the applicant.

PASSED, APPROVED and ADOPTED, the 21<sup>st</sup> day of December, 2011, by the following vote:

AYES: Davis, Ensberg, Schoonover

NOES: None

ABSENT: Bratt, Rahi

ABSTAIN: None

---

Jim Schoonover, Chairman  
San Dimas Planning Commission

ATTEST:

---

Jan Sutton, Planning Secretary

**EXHIBIT A****CONDITIONS OF APPROVAL****Tentative Parcel Map 71739****PLANNING DIVISION – (909) 394-6250****General**

1. The applicant shall agree to defend at his sole expense any action brought against the City, its agents, officers or employees because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers or employees for any Court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.
2. The applicant shall be responsible for any City Attorney costs incurred by the City for the project, including, but not limited to, consultations, and the preparation and/or review of legal documents. The applicant shall deposit with the City to cover these costs in an amount to be determined by the City.
3. Copies of the signed Planning Commission Resolution of Approval No. 1456 Conditions shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.
4. The developer shall comply with all requirements of the Single Family (SF-7,500) Development requirements.
5. Tentative Parcel Map 71739 shall become null and void if the recordation of Final Map is not recorded within 24 months of City Council approval. The applicant may apply for a 12-month extension based on Chapter 17.12 of the San Dimas Municipal Code and the State Subdivision Map Act, provided that a request for extension is filed with the Planning Department prior to the expiration date.
6. The developer shall comply with all requirements and pay all applicable fees of the Los Angeles County Fire Department before recordation of the Final Parcel Map.

7. Six-foot decorative block walls shall be constructed along the project perimeter. If a double wall condition would result, the developer shall make a good faith effort to work with the adjoining property owners to provide a single wall. Developer shall notify, by mail, all contiguous property owners at least 30 days prior to the removal of any existing walls/fences along the project's perimeter.
8. The developer shall remove the non-permitted concrete pad just north of the existing driveway off of Valley Center which encroaches into the public right-of-way and replace with landscaping subject to review and approval of the City of San Dimas.

#### **ENGINEERING DIVISION – (909) 394-6240**

9. The developer shall provide a 10 ft. wide sewer and drainage easement for the benefit of Parcel 2 over Parcel 1 to the satisfaction of the City Attorney and the Director of Development Services.
10. For all non-exempt projects which disturb less than one- (1) acre of soil and are not part of a larger common plan of development which in total disturbs one acre or more, applicant must submit a signed certification statement declaring that contractor will comply with Minimum Best Management Practices (BMPs) required by the National Pollutant Discharge Elimination System (NPDES). In order to manage storm water drainage during construction, one or more of the following measures shall be implemented to prevent flooding of adjacent property, prevent erosion and retain soil runoff on the site:
  - a. Retention basins of sufficient size shall be utilized to retain storm water on the site.
  - b. Where storm water is conveyed to a public drainage system, collection point, gutter, or similar disposal method, water shall be filtered by use of a barrier system, wattle, or other method approved by the enforcing agency.
  - c. Compliance with a lawfully enacted storm water management ordinance.
11. The developer shall install all utilities underground at the time of development. The applicant shall underground the existing electrical, cable, and phone lines to the nearest utility poles on the west side of Valley Center Avenue.
12. The developer shall provide full street improvements on Darwood Avenue within the limits of the development. Improvements to include curbs and gutters, sidewalks, and paving according to City standards, as shown in the following table:

Street Name	Curb & Gutter	A.C. Pavement	Side-walk	Drive Approach	Street Lights	Street Trees	Equestrian Trail	Median Island	Bike Trail	Other
Darwood Avenue	X	X	X	X		X				

13. The developer shall provide mailboxes per City of San Dimas standards. Mailbox locations are subject to the approval of the local postmaster.
14. The Developer shall be responsible for any repairs within the limits of the development, including streets and paving, curbs and gutters, sidewalks, and street lights, or the installation of same where not existing, as determined by the City Engineer.
15. All work adjacent to or within the public right-of-way shall be subject to review and approval of the Public Works Department and shall be in accordance with applicable standards of the City of San Dimas, Standard Specification of Public Works Construction (Green Book) and the Manual of Uniform Traffic Control Devices (MUTCD) and further that construction ingress and egress be controlled by a plan approved by the Director of Public Works.
16. Construction hours shall be limited in a residential zone, or within a 500 foot radius thereof, to between 7:00 a.m. and 8:00 p.m., and shall be prohibited at any time on Sundays or public holiday, per San Dimas Municipal Code Section 8.36.100.
17. Improvement plans and necessary letters of credit, cash, and/or bonds to secure the construction of all street and improvements shall be submitted and approved by the City prior to the recordation of the Final Map.
18. A Final Map prepared by or under the direction of a Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the County Recorder.
19. A preliminary title and guarantee is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement holders. The account for this title report should remain open until the Final Map is filed with the County Recorder.

**PARKS AND RECREATION – (909) 394-6240**

20. The developer shall provide street trees throughout the development. The species, container size and location shall be designated by the City, as approved by the City Arborist.

