



AGENDA
REGULAR CITY COUNCIL
SUCCESSOR AGENCY MEETING
TUESDAY, MAY 14, 2013, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVE.

6:30 p.m. Every 15 Minutes Reception in the City Hall Lobby

CITY COUNCIL:

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

1. CALL TO ORDER AND FLAG SALUTE

2. RECOGNITIONS

- a. Every 15 Minutes Program
- b. San Dimas High School Coach George Duran – Daily Bulletin Girls’ Soccer Coach of the Year
- c. Recognize Lupus Awareness Month

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

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.)

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

RESOLUTION NO. 2013 -26, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF APRIL AND MAY 2013

- b. **RESOLUTION NO. 2013 -27, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS , CALIFORNIA APPROVING AMORTIZATION SCHEDULE FO THE SAN DIMAS CANYON GOLF COURSE FUND FOR LOANS DUE TO THE CITY OF SAN DIMAS GENERAL FUND AT 2% INTEREST UNTIL FURTHER NOTICE**

- c. Vacation of an existing pedestrian easement to be used by commuters of the future Metro Gold Line Station to access a future parking structure and the acceptance of a new easement for the same purpose within the same project site Grove Station – Village Walk (APN: 8390-018-085)

RESOLUTION 2013-22, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING THE VACATION OF AN EXISTING PEDESTRIAN EASEMENT TO BE USED BY COMMUTERS OF THE FUTURE METRO GOLD LINE STATION TO ACCESS A FUTURE PARKING STRUCTURE, AND APPROVING A NEW PEDESTRIAN EASEMENT FOR THE SAME PURPOSE WITHIN THE SAME PROJECT SITE GROVE STATION – VILLAGE WALK (APN: 8390-018-085) AS PROVIDED BY STREETS AND HIGHWAY CODE § 8333 (c)

- d. Approval of minutes for the regular City Council meeting of April 23, 2013, Special City Council meetings of April 9, 2013, April 18, 2013, April 23, 2013
- e. Denial of Claim for Southern California Edison
- f. Approval of Right of Way Acquisition Services with Los Angeles County Department of Public Works in the amount of \$61,000.00 under General Services Agreement – Bridge Widening, Bikeway Improvements at Foothill Blvd over San Dimas Wash (Federal Project No. BHLS 5367 (013)
- g. Adoption of Resolution 2013-28 Designation of authorized officials for Federal Certification under Federally Funded Projects

RESOLUTION 2013-28, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING AND AUTHORIZING THE CITY MANAGER, DIRECTOR OF PUBLIC WORKS AND/OR CITY ENGINEER TO EXECUTE ALL RIGHT OF WAY CERTIFICATIONS ON ALL STATE AND/OR FEDERALLY FUNDED PROJECTS, AND TO SIGN ALL STATE AND/OR FEDERAL FUNDING DOCUMENTS ASSOCIATED WITH GRANT FUNDING ALLOCATIONS PURSUANT TO MASTER AGREEMENT NO. 07-5367R BETWEEN THE CITY OF SAN DIMAS AND THE STATE OF CALIFORNIA

- h. Cash Contract 2013-01 - Pavement Preservation Chip Seal Project at Various Locations
 - 1) Budget Amendment for revenue and expenditure of up to \$64,076.00 of CalRecycle Grant funds from Infrastructure Fund for the Pavement Preservation Project
 - 2) Award of Contract for Chip Seal Project at Various Locations to Pavement Coatings Council in the amount of \$189,142.80
- i. San Gabriel Valley Council of Governments Update

END OF CONSENT CALENDAR

4. PUBLIC HEARINGS

- a. Presentation of 2013-14 Preliminary Budget – Receive public comment
- b. Consideration of Municipal Code Text Amendment 12-01 – A Request to amend Section 18.544.380 (Building Setbacks) of Specific Plan No. 26 to allow Accessory Structures, including carports, into the required interior property line setback

ORDINANCE NO 1220, APPROVING MUNICIPAL CODE TEXT AMENDMENT 12-01, A REQUEST TO AMEND SECTION 18.544.380 OF SPECIFIC PLAN NO. 26 TO ALLOW ACCESSORY STRUCTURES, INCLUDING CARPORTS, INTO REQUIRED INTERIOR PROPERTY LINE SETBACK FIRST READING AND INTRODUCTION

5. HOUSING AUTHORITY

- a. Assignment of Interest of VCH-San Dimas Company LLC to Avalon San Dimas L.P. Bonita Gateway Apartment Development

RESOLUTION NO 4, A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SAN DIMAS AS SUCCESSOR TO THE HOUSING ASSETS OF THE DISSOLVED SAN DIMAS REDEVELOPMENT AGENCY APPROVING THE ASSIGNMENT TO AND ASSUMPTION BY AVALON SAN DIMAS, L.P. OF THE INTEREST OF VCH-SAN DIMAS COMPANY, LLC IN THE AGREEMENT FOR THE PURCHASE AND SALE OF AFFORDABLE HOUSING COVENANTS AND APPROVING THE TRANSFER OF FUNDS TO ESCROW

7. OTHER BUSINESS

- a. Successor Agency Update -Verbal Report

7. ORAL COMMUNICATIONS

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

8. CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR – G.C. Section 54957.6

City Representative: Blaine Michaelis, City Manager
Employee Group: San Dimas Employees' Association

9. ADJOURNMENT

The next meeting is May 28, 2013, 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 May 10, 2013, 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); VONS SHOPPING CENTER (Puente/Via Verde) AND THE CITY'S WEBSITE AT www.cityofsandimas.com/minutes.cfm.



Resolution of The City Council Of The City Of San Dimas California

W *HEREAS, the mission of the Department of Alcoholic Beverage Control is to administer the provisions of the Alcoholic Beverage Control Act in a manner that fosters and protects the health, safety, welfare and economic well being of the people of the State; and*

W *HEREAS, the Every 15 Minutes Program is a two-day program focusing on high school juniors and seniors, which challenges them to think about drinking, driving, personal safety and the responsibility of making mature decisions and the impact their decisions have on family, friends, and many others; and*

W *HEREAS, the program brings together a broad coalition of interested local agencies with the goal of reducing alcohol-related traffic fatalities among youth. The partnering of law enforcement, the Department of Alcoholic Beverage Control, California Highway Patrol, local hospitals, emergency medical responders, schools, businesses, and service clubs validates the importance of working together to ensure a healthy community; and*

W *HEREAS, the program simulates every aspect of an accident resulting from drinking, starting with the removal of students from class every 15 minutes to become one of the living dead. A 911 call triggers the next step of emergency responders to the school grounds where the collision scene is staged and several scenarios are enacted, ranging from minor injuries, death, to arrest for driving under the influence. Parents are notified of the injuries, arrests and deaths. Obituary and death notifications are made and a temporary cemetery is created on campus for classmates to mourn.*

W *HEREAS, at the end of the day law enforcement chaperones take the living dead to an overnight retreat. Once the students become members of the living dead, there is no contact with family or friends. At the retreat, the students participate in team building activities and learn first hand from people who have been involved in or affected by a drunk driving collision. The evening ends as the students write letters to their loved ones, expressing the thoughts they would convey if they had not been killed on that particular day; and*

W *HEREAS, the living dead students return to school the next day to attend a student body assembly where a video of the events from the day before is viewed, letters are read, trauma Doctors, law enforcement officers and emergency responders explain how they are personally affected by these events; and*

W *HEREAS, the assembly concludes with a call to action challenging everyone in the auditorium to make responsible choices when alcohol is involved. After 24 hours on an "emotional roller coaster," parents and living dead students are reunited. Parents and teens are typically overwhelmed with emotion and gain a new sense of love and commitment to one another to make the right choice.*

N *OW THEREFORE, Mayor Curtis W. Morris, Mayor Pro Tem Denis Bertone, Councilmembers Emmett Badar, Jeff Templeman and John Ebner do hereby recognize and thank Reece Alvarado, for participating in the "EVERY 15 MINUTES PROGRAM".*

J *N WITNESS THEREOF, I, Mayor Curtis W. Morris, have hereunto set my hand and caused the seal of the City of San Dimas to be affixed this 14th day of May 2013.*

Curtis W Morris

Presented to

George Duran

2013 Daily Bulletin

Girls' Soccer Coach of the Year

May 14th, 2013

Curtis Morris

Mayor Curtis W. Morris



Resolution of The City Council Of The City Of San Dimas California Lupus Awareness Month

WHEREAS, Lupus is a disease that affects more people than AIDS, cerebral palsy, sickle cell anemia and multiple sclerosis COMBINED. One out of every 185 Americans has it. It is hard to diagnose, mimics other diseases, and its sufferers usually do not get treatment until they have suffered with the symptoms for many years; and

WHEREAS, Understanding Lupus will help us better understand infections in general, allergies, cancer and even AIDS. Medical students are often told, if you know lupus then you KNOW medicine and lupus is the paradigm of autoimmunity; this is because Lupus can affect EVERY part of the body; and

WHEREAS, There are at least 9 states that have declared May Lupus Awareness Months – California, Colorado, Minnesota, North Carolina, North Dakota, New York, Oregon, Virginia and Wisconsin; and

WHEREAS, Lupus is an autoimmune disease that can affect any part of the body, including internal organs, the skin, and joints. It also has many different symptoms and, because of that, affects each person differently. Because of its unpredictable nature, people with lupus often have many questions about the disease; and

WHEREAS, Educating the public and the health care community throughout the state about this devastating disease is of paramount importance and is in every respect in the public interest and to the benefit of all residents of the State of California; and

WHEREAS the Howse Foundation, a nonprofit charitable organization; Lupus LA; Running For Lupus, The Purple Rose Foundation and other groups around our country have joined together to advocate for lupus awareness, support, and a better future through research, diagnosis, education, and treatment.

NOW THEREFORE, I, Mayor Curtis W. Morris, Mayor Pro Tem Denis Bertone, Councilmembers Emmett Badar, John Ebiner and Jeff Templeman do hereby proclaim May as Lupus Awareness month in the City of San Dimas.

IN WITNESS THEREOF, I, Mayor Curtis W. Morris, have hereunto set my hand and caused the seal of the City of San Dimas to be affixed this 14th day of May 2013.

Curtis W Morris

Mayor

20

RESOLUTION NO. 2013-26

**A RESOLUTION OF THE CITY COUNCIL OF THE
CITY OF SAN DIMAS, CALIFORNIA, APPROVING
CERTAIN DEMANDS FOR THE MONTHS OF
APRIL AND MAY 2013**

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 Prepaid Warrants: 04/30/13; 23529 through 23593 in the amount of
\$2,254,988.45; Warrant Register: 05/15/13, 143642 through 143808 in the amount of
\$395,496.24.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF MAY 2013.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Debra Black, Deputy 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 May 14th, 2013 by the following vote:

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

Debra Black, Deputy City Clerk



***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 City Council
May 14, 2013

FROM: Blaine Michaelis, City Manager

INITIATED BY: Ken Duran, Assistant City Manager

SUBJECT: *Adopt Resolution 2013-27 Amortization Schedule for the San Dimas Canyon Golf Course Loans Due to the City of San Dimas General Fund.*

SUMMARY

Adopt Resolution 2013-27 Amortization Schedule for the San Dimas Canyon Golf Course Loans Due to the City of San Dimas General Fund.

BACKGROUND

In the early 1980's the City of San Dimas' General Fund loaned funds to the San Dimas Canyon Golf Course for major improvements. Since the inception of the loan, an annual interest rate of 8% has been charged to the outstanding balance. The current amount due to the General Fund as of June 30, 2012, is \$1,809,084.31 in principal and \$7,581,609.54 in interest for a total of \$9,390,693.85.

The amount the Golf Course is able to pay each year is based on excess revenue over expenditures at June 30th of each year. The average excess revenue over expenditures from the Golf Course is approximately \$325,000 per year. The average interest being charged to such a large loan at 8% is approximately \$707,000 per year; which causes the loan to steadily increase every year without any principal being paid down. Considering today's interest rates, 8% is an unrealistic rate to charge for the Golf Course loans.

