



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, APRIL 10, 2012, 7:00 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVENUE**

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**PRESENT:**

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

City Manager Blaine Michaelis  
City Attorney Ken Brown  
City Clerk Ina Rios  
Assistant City Manager for Community Development Larry Stevens  
Assistant City Manager Ken Duran  
Director of Development Services Dan Coleman  
Director of Public Works Krishna Patel  
Director of Parks and Recreation Theresa Bruns  
Associate Planner Marco Espinoza

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

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

**2. RECOGNITIONS**

- Proclaim May as Older Americans Recognition Month and recognize Linda Groth as the City's Older American honoree.

Mayor Morris congratulated and presented a proclamation to Linda Groth, the City's honoree who is well deserving of the recognition and who will be recognized at the Los Angeles County Older American Recognition Day on May 23, 2012, and he declared the month of May as Older Americans Month.

Linda Groth expressed her appreciation to Mayor Morris and the City Councilmembers for the recognition and said she enjoys volunteering and being with people.

Councilmember Bertone said he is fortunate to be the City Council Liaison to the Senior Citizens Commission, and for Linda Groth, he would change the title from Older American to Active American. He said she relocated from Milwaukee to California in 1989 and moved to San Dimas in 1993. Ms. Groth believes the secret to being active is to be involved and she enjoys being around other people. Ms. Groth has been actively involved in the Senior Citizens Club and has served as its Treasurer for the past seven years. He said Ms. Groth was nominated by the Senior Citizens Club and the vote was unanimous for the well-deserved honor.

- Proclaim April 8-14, 2012 as National Library Week.

Mayor Morris read and presented to Pui-Ching Ho, San Dimas Librarian, a proclamation declaring April 8-12, 2012 as National Library Week. He mentioned that the San Dimas Library has a lot of high-tech activity and offers the greatest deal on used books. He encouraged citizens to visit the Library.

Pui-Ching Ho thanked the City Council for the recognition and said the San Dimas Library offers a variety of programs.

### 3. ANNOUNCEMENTS

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

Pui-Ching Ho, Library Manager, invited the community to join the Family Drum Circle at 6:30 p.m. on Wednesday, April 18, for a fun experience exploring a variety of musical instruments to tell stories. On Thursday, April 19, the Thursday Evening Book Club is reading books set in Los Angeles – the book for April is *Bright Shiny Morning*. On Saturday, April 21, at 3:00 p.m., Richard Woloski will provide Legos to teach children how to use their imagination to build a variety of creations; Saturday, April 28, 3:00 p.m., join Historical Society Past President Ralph Thomas for a presentation on the history of California Citrus Crate Labels. She said citrus crate labels were used for 70 years, then underwent a major transformation in design and appearance between the late 19<sup>th</sup> century and the 1950's when they were replaced by cardboard boxes with preprinted labels. For more information on any program or activity, contact the San Dimas Library at 909.599.6738.

#### b. Presentation of a \$5,000 Keep America Beautiful Grant from Waste Management for the Parks and Recreation Department Tree Management Program.

Carolyn Anderson Corrao, Public Sectors Solution Manager, Waste Management, presented to Mayor Morris and Parks and Recreation Director Bruns a check in the amount of \$5,000 from Keep America Beautiful for keeping the City of San Dimas beautiful.

On behalf of Municipal Arborist Deborah Day and the great volunteer organization, the Branch Hands, Mayor Morris and Parks and Recreation Director Bruns accepted the check for \$5,000 grant award. Director Bruns expressed appreciation to Mrs. Corrao for the partnership and for providing the opportunity to allow them to keep San Dimas beautiful and keep the Tree Management program alive and active through this grant program.

Carolyn Anderson Corrao reminded the community to think green, think Waste Management from environment protection to everyday collection.

#### c. Senior Citizens Club Annual Report

Linda Groth, Senior Citizens Club Treasurer, said spending was curtailed due to the renovation and construction of city hall, and because the Senior Citizens Multi-purpose room has limited capacity, not too many people came to play Bingo. She reported that in spite of limitations, donations were made to the following: \$1,000 to San Dimas Utilities; \$4,120 for scholarships; \$145 for the Hunger Program; \$76 to the Salvation Army; \$100 to the Los Angeles Mission; \$221 to the HEROES Memorial; and \$1,500 for the City's Snow Program; for a total of \$7,162. She indicated that payments to the City toward special events resumed and \$6,000 was earmarked for donations in 2012, in addition to what Bingo will provide. She stated that people in charge of Bingo are bringing new games to keep people interested and spend more money.