21. The developer shall comply with City regulations regarding payment of Park, Recreation and Open Space Development Fee per SDMC Chapter 3.26. Fee shall be paid prior to issuance of building permits.
22. The developer shall comply with Chapter 17.36 of the San Dimas Municipal Code regarding Park Land Dedication (Quimby Act). The City may require fees in lieu of land or a combination thereof based on the market value of the land to be dedicated. Fees shall be paid prior to recordation.

submittal is that during the plan check process it was discovered that one of the conditions could not be done. The condition that changed was relative to the ten-foot wide easement on the east property line that was to be vacated as part of the process, with a new access being provided to the property owner to the north from Saint George. When that was done the easement was going to be given to the four property owners to the west that abut it and a new fence provided. However, it was discovered there are three manhole covers in the easement that need to remain accessible for maintenance, so the easement cannot be vacated but vehicular access will no longer occur in that area. The developer has spoken to the homeowners, and notices were mailed regular and certified to them, explaining the situation. If the rear property is ever developed, then it may be possible to remove the manholes and the easement area can revert to the homeowners to the west. Staff is recommending approval.

Chairman Schoonover opened the meeting for public hearing. There being no response, the public hearing was closed.

RESOLUTION PC-1455

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS APPROVING DEVELOPMENT PLAN REVIEW BOARD CASE NO. 11-49, A REQUEST TO CONSTRUCT A ONE-STORY 6,100 SQUARE FOOT MEDICAL CENTER AT 1359 W ARROW HIGHWAY (APN: 8383-016-011)

**MOTION:** Moved by Ensberg, seconded by Davis to adopted Resolution PC-1455 approving DPRB Case No. 11-49 and the categorical exemption. Motion carried 3-0-2 (Bratt, Rahi absent).

3. **CONSIDERATION OF TENTATIVE PARCEL MAP 71739** – A request to subdivide one lot into two single-family residential lots in the SF-7500 zone (APN: 8383-001-044).

Staff report presented by **Assistant Planner Michael Concepcion**, who stated this request is to divide the parcel located at 614 N. Valley Center Avenue in the SF-7500 zone into two (2) single-family lots that will be 15,260 square feet each. The existing residential house faces Valley Center on the west, which will be Lot 1. The undeveloped portion of the lot continues east to Darwood Avenue. This will be Lot 2. The parcel is primarily flat and meets the minimum development standards for width and size. This was presented to the Environmental/Subdivision Committee for review, and the only comments were that the utilities for the existing house on Valley Center should be undergrounded from the nearest utility pole, and that a decorative six-foot tall block wall be installed along the project perimeter. Lot 1 is fully improved and the only condition is to underground existing utilities from the nearest pole. Lot 2 is unimproved and will also have conditions to install curb, gutter, sidewalks and street trees. This project is consistent with the density of the neighboring development; therefore, Staff is requesting the Commission recommend approval to the City Council.

**Assistant Planner Concepcion** added there is a revision to Condition 9, in that the City Engineer requested a specific dimension of 10 feet be identified for the sewer connection so the new language will read "The developer shall provide a 10 ft. wide sewer and drainage easement for the benefit of Parcel 2 over Parcel 1 to the satisfaction of the City Attorney and the Director of Development Services."

**Commissioner Davis** asked why the sewer connection wasn't to Darwood.

**Assistant Planner Concepcion** stated the City Engineer felt the existing line on Darwood may not be low enough to provide the correct gravitational pull. In case it is not, then this condition would set the standards for connecting to the sewer on Valley Center. The existing house has a 10-foot setback from the south property line so the sewer line could be placed there.

Chairman Schoonover opened the meeting for public hearing. There being no response, the public hearing was closed.

RESOLUTION PC-1456

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF TENTATIVE PARCEL MAP 71739, A REQUEST TO SUBDIVIDE AN EXISTING 31,240 SQUARE-FOOT PARCEL INTO TWO (2) 15,620 SQUARE-FOOT PARCELS, LOCATED AT 614 N. VALLEY CENTER AVENUE (APN: 8383-001-044)

**MOTION:** Moved by Ensberg, seconded by Davis to approve Resolution PC-1456 recommending to the City Council approval of Tentative Parcel Map 71739 and the notice of exemption. Motion carried 3-0-2 (Bratt, Rahi absent).

**ORAL COMMUNICATION**

**4. Director of Development Services**

**Director of Development Services Dan Coleman** stated that City Ventures was in escrow on the L.A. Signal property on Eucla, and would be proposing a 60-unit townhouse project there. They are very experienced in attached housing products and are building a similar project in Glendora. This is one of the locations identified in the Housing Element for providing additional housing in the community.

**Commissioner Davis** asked if this was the old packing house and had the zoning been changed already for the site, and did he think the neighbors would be receptive.

**Director Coleman** stated it is not the packing house, that is two blocks to the east of this site, and that the zoning has not been changed yet. City Ventures will be hosting a neighborhood meeting in January during their due diligence period, so we will know more then how the neighborhood will feel about the project.

**5. Members of the Audience**

No communications were made.

**6. Planning Commission**

**Commissioner Davis** stated he is intending to attend the Planner's Conference in the Spring. **Chairman Schoonover** and **Commissioner Bratt** stated they did not plan to attend this year.

**RESOLUTION NO. 2012-13**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, APPROVING TENTATIVE PARCEL MAP 71739, A REQUEST TO SUBDIVIDE AN EXISTING 31,240 SQUARE-FOOT SINGLE-FAMILY RESIDENTIAL PARCEL INTO TWO (2) 15,620 SQUARE-FOOT SINGLE-FAMILY RESIDENTIAL PARCELS, LOCATED AT 614 N. VALLEY CENTER AVENUE (APN: 8383-001-044).