Included for your review is a new amortization schedule reducing the interest rate to 2% annually and to illustrate the effect of the estimated payments made on the current outstanding balance; with payments applied to principal first. The **actual amount** that will be available to pay will fluctuate each year and the schedule and payoff date would be adjusted accordingly.

Agenda Staff Report
05/14/2013

The City Council at its discretion during the term of the loan can increase or decrease the rate of interest. The outstanding balance will be adjusted annually based on the *actual* amount available to pay down the loan.

RECOMMENDATION

It is recommended at this time to decrease the rate of interest applied to the Golf Course loans to 2% annually and to review the amortization schedule in five (5) years or at any time at the City Council's discretion.

It is further recommended that the City Council adopt ***Resolution 2013-27*** *Amortization Schedule for the San Dimas Canyon Golf Course Loans Due to the City of San Dimas General Fund.*

Respectfully Submitted,

Barbara Bishop, Finance/IS Manager
Steven Valdivia, Senior Accounting Technician

SAN DIMAS CANYON GOLF COURSE AMORTIZATION SCHEDULE
2% INTEREST - ESTIMATED ANNUAL PAYMENTS @ \$325,000
PAYMENT APPLIED TO PRINCIPAL BALANCE FIRST

Payment Date	Principal Balance/Payment	Interest Balance/Payment	Interest Accumulated @ 2%	Total Loan Amount
AS OF 6/30/12	1,809,084.31	7,581,609.54		9,390,693.85
6/30/2013	(325,000.00)		187,813.88	9,253,507.73
6/30/2014	(325,000.00)		185,070.15	9,113,577.88
6/30/2015	(325,000.00)		182,271.56	8,970,849.44
6/30/2016	(325,000.00)		179,416.99	8,825,266.43
6/30/2017	(325,000.00)		176,505.33	8,676,771.76
6/30/2018	(184,084.31)	(140,915.69)	173,535.44	8,525,307.19
6/30/2019		(325,000.00)	170,506.14	8,370,813.34
6/30/2020		(325,000.00)	167,416.27	8,213,229.60
6/30/2021		(325,000.00)	164,264.59	8,052,494.19
6/30/2022		(325,000.00)	161,049.88	7,888,544.08
6/30/2023		(325,000.00)	157,770.88	7,721,314.96
6/30/2024		(325,000.00)	154,426.30	7,550,741.26
6/30/2025		(325,000.00)	151,014.83	7,376,756.08
6/30/2026		(325,000.00)	147,535.12	7,199,291.21
6/30/2027		(325,000.00)	143,985.82	7,018,277.03
6/30/2028		(325,000.00)	140,365.54	6,833,642.57
6/30/2029		(325,000.00)	136,672.85	6,645,315.42
6/30/2030		(325,000.00)	132,906.31	6,453,221.73
6/30/2031		(325,000.00)	129,064.43	6,257,286.16
6/30/2032		(325,000.00)	125,145.72	6,057,431.89
6/30/2033		(325,000.00)	121,148.64	5,853,580.53
6/30/2034		(325,000.00)	117,071.61	5,645,652.14
6/30/2035		(325,000.00)	112,913.04	5,433,565.18
6/30/2036		(325,000.00)	108,671.30	5,217,236.48
6/30/2037		(325,000.00)	104,344.73	4,996,581.21
6/30/2038		(325,000.00)	99,931.62	4,771,512.84
6/30/2039		(325,000.00)	95,430.26	4,541,943.09
6/30/2040		(325,000.00)	90,838.86	4,307,781.96
6/30/2041		(325,000.00)	86,155.64	4,068,937.59

RESOLUTION NO 2013-27

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING AMORTIZATION SCHEDULE FOR THE SAN DIMAS CANYON GOLF COURSE FUND FOR LOANS DUE TO THE CITY OF SAN DIMAS' GENERAL FUND AT 2% INTEREST UNTIL FURTHER NOTICE

WHEREAS, The City of San Dimas General Fund, in prior years has loaned funds to the San Dimas Canyon Golf Course Fund for major improvements, and;

WHEREAS, said San Dimas Canyon Golf Course Fund does not currently earn enough excess revenue over expenditures to fully pay the principal and interest amount due annually, and;

WHEREAS, the annual interest that has been charged at 8% per annum inflates the amount of the loan due, with minimal payment received, which causes the loan to steadily increase every year without any principal being paid down, and;

WHEREAS, at this date the 8% interest rate is too high to charge on the prior year loan, and makes the payment calculation unrealistic for the San Dimas Canyon Golf Course Fund to become solvent and pay back the City of San Dimas' General Fund, and;

WHEREAS, as of June 30, 2012 the amount of the loan due from the San Dimas Canyon Golf Course Fund to the City of San Dimas' General Fund is \$9,390,693.85, and;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of San Dimas, California, agrees to reduce the interest on the prior year loans due from the San Dimas Canyon Golf Course Fund to two percent (2%) and to review the amortization schedule in five (5) years or at such a time at the City Council's discretion; and to approve the annual estimated payment per the amortization schedule; and adjust annually as needed based on actual amount available for payment from the San Dimas Canyon Golf Course Fund to the City of San Dimas' General Fund; based on the amount of excess revenue earned over expense in the San Dimas Canyon Golf Course Fund at the end of each fiscal year until the loan is paid in full;

PASSED, APPROVED AND ADOPTED this 14TH day of May, 2013

Curtis W. Morris, Mayor City of San Dimas

ATTEST:

Debra Black, Deputy City Clerk

I HEREBY CERTIFY that the forgoing Resolution No. 2013- 27 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of May 14th 2013 by the following vote:

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

Debra Black, Deputy City Clerk



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of May 14, 2013

FROM: Blaine Michaelis, City Manager

INITIATED BY: Marco A. Espinoza, Senior Planner

SUBJECT: Vacation of an existing pedestrian easement to be used by commuters of the future Metro Gold Line station to access a future parking structure and the acceptance of a new easement for the same purpose within the same project site Grove Station – Village Walk (APN:8390-018-085).

SUMMARY

In anticipation of a future Metro Gold Line Station and associated parking structure in San Dimas, a pedestrian easement was established as part of the Gove Station housing development.

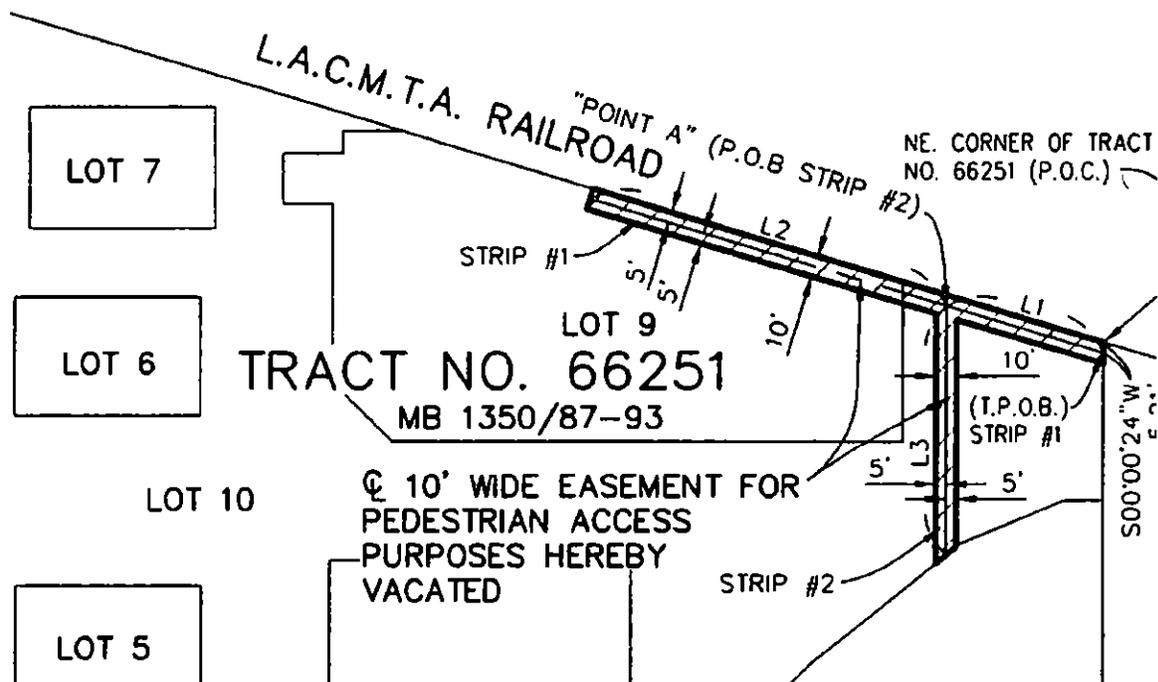
The original development plan for the Grove Station has changed from podium style buildings to townhomes. The new layout of the buildings encroach into the existing pedestrian easement; therefore, a new easement has been proposed.

The new easement is still in the same general area as the existing one but has increased in size to allow for flexibility of access to the future Gold Line parking structure.

BACKGROUND

In previous City Council meetings regarding the proposed Gold Line Station it was determined that the block located south of the AT&SF (Gold Line) railroad, east of San Dimas Avenue, north of Arrow Highway and west of Walnut Avenue could be considered as a primary location for the station. As part of these meetings a parking structure as required by the Metro Gold Line Authority was also discussed.

Subsequent to the discussions of the station and parking structure, the Grove Station was designed to accommodate the future development of the light rail. A 10-foot wide easement was established along a portion of the north property line of the project. The easement also continued perpendicular from the north property line to the adjacent property to the south (see picture below). The easement was established as part of Tract No. 66251, when it was recorded in 2008.



Existing Gold Line Easement

Since the approval of Tract No. 66251 and initial development of three of the buildings, the project stopped due to the economic recession. The rear portion of the project was subsequently sold to the current developer, The Olson Company. The Olson Company modified the rear portion of the property from a podium style building development to townhomes (Village Walk). The new layout encroaches into the easement; therefore, requiring establishing a new easement.

RESOLUTION NO 2013-22

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, APPROVING THE VACATION OF AN EXISTING PEDESTRIAN EASEMENT TO BE USED BY COMMUTERS OF THE FUTURE METRO GOLD LINE STATION TO ACCESS A FUTURE PARKING STRUCTURE, AND APPROVING A NEW PEDESTRIAN EASEMENT FOR THE SAME PURPOSE WITHIN THE SAME PROJECT SITE GROVE STATION – VILLAGE WALK (APN: 8390-018-085) AS PROVIDED BY STREETS AND HIGHWAY CODE § 8333(c)

WHEREAS, an existing 10-foot wide pedestrian easement was established as part of the original development of the Grove Station as provided in Exhibits A and B which are attached hereto and incorporated herein; and

WHEREAS, the pedestrian easement is proposed to be used by Metro Goldline commuters to access a proposed commuter multi-level parking structure on one of the adjacent properties to the south of the Grove Station; and

WHEREAS, Grove Station was not developed as planned but has been redesigned with a different type of housing development (Village Walk) that encroaches into the existing pedestrian easement, therefore requiring it's vacation; and

WHEREAS, a new pedestrian easement, for the same purpose as the vacated one, is proposed for the area shown on Exhibits C and D which are attached hereto and incorporated herein; and

WHEREAS, the City finds that the new pedestrian easement is consistent with the adopted General Plan; and

WHEREAS, the City finds that vacation of the existing pedestrian easement and establishment of the new pedestrian easement are categorically exempted from the California Environmental Quality Act inasmuch as they are a minor alteration of a public service easement and will not involve the removal of resources, in accordance with 14 California Administrative Code 15301.