Mayor Morris expressed his sincere appreciation to all members of the Senior Citizens Club for their efforts in making the community better and their contributions to the various programs.

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

a. Members of the Audience

Nicki Sacro, ASB President, San Dimas High School, reported on the Band's successful fundraisers and Color Guard, Drum Line, and Jazz Band activities. She said Drum Line will be going to a Championship round at Miller High School on April 28<sup>th</sup>. She reported that at the Choral Festival, the Women's Ensemble won Second Place Gold, Chamber Singers took First Place Gold and both choirs were invited to sing in New York at Carnegie Hall. She reported that students are holding a shoe donation; preparing for tests and the prom; and seniors are turning in their Senior portfolios.

**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 or audience requests separate discussion.)

**MOTION:** It was moved by Mayor Pro Tem Templeman, seconded by Councilmember Ebiner, and carried to accept, approve, and act upon the consent calendar, as follows:

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

- (1) **RESOLUTION NO. 2012-18**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF MARCH AND APRIL, 2012.
- (2) Proposed 2012-2013 Assessment Rates for Open Space Maintenance Districts:  
**RESOLUTION NO. 2012-19**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN ASSESSMENT FOR FISCAL YEAR 2012-2013 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING FOR HEARING OBJECTIONS FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1 (TRACT 32818, BOULEVARD).
- (3) **RESOLUTION NO. 2012-20**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE ENGINEER'S REPORT AND DECLARING ITS INTENTION TO LEVY AND COLLECT AN ASSESSMENT FOR FISCAL YEAR 2012-13 PURSUANT TO THE LANDSCAPE AND LIGHTING ACT OF 1972 AND ARTICLE XIID OF THE CALIFORNIA CONSTITUTION, AND FIXING A TIME AND PLACE FOR A PUBLIC HEARING FOR HEARING OBJECTIONS FOR OPEN SPACE MAINTENANCE DISTRICT NO. 1, ANNEXATION NO. 3 (TRACT 32841, NORTHWOODS).
- (4) **RESOLUTION NO. 2012-21**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING A REVISED APPROPRIATIONS LIMIT FOR FISCAL YEAR 2011-12 AND APPROPRIATE EXCESS REVENUES.

**5) RESOLUTION NO. 2012-22, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, ADOPTING THE PARS SECTION 457 FICA ALTERNATIVE RETIREMENT PLAN, REPLACING IN FULL THE CITY OF SAN DIMAS 3121 PART-TIME ALTERNATE TO SOCIAL SECURITY PLAN.**

- b. Proclaim April 8-14, 2012 Safety Seat Checkup Week.
- c. Proclaim April 22-28, 2012 Week of the Young Child.

**END OF CONSENT CALENDAR**

**6. PUBLIC HEARING**

- a. Consider revised Tentative Parcel Map 65790, 405 W. Gladstone Street (APN: 8392-015-029), from its original approval. The number of lots remains the same; four lots. Categorically Exempt, Section 15332 in-fill development project class 32.

**1) RESOLUTION NO. 2012-23, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING REVISED TENTATIVE PARCEL 65790, A REQUEST TO SUBDIVIDE ONE LOT (3.78 ACRES) INTO FOUR LOTS (35,190 SQ. FT. – 45,218 SQ. FT.) AT THE PROPERTY LOCATED AT 405 W. GLADSTONE STREET**

Associate Planner Espinoza provided a Powerpoint presentation and reported that on February 12, 2007, the City Council approved subdivision of the parcel map after much discussion and added conditions of approval. He stated that the applicant is requesting that the map be revised to address many of the issues involving extensive grading, retaining walls, tree removal, access and land locked parcels originally addressed by staff. Planner Espinoza distributed revised Conditions of Approval with newly added conditions 16, 26, 27, 29, 55, and 56. He stated that approximately 29 trees within Lot No. 1 will be preserved by the vacation of the vehicular access off of Gladstone Street for Lots 1 and 2 with the reduction of grading and retaining walls. He added that although staff would like to preserve additional oak trees No. 6 and 7 on Lot 3, a condition was not included. However, at direction by the City Council, the condition can be added. He stated that on February 15, 2012, the Planning Commission reviewed the revised map and recommended approval to the City Council. Staff recommends that the City Council adopt Resolution No. 2012-23 approving revised Tentative Parcel Map 65790.