WHEREAS, an application for a Tentative Parcel Map has been filed by:

Mitsue Nakada  
614 N. Valley Center Avenue  
San Dimas, CA 91773

WHEREAS, the applicant is requesting the Tentative Parcel Map to:

Subdivide an existing 31,240 square-foot single-family residential parcel into two (2) 15,620 square-foot single-family residential parcels.

WHEREAS, the property to be subdivided is described as follows:

614 N. Valley Center Avenue (APN: 8383-001-044)

WHEREAS, the Tentative Parcel Map was submitted to appropriate agencies as required under Section 17.12.030 of the San Dimas Municipal Code with a request for their report and recommendations; and

WHEREAS, notice was duly given of the public hearing on the matter and that public hearing was held on February 28, 2012 at the hour of 7:00 p.m., with all testimony received being made a part of the public record; and

WHEREAS, the City Council has received the written report and recommendation from Staff and the Planning Commission; and

WHEREAS, the Planning Division Staff has determined that the project is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) and the City's CEQA Guidelines. The project qualifies under the Class 15 exemption under State CEQA Guidelines Section 15315: Minor Land Divisions because the project is a) in conformance with the General Plan land use designation of Single Family Low (3.1 to 6 dwelling units per acre), b) in conformance with Single Family Residential zone (SF-7500), no variances or exceptions are required, d) all services and access to the proposed parcels are existing, e) the property was not involved in a division of a larger parcel within the previous two years, and f) the property does not have an average slope greater

than 20 percent. In addition, there is no substantial evidence that the project may have a significant effect on the environment. The Environmental /Subdivision Committee and Planning Commission have reviewed the Planning Division's determination of exemption, and based on their own independent judgment, concur in the staff's determination of exemption.

NOW, THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the City Councilmembers at the hearing, and subject to the Conditions attached as "Exhibit A", the City Council now finds as follows:

- A. That the proposed Parcel Map is consistent with the General Plan and the applicable Land Use Zone.

The proposed parcel map meets the requirements of the Single-Family Residential (SF-7500) Zone and is consistent with the General Plan's goals and policies.

- B. That the design or improvement of the proposed subdivision is consistent with the General Plan and the applicable Land Use Zone.

The design of the tentative parcel map meets the requirements of the Single-Family Residential (SF-7500) Zone and the Single Family Low Land Use (3.1 – 6) Designation.

- C. That the site is physically suitable for the type of development proposed.

The proposed parcel map will have two parcels that are consistent with surrounding residential development. The proposed parcel map meets and exceeds the minimum development standards required for subdivision according to the Single-Family Residential (SF-7500) Zone.

- D. That the site is physically suitable for the proposed density of the development.

The proposed tentative parcel map will subdivide the 31,240 square-foot lot into two (2) 15,620 square foot lots. The lots are surrounded by existing residential development and do not alter the existing density of the subject site and surrounding neighborhood.

- E. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damages or substantial and avoidable injury to wildlife or their habitat.

The subject site is surrounded by existing development and infrastructure; the proposed parcel map will not cause substantial environmental damage and avoidably injure wildlife or their habitat.

- F. That the design of the subdivision or the type of improvements are not likely to cause serious public health problems.

The subdivision and type of improvements proposed will not likely cause serious public health problems.

- G. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision.

The design of the subdivision will not conflict with easements for access through or use of property within the proposed subdivision.

- H. That the discharge of waste from the proposed subdivision into the existing sewer system will not result in a violation of existing requirements prescribed by the Regional Water Quality Control Board. Conditions are imposed to protect the public health, safety and general welfare and to implement the intent and purpose of the General Plan.

Conditions that will be applied to this proposal will ensure the protection of the public health, safety and general welfare and to implement the intent and purpose of the General Plan.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the City Council approve Tentative Parcel Map No. 71739 subject to compliance with the Conditions in Exhibit "A" attached hereto and incorporated herein. A copy of this Resolution shall be mailed to the applicant.

PASSED, APPROVED and ADOPTED, the 28<sup>th</sup> day of February, 2012, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

---

Curtis Morris, Mayor of the City of San Dimas

ATTEST:

---

Ina Rios, City Clerk

**EXHIBIT A**  
**CONDITIONS OF APPROVAL**  
**Tentative Parcel Map 71739**

**PLANNING DIVISION – (909) 394-6250**

**General**

1. The applicant shall agree to defend at his sole expense any action brought against the City, its agents, officers or employees because of the issuance of such approval, or in the alternative, to relinquish such approval. The applicant shall reimburse the City, its agents, officers or employees for any Court costs and attorney's fees which the City, its agents, officers or employees may be required by a court to pay as a result of such action. The City may, at its sole discretion, participate at its own expense in the defense of any such action but such participation shall not relieve applicant of his obligations under this condition.
2. The applicant shall be responsible for any City Attorney costs incurred by the City for the project, including, but not limited to, consultations, and the preparation and/or review of legal documents. The applicant shall deposit with the City to cover these costs in an amount to be determined by the City.
3. Copies of the signed approved City Council Resolution No. 2012-13 Conditions shall be included on the plans (full size). The sheet(s) are for information only to all parties involved in the construction/grading activities and are not required to be wet sealed/stamped by a licensed Engineer/Architect.
4. The developer shall comply with all requirements of the Single Family (SF-7,500) Development requirements.
5. Tentative Parcel Map 71739 shall become null and void if the recordation of Final Map is not recorded within 24 months of City Council approval. The applicant may apply for a 12-month extension based on Chapter 17.12 of the San Dimas Municipal Code and the State Subdivision Map Act, provided that a request for extension is filed with the Planning Department prior to the expiration date.
6. The developer shall comply with all requirements and pay all applicable fees of the Los Angeles County Fire Department before recordation of the Final Parcel Map.