NOW, THEREFORE, IT IS RESOLVED that the City Council hereby finds, determines and declares that:

- The existing pedestrian easement as shown on Exhibits A and B is no longer required in its present location and is hereby vacated.
- The new pedestrian easement, as shown on Exhibits C and D is approved.

Resolved further that the City Clerk shall certify to the adoption of this Resolution and provide for its recordation.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF MAY 2013.

Curtis W. Morris, Mayor of the City Of San Dimas

ATTEST:

Debra Black, Deputy City Clerk

I, HEREBY CERTIFY that the foregoing Resolution was adopted by the City Council of the City of San Dimas at its regular meeting of May 14th, 2013 by the following vote:

AYES: Badar, Bertone, Ebiner, Templeman, Morris

NOES: None

ABSENT: None

ABSTAIN: None

Debra Black, Deputy City Clerk

EXHIBIT "A"

SHEET 1 OF 2

LEGAL DESCRIPTION VACATED EASEMENT

BEING ALL OF THAT 10.00 FOOT WIDE EASEMENT FOR PEDESTRIAN ACCESS PURPOSES AS DEDICATED TO THE CITY OF SAN DIMAS ON TRACT NO. 66251, AS PER MAP FILED IN BOOK 1350, PAGES 87 TO 93 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, INCLUDED WITHIN A STRIP OF LAND, 10 FEET WIDE, LYING 5 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE

STRIP NO. 1:

COMMENCING AT THE NORTHEAST CORNER OF SAID TRACT NO. 66251; THENCE ALONG THE EASTERLY LINE OF SAID TRACT NO 66251, SOUTH 00°00'24" WEST 5.21 FEET TO THE CENTERLINE OF SAID 10 FOOT WIDE PEDESTRIAN ACCESS EASEMENT AND THE TRUE POINT OF BEGINNING; THENCE ALONG SAID CENTERLINE, NORTH 73°18'17" WEST, 80.01 FEET TO POINT HERINAFTER REFERRED TO AS "POINT A"; THENCE CONTINUING ALONG SAID CENTERLINE NORTH 73°18'17" WEST, 178.24 FEET, AND THEREBY TERMINATING.

STRIP NO. 2

BEGINNING AT SAID "POINT A" DESCRIBED ABOVE; THENCE SOUTH 00°00'47" EAST 121.30 FEET, ALONG THE CENTERLINE OF SAID 10 FOOT WIDE PEDESTRIAN ACCESS EASEMENT TO A POINT ON THE THE SOUTHERLY LINE OF SAID TRACT NO 66251, AND THEREBY TERMINATING.

THE SIDELINES OF SAID EASEMENT SHALL BE EXTENDED/SHORTENED SO AS TO TERMINATE ON THE EASTERLY AND SOUTHERLY BOUNDARIES OF OF SAID TRACT NO. 66251.

CONTAINING: 3,743 SQ. FT (0.086 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 11/19/12
DATE

TITLE: EASEMENT VACATION

 Hall & Foreman, Inc.

Engineering • Planning • Surveying

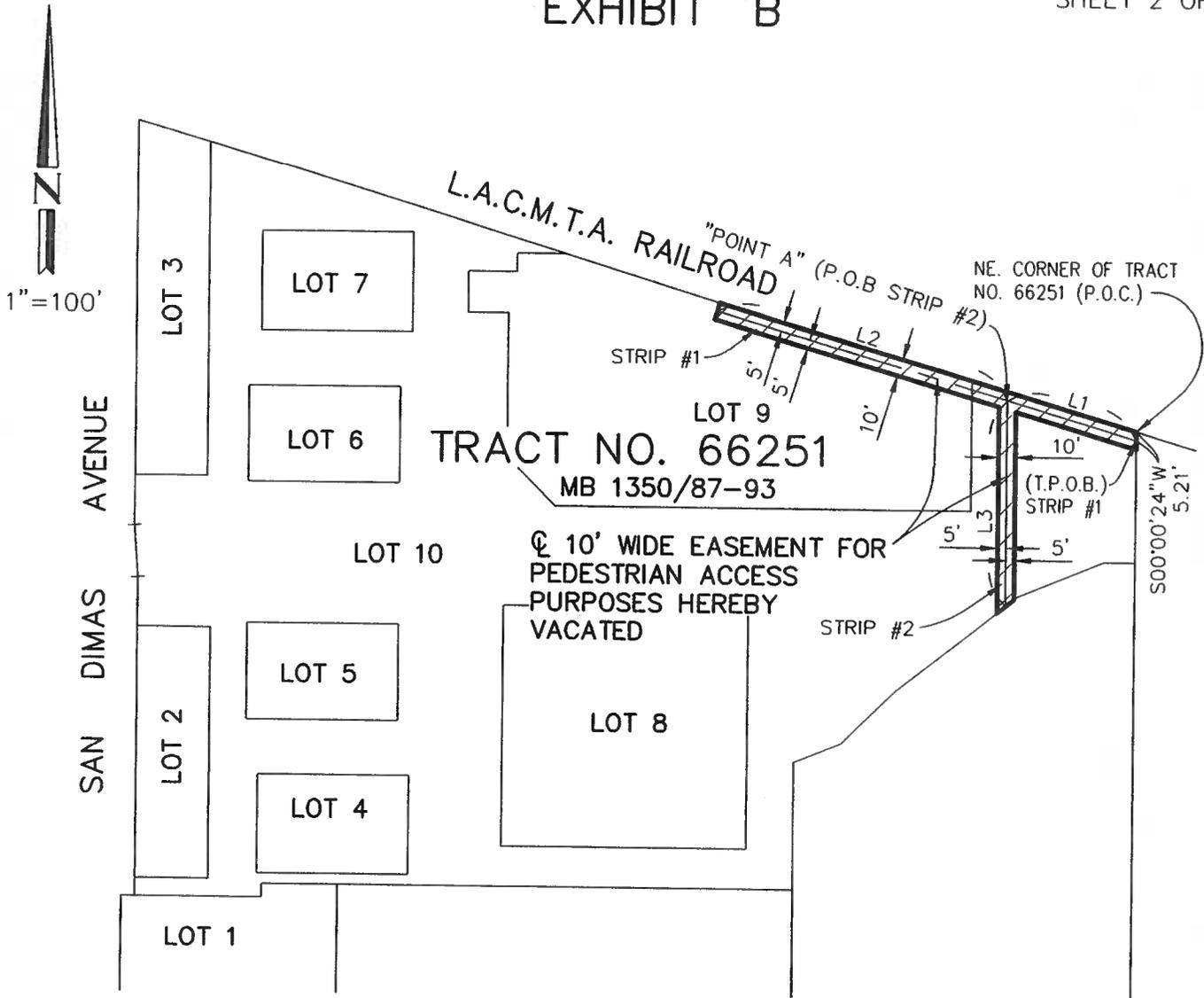
14297 CAJON AVE, SUITE 101 • VICTORVILLE, CA 92392 • 760-524-9100

DATE OF PREPARATION: 11/16/12 JOB NO. 110207



EXHIBIT "B"

SHEET 2 OF 2



LINE TABLE		
LINE	BEARING	LENGTH
L1	N73°18'17"W	80.01'
L2	N73°18'17"W	178.24'
L3	S00°00'47"E	121.30'

LEGEND

P.O.C.: POINT OF COMMENCEMENT
T.P.O.B.: TRUE POINT OF BEGINNING

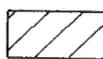
TITLE: **EASEMENT VACATION**

Hall & Foreman, Inc.

Engineering · Planning · Surveying

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

DATE OF PREPARATION: 11/16/12 JOB NO. 110207

 EASEMENT HEREBY VACATED



Project: 110207
Parcel Map Check

Parcel name: Vacation strip

	North: 5646.8694		East : 5669.9109
Line	Course: N 00-00-24 E	Length: 10.44	
	North: 5657.3094		East : 5669.9121
Line	Course: N 73-18-12 W	Length: 256.76	
	North: 5731.0777		East : 5423.9773
Line	Course: S 16-41-48 W	Length: 10.00	
	North: 5721.4993		East : 5421.1043
Line	Course: S 73-18-12 E	Length: 174.52	
	North: 5671.3589		East : 5588.2664
Line	Course: S 00-00-47 E	Length: 121.57	
	North: 5549.7889		East : 5588.2941
Line	Course: N 51-21-13 E	Length: 12.80	
	North: 5557.7827		East : 5598.2911
Line	Course: N 00-00-47 W	Length: 110.57	
	North: 5668.3527		East : 5598.2659
Line	Course: S 73-18-12 E	Length: 74.79	
	North: 5646.8651		East : 5669.9027

Perimeter: 771.45 Area: 3,743 sq.ft. 0.09 acres

Mapcheck Closure - (Uses listed courses, radii, and deltas)
Error Closure: 0.0093 Course: S 62-53-32 W
Error North: -0.00422 East : -0.00824
Precision 1: 82,951.61

EXHIBIT "C"

SHEET 1 OF 2

LEGAL DESCRIPTION EASEMENT DEDICATION

THAT PORTION OF "PARCEL F" AS REFERENCED IN THE CERTIFICATE OF COMPLIANCE LOT LINE ADJUSTMENT 12-01, IN THE CITY OF SAN DIMAS, RECORDED APRIL 26, 2012 AS INSTRUMENT NO. 2012-0618389 OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF LOS ANGELES COUNTY, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF TRACT NO. 66251, AS PER MAP FILED IN BOOK 1350, PAGES 87 TO 93 INCLUSIVE OF MAPS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY; THENCE SOUTH 00°00'24" WEST 77.32 FEET ALONG THE EASTERLY LINE OF SAID MAP TO THE SOUTHEAST CORNER THEREOF; THENCE NORTH 89°59'31" WEST 18.96 FEET ALONG THE SOUTHERLY LINE OF SAID MAP; THENCE SOUTH 67°53'35" WEST 35.76 FEET ALONG SAID SOUTHERLY LINE; THENCE NORTH 00°00'00" WEST 106.40 FEET TO THE NORTHERLY LINE OF SAID MAP; THENCE SOUTH 73°18'12" EAST 54.39 FEET ALONG SAID NORTHERLY LINE TO THE POINT OF BEGINNING.

CONTAINING: 4,658 SQ. FT (0.107 AC.) OF LAND, (MORE OR LESS).

