



MINUTES
REGULAR CITY COUNCIL
SUCCESSOR AGENCY MEETING
TUESDAY, JANUARY 22, 2013, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVE.

CITY COUNCIL:

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

1. CALL TO ORDER AND FLAG SALUTE

- 2. 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

Pui Ching Ho Librarian announced upcoming activities planned at the library.

3. 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.)

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

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

RESOLUTION 2013 - 05, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF JANUARY, 2013.

- b. Approval of minutes for the regular City Council meeting of January 8, 2013

- c. A request to add Chapter 18.22 to the San Dimas Municipal Code establishing standards for granting density bonuses as required by Government Code Section 65915

ORDINANCE 1214, APPROVING MUNICIPAL CODE TEXT AMENDMENT 12-05 ADDING CHAPTER 18.22 REGARDING DENSITY BONUSES TO THE SAN DIMAS ZONING CODE SECOND READING AND ADOPTION

- d. A request to add Chapter 18.44 to the San Dimas Municipal Code establishing the MF-30 Zone

**ORDINANCE 1215, APPROVING MUNICIPAL CODE TEXT AMENDMENT 12-06
ADDING CHAPTER 18.44 MF-30 ZONE TO THE SAN DIMAS ZONING CODE
SECOND READING AND ADOPTION**

- e. Approval of "As Built" Bicycle Traffic Safety Re-Stripe Plan on San Dimas Avenue between Avenida Loma Vista to Avenida Domingo
- f. Adopt Resolution 2013 – 06, Annual Update of Parking Prohibition on Certain City Streets
- g. Approve State COPS Grant Budget

END OF CONSENT CALENDAR

4. PUBLIC HEARINGS

- a. Proposed CDBG Program FY 2013-14 Projected Use of Funds

Ann Garcia Administrative Aide presented staff's report on the program.

Mayor Morris asked for a description of the youth programs.

Theresa Bruns Director of Parks and Recreation Department stated that we currently don't have a CDBG Youth Scholarship Program, but the Parks & Recreation Department operates a program based on need. The program is managed based on the requests from parents for assistance. If they have qualified for the free school reduced lunch program we allow them to enroll in our program at a half price rate, maximum of \$300.00 per family. The proposal for this year with CDBG is to follow the county guidelines for the low income programs and offer a greater opportunity for participation.

Mayor Morris opened the item up for public hearing.

No one came forward. Mayor Morris closed the public hearing.

Councilmember Templeman shared that he was glad to see that all four programs directly benefited San Dimas residents.

MOTION: A motion to approve was made by Councilmember Templeman, and seconded by Councilmember Badar. The motion carried unanimously.

- b. MUNICIPAL CODE TEXT AMENDMENT 12-07 – a request to delete Chapter 18.151 (Senior Citizen Housing Developments) from the Zoning Code

**ORDINANCE 1216, APPROVING MUNICIPAL CODE TEST AMENDMENT 12-07, A
REQUEST TO DELETE CHAPTER 18.151 (SENIOR CITIZEN HOUSING
DEVELOPEMENTS) FIRST READING AND INTRODUCTION**

Larry Stevens Director of Development Services presented staff's report on this item.

Mayor Morris opened the item up for public hearing.

No one came forward. Mayor Morris closed the public hearing.

There was discussion on the history of senior projects under this Chapter, how seniors projects could be accommodated in the future in other ways and other Code changes which negated the benefits originally intended by this Chapter.

MOTION: A motion was made by Councilmember Bertone and seconded by Councilmember Badar to waive further reading and introduce Ordinance 1216. Motion carried unanimously.

- c. Consideration of Municipal Code Text Amendment 12-08 – a request to add Chapter 18.40 to the San Dimas Municipal Code establishing the Affordable Housing Overlay Zone

**ORDINANCE 1217, APPROVING MUNICIPAL CODE TEXT AMENDMENT 12-08, A REQUEST TO ADD CHAPTER 18.40 TO THE SAN DIMAS MUNICIPAL CODE ESTABLISHING THE AFFORDABLE HOUSING OVERLAY ZONE
FIRST READING AND INTRODUCTION**

Larry Stevens Director of Development Services suggested that the public hearing phase for this item be combined with items D and E.

Mayor Morris read the request of items D and E, and asked if staff had any comments before opening up for public hearings.

Councilmember Bertone confirmed that these are again requirements coming from the State.

Director Stevens answered the need to redo the re-zonings does come from a California Government Code and a Housing Element requirement.

Councilmember Templeman shared he received a phone call from one of the property owners and would like staff to address a letter received from the attorney of a property owner.