7. Six-foot decorative block walls shall be constructed along the project perimeter. If a double wall condition would result, the developer shall make a good faith effort to work with the adjoining property owners to provide a single wall. Developer shall notify, by mail, all contiguous property owners at least 30 days prior to the removal of any existing walls/fences along the project's perimeter.
8. The developer shall remove the non-permitted concrete pad just north of the existing driveway off of Valley Center which encroaches into the public right-of-way and replace with landscaping subject to review and approval of the City of San Dimas.

#### **ENGINEERING DIVISION – (909) 394-6240**

9. The developer shall provide a 10 ft. wide sewer and drainage easement for the benefit of Parcel 2 over Parcel 1 to the satisfaction of the City Attorney and the Director of Development Services.
10. For all non-exempt projects which disturb less than one- (1) acre of soil and are not part of a larger common plan of development which in total disturbs one acre or more, applicant must submit a signed certification statement declaring that contractor will comply with Minimum Best Management Practices (BMPs) required by the National Pollutant Discharge Elimination System (NPDES). In order to manage storm water drainage during construction, one or more of the following measures shall be implemented to prevent flooding of adjacent property, prevent erosion and retain soil runoff on the site:
  - a. Retention basins of sufficient size shall be utilized to retain storm water on the site.
  - b. Where storm water is conveyed to a public drainage system, collection point, gutter, or similar disposal method, water shall be filtered by use of a barrier system, wattle, or other method approved by the enforcing agency.
  - c. Compliance with a lawfully enacted storm water management ordinance.
11. The developer shall install all utilities underground at the time of development. For Lot 1, the applicant shall underground the existing electrical, cable, and phone lines from the nearest utility poles on the west side of Valley Center Avenue.
12. The developer shall provide full street improvements on Darwood Avenue within the limits of the development. Improvements to include curbs and gutters, sidewalks, and paving according to City standards, as shown in the following table:

Street Name	Curb & Gutter	A.C. Pavement	Side-walk	Drive Approach	Street Lights	Street Trees	Equestrian Trail	Median Island	Bike Trail	Other
Darwood Avenue	x	x	x	x		x				

13. The developer shall provide mailboxes per City of San Dimas standards. Mailbox locations are subject to the approval of the local postmaster.
14. The Developer shall be responsible for any repairs within the limits of the development, including streets and paving, curbs and gutters, sidewalks, and street lights, or the installation of same where not existing, as determined by the City Engineer.
15. All work adjacent to or within the public right-of-way shall be subject to review and approval of the Public Works Department and shall be in accordance with applicable standards of the City of San Dimas, Standard Specification of Public Works Construction (Green Book) and the Manual of Uniform Traffic Control Devices (MUTCD) and further that construction ingress and egress be controlled by a plan approved by the Director of Public Works.
16. Construction hours shall be limited in a residential zone, or within a 500 foot radius thereof, to between 7:00 a.m. and 8:00 p.m., and shall be prohibited at any time on Sundays or public holiday, per San Dimas Municipal Code Section 8.36.100.
17. Improvement plans and necessary letters of credit, cash, and/or bonds to secure the construction of all street and improvements shall be submitted and approved by the City prior to the recordation of the Final Map.
18. A Final Map prepared by or under the direction of a Registered Civil Engineer or Licensed Land Surveyor must be processed through the City Engineer prior to being filed with the County Recorder.
19. A preliminary title and guarantee is required and such document shall show all fee interest holders; all interest holders whose interest could ripen into a fee; all trust deeds, together with the name of the trustee; and all easement holders. The account for this title report should remain open until the Final Map is filled with the County Recorder.

**PARKS AND RECREATION – (909) 394-6230**

20. The developer shall provide street trees throughout the development. The species, container size and location shall be designated by the City, as approved by the City Arborist.

21. The developer shall comply with City regulations regarding payment of Park, Recreation and Open Space Development Fee per SDMC Chapter 3.26. Fee shall be paid prior to issuance of building permits.
22. The developer shall comply with Chapter 17.36 of the San Dimas Municipal Code regarding Park Land Dedication (Quimby Act). The City may require fees in lieu of land or a combination thereof based on the market value of the land to be dedicated. Fees shall be paid prior to recordation.



# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
*For the Meeting of February 28, 2012*

**FROM:** Blaine Michaelis, City Manager

**INITIATED BY:** Community Development Department

**SUBJECT:** Authorization of Transfer from General Fund Reserve for  
Downtown Facades

---

## **BACKGROUND**

On October 17, 2011 the City Council authorized \$45,000 from the City General fund to accomplish design work and asbestos/lead pain testing for the five buildings participating in the façade program. Design work and related testing has been completed and plans have completed first plan check with only minor corrections to be made.

At the time design was authorized there remained some hope that the lawsuit contesting dissolution of redevelopment agencies would be successful and RDA funds could be utilized for this project. Unfortunately that has not happened and the only source of funds for this project is the General Fund Reserve.