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

PREPARED UNDER MY SUPERVISION:



MATTHEW H OKUBO, P.L.S. 8686 11/05/12
DATE

TITLE: PEDESTRIAN EASEMENT

 **Hall & Foreman, Inc.**

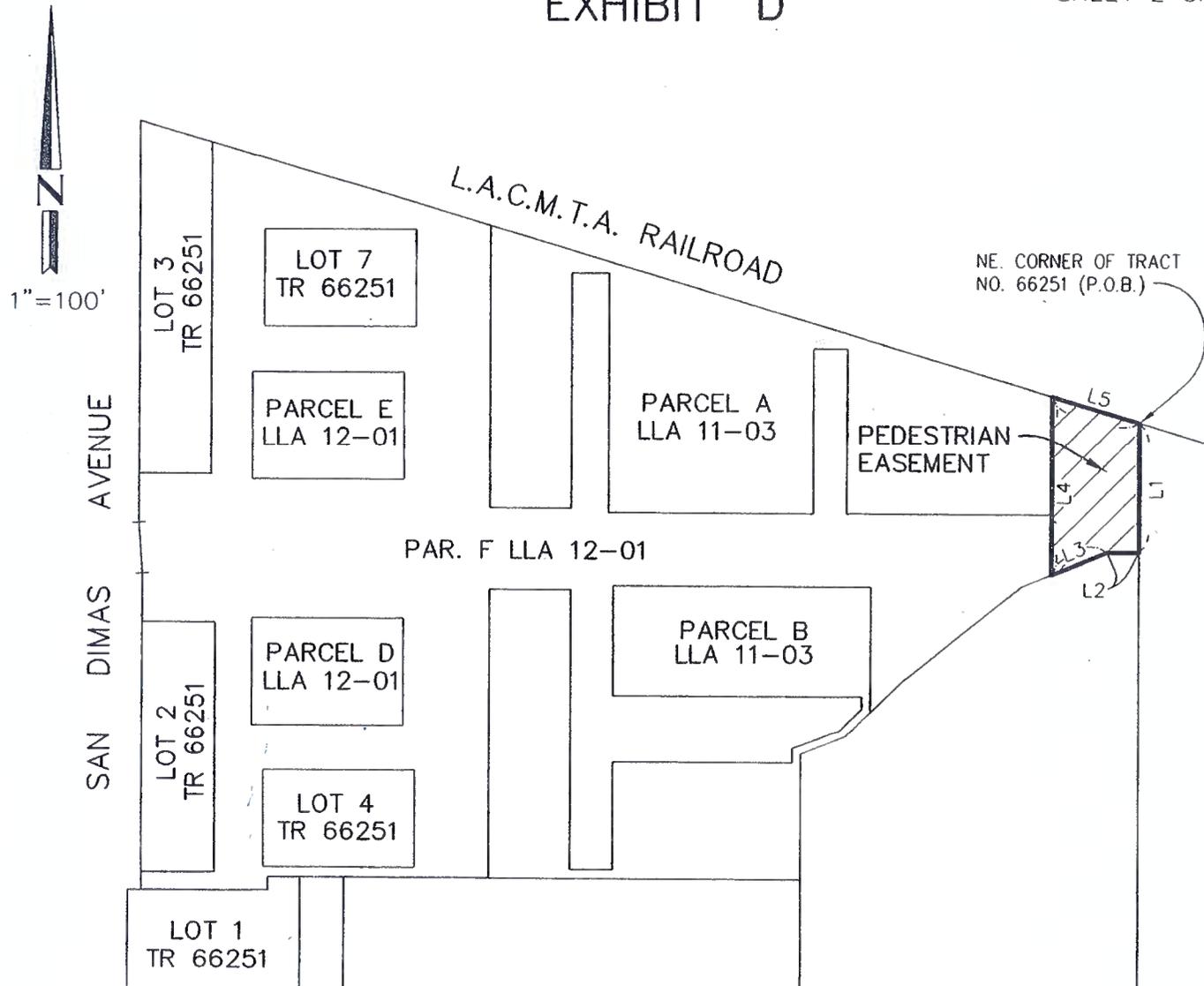
Engineering · Planning · Surveying

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

DATE OF PREPARATION: 11/05/12 JOB NO. 110207



EXHIBIT "D"



LEGEND

P.O.B.: POINT OF BEGINNING
 TR 66251: TRACT NO. 66251, M.B. 1350/87-93.
 LLA 11-03: LOT LINE ADJUSTMENT INST. 2012-0610968 REC. 4/25/12.
 LLA 12-01: LOT LINE ADJUSTMENT INST. 2012-0618389 REC. 4/26/12.

LINE TABLE		
LINE	BEARING	LENGTH
L1	S00°00'24"W	77.32'
L2	N89°59'31"W	18.96'
L3	S67°53'35"W	35.76'
L4	N00°00'00"W	106.40'
L5	S73°18'12"E	54.39'

TITLE: PEDESTRIAN EASEMENT

Hall & Foreman, Inc.
 Engineering · Planning · Surveying
 14297 CAJON AVE, SUITE 101 · VICTORVILLE, CA 92392 · 760-524-9100
 DATE OF PREPARATION: 11/05/12 JOB NO. 110207

 EASEMENT HEREBY DEDICATED



ped esmt.txt

Project: 110207

Parcel Inverse

Parcel name: Ped esmt

	North: 5657.3092		East : 5669.9121
Line	Course: S 00-00-24 W	Length: 77.32	
	North: 5579.9894		East : 5669.9031
Line	Course: N 89-59-31 W	Length: 18.96	
	North: 5579.9921		East : 5650.9476
Line	Course: S 67-53-35 W	Length: 35.76	
	North: 5566.5341		East : 5617.8162
Line	Course: N 00-00-00 W	Length: 106.40	
	North: 5672.9355		East : 5617.8162
Line	Course: S 73-18-12 E	Length: 54.39	
	North: 5657.3092		East : 5669.9121

Perimeter: 292.83 Area: 4,658 sq.ft. 0.11 acres



MINUTES
SPECIAL CITY COUNCIL MEETING
Tuesday, April 9, 2013, 5:30 P. M.
SAN DIMAS COUNCIL CHAMBERS
CONFERENCE ROOM
245 E. BONITA AVENUE

PRESENT:

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

City Manager Blaine Michaelis
Assistant City Manager Ken Duran
City Attorney Ken Brown
Assistant City Manager for Community Development Larry Stevens
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

1. CALL TO ORDER

Mayor Morris called the Special City Council Meeting to order at 5:30 p.m.

2. ORAL COMMUNICATIONS

- a. Members of the Audience

None.

3. STUDY SESSION – Review and Direction – Prioritization of City Projects

Mr. Michaelis explained that the purpose of the meeting is to provide City Council with an overview of current projects and get Council direction and prioritization. He added that the projects are presented in two parts, a list of Development Services and Community Development projects and a summary of all other department projects. Mr. Michaelis referenced the summary of all other department projects in the agenda packet and asked for any questions or comments from Council. There were no comments on that project list.

Mr. Stevens handed out a revised Development Services project list which identified projects in Tier I, Tier II or Tier III. He described projects in Tier I as ones that are actively being worked on a weekly basis.

In response to a question Mr. Stevens commented that the marijuana dispensary project will be impacted by the Supreme Court ruling in the Riverside case. There was some discussion of the potential impacts of that ruling.

Mr. Stevens commented that projects in Tier II are ones that are of some priority but there is less commitment to work on them over the next several months.

In response to a question Mr. Stevens commented that changes to the prohibition on gas station convenience stores and the sale of beer and wine is currently being reviewed in light of the prohibition by ABC on issuing new Type 20 licenses.

Mr. Stevens commented that there is probably not any project that can be removed from the Tier I list.

In response to a question Mr. Stevens commented that the Tsu Chi submitted a development application to the City last week. He explained the uniqueness of the project because it is within the City and County jurisdiction and impacts that has on the CEQA process.

Mr. Stevens commented that Tier III projects are ones that have no current activity and are maintained on the list to keep track of. He commented that if there are projects that the Council suggested to be removed let him know.

In response to a question Mr. Stevens commented that the new MS4 is a Tier I project because of the pending compliance deadlines.

In response to a question Mr. Stevens commented that the project to change the SFA 16,000 to 20,000 was by Council policy, the need is to change the zone but the 20,000 sq. ft. policy is currently in place.

Councilman Ebner asked if there is currently a problem with satellite dishes on apartment complexes that prompted that project. Councilman Templeman responded that he raised the concern from his observations of some of the older apartment complexes, but it is not an immediate project. Mr. Stevens commented that staff hasn't begun to understand if this is something that can be regulated.

Councilman Ebner asked if there is any new activity on grant funds for the Walnut Creek Open Space project. Mr. Stevens responded that there may be some Prop A Park Development Grant funds available through the Supervisors office. There was some discussion about that grant opportunity.

Councilman Ebner asked where the project to review the ordinance to allow backyard chickens is on the list, he added that there is a lot of community interest in this. Mr. Stevens responded that it is currently in Tier II. He added that if it were to be moved up to Tier I it would take about 3 months to get before the Planning Commission. Mr. Ebner responded that the issue should be moved along so it can get before the Commission and Council for a vote. Mayor Morris responded that we need to know more of the health risks of having backyard chickens and should get comment from infectious disease experts.

Councilmember Templeman commented that in his opinion the priority projects should be ones where there is a legal requirement, liability or is of economic interest to the City. He added that with limited staff we should take care of things that meet that test.

Mr. Stevens also commented that development projects always take priority over these other types of projects.

Mr. Stevens asked for Council direction on the priority of the backyard chicken ordinance review. Councilman Templeman commented that he does not think it is significant enough to prioritize over other projects on the list. There was discussion on the priority of the ordinance review. It was the consensus of the Council to leave the backyard chicken review in Tier II. Councilman Ebner commented that he would be willing to assist with a survey of other cities on their ordinance.

Councilman Badar commented that he assumes that once the Council makes a policy decision on a project, that then project is moved forward but that doesn't seem to be the case in some instances such as the Gas and Go gas station design. Mr. Stevens explained that that project has recently been made more

complicated because the station owner does not have the easement access that he originally thought he had. There was more discussion on some of the details of that project and its current status.

Mr. Michaelis commented that there have been recent development proposals that fall into a grey area and have been challenging. He suggested using some of these as case studies for the Council. He added that in some cases the current code does not give staff flexibility. Mayor Morris added that the City's ordinances are very restrictive and doesn't give staff flexibility, but that was by design of prior Councils. Mr. Michaelis suggested bringing to Council at a future meeting some of these case studies to review the process.

Mr. Michaelis also suggested ways to keep the Council updated on the status of projects. The Council provided some suggestions on ways to keep them updated on projects.

4. ADJOURNMENT

The Study Session adjourned at 6:55 p.m.

Respectfully submitted,

Ken Duran, City Clerk



MINUTES
SPECIAL CITY COUNCIL MEETING WITH
SUPERVISOR MIKE ANTONOVICH
Tuesday, April 18, 2013, 8:00 A.M.
SAN DIMAS COUNCIL CHAMBERS
CONFERENCE ROOM
245 E. BONITA AVENUE

PRESENT:

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

Los Angeles County Supervisor Mike Antonovich

City Manager Blaine Michaelis
Assistant City Manager Ken Duran
City Attorney Ken Brown
Assistant City Manager for Community Development Larry Stevens
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

ABSENT:

Councilmember Templeman

1. CALL TO ORDER

Mayor Morris called the Special City Council Meeting to order at 8:15 a.m.

2. MEETING WITH SUPERVISOR ANTONOVICH

Prop A Grant Update

Director Bruns provided a background of the Walnut Creek Open Space master plan and phase 1 development plan. She commented that she has been in recent contact with the Supervisors staff about the possibility of using Prop A grant funds for the project.

Supervisor Antonovich commented that they do have money available in Prop A funds to assist with the project.

Jane Beesley, Administrator Regional Park and Open Space District, added that she will work with City staff to move this project forward with the City.

ii. Tzu Chi Proposal

Assistant City Manager Stevens reported that the Tzu Chi Foundation has submitted a development application in the City and County for their master plan. He described the components of the plan. He added that the City has been meeting with the County Planning staff on coordination of the applications. He added that one of the issues should be which agency should be lead agency on the CEQA process. In response to a question Mr. Stevens responded that the City would prefer to be the lead agency since most

of the project impacts would be on the City.

Supervisor Antonovich commented that County staff will work with the City on the process.

Edel Viccarra, County staff, responded that staff has been meeting with Regional Planning, Fire Department and the City on the project. Supervisor Antonovich encouraged both agencies to keep the dialog going.

iii. Golden Hills Road Realignment

Director Patel provided a background on the project and the need for the realignment. He added that in past meetings the Supervisor had expressed support for the realignment. Mr. Patel provided the cost estimate for the project at \$750,000 and asked for County assistance in their proportionate share in the project.

Supervisor Antonovich commented that it seems to be an economical cost estimate.

Mr. Viccarra asked if the City could come up with a percentage share for them to then find a nexus for the dam. He offered to set up a meeting with County Flood Control staff.

iv. Update on Foothill Widening Project

Director Patel provided an overview of the Foothill Blvd. bridge widening project. He described the needed easements from the County Flood Control and County plan check review. He asked for County cooperation on right-of-way acquisition and fair and equitable appraisals and expedited process. In response to a question by the Supervisor, Mr. Patel stated that the project does not impact flood control channel, only property.