In response to Mayor Pro Tem Templeman, Planner Espinoza replied that the applicant currently owns the 10-foot driveway that will be increased in size to meet fire code access.

In response to Councilmember Ebner, Planner Espinoza replied that the retaining wall varies in height and most of the trees on the southerly side will be preserved, however, trees No. 6 and 7 on Lot 3 might not be preserved. Planner Espinoza further replied that the lots meet minimum size requirements and set back requirements for horse keeping.

Councilmember Badar inquired whether condition No. 5 regarding abatement was appropriate for this project. Associate Planner Espinoza replied that in order to move forward with the project to get the map approved, the applicant must comply with code enforcement issues to clean up the site.

In response to Mayor Pro Tem Templeman, Director Coleman replied that the City Council's Order of Abatement was adopted last year. He said in order for the City to issue a grading permit, the applicant must comply with abatement and for development, the map must be ready to record by the time frames established by the City Council, unless the City Council grants an extension.

Mayor Pro Tem Templeman said he would like abatement issues resolved, however, he expressed concern about the timeline to prepare an appropriate grading plan.

In response to Councilmember Badar, Director Coleman replied that the Resolution has a provision that empowers him to grant up to a six-month extension based upon substantial progress. He said the developer has been diligently moving forward with the project.

Mayor Morris declared the public hearing opened and invited the applicant to present his request.

Stan Stringfellow, 326 West Arrow Highway, provided a Powerpoint presentation of a visual-comparative map and said the original plan required grading of the entire hillside and a large amount of retaining walls at the entrance. He summarized the revisions and stated that the revised plans reduced grading on the hillside by 40%; eliminated impacts to adjacent homes; preserved a significant number of trees; eliminated more than 460-feet of retaining walls on the side; and improved public safety for egress and ingress, as well as fire access. He said in addition to preserving 29 trees, which are on Lots 1 and 2, staff would also like two oak trees preserved, which are located on the proposed house pad on Lot 3. He said in order to protect those two trees, a well would have to be built around the drip line and it would be difficult to redesign the layout of the house with other setbacks. He asked for Council decision to either allow him to remove the trees and build a home at the north end of the lot, or preserve the trees and build the home on the south end of the lot. He expressed concern that no one wants horse keeping facilities in this area. If that is the case, he asked that the lot be de-restricted to not permit horse keeping. Mr. Stringfellow stated he is in agreement with the conditions of approval as approved by the Planning Commission, and further amended by staff, with the exception of condition No. 5, which he requests be removed from the conditions of approval. He stated that Mr. Hollander is no longer involved in this project and asked that the City Council authorize a six-month extension for approval of the revisions. He should be able to get the map ready for recording and grading within 90 days, however, he has no control over County timelines and asked for the extension to get the grading plan done correctly.

In response to Councilmember Badar, Director Coleman replied that a County storm drain cuts diagonally on the entire property and the County needs to be involved in the plan. Mr. Stringfellow stated that it not only has a County storm drain line, it has a sewer transition line through the property, and the City has an easement across the property as well.

In response to Mayor Pro Tem Templeman, Mr. Stringfellow replied that the first two homes will be built on Lots 3 and 4. He said home building will be deferred on lots 1 and 2 which will be graded and coated for dust control.

In response to Councilmember Ebner, Associate Planner Espinoza replied that the Tree Preservation Ordinance prohibits the removal of trees on the hillside without Development Plan Review Board or staff approval. Mr. Stringfellow said he is not opposed to the hillside being designated as a no build area. He said a good number of trees will be planted on the hillside to create a buffer for traffic on Gladstone.

Assistant City Manager Stevens stated that it is within the City Council's purview to designate an area to be left in its natural condition, rather than relying on the tree removal or grading Ordinance.

Mayor Morris called for public testimony in opposition of the project.

Ron Hoffman, 344 Cody Road, expressed concern that increased vehicular and equestrian traffic off the private driveway at the corner of Cody Road and Chaparral Road will have an unsafe congestion problem once those homes are built and kids become of driving age. He said that although he is not against the development, he would like safer roads for the children in the area.