## **ANALYSIS**

Four of the five owners (Cyndia Williams, Pat Meyers, Mark Salehpour and Jerry Thornell) have made written commitments to go forward while one owner (Gray & Frazier Trust) is very interested but still reviewing costs/options prior to committing. It appears that all of the owners will use a loan option (rather than a rebate) but these determinations will not be finalized until bids are received.

To move to the next steps additional funding is required. Next steps will be to secure construction bids and coordinate construction. One business has expressed a desire to wait until June and a second intends to work around several upcoming holidays. Staff is continuing to work with the owners to address these scheduling matters.

Staff has previously secured contractor construction estimates (not including limited lead/asbestos abatement). These estimates are as follows:

7.0

<b>Address</b>	<b>Cost Estimate</b>	<b>Loan Estimate<sup>1</sup> (adjusted to exclude canopy demo/awning replacement)</b>	<b>Loan Estimate<sup>2</sup> (adjusted for more than one project)</b>
125 W. Bonita	\$20,000	\$17,000	\$14,000
155 W. Bonita	\$31,000 <sup>3</sup>	\$28,000 <sup>3</sup>	\$23,000 <sup>3</sup>
157 W. Bonita	\$42,000	\$39,000	\$34,000
161 W. Bonita	\$42,000	\$39,000	\$34,000
169 W. Bonita	\$49,000	\$46,000	\$41,000
<b>TOTAL</b>	<b>\$184,000</b>	<b>\$169,000</b>	<b>\$146,000</b>

1. Includes an estimated cost savings of \$3000 with the City taking financial responsibility to remove existing canopy in public right-of-way and replace it with new awning. This is associated with the Downtown streetscape project and can occur even if facades go forward before the side walk project.
2. Savings based upon contractor estimates if multiple facades are done at the same time using the same contractor.
3. May be adjusted upwards by \$5000 if rebate included for prior demolition work.

In order to move forward with this project, the following budget is necessary:

Total estimated Construction Cost	\$184,000
Added cost for lead/asbestos abatement	TBD <sup>1</sup>
Contingency (10%)	<u>\$18,400</u>
	202,400 + TBD <sup>1</sup>

1. Staff will provide an estimate at Council meeting.

It should be noted that the program is structured as a loan and/or rebate program so, depending upon final program selection and the amount of loan "forgiveness" a significant amount of these funds will be repaid over the next 10 years.

### **RECOMMENDATION**

Transfer approximately \$210,000 from General Fund Reserve for this project.

Respectfully Submitted,



Larry Stevens,  
Assistant City Manager for Community Development



## Agenda Item Staff Report

**DATE:** February 28, 2012  
**TO:** Mayor and City Council  
**FROM:** Blaine Michaelis, City Manager  
**INITIATED:** Ken Duran, <sup>KD</sup> Assistant City Manager  
**SUBJECT:** Adoption of Recognized Obligation Payment Schedule

---

### SUMMARY

ABx1 26 requires that twice a year, until all obligations are retired, a Successor Agency must adopt a schedule of all payment obligations, referred to as the Recognized Obligation Payment Schedule (ROPS). The Redevelopment Agency adopted a Preliminary ROPS in September 2011. The first official ROPS is required to be adopted by March 1, 2012 covering the period of May – June 2012.

### Background

One of the requirements of ABx1 26, the legislation that dissolved Redevelopment Agencies, was for each Agency to adopt an "Enforceable Obligation Payment Schedule" (EOPS). This schedule lists all of the payment obligations of the Agency based upon commitments prior to the legislation being adopted. Examples of obligations include bond debt, loan debt, payments required in development agreements, existing contracts for work or services, payroll and rent under agreement and pass thru obligations. Under ABx1 26 the Agency was not allowed to make any payment unless it is identified on the EOPS. On August 23, 2011 the Agency adopted its initial EOPS and adopted several amended revisions subsequent to that. EOPS is intended to be the obligation payment schedule during the dissolution transition process.

After the dissolution of the Redevelopment Agency, which became effective February 1st, the method of identifying payment obligations is known as the Recognized Payment Obligation Schedule (ROPS). The ROPS is to be prepared by the Successor Agency, approved by the local Oversight Board and reviewed by the County Auditor Controller and State Department of

8.a

Finance. The ROPS are required to be approved and submitted by April 15 and October 15 of each year, covering 6 month periods.

Because of the timing of the dissolution of Agencies and startup of Successor Agency obligations, the middle of a fiscal year and middle of a 6 month period, the timing of submitting ROPS and what should be included and how it should be presented is still somewhat unclear. However, ABx 26, as amended by the court decision, requires that the first ROPS be approved by March 1<sup>st</sup>, and submitted by April 15<sup>th</sup>.

Staff in consultation with experts, consultants and legal counsel has made our best effort to prepare this initial ROPS. The initial ROPS is supposed to cover the period of May – June 2012. The ROPS covering the period of July 2012 – December 2012 is supposed to be submitted in October 2012. However, this is problematic because this process does not account for payment obligations that will come due from July through December. Therefore, some experts have suggested including those obligations in the initial ROPS for May – June. Others have suggested adopting the second ROPS, along with the initial ROPS. At this time staff is presenting two versions of the ROPS for approval. The first initial ROPS, covering May – June includes the next six months of obligations in the June column. The second is a separate ROPS that details the obligations for next fiscal year. Since we don't know yet which is the preferred method, in order to comply with the March 1<sup>st</sup> adoption deadline, we are recommending adopting both. Once adopted an ROPS can be amended up until submittal to the Oversight Committee for approval. Staff's intention would be to amend the schedule(s) once some of the outstanding issues can be clarified.