Mr. Viccarra commented that the County can work with the City to expedite the process.

v. Redevelopment Dissolution Process Update

Mr. Duran thanked the Supervisor for the County's appointments of Brain Stiger, Shorty Feldbush and Bonnie Bowman to the Agency Oversight Board. He added that they are thoughtful and good Board members. He provided an update on where the Agency is in the redevelopment dissolution process.

Mr. Michaelis commented that the Agency is concerned with the status of the Walker House through the process and will be making the determination that it is a governmental use building and should be retained by the City.

Mr. Viccarra offered that staff is available to help with issues with the Auditor – Controller's office if necessary.

vi. Supervisors thoughts on the Extension of the Gold Line

Supervisor Antonovich commented that he is in support of the Gold Line extension but did not support Measure J because all of the region's transportation priorities were not included. He suggested getting all of the COGs together to come up with a list of projects and a regional funding mechanism. He also commented on the status of the MTA and potential changes with a new Mayor.

(Councilmember Ebner left at 9:00 a.m.)

vii. Update on the County's Clean Water Clean Beaches Funding Measure

Supervisor Antonovich commented that the Measure proposal comes back to the Board in June and that his position is that clean water funding should be a State initiative not regional. He added that he felt there were many flaws with the County measure.

Mr. Michaelis reported that the Water Quality Board is still moving forward with the requirements of the permit even without a funding source and it could be very expensive for the City. He also commented that the City is exploring a JPA concept with adjoining cities and would like to discuss this with the County as a major controller of water ways in the City.

Mr. Viccarra commented that the County has recently promoted an employee to be Storm Water Manager and he will put the City in touch with her.

3. Oral Communications

Council member Bertone commented that it is exciting to see the Walnut Creek project move forward and thanked the Supervisor for his support.

Mayor Morris commented that the City has always had an excellent relationship with the Supervisor and his staff.

4. ADJOURNMENT

The Study Session adjourned at 9:10 a.m.

Respectfully submitted,

Ken Duran, City Clerk



MINUTES
REGULAR CITY COUNCIL MEETING
TUESDAY, APRIL 23, 2013 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVENUE

CITY COUNCIL:

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

City Manager Blaine Michaelis
Assistant City Attorney Mark Steres
Assistant City Manager/City Clerk Ken Duran
Assistant City Manager for Community Development Larry Stevens
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

1. CALL TO ORDER AND FLAG SALUTE

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

2. RECOGNITIONS

A. Recognize Distinguished Service to Youth Award Recipients

The City Council recognized Casey Cox, Suzie Konrad, Bob and Jean Olander, Doug Tubbs, Carey Vasile, Nikki Bonomo, Kelly Leyva, Rekha Narayanan, Doug Schweitzer as the San Dimas Library as recipients of this year's Distinguished Service to Youth Awards

B. Recognize winners of the Earth Day Recycle/Reusable Craft Contest

The City Council recognized Cianna Riley, John Avila, Jolie Borges and Nicholas Day as winners of the Earth Day Recycle/Reusable Craft Contest.

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

a. Members of the Audience

Councilmember Templeman introduced Phylp Bardowell, Field Representative for Congresswoman Grace Napolitano. Mr. Bardowell introduced himself and commented that he works out of the Congresswoman's field office in El Monte and offered his assistance to the City and any of its constituents. He described the constituent services available. He also announced the

Congresswoman's student art contest on May 4th in the Walker House and a Veterans Affairs Forum on June 4th.

Amy Crowe, San Dimas Librarian, announced upcoming activities and programs at the San Dimas Library Branch.

Bill Emerson thanked the Council for the recent implementation of the newly revised sign ordinance. He commented that driving down Arrow Hwy it looks beautiful without all of the sign clutter.

Margie Green announced the Historical Society Annual Spring Dinner and Installation on May 21.

4. **CONSENT CALENDAR**

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

MOTION: It was moved by Councilmember Badar and seconded by Mayor Pro Tem Bertone 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) **No. 2013-23**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF AUGUST AND APRIL, 2013.
- b. Approval of minutes for Regular City Council meeting of April 9, 2013.
- c. Proposed 2013-2014 Assessment Rates for Open Space Maintenance Districts:

RESOLUTION NO. 2013 -24, A RESOLUTION OF THE CITY COUNCIL 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 2013 -2014 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).

- (2) **RESOLUTION NO. 2013 -25**, A RESOLUTION OF THE CITY COUNCIL 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 2013 -14 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)

END OF CONSENT CALENDAR

INTRODUCTION

(a) Andrea Travis-Miller, Executive Director San Gabriel Valley Council of Governments

Mr. Michaelis introduced Andrea Travis-Miller, newly appointed Executive Director of the San Gabriel Valley Council of Governments. Ms. Travis-Miller provided her background and experience in local government and gave some of her visions for the COG. She introduced Marissa Krieger of the COG staff who gave an update on the Energy Efficiency project.

Mayor Morris recessed the Regular Meeting at 7:40 p.m. to convene a Special City Council Meeting.

Mayor Morris reconvened the Regular Meeting at 7:55 p.m.

ORAL COMMUNICATIONS

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

There were no public comments.

- b. City Manager

Mr. Michaelis reminded the audience that the Mayors call in show will be live on Thursday, April 25th at 7:00 p.m.

- c. City Attorney

No report.

- d. Members of the City Council

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

None to report.

- 2) Individual Members' comments and updates.

Councilmember Templeman complimented Latoya Ward on her presentation of the Recycle Contest Awards.

Vice Mayor Bertone invited the audience to attend the Annual Festival of Arts Show April 26 – 28th.

Vice Mayor Bertone reported that he attended a COG meeting regarding the MSS permit with Mr. Duran, Mr. Patel and Ms. Ward. He commented that a member of the Water Quality Board expressed that cities should not worry about the money to implement the new permit just do it.

Vice Mayor Bertone also announced a lawn mower exchange program sponsored by AQMD where residents can exchange a gas powered mower for a reduced priced electric mower.

Councilmember Badar invited the audience to attend a reception for former Congressman David Drier at 4:30 p.m., April 27th in the City Hall lobby.

CLOSED SESSION

Consider settlement offer Government Code 54956.9 (a)

Case: Alhambra and 46 Cities v. Los Angeles County (PTAF)

Case Representatives: Blaine Michaelis City Manager, Ken Brown City Attorney, Ken Duran Assistant Manager

Legal Council: Michael Colantuno of Colantuno & Levin

Following the Closed Session Deputy City Attorney announced that on a motion by Council Member Bertone, seconded by Council Member Bader, the City Council unanimously approved a motion to approve the settlement offer from the County. The settlement agreement has not yet been prepared and the terms of the settlement will be available upon the preparation and execution of the settlement agreement.

8. ADJOURNMENT

Following the Closed Session Mayor Morris adjourned the meeting at 8:20 p.m. to a Special City Council Meeting on April 29, 2013 at 5:00 p.m.

Respectfully submitted,

Ken Duran, City Clerk



MINUTES
SPECIAL CITY COUNCIL MEETING
TUESDAY, APRIL 23, 2013 7:30 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVENUE

CITY COUNCIL:

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

City Manager Blaine Michaelis
Assistant City Attorney Mark Steres
Assistant City Manager/City Clerk Ken Duran
Assistant City Manager for Community Development Larry Stevens
Director of Public Works Krishna Patel
Director of Parks and Recreation Theresa Bruns

1. CALL TO ORDER

Mayor Morris called the Special Meeting to order at 7:40 p.m. Assistant City Attorney Steres explained that the Special Meeting was scheduled and posted 24 hours in advance.

2. DOWNTOWN FAÇADE PROGRAM

Assistant City Manager Stevens reported that on March 12th the City Council had approved adding the ICI building to the downtown façade renovation project with a total cost of \$75,000. He added that during the project when panels on the building were removed it revealed clear story windows. The windows are in such a condition that they need to be either repaired at an estimated cost of \$15,000 or replaced for \$17,500. He added that he has reached an agreement with the owner to split 50/50, the cost of the window repairs, and if the owner chooses to replace the windows he will pay for the additional cost. He requested City Council action to approve an additional general fund allocation of \$10,000 for the City share of the window repairs.

In response to a question Mr. Stevens stated that the total cost of the project without the windows is \$70,865 and with the window repairs it is approximately \$88,000. He added that the City contribution would be \$45,500.

Councilmember Badar made a motion to allocate an additional \$10,000 from the general fund for the window repairs. The motion was seconded by Vice Mayor Bertone and passed unanimously.

Councilmember Ebiner commented that he would like to see the original windows kept. Mayor Morris commented that the original building had an open front and the current front and windows was added some time in the 1950's.

3. ORAL COMMUNICATIONS (Members of the audience are invited to address the City Council on any item not on the agenda. Under the provisions of the Brown Act, the legislative body is prohibited from taking or engaging in discussion on any item not appearing on the posted agenda. However, your concerns may be

referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

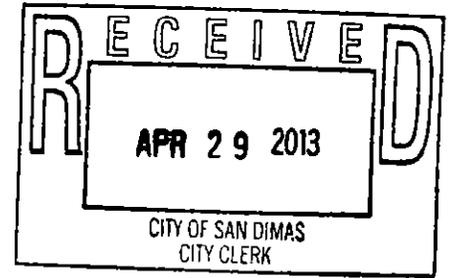
No comments.

4. ADJOURNMENT

Mayor Morris adjourned the Special City Council at 7:55 p.m. to reconvene the Regular City Council Meeting.



CARL WARREN & COMPANY
 Claims Management and Solutions



April 29, 2013

TO: City of San Dimas

ATTENTION: Ken Duran, Assistant City Manager

RE: Claim : SCE v. City of San Dimas
 Claimant : Southern California Edison
 Member : City of San Dimas
 Date Rec'd by Mbr : 3/2713
 Date of Event : 11/5/12
 CW File Number : 1854451

Please allow this correspondence to acknowledge receipt of the captioned claim. Please take the following action:

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

Please include a Proof of Mailing with your rejection notice to the claimant. An exemplar copy of a Proof of Mailing is attached. Please provide us with a copy of the Notice of Rejection and copy of the Proof of Mailing. If you have any questions feel free to contact the assigned adjuster or the undersigned supervisor.

Very Truly Yours,

CARL WARREN & CO.

Richard Marque
 Supervisor

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

3e

Our File No. 201213443

CLAIM AGAINST A GOVERNMENTAL AGENCY

The Southern California Edison Company, a corporation, is hereby presenting its claim for damage/loss to City Of San Dimas

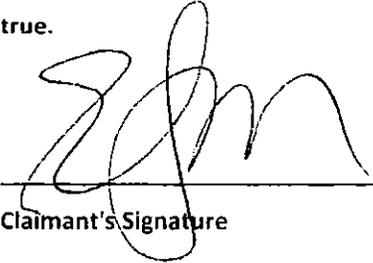
- | | |
|---|--|
| 1. Date of occurrence/discovery | November 05, 2012 |
| 2. Location of occurrence | Gladstone at Amelia, San Dimas, CA |
| 3. Cause of damage/loss | Gentry Brothers, working for and at the City of San Dimas, struck and damaged Edison's vault cement casting during the street improvement. |
| 4. Amount or estimate of damage/loss | The claim will not be a limited civil case. |
| 5. Name and address (if known) of public employee or agency causing damage | N/A |

All correspondence in regard to this claim should be addressed to: Southern California Edison Company (Claims Department), P.O. Box 900, Rosemead, California 91770, Attention: Elaine Tan

VERIFICATION AND CERTIFICATION

State of California, County of Los Angeles (ss.) Elaine Tan, being by me duly sworn, deposes and says: that he/she is a Claims Representative for Southern California Edison Company, a corporation, claimant; that he/she has read the foregoing

claim and knows the contents thereof; and that the same is true and correct of his/her own knowledge, except as to the matters which are therein stated upon his/her information or belief, and as to those matters that he/she believes to be true.