In response to Mayor Morris, Assistant City Manager Stevens said that in order to address concerns, the private driveway will be widened from 10-feet to 20-feet and the street is being widened where the knuckle is added to the cul-de-sac. He stated that by widening the private driveway and street, there should be adequate opportunity for better traffic safety and visibility going in and out of the driveways.

In response to Councilmember Badar, Assistant City Manager Stevens explained that the knuckle is a street curvature of two street intersections meeting at right angles. Currently at the site, there is a truncated street that resulted because there was not a public right-of-way to construct a standard street knuckle at the time the homes in that area were built. He stated that the proposed street improvements will result in a standard design which would have been completed at the time the houses were developed if the required public right-of-way was available.

In response to Mayor Morris, Assistant City Manager Stevens replied that the property line plan shows that the driveway is being abandoned as part of street improvements to service parcels 1 and 2.

Assistant City Manager Stevens further responded that the driveway does not provide primary access to Mr. Hoffman's property. He said that 10-feet of public right-of-way behind the equestrian fence will be replaced by curb, gutter and sidewalk.

In response to Mayor Pro Tem Templeman, Assistant City Manager Stevens explained that the subject driveway does not lead to a permitted parking space, and it is expected to be abandoned because having three driveways in close proximity to a curve situation is not safe. He said staff will meet with Mr. Stringfellow and neighbors to review plans and see if there is a basis for doing something different.

Mayor Morris invited Mr. Stringfellow to rebut Mr. Hoffman's comments.

Stan Stringfellow, applicant, said the property has not yet been surveyed and he would be happy to meet with staff and the neighbors to work out an arrangement that works for all parties.

There being no further comments, the public hearing was closed.

Councilmember Bertone inquired about changing the date on condition No. 5.

Assistant City Manager Stevens stated that amendment of condition No. 5 related to abatement action is not on the agenda. He said the City Council can either leave in or remove condition No. 5 from the Conditions of Approval. He added that as long as the applicant is progressing with the project, staff will not terminate the parcel map and has the discretion to grant an appropriate extension. He said that if an extension is not granted, the applicant has the right to appeal staff's decision and come before the City Council through the appropriate process. If it is the City Council's decision to remove condition No. 5, the time frames in the original Resolution will apply.

Councilmember Ebner expressed his support in removing condition No. 5 and letting the time run pursuant to the original Resolution. He suggested that a condition be included to prohibit the removal of trees by future property owners to protect trees on the natural hillside of Lot No. 1.

In response to Councilmember Ebner's concern about planting an excessive number of trees on the hillside, Associate Planner Espinoza replied that once the existing driveway is removed, some kind of fill and vegetation in that area will be needed to offset drainage. Staff will review the need and use discretion in approving the number of trees planted.

Councilmember Ebner stated that tree No. 66 on the eastern edge of the property is healthy and worth preserving. He suggested that the tree be saved.

In response to Councilmember Ebner, Assistant City Manager Stevens replied that based upon final plans, staff will make every attempt to preserve the four trees by making sure grading and retaining walls will not adversely affect the trees. He said if those trees cannot be saved, they will be included in the tree removal permit with replacement.

Assistant City Manager Stevens said if the majority of the City Council is inclined, a condition could be added to designate the hillside area as a “no build” area, and require special review to limit future grading adversely affecting the natural topography and limit tree removal. He said staff could revisit tree removal as part of the house plans, or as part of the grading plan, and determine whether to increase or decrease the replacement value for the tree removal permit.

Mayor Pro Tem Templeman suggested that the owner might want a walking trail that goes up to Gladstone.

Assistant City Manager Stevens replied that a walking trail was suggested, but not prohibited. He said a “no build area” would be designated to maintain the natural topography.

In the interest of development, Councilmember Badar agreed with the decision of the Planning Commission to remove trees 6 and 7.

After the title was read, it was moved by Councilmember Ebner, to exclude condition No. 5 and add to the Conditions of Approval a condition to preserve the hillside with minor grading for a walking path and to waive further reading and adopt **RESOLUTION NO. 2012-23, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING REVISED TENTATIVE PARCEL 65790, A REQUEST TO SUBDIVIDE ONE LOT (3.78 ACRES) INTO FOUR LOTS (35,190 SQ. FT. – 45,218 SQ. FT.) AT THE PROPERTY LOCATED AT 405 W. GLADSTONE STREET.** The motion was seconded by Councilmember Bertone and carried unanimously.