Director Stevens presented staff's report, and then addressed a number of points stated in the letter. First contention that the proposal will make the property non-conforming. Mr. Stevens noted that it does the opposite and leaves the underlying zoning completely in place and changes none of the underlying development standards. If it were non-conforming the restriction would be a lot more significant. The second objection is that it creates a CEQA like evaluation. Director Stevens was unsure of this meaning. It does create a review procedure with standards spelled out. There are also suggestions that this is an additional restriction, but he noted that others may look at it as additional development opportunities. It doesn't mandate that anyone do anything until they are ready. Staff believes that this is an appropriate approach to complying with the commitments the city made as part of the 2008 housing element.

The Planning Commission did conduct public hearings on this and were aware of the January 9 letter. One minor change was made in the review standards for the Affordable Housing by eliminating the word exclusive. There was no one present at the hearing relative to the letter. There were comments that were more of an inquiry nature and not objections, from a couple of other property owners. The Planning Commission and staff recommend that the Council approve the creation of Chapter 18.40 which establishes the Affordable housing Overlay Zone and the standards associate with the two zones AHO-1 and AHO-2, and adopt Zone Changes 12-01 and 12-02 applying the overlay zones to the map in the two affected areas.

Councilmember Badar asked Mr. Stevens if he had an opportunity to speak with the attorney who wrote the letter.

Director Stevens replied he had not, but a member of staff did relative to this issue. His only contact was the letter.

Councilmember Templeman shared that he thought building height would come along at some other point and wondered if it should have been included in the new overlay zone.

Director Stevens responded that it does include a reference to the MF-30 standards. In the MF-30 Zone that we just adopted we permit three and a half stories and forty-five feet, which is equivalent to the Grove Station Project. By referencing the MF-30 Zone standards we have imposed those height limits.

Councilmember Ebiner asked how would a property owner in the Zone Change 12-02 with an acre, be able to develop the property within the 3.3 acre requirement when some of them are so disjointed.

Director Stevens responded that there would be a review process; and the evaluation would be based on the conditions at that point in time and it may be appropriate to encourage assembly or allow several smaller projects.

Councilmember Templeman asked if the Planning Commission and City Council are the evaluating bodies and are those public hearings or open meeting agendas.

Director Stevens responded they are not required to be public hearings.

Discussion continued on the review process.

Councilmember Templeman asked if 50 feet were needed would there be an option for that.

Director Stevens responded it is only an option if the developer is going to provide guarantee affordability. They would have to ask for a concession or incentive.

Mayor Morris opened the item for public hearing.

Susan Kehr one of the owners of Storage Centers expressed that she is not opposed to the idea of the overlay, but does have concerns that some of the language in the proposal is too restrictive as spelled out in the letter of January 9th, 2013 sent to staff.

Mayor Morris closed the public hearing and brought the item back to council.

MOTION: A motion to waive further reading and introduce Ordinance 1217 was made by Councilmember Ebiner and seconded by Councilmember Badar. The motion carried unanimously.

- d. Consideration of Zone Change 12-01 – a request to add Affordable Housing Overlay Zone, Area 1, at the Northwest corner of San Dimas Avenue and Allen Avenue (APN: 8392-012-900)

ORDINANCE 1218, APPROVING ZONE CHANGE 12-01, A REQUEST TO CHANGE THE ZONING TO ADD AFFORDABLE HOUSING OVERLAY ZONE 1 (AHO-1) TO THE EXISTING UNDERLYING ZONING ON THE PROPERTY LOCATED SOUTH OF THE 210 FREEWAY, WEST OF SAN DIMAS AVENUE, NORTH OF ALLEN AVENUE AND EAST OF CATARACT AVENUE FIRST READING AND INTRODUCTION

MOTION: A motion to waive further reading and introduce Ordinance 1218 was made by Councilmember Bertone and seconded by Councilmember Ebner. The motion carried unanimously.

- e. Consideration of Zone Change 12-02 – a request to add Affordable Housing Overlay Zone, Area 2, to the properties located south of the AT&SF Railroad, East of San Dimas Avenue, North of Arrow Highway, and West of Walnut Avenue

**ORDINANCE 1219, APPROVING ZONE CHANGE 12-02, A REQUEST TO CHANGE THE ZONING TO ADD AFFORADABLE HOUSING OVERLAY ZONE 2 (AHO-2) TO THE EXISTING UNDERLYING ZONING ON THE PROPERTY LOCATED SOUTH OF THE AT&SF (GOLD LINE) RAILROAD, EAST OF SAN DIMAS AVENUE, NORTH OF ARROW HIGHWAY AND WEST OF WALNUT AVENUE
FIRST READING AND INTRODUCTION**

MOTION: a motion to waive further reading and introduce Ordinance 1219 was made by Councilmember Bertone and seconded by Councilmember Templeman. The motion carried unanimously.