Claimant's Signature



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the meeting of May 14, 2013

From: Krishna Patel, Public Works Director *KAP*

Subject: **Approval of Right of Way Acquisition Services with Los Angeles County Department of Public Works in the Amount of \$61,000 under General Services Agreement – Bridge Widening, Bikeway Improvements at Foothill Blvd over San Dimas Wash (Federal Project No. BHLS 5367 (013))**

Summary

Approval to retain Los Angeles County Department of Public Works Mapping Division, Under a General Services Agreement to provide the necessary Right of Way acquisition services in accordance with the State and Federal guidelines in the amount of \$61,000. Additional Right of Way and construction easements are required in conjunction with the proposed improvement to alleviate the bottleneck at San Dimas Wash on Foothill Blvd.

BACKGROUND

In April 2011, the City was awarded \$2.4 million by the Federal Highway Bridge Program (HBP) to widen Foothill Blvd over the San Dimas Wash. The widening will accommodate sidewalks and 5 foot bike lanes in both directions, including 4 lanes, for a total width of 96 feet plus barriers. Due to the high skew and wash alignment curvature, the project will include widening the approach roadway approximately 450 feet on south approach and 300 feet on north approach. The project will also include abandonment of the partially buried three-span 1928 bridge.

In March 2012, through a competitive bid and interview process, WKE Engineers and Planners were retained for engineering design services. To date, the project construction plans are 95% complete and have been submitted to the Los Angeles County Department of Public Works due to their expertise with this type of structural plan check and to make our permitting process much easier during the construction phase of the project, as the bulk of the improvements involve the County's Flood Control District (FCD) encroachment and jurisdiction.

Total project costs are estimated as follows:

YEAR	PHASE	HBP FUNDING	LOCAL FUNDING	TOTAL
2012/2013	Prelim Engineering (PE)	\$358,547	\$46,454	\$405,000
2013/2014	Right of Way (ROW)	\$84,104	\$10,897	\$95,000
2014/2015	Construction (CON)	\$1,659,938	\$215,063	\$1,875,000
	Total	\$2,102,589	\$272,414	\$2,375,000

Environmental Review/Approvals

The project's National Environmental Policy Act (NEPA) clearance documents were approved by Caltrans on May 27, 2012 as set forth in the provisions of the California Environmental Quality Act (CEQA). The Draft Initial Study/Mitigated Negative Declaration (Draft IS/MND) was released for public and agency review on November 6, 2012, and the 30-day review and comment period ran through December 6, 2012. According to the State Clearinghouse, two state agencies responded—the Native American Heritage Commission (NAHC) and the California Department of Transportation (Caltrans) and commented on the proposed project based on letters received during the 30-day period. Property owners within a 300-foot radius of the project location were notified via US Mail of the public hearing process and public review period. During the public review period, the City held a public hearing before the Environmental Subdivision Committee on November 14, 2012, to discuss the project and the Draft IS/MND. Though there was an opportunity for public comment at the hearing, no questions or comments were received regarding the content of the Draft IS/MND. According to our Environmental Consultant, nothing in the content of comments received or the response to comments triggered the need to recirculate the Draft IS/MND, nor is the preparation of an environmental impact report (EIR) necessary. The Final IS/MND contains a copy of the comments, as well as responses to those comments.

ANALYSIS

On April 24, 2013 the City received an authorization to proceed (E76) with Right of Way (ROW) acquisitions as required for the project. The E76 application was filed on January 9, 2013. Since the 70% design plans are complete, the extent of non-permanent or temporary easements are also finalized. To proceed with the Bridge Widening Project, permanent easements are required from the Flood Control District and additional temporary construction easements from Starberry Farms and San Dimas Equestrian Center in accordance with the State and Federal guidelines and requirements.

The attached ROW exhibit displays the need to acquire permanent easements for the bridge structure from the Flood Control District and temporary construction easements from the two (2) private properties as explained below:

1. Area in blue – due to design constraints and structural requirements this area requires a permanent easement to straddle the concrete deck/slab near the channel, which is tied to the 3' diameter concrete piles within the FCD right of way and jurisdiction.
2. Area in green – temporary construction easements area required for ingress/egress and construction of permanent access improvements like paving, curb, gutters and possible retaining walls within FCD easements and/or private property.

In considering that the bulk of the above major permanent (area in blue) improvements requires substantial easements, coordination and approvals from both Flood Control and County Board of Supervisors; therefore it make sense to retain the services of the County Public Works (DPW) to carry out the real property acquisition that is necessary for the project. Since this is a federally funded project and in accordance with Caltrans, the DPW is qualified to provide the real property services provided they follow all of the required criteria for Right of Way Services for both State and Federal Projects.

Since the City and County operate under General Services Agreement approved by City Council on February 9, 2010, the City can proceed to use the County services without a formal bid and a competitive bid process.

With the above confirmation and understanding, as conveyed through a series of emails, the City and County Staff negotiated the following cost estimate (labor only) to perform the necessary activities to secure the right of way needed for the Foothill project. The attached email is broken down into three (3) primary tasks that total \$61,000 and it does not include any final compensation for permanent or temporary easements, which staff anticipates being an additional \$35,000.

Scope of Work and Requirements

Due to the funding source and need for reimbursement of our costs, the City is required to follow both Federal Highway Administration and Caltrans requirements. The County's real property activities and service will include:

1. ROW engineering (parcel identification, review of legal, maps, easements)
2. Title Work (update title reports, document preparation)
3. Valuation (value property appraisal in accordance with Federal guidelines)
4. Real Estate Agent Service – accordance with State and Federal Guidelines
5. County Board of Supervisors Approval of Certificates – Approved grant easement

With the State approving the right of way E76, our target date for completion of the right of way acquisition service is October 1, 2013. Meeting this target date is critical to secure construction funding and commence construction activities in early spring 2014. Understanding that this is a very tight schedule and we have to try and stay on schedule in order to take advantage of the 2014 summer months to accommodate the anticipated eight month construction schedule to complete the project.

RECOMMENDATION

Approve Right of Way Acquisition Services with Los Angeles County Department of Public Works in the Amount of \$61,000 under General Services Agreement for the Bridge Widening, Bikeway Improvements at Foothill Blvd over San Dimas Wash (Federal Project No. BHLS 5367 (013))

Respectfully Submitted,



Krishna Patel
Director of Public Works

Attachments – Right of Way Exhibit
Confirmation Emails

Krishna Patel

From: Gong, Howard <HGONG@dpw.lacounty.gov>
Sent: Monday, April 01, 2013 4:41 PM
To: Krishna Patel; Derakhshani, Mahdad
Cc: Phillips, Robin; Watts, Don; Rodriguez, Michael G.
Subject: FW: FOOTHILL BL OVER SAN DIMAS WASH BRIDGE WIDENING PROJECT

Categories: Red Category

Krishna,

In accordance with your recent discussion with Mahdad, the tasks shown in my 2/11/13 e-mail have been subdivided as follows (for funding purposes):

TASK 1

- Identify affected parcels, research/circulate to affected Divisions \$7,200 and Corps of Engineers for availability, review engineering calculations and legal descriptions prepared by the City, update existing R/W map
- Update title, prepare LACFCD and temporary construction easement documents, review/record documents \$3,700

TOTAL \$10,900

TASK 2

- Prepare appraisal report

TOTAL \$39,000

TASK 3

- Prepare offer and negotiate with private owner \$2,800
- Prepare certification map \$4,300
- Project coordination, prepare R/W certification \$4,000

TOTAL \$11,100

Please review and if you have any questions, please contact Mahdad. Thanks.

GRAND TOTAL \$ 61,000

From: Gong, Howard
Sent: Monday, February 11, 2013 3:14 PM
To: kpatel@ci.san-dimas.ca.us; Derakhshani, Mahdad
Cc: Phillips, Robin; Rothman, Dayna; Hinkley, Wanda; Rodriguez, Michael G.; Watts, Don; Husted, Alan; Lenz, Jeff;

Krishna,

Per your request, we have revisited the estimate that was provided to you on 1/29/13. After a detailed review by each of the responsible sections in this Division, and taking into consideration the deletion of the landscaping area, the following is a revised cost estimate (only 2 tasks had a reduction in cost):

<u>Task</u>	<u>Est. Cost*</u>
➤ Identify affected parcels, research/circulate to affected Divisions and Corps of Engineers for availability, review engineering calculations and legal descriptions prepared by the City, update existing RW map	\$7,200
➤ Update title, prepare LACFCD and temporary construction easement documents, review/record documents	\$3,700
➤ Prepare appraisal report	\$39,000@
➤ Prepare offer and negotiate with private owner	\$2,800
➤ Prepare certification map	\$4,300
➤ Project coordination, prepare RW certification	<u>\$4,000</u>
	TOTAL \$61,000

*Estimates are subject to change if any modifications to the original scope of work are made.

@Depending on our workload at the time, we would possibly use one of our consultants to complete this work, which may or may not result in a different cost.

Realizing that this is an estimate, we believe the above numbers reflect as accurately as possible the cost for our Division to perform the necessary work to secure the right of way. Unlike the previous estimates from May 2010 and June 2012, for our most recent estimates, we had the benefit of having a Right of Way ID map, which afforded us a better understanding of the right of way needs for this project.

If you wish us to proceed with this work, please coordinate with Mahdad to work out the necessary funding arrangement. Let's discuss if you have further questions. Thank you.

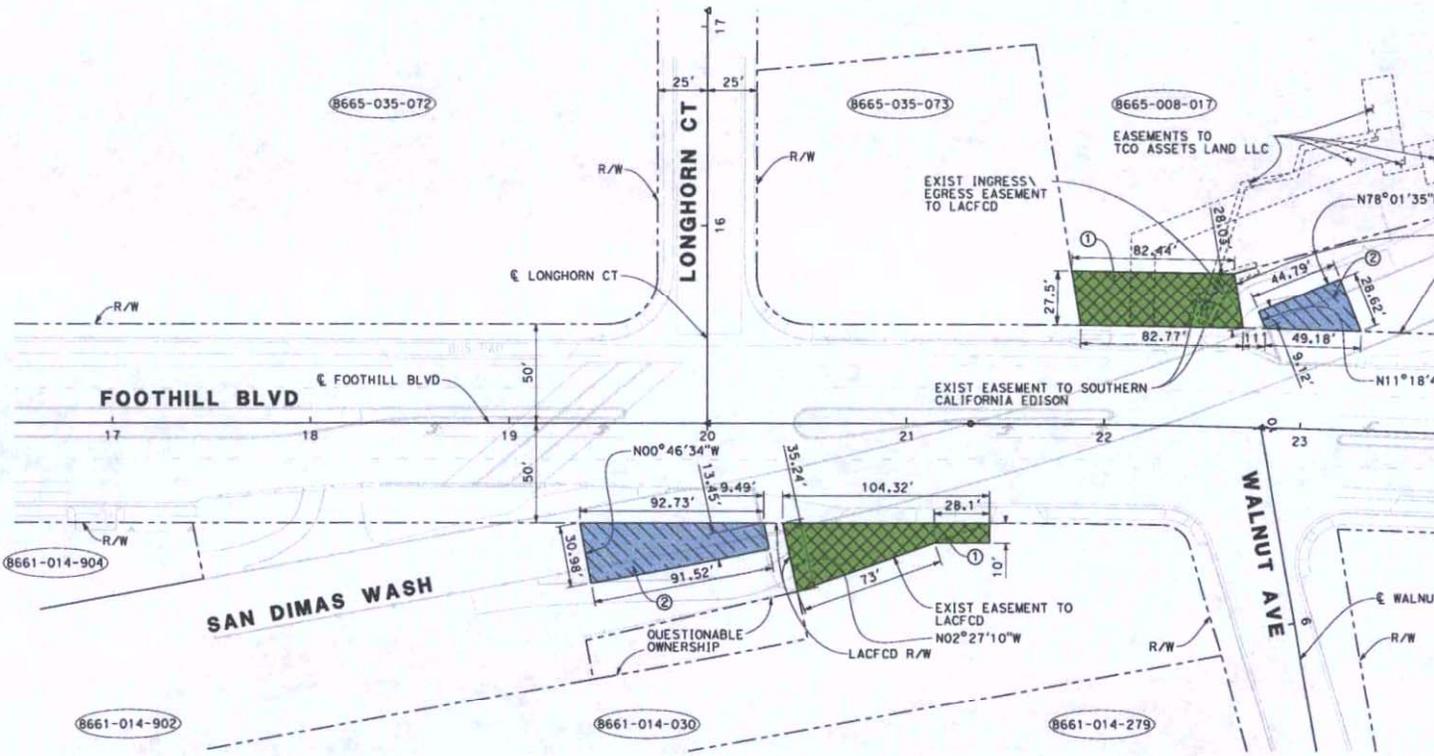


*Howard Gong
Los Angeles County Department of Public Works
Survey/Mapping & Property Management Division
(626) 458-7008*