## **7. OTHER MATTERS**

- a. San Dimas HEROES Clydesdales Community Event on Friday, May 4, 2012 - consider authorization for street closure on Commercial Street and parade route.

Public Works Director Patel reported that San Dimas HEROES submitted a Special Event application and is requesting City Council approval to close Commercial Street for a community event and fundraiser on May 4, 2012. He said the event will take place at Freedom Park and on the adjacent portion of Commercial Street, with a parade in the town core.

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Templeman, to approve closure of Commercial Street from San Dimas Avenue to Shirlmar on May 4, 2012, from 10:00 a.m. to 8:30 a.m. to conduct a community event, and rolling closure of the Clydesdale parade route from Freedom Park as outlined in the staff report. The motion carried unanimously.

## **8. ORAL COMMUNICATIONS**

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

Gary Enderle, San Dimas HEROES, 2044 Via Esperanza, expressed his sincere gratitude to City staff and volunteers who participated in making the Comedy Evening with Fritz Coleman a great success.

Mr. Enderle thanked the City Council for approving the street closure for the Clydesdales fundraiser. He stated that most downtown businesses will remain open until 6:00 p.m. for the event. He said some businesses have contributed to the HEROES program and some have indicated they will donate for the event to parade

through the downtown. He is promoting the event with fliers going out to the schools and invited the kids to attend. Carl's Jr. will have a diner truck and is donating a percentage of their sales to the HEROES program. Carl's Jr. is also offering to children 12 and under Free Cool Kids Meal certificates for use at their local restaurant. He looks forward to having everybody support their event.

b. City Manager

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

It was the consensus of the City Council to conduct the Spring City Council/Staff Retreat on Monday, May 14, 2012, 5:00 p.m.

2) City Manager Michaelis extended an invitation to the City Council and staff to Reverse Student In Government day on May 4, at San Dimas High School, at 9:30 a.m. He said the students will explain their programs and activities and enjoy a lunch with Councilmembers and staff.

3) City Manager Michaelis said the due to scheduling difficulties, the Mayor's Call in show will not be broadcast for the month of April, and will return on May 24, 2012.

c. City Attorney

There were no comments.

d. Members of the City Council

- 1) Reorganization of City Council:
  - a) Appointment of Mayor Pro Tem

Councilmember Bertone nominated Councilmember Badar for Mayor Pro Tem for a one year term. There being no other nominations, the nominations were closed.

It was moved by Councilmember Bertone, seconded by Councilmember Ebiner, to elect Mr. Badar to the position of Mayor Pro Tem for a one year term. The motion carried unanimously.

- b) Confirm Commission, Committee and Organization representations and assignments.

It was moved by Councilmember Bertone, seconded by Councilmember Ebiner, to allow the Council members to retain the same assignments. The motion carried unanimously.

Councilmember Bertone said he is delegate to the General Assembly of the Southern California Association of Governments and serves on the Joint Powers Association of the Metro Gold Line Foothill Extension. He would like those two headings corrected.

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

There was nothing to report.

- 3) Individual Members' comments and updates.

a) Councilmember Bertone thanked City Manager Michaelis for his speech and Mayor Pro Tem Badar for his work as Emcee at the San Dimas Sheriff's Boosters Volunteer Dinner.

b) Mayor Pro Tem Badar thanked all volunteers from reserves to Booster members and Board Members for their participation in the successful annual San Dimas Sheriff's Booster Volunteer Dinner at Via Verde Country Club, on Friday, April 6, 2012. He said all members received as a gift a CD of the program. He said the volunteers realize they have a lot of community support and he looks forward to next year's dinner.

## **9. ADJOURNMENT**

Mayor Morris adjourned the regular meeting of the City Council at 9:00 p.m. The next meeting is at 6:30 p.m. on Tuesday, April 24, 2012, City Hall Lobby, for a reception for Distinguished Service to Youth Awards; Regular meeting at 7:00 p.m.

Respectfully submitted,

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Ina Rios, CMC, City Clerk