### **Recommendation**

Staff recommends that the City Council adopt both enclosed versions of the Recognized Enforcement Obligation Payment Schedule.

**RECOGNIZED OBLIGATION PAYMENT SCHEDULE FOR MAY 2012 - JUNE 2012**

Project Name / Debt Obligation	Payee	Description	Total Outstanding Debt or Obligation as of June 30 2011	Total Due May-June 2012	Source of Payment	Total	
						May 2012	June 2012
1) 1991 Taxable Bond Issue creative growth	US Bank	Bond issue to fund non-housing projects	425,939.00	60,125.00	RPTF*		60,125.00
1998 Taxable Bond Issue Creative Growth Refinance							
2) Portion	US Bank	Bond issue to fund non-housing projects	3,552,250.00	540,500.00	RPTF*		540,500.00
3) 1998 Charter Oak Mobile Home Park	US Bank	Bond issue to fund housing projects	10,319,195.00	574,980.00	RPTF*		574,980.00
4) Loan to CRA	City of San Dimas	Loan for non-housing projects	12,947,756.00	647,388.00	RPTF*		647,388.00
5) Loan CRA Walker House fund 30	City of San Dimas	Loan for rehabilitation project.	9,273,999.00	546,177.00	RPTF*		546,177.00
6) Loan to Rancho San Dimas	City of San Dimas	Loan for non-housing projects	1,506,021.00	64,015.00	RPTF*		64,015.00
7) Loan to CRA Walker House 30	Walker House Master Tenant	Loan for rehabilitation projects	2,249,678.00	132,470.00	RPTF*		132,470.00
8) SERAF loan	Housing Set Aside	Repayment to housing fund	1,668,441.00	0.00	RPTF*		
9) Administrative Costs Total * Includes	City of San Dimas	Administrative	59,307.00				
City Attorney*	McKenna, Long & Aldridge	Legal		18,498.00	RPTF*	4,475.00	18,498.00
City Auditors*	Lance, Soll, Lungehard	Audit Services		24,250.00	RPTF*	8,000.00	24,250.00
Bank Trustee*	US Bank	Bond Trustee		7,400.00	RPTF*		7,400.00
Consultant*	HDL	Prop/Sales Tax Analysis		9,159.00	RPTF*		9,159.00
to be determined Successor Agency Admin*	City of San Dimas	Administration - of Successor Agency					
10) Housing Projects Total ** Includes			5,424,000.08				
Bonita Canyon Gateway Low/Mod Housing		Housing assistance per development agreement		2,684,000.00			2,684,000.00
Grove Station/Low and Moderate Housing	Olson Company/Successor Agency	Housing assistance per development agreement		2,700,000.00	Housing Fund		2,700,000.00
Housing Legal/M&O Fees	McKenna Long & Aldridge	Housing legal services		53,728.04	Housing Fund	16,864.00	36,864.04
Parking Assessment Puddingstone Center	Puddingstone Parking District	Parking lot maintenance operations	9,814.00	1,444.00	RPTF*		1,444.00
Parking Lot Lease	Costco Wholesale Corp.	Lease to ensure adequate public parking	7,000,000.00	319,609.00	RPTF*	107,109.00	319,609.00
Monte Vista Maintenance & Operations	Bessire & Casenhiser Inc./CP/JIA	Maintenance & Operating Expenses for Senior apartments	62,989.00	51,390.04	Housing Fund	7,436.50	51,390.04
Creative Growth Obligations	CRA M&O	Temporary Advance to Cover Prior Year Debt	671,280.17	671,280.17	RPTF*		671,280.17
Rancho San Dimas Obligations	Rancho SD M&O	Temporary Advance to Cover Prior Year Debt	238,593.28	238,593.28	RPTF*		238,593.28
Totals - This Page			\$ 55,409,262.53	\$ 9,345,006.53	\$	\$ 2,837,043.50	\$ 9,345,006.53
Totals - Page 2			\$ 350,037.93	\$ 350,037.93	\$	\$	\$ 350,037.93
Grand total - All Pages			\$ 55,759,300.46	\$ 9,695,044.46	\$	\$ 2,837,043.50	\$ 9,695,044.46

\* RPTF = Redevelopment Property Tax Trust Fund (formerly tax increment)





# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
*For the Meeting of February 28, 2012*

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

**SUBJECT:** Appointments to the Oversight Board

---

## **SUMMARY**

*This agenda item is to confirm the two city appointments to serve on the Oversight Board for the dissolution of the city's Redevelopment Agency.*

*In addition, Supervisor Antonovich has offered an invitation for the city to make suggestions for County appointees to serve on the Oversight Board. This agenda item is to confirm a listing of recommendations to forward on to the Supervisor.*

## **BACKGROUND**

The Redevelopment dissolution provisions call for the establishment of an Oversight Board to oversee the actions of the Successor Agency. The Board is comprised of appointments from the following agencies:

1. Mayoral appointment – City appointment.
2. Employee of the former Redevelopment Agency – City appointment.
3. County Board of Supervisor representative – County appointment.
4. Member of the public – County appointment.
5. Representative of the District receiving the largest share of property tax in the city (Fire District) – County appointment.
6. County Board of Education representation – School District appointment.
7. Chancellor of the California Community Colleges representative – Community College appointment.