PATTERN AND LEGEND FOR AREAS TO BE ACQUIRED

-  ① PROPOSED TEMPORARY CONSTRUCTION EASEMENT
-  ② PROPOSED PERMANENT AERIAL EASEMENT FROM LA COUNTY
- EXIST RIGHT OF WAY
- - - - - EXIST EASEMENT

Los Angeles County
Department of Public Works
**PRELIMINARY
PLAN DRAWINGS**
Unofficial and Subject to Change
Date: 5/7/2013



RIGHT OF WAY ID MAP - FOOTHILL BLVD
Scale: 1" = 30'

REVISIONS					PLANS PREPARED BY:		CITY OF SAN DIMAS		
NO.	DATE	BY	DESCRIPTION	APP'D	DATE	WKE	400 N. TUSTIN AVE., SUITE 275 SANTA ANA, CA 92705 PHONE (714) 953-5668 FAX (714) 953-5408	REVIEWED BY:	DATE
								GRISHMA PATEL DIRECTOR OF PUBLIC WORKS	
								APPROVED BY:	
								CITY ENGINEER	



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the meeting of May 14, 2013

From: Krishna Patel, Public Works Director *MP*

Subject: **Adoption of Resolution 2013-28, Designation of authorized officials for Federal Certification under Federally Funded Projects**

Summary

The process of obligating Federal Construction funds requires approval for authorization submitted to Caltrans. One component of this is providing right of way certification stating all property and all utility rights required for construction of the project have been secured and that agreement has been reached with the abutting property owners regarding impacts to their properties

Staff requesting adoption of Resolution 2013-28 which will designate the City Manager, Director of Public Works, and/or City Engineer as the authorized officials for Federal Certification under Federally Funded Projects.

BACKGROUND

With the State approving the right of way (approval to proceed with right-of-way acquisitions) E76 for Bridge widening, Bikeway Improvements at Foothill Blvd over San Dimas Wash, our target date for completion of the right of way acquisition service is October 1, 2013. Meeting, this target date is critical to secure construction funding and commence construction activities in early spring 2014.

Next Step

The process of obligating Federal Construction funds requires approval for authorization submitted to Caltrans Local Assistance. One component of this is providing right of way certification stating all property and all utility rights required for construction of the project have been secured and that agreement has been reached with the abutting property owners regarding impacts to their properties

New federal-aid procedures require that all projects process right of way certification including those that do not require additional right of way. In this case, for Bridge Widening, Bikeway Improvements at Foothill Blvd over San Dimas Wash, right of way is required. Caltrans Right of Way manual states that the local agencies may develop a resolution giving a responsible agency official blanket authority to execute authority on the public agency's behalf. This will streamline the federal paperwork process and avoid the necessity to have the execution of each individual certification or approvals authorized by a City resolution.

The attached resolution modifies Master Agreement No.7-5367R between the City of San Dimas and the State of California for Federally Funded Projects which was approved by the City Council of San Dimas on November 13, 2007 and approved by Caltrans on January 17, 2008. This Master Agreement sets for the guidelines for processing federally funded projects, including right of way.

Associated with the right of way certification, the agency must also agree to indemnify Caltrans from liabilities associated with right of way certification since Caltrans did not perform the right of way acquisition services.

The attached resolution request City Council authorize the City Manager, Director of Public Works and/or City Engineer to execute the Right of Way Certification that includes the requisite Caltrans indemnification and to execute future Caltrans required Right of Way Certification and other documents necessary for Federal grant funding allocations approvals.

Considering the Foothill Bridge project has a very compressed schedule for Right of Way Acquisition to meet the subsequent construction start time of spring 2014, designating the City Manager, Director of Public Works and/or City Engineer as the authorized officials to sign and certify federal grant funded projects paperwork and documentation will expedite the approval process.

Due to the tight timetable, it is further recommend the project be advertised and bid immediately following federal funding allocations for construction.

RECOMMENDATION

Staff recommends that City Council approve the following:

- I. Adopt the attached resolution authorizing the City Manager, Director of Public Works, and/or City Engineer to certify Right of Way documentation, Utility Right of Way and other documents necessary for Federal grant funding allocation approvals.
- II. Grant authority to advertise, the *Bridge Widening, Bikeway Improvements at Foothill Blvd over San Dimas Wash (Federal Project No. BHLS 5367 (013)*, following federal funding allocation for construction.

Respectfully Submitted,



Krishna Patel
Director of Public Works

Attachments – *Resolution 2013-28*

RESOLUTION NO. 2013-28

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING AND AUTHORIZING THE CITY MANAGER, DIRECTOR OF PUBLIC WORKS AND/OR CITY ENGINEER TO EXECUTE ALL RIGHT OF WAY CERTIFICATIONS ON ALL STATE AND/OR FEDERALLY FUNDED PROJECTS, AND TO SIGN ALL STATE AND/OR FEDERAL FUNDING DOCUMENTS ASSOCIATED WITH GRANT FUNDING ALLOCATIONS PURUSANT TO MASTER AGREEMENT NO. 07-5367R BETWEEN THE CITY OF SAN DIMAS AND THE STATE OF CALIFORNIA.

WHEREAS, all federally funding right of way projects are implemented through the California Department of Transportation (Caltrans);

WHEREAS, pursuant to Section 17.08.14.11 of Chapter 17 of the Caltrans Right of Way Manual, "Right of Way" certification and utility rights must be executed by an authorized official of the City of San Dimas, for such projects prior to advertising bids for construction or such projects;

WHEREAS, in accordance with said section of the Caltrans Right of Way Manual, a resolution giving a responsible agency official blanket authority to execute Right of Way certifications and utility rights must be adopted by the City Council; and

WHEREAS, authorizing the City Manager, Director of Public Works, and/or City Engineer to sign funding allocation request letters, which must be submitted within six months of any grant award notification letter, will expedite the funding allocation requirements for project delivery.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of San Dimas as follows:

SECTION 1. The City Council hereby authorizes the City Manager, Director of Public Works and/or City Engineer to execute all right of way certifications and utility rights for all state and/or federally funded projects and to include such certification Caltrans required indemnification language in the following form or such form required by Caltrans from time to time.

"The City of San Dimas City Council (City Council) agrees to indemnify, defend and hold harmless the Department of Transportation (Caltrans) from any and all liabilities which may result in the event the right of way for a project is not clear or certified. The City Council shall pay from its own non-matching funds any costs which arise out of delays to the construction of the project because utility facilities have not been removed or relocated or because right of way has not been made available to Council for the orderly performance of the project."

SECTION 2. The City Council hereby authorizes the City Manager, Director of Public Works and/or to sign funding allocation request letters for all state and/or federally funded projects.

SECTION 3. The City Mayor shall sign Resolution and the City Clerk shall attest and certify to the passage and adoption of this resolution and it shall become effective immediately upon its approval.

PASSED APPROVED AND ADOPTED this 14TH DAY OF MAY, 2013.

Curtis W. Morris, Mayor of the City of San Dimas

ATTEST:

Debra Black, Deputy City Clerk

I HEREBY CERTIFY that the forgoing Resolution No. 2013-28 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of May 14th, 2013 by the following vote:

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

Debra Black, Deputy City Clerk



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the Meeting of May 14, 2013

From: Krishna Patel, Public Works Director 

Subject: **Cash Contract 2013-01, Pavement Preservation Chip Seal Project at Various Locations -**

- 1) Budget Amendment for revenue and expenditure of up to \$64,076 of CalRecycle grant funds from Infrastructure Fund for the Pavement Preservation Project**
- 2) Award of Contract for Chip Seal Project at Various Locations to Pavement Coatings Co. in the amount of \$189,142.80.**

Summary

Requests Council's approval to award Cash Contract 2013-01, Pavement Preservation Project to Pavement Coatings Co. in the amount of \$189,142.80 of which up to **\$64,076** will be reimbursed via the 2012/13 Rubberized Pavement Grant Program. Pavement Coatings Co. will provide professional street repairs combining layers of asphalt with layers of fine aggregate as required by the Pavement Grant.

BACKGROUND

In fiscal year 2012-13 budget, \$560,000 in Gas Tax, Prop C Local Transportation and Measure R was budgeted under Pavement Preservation Program, a program that allowed Staff a wide variety of flexibility to be able to introduce new technology and material processes into our street maintenance program to extend the life of our city streets as we adopt the mantra of "the right treatment of the right pavement at the right time". The intent of this year's budget is to include the following mixture of street treatments:

1. Slurry Seal (Primarily Maintenance Zone A)
2. Chip Seal
3. Minor Asphalt Pavement Repairs/Overlay

On September 11, 2012, the City Council approved the renewal of slurry seal contract with Doug Martin Contracting Inc., under Cash Contract No 2012-01, "Pavement Preservation Slurry Project" for a total contract price of up to \$350,000.00. The Contractor under phase one mobilization has done (crack filling and slurry) on about 50% of streets within Zone A and will mobilize again in June to complete another 25% of the streets in Zone A with the following 25% scheduled to be done after July.

In our efforts to maximize our Pavement Preservation Funds in maintaining streets that are between fair and poor conditions, due to the pavement aging rather than failure of pavement substructure and in need of reconstruction, Staff proposes another alternative to consider is the chip seal process. The initial process places 3/8 inch rock coated with an asphalt binder that is placed and rolled into place then capped with layer of slurry – the two-step process is known as a "cape seal" (similar to the process done on San Dimas Avenue between Via Vaquero and 57 Fwy. underpass). Treating the pavement with chip seal and adding a layer of slurry extends the service life of the pavement by another 10 to 12

Staff reviewed the bid proposal, and references provided by the lowest responsible bidder, Pavement Coatings Co. It was confirmed through the State Contractor's License Board that the contractor's license #303609, A-General Engineering, C32-Parking & Highway Improvement; expires on 9/30/2014. All references contacted were positive in favor of the contractor. The contractor submitted a Bid Bond as security in accordance with the requirements of the specifications.

RECOMMENDATION

Staff recommends City Council consider and approve the following:

- 1) Budget Amendment to include revenue and expenditure of up to \$64,076 of CalRecycle grant funds from Infrastructure Fund for the Pavement Preservation Project
- 2) Award of Cash Contract 2013-01 Pavement Preservation Project Chip Seal Project at Various Locations to Pavement Coatings Co. in the amount of \$189,142.80.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Krishna Patel', written over a horizontal line.