Councilmember Ebner reiterated that this ordinance would not allow for expansion of properties within the zone.

Director Stevens responded that the property owner would not be precluded, but would be required to go through the review process where it could be approved.

Discussion continued that made clear the process in which a property might be approved for expansion.

Mayor Morris stated that tonight's action does not preclude the chance for a change in language to the ordinance and this can be brought up again before adoption.

Director Stevens responded that there is time between first and second reading to adopt minor changes.

5. PLANNING MATTERS

- a. Receive and file Electrical Energy Action Plan

Ann Garcia Administrative Aide presented staff's report on this item and introduced Tammy Seale, who presented a power point presentation.

Councilmember Bertone shared that if the city goes through with the plan it would save about \$83,000.00 and could receive a check up to \$49,000.00. In the first phase the city received a check for over \$22,000.00 and Ann Garcia received an award for her work. He introduced Marissa Creter from the COG who runs the program and acknowledged her hard work and efforts.

MOTION: A motion to receive and file the E.E.A.P. was made by Councilmember Templeman and seconded by Councilmember Badar. The motion carried unanimously.

- b. Report on the 2013 Homeless Count to be conducted Tuesday January 29, 2013
Verbal Update

City Manager Michaelis and Director Stevens gave a brief summary of the requirements and process for conducting the count.

City Manager Michaelis recognized the Sheriff's Department for their participation in this event.

6. OTHER BUSINESS

a. Successor Agency Update -Verbal Report

Assistant City Manager Ken Duran reported that the Oversight Board met on January 10, 2013 and approved the Due Diligence Review that was due to the State by January 15, 2013. The board will meet again in February 2013 to approve the Recognized Obligation Payment Schedule for July through December of 2013; this report is due to the State in March. He also announced that he and City Attorney Ken Brown will be attending an appeal hearing to retain the four Grove Station units for our Housing Authority on February 4, in Sacramento.

7. ORAL COMMUNICATIONS

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

No one presented.

b. City Manager

(1) Los Angeles County Clean Water Clean Beaches Measure – Discussion Update

City Manager Michaelis reported that the Board of Supervisors met and decided to send back the proposal to give consideration for a number of changes or proposals to adjust the Measure. Some of these were to look at a sunset clause, having a listing of projects that would be accomplished with the money that would be generated from the tax, if it should be done by a parcel tax by mail ballot or ballot of general election and giving credit to a property owner who has implemented storm water quality measures as part of the property development. Staff was asked to report back to the Board in 60 days with their recommendations. He continued on to say that some cities have taken positions of opposition or support and that San Dimas had not taken a position. He also stated that if the measure had passed as proposed it would generate \$1.8 million dollars in San Dimas, of which \$750,000.00 would go to San Dimas to use to address the storm water quality projects within our city. \$180,000.00 would go to the county to deal with the administration of the program countywide. \$594,000.00 of San Dimas funds would go to some regional projects to help with the storm water quality. Without these resources it would be the money would come from the city's general fund to comply with the requirements of the MS-4 Permit. City staff will continue to monitor what is going on with the County Board of Supervisors and will report back to council.

Council continued the discussion on the permit requirements and challenges of funding and implementing the changes.

(2) Possible dates for joint meeting with Planning Commission on 2014 Housing Element - Verbal

Monday March 11, 2013 at 6:00 p.m.

c. City Attorney

Nothing to report.

d. Members of the City Council

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

Nothing to report.

2) Individual Members' comments and updates

a) Metro Gold Line Project Update

Councilmember Bertone provided written material on the Gold Line project between Pasadena and Azusa. He also provided copies of the resume of the new COG Director, Andrea Travis-Miller.

Councilmember Templeman shared his concern over the look of satellite dishes on apartment units in other areas and would like staff to work on a distribution system when working on larger projects that come into the city.

Councilmember Badar acknowledged Shull Avenue's achievement of becoming a Blue Ribbon School.

Adjourned to closed session at 9:03 p.m.

8. CLOSED SESSION
(Recess to closed session pursuant to Government Code 54957)

a. Public Employee Performance Evaluation
Title: City Manager

9. ADJOURNMENT

Closed session adjourned at 10:45 p.m. with no reportable action.

The next meeting is February 12, 2013, 7:00 p.m.

Respectfully,



Debra Black, Deputy City Clerk