At this point only 1 Board member has been identified – Ann Sparks of Bonita Unified School District will be the County Board of Education representative.

- Larry Stevens as the former Redevelopment employee representative.

Names to suggest to Supervisor Antonovich for consideration for the 3 County appointments:

- John Davis
- Ash Dhingra
- Rick Hartman – Mr. Hartman is a San Dimas resident recently retired from a career in local government – planning.
- Scott Dilley
- Ted Ross

Alternate recommendation:

- Steve Lee – San Dimas resident and business owner.

Attachment:

Letter from Supervisor Antonovich

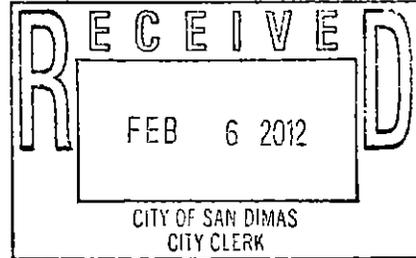


# Board of Supervisors County of Los Angeles

MICHAEL D. ANTONOVICH  
SUPERVISOR

February 3, 2012

The Honorable Curtis W. Morris  
Mayor, City of San Dimas  
245 E. Bonita Avenue  
San Dimas, CA 91773



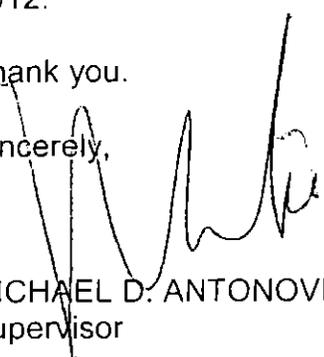
Dear Curtis:

This letter is to request your suggestions for County appointees to serve on the oversight boards which will oversee the activities of the successor agencies to redevelopment agencies which were dissolved under the provisions of ABx1 26. In addition to County appointments, the cities, the Los Angeles County Board of Education, the Community Colleges, the largest special district and the former redevelopment agency employees will also have appointments.

Please provide the names and contact information of individuals in the community that you think would be good representatives on the committee prior to March 6, 2012.

Thank you.

Sincerely,

  
MICHAEL D. ANTONOVICH  
Supervisor

MDA:evo



# Agenda Item Staff Report

**TO:** Honorable Mayor and Members of City Council  
For February 28, 2012

**FROM:** Blaine Michaelis, City Manager

**INITIATED BY:** Ken Duran, <sup>VP</sup> Assistant City Manager

**SUBJECT:** Report on potential amendments to the San Dimas Municipal Code pertaining to Animal Regulations and Welfare

---

## **SUMMARY**

***Staff has reviewed the City's existing Municipal Code pertaining to animal regulations and animal welfare. Staff is suggesting a number of additions and changes to the Code. This is a preliminary review of the some of the types of suggested changes. Staff is seeking Council direction on the suggested changes and direction to bring back a Code amendment.***

## **BACKGROUND**

Last year Los Angeles County approved changes to the County Code dealing with animal welfare. The primary impetus for the change was to add a section to regulate large scale dog breeding operations, colloquially referred to as "puppy mills." While considering this amendment County staff reviewed the entire animal welfare Code and made changes to a number of other sections.

Supervisor Antonovich had encouraged cities within the County to consider enacting similar ordinances. At the City Council meeting with Supervisor Antonovich last August, the County Director of Animal Control Service made a presentation on the Code changes. The City Council directed staff to look into the ordinance for City consideration.

The County animal control Code applies to unincorporated County areas. In addition, most cities that contract with the County for animal control services typically adopt the County Code by reference so when the Code was amended it was automatically applicable to those cities. San Dimas does not adopt the County Code and has its own Code provisions in the City Code relative to animals. Consequently, there were some changes that the County made to their Code that were not applicable to the City Code or would result in a different type of change to the City Code.

8.C

Over the past several months staff has analyzed the County Code and the Code amendments that were made last year and compared those to the City Code. While doing so staff also considered, as the County did, reviewing all sections to the animal Code for potential updates. Much of the City Code is 30 plus years old.

The purpose of this report is to summarize the general category of suggested changes to the City Code and receive direction from the Council to go forward with amending the City's animal related Code. As the Council is considering these potential code amendments the Inland Valley Humane Society is also reviewing these potential changes since they will have responsibility for enforcement of these codes.

The following is an outline of the significant proposed changes by category.

### BREEDING FACILITIES

The existing Code does not address breeding operations. The reality is that there is no current zone within the City where breeding operations would be permitted. However, there is one current facility that dates back to the 1970's where breeding may be a non-conforming use. It would not be detrimental to have a code section regulating breeding if that type of use should be permitted in the future.

This new section would include licensing requirements and restrictions as well as facility regulations. The facility restrictions deal with the number of animals, medical information, record keeping, and staffing requirements. Also included in this section would be rules regarding the health and housing of dogs that are breeding and pregnant. Some of the specific regulations would be:

- Require the facilities to be licensed and inspected.
- Requires a listing of the size category of the dogs raised and be reinspected if that changes.
- Limits the number of allowed dogs to 50 sexually active dogs over one year of age. That number may be greater if additional conditions are met.
- Requires breeding females to be at least 12 months of age before being bred.
- Requires the offspring not to be removed from the premises before the age of eight weeks.
- Requires pregnant dogs to be housed separately at least three days before giving birth.
- Requires nursing mothers and their litters have their own enclosures.
- Requires all dogs to be micro chipped or tattooed prior to four months of age or prior to sale or transfer.
- Establishes penalties for violations of the ordinance requirements.

### KENNELS AND ANIMAL FACILITIES

The suggested changes would pertain to the care and management of kennels and other animal facilities. There is only one known "kennel" currently in operation within

the City. The City's existing Code only has some basic care and management requirements for kennels.

One of the key changes would be that the definition of "kennel" would be expanded to mean any premises for animal related business including grooming shop, pet shop or boarding facility. Another significant change would be to add a licensing and inspection requirement for kennels and animal facilities. In addition the Code would provide additional management and operating conditions for these facilities. Some of the regulations would include:

- Annual license and inspection.
- Specific record keeping requirements.
- Specific notice and disclosure information for facilities that sell animals.

## VICIOUS OR POTENTIALLY VICIOUS DOGS

The existing City Code outlines a process to declare a dog to be vicious or potentially vicious. A vicious or potentially vicious dog is one that has displayed certain behaviors, such as attacking another animal or person, which would warrant imposing restrictions, removal and possible further disposition of the animal from the owner. The City's and IVHS experience in past applications of this section have been difficult to administer because the existing section is not as comprehensive and well defined as it could be. The suggestion is to amend the Code to adopt the State regulation which outlines a very detailed and specific process. The section would be much more detailed, including:

- Clarifying the definition of what constitutes a vicious or potentially vicious dog.
- Specifying the process of impoundment of a vicious or potentially vicious dog.
- Specifying the hearing process for a vicious or potentially vicious dog declaration.
- Specifying the conditions of continuing to own a potentially vicious dog.
- Identifying the consequences of a vicious dog determination.

## BARKING DOGS

As with the vicious dog section, staff and the IVHS have had some difficulty in administering the existing barking dog section of the Code. Staff has reviewed several other sample ordinances suggested by the IVHS in making the suggested changes. Some of the suggesting changes would:

- Provide greater detail as to the process of reporting and investigating barking dog complaints.
- More clearly defining the investigative process of complaints.
- More clearly defining the steps in the hearing and determination process.

## GENERAL ANIMAL CARE

The existing Code identifies a few basic animal care rules. The County code and their amendments specify a number of more specific regulations. Staff has reviewed their section and would suggesting adding some of those. These standards would apply to animal facilities, as well as private animal ownership. Some of the suggested additions would include:

- Housing facilities for animals shall be structurally sound and shall be maintained in good repair, to protect the animals from injury, to contain the animals, and to restrict the entrance of other animals.
- All animals shall be supplied with sufficient good and wholesome food and potable water that is free from debris and is readily accessible and available as often as the feeding habits of the respective animals require.
- Animals shall be groomed and kept in a manner which is not injurious to their health. All animal buildings or enclosures shall be maintained in a clean and sanitary condition to control odors and to prevent the spread of disease.
- All animals shall be so maintained as to eliminate excessive and nighttime noise.
- No animals shall be without attention more than 24 consecutive hours. Whenever an animal is left unattended at a commercial animal facility, the telephone number of the department of animal care and control, or the name, address and telephone number of the responsible person, shall be posted in a conspicuous place at the front of the property.
- Animals shall not be neglected, teased, abused, mistreated, annoyed, tormented or in any manner made to suffer by any person or means.
- No condition shall be maintained or permitted that is or could be injurious to the animals. Tethering of animals is prohibited except as permitted under California Health and Safety Code Section 122335.
- Animal buildings and enclosures shall be so constructed and maintained as to prevent escape of animals. All reasonable precautions shall be taken to protect the public from the animals and the animals from the public.
- Every animal-facility shall isolate sick animals so as not to endanger the health of other animals.
- All animal enclosures, including, but not limited to rooms, cages,-and kennel runs, shall be of sufficient size to provide adequate and proper accommodations for the animals kept therein. An enclosure with a wire bottom may only be used temporarily, and be in compliance with Health and Safety Code Sections 122065 and 122065.5.
- If enclosures, such as crates and other mobile enclosures are stacked upon one another, or on a surface other than the floor, the crates/enclosures must be securely fastened and designed and arranged so that: there is no danger of an enclosure falling; the animals do not have direct access to one another; and waste from one (1) enclosure cannot be transmitted to another enclosure. Food and water containers must be secured to prevent spillage. Crates may be stacked no more than two (2) crates high.
- Proper shelter and protection from the weather shall be provided at all times.

- An animal shall not be given any alcoholic beverage, unless prescribed by a veterinarian.
- Animals which are natural enemies, temperamentally unsuited, or otherwise incompatible, shall not be quartered together, or so near each other as to cause injury, fear or torment. If two or more animals are so trained that they can be placed together and do not attack each other or perform or attempt any hostile act to the others, such animals shall be deemed not to be natural enemies.
- Any tack, equipment, device, substance or material that is, or could be, injurious or cause unnecessary cruelty to any animal shall not be used.

### **RECOMMENDATION**

Staff recommends that the City Council provide direction on the above described general areas of change to the Code and direct staff to bring back a comprehensive code amendment to the animal section of the Municipal Code.