Krishna Patel
Director of Public Works

Attachment – Street List

lc:05-13-02



CASH CONTRACT NO. 2013-01

APPENDIX A

REVISED

CHIP SEAL LIST - CC2013-01

STREET NAME	BEG LOCATION	END LOCATION	LANES	FUNCTIONAL CLASS	LENGTH
BUTTERFIELD AVENUE - 0076	PRAIRIE DR	MAVERICK DR	2	R-Residential/local	621
DALEPARK DRIVE - 0168	CATARACT DR	E CDS	2	R-Residential/local	727
MARSHALL COURT - 0275	SAN DIMAS AVE	E CDS	2	R-Residential/local	364
MAVERICK DRIVE - 0279	SAN DIMAS AVE	E END	2	R-Residential/local	1050
PRAIRIE DRIVE - 0366	SAN DIMAS AVE	BUTTERFIELD AVE	2	R-Residential/local	869
RED BLUFF COURT - 0372	PRAIRIE DR	N CDS	2	R-Residential/local	330
SAN DIMAS AVENUE - 0385	FOOTHILL BL	MARSHALL CT	4	R-Residential/local	216
SAN DIMAS AVENUE - 0385	MARSHALL CT	PRAIRIE DR	2	R-Residential/local	407
SAN DIMAS AVENUE - 0385	PRAIRIE DR	MAVERICK DR	2	R-Residential/local	832
PUENTE AVENUE	VIA VERDE	WEST CITY LIMITS	4	A-Arterial	4610



Valley Voice



The pulse of the San Gabriel Valley

April 2013
Volume 1, Issue 2

San Gabriel Valley
Council of Governments

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- Transportation Spotlight (Page 2)
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Welcome from the Executive Director



The San Gabriel Valley Council of Governments (COG) Bylaws provide for the election of officers and the appointment of members to the various policy and ad hoc committees in May of each year. This year, with all of the changes that have been and will continue to be made at the COG, it is more important than ever that the members renew their commitment by remaining actively engaged in setting policy and establishing the priorities for the upcoming year and beyond.

The COG allows local governments to work together to strengthen the San Gabriel Valley's voice in the region, the state, and the nation. The COG advances its mission by unifying the cities and unincorporated areas in the Valley so that it can speak with one collective voice on important issues that affect its members. Our goal is to work collaboratively on projects of regional significance, secure funding and help to forge a consensus in addressing issues that impact the Valley. We can only be as successful if we have broad-based representation and a venue for the open and respectful exploration of ideas and attitudes.

Whether you serve on one of the policy committees, working groups or ad hoc committees, represent the COG on one of the regional groups or construction authorities, or simply stay informed about the COG's efforts to address regional issues and make your thoughts and priorities known, your involvement is critical to the COG's success and its ability to effectively advocate on behalf of its members.

On behalf of the COG, we appreciate the efforts of the countless people who are actively involved and encourage those who have not done so to identify ways to increase their participation. A list of the committee and other appointments that will be addressed at the May 2013 Governing Board meeting and the process for making nominations is included on Page 4.

Andrea Miller
Executive Director

SGVCOG Officers

President
Barbara Messina
Councilmember
City of Alhambra

1st Vice President
Mary Ann Lutz
Mayor
City of Monrovia

2nd Vice President
Joseph Gonzales
Councilmember
City of South El Monte

3rd Vice President
Gene Murabito
Councilmember
City of Glendora

#factcheck

The City of Claremont has the second highest number of retrofits and the highest participation rates in the Energy Upgrade California program in all of Los Angeles County. Much of this success can be attributed to the Claremont Home Energy Retrofit Program (CHERP), a community-based volunteer organization that promotes Energy Upgrade California and other sustainable activities. They set a goal to retrofit 1% of all single-family homes in the City of Claremont—130 homes—by the end of the 2012. They reached that goal and are seeking to retrofit 10% of all single-family homes—1,300.



TRANSPORTATION SPOTLIGHT

Gold Line Eastside Extension Phase 2

One of the long-standing priorities for the COG has been to ensure that the region is receiving its fair-share of money for transportation projects. In January 2013, the Governing Board approved a Transportation Priority List that identified the COG's project priorities. Each month in the newsletter, we will be highlighting one of these projects, providing more details about the project and its status. This month's project is the Gold Line Eastside Extension—Phase 2.

The Gold Line Eastside Extension currently extends from Union Station in downtown Los Angeles to Atlantic Boulevard in East Los Angeles. The proposed East Side Transit Corridor Phase 2 proposes extending the line – via a double track light rail line – from Atlantic Boulevard to cities further east. Metro is currently studying two alignments: 1) adjacent to State Route 60 and ending in the City of South El Monte; and 2) along Washington Boulevard to the City of Whittier. When the project is completed, projected ridership along the line – on either alignment – is estimated to be between 18,300 and 20,800 average weekday daily boardings. The projected cost is between \$1.2 and \$1.7 billion, depending on which alignment is selected. The COG supports the SR-60 alignment.



This project is included in the funded portion of Metro's 2009 Final Long Range Transportation Plan (LRTP), which identifies thirty-year projects that best serve the county's needs and expectations. Measure R provides \$1.27 billion beginning between Fiscal Years 2022 and 2024 for operation by 2035, as indicated in the LRTP. Metro continues to look at strategies for accelerating the project timeline.

The administrative Draft Environmental Impact Report (DEIR)/Draft Environmental Impact Statement (DEIS) was reviewed by the Federal Transit Administration (FTA), and 3 cooperating agencies — Caltrans, the Environmental Protection Agency (EPA), and the U.S. Army Corps of Engineers. Metro is currently in the process of addressing the comments provided by these agencies. It is anticipated that the Draft EIR/S will be released for public review in the fall of 2013 with Metro Board action and adoption of a Locally Preferred Alternative occurring in January 2014.

Please stay tuned next month for a spotlight on the ACE project.

Protecting Water Quality

On Wednesday, April 17, the COG held a joint meeting of the Water Resources Working Group and the EENR Committee to discuss the National Pollutant Discharge Elimination System (NPDES) Municipal Separate Stormwater Systems (MS4) Permit that was adopted by the Los Angeles Regional Water Quality Control Board (LARWQCB) late last year. Cities must meet a variety of requirements to comply with the Permit, avoid fines and, most importantly, protect their cities' water supply. These include adopting a Low-Impact Development Ordinance, adopting a Green Streets Policy and developing Watershed Management Plans (either as a single city or with a group of cities) to develop plans for protecting water quality.

At the workshop, there was an overview of the requirements of the NPDES MS4 Permit, as well as a panel discussion and question and answer session with Sam Unger — Executive Director of the Board (LARWQCB) — LARWQCB Chair Maria Mehranian, LARWQCB staff and staff from the Los Angeles County Department of Public Works. This event was just the first of the COG's efforts to engage with the Regional Board. Please stay tuned for more information on the COG's efforts in an upcoming newsletter.

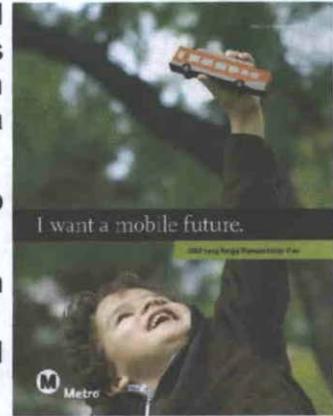


Advancing Measure R

Measure R was passed by voters in 2008, providing \$40 billion in traffic relief and transportation upgrades over the next thirty years. In order to implement Metro's 30/10 Policy, which seeks to implement the second and third decade projects in the next ten years, in January 2013, the Metro Board authorized staff to develop a financial plan.

Metro staff has proposed an amendment to the Measure R Ordinance with two funding requirements for accelerating specific transit projects:

- Metro executes federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loans and
- Metro executes a TIFIA Master Credit Agreement of at least \$4.0 billion and Full Funding Grant Agreements (FFGAs) of at least \$1.9 billion



If this funding is secured for one or more of the 12 transit projects, then the funds available dates for 5 of the transit projects will be accelerated, 2 of which are located here in the San Gabriel Valley and were included in the COG's Transportation Priority Matrix. The funds available beginning for the Gold Line Eastside Extension Phase 2 would be amended from FY 2022-2024 to FY 2013-2024, and for the Regional Connector, the dates would be amended from FY 2014-2016 to FY 2013-2016. If the required loan agreements are not executed, the dates would not change.

At its April meeting, the Governing Board voted to support the Metro Board issuing the appropriate notices required to enable the Measure R amendment. The Metro Board approved this motion at its April 24 meeting.

SGVEWP FEATURED PROJECT

Glendora's Well Pump

Working with the San Gabriel Valley Energy Wise Partnership (SGVEWP), Glendora found that cutting energy costs is a good way to save money during tough economic times. This year, Glendora completed



upgrades to Well 10E. Water pumps and pump motors can be one of a city's largest energy consumers, and energy savings can be captured when improvements are made to water pipelines. New water and sewer pipelines reduce the friction coefficient, which eases the work load at the pumping plant. A larger diameter pipe also processes more water, resulting in less work by the pump plant.

kWh Saved	116,149
Equal to Electricity Usage of	12 homes
Estimated Energy Costs Saved	\$17,422
SCE Incentive Received	\$17,585

SCE offers free pump testing every two years for pumping facilities. In addition, SCE offers a variety of incentives for completing water pump improvements.

For more information about this or other projects, please contact that COG offices at (626) 457-1800.

Follow us on Twitter: @SGVCOG
Like us on Facebook!

COG IN THE COMMUNITY

In May, staff will be at community events with displays, games and information about how residents can save energy. Executive Director Andrea Miller and staff will also be presenting information about the COG at Council meetings throughout the San Gabriel Valley.

Here's where you can see the COG during the month of May:

May 6
La Canada Flintridge City Council

May 7
Covina City Council

May 8
Montebello City Council

May 28
La Puente City Council

May 31
Duarte Movie Night

If you see us out in your community, come say hello!

MAY MEETINGS

All meetings are open to the public.

Tuesday, May 14

City Managers

10:00 a.m.

11333 Valley Blvd; El Monte

Wednesday, May 15

Water Resources WG

10:00 a.m.

602 E Huntington Dr; Monrovia

Monday, May 20

HCED

2:00 p.m.

119 W Palm Ave; Monrovia

Thursday, May 23

Planners TAC

12:00 noon

119 W Palm Ave; Monrovia

Friday, May 24

Realignment Meeting

3:00 p.m.

4700 Ramona Blvd;
Los Angeles

Tuesday, May 28

EENR

10:45 a.m.

600 S Mountain Ave; Monrovia

Thursday, May 30

Transportation

4:00 p.m.

Location TBD

Governing Board

5:00 p.m.

Location TBD

The Executive Committee meeting will also be scheduled.

Meetings are subject to change. Please visit www.sgvkog.org for the most updated schedule and agendas.

Questions, comments,
suggestions?

Please let us know!

Contact Us:

Mailing Address

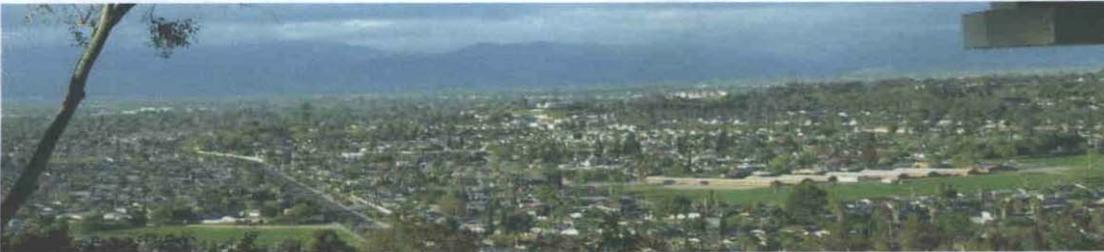
SGVCOG

1000 S. Fremont Ave., Unit 42
Alhambra, CA 91803

Phone: (626) 457-1800

Fax: (626) 457-1285

Email: sgv@sgvcog.org



COG Nominations

At its April meeting, the Governing Board opened nominations for all open appointments. There are a variety of COG positions available, as well as for COG positions on other regional bodies. Open appointments are as follows:

- **COG Officers:** Open to all current COG Governing Board delegates only.
- **COG Policy Committees:** Open to all Governing Board delegates or alternates, city managers, or city or county staff members. The COG's three standing committees are **Transportation, Energy, Environment and Natural Resources (EENR)**, and **Housing, Community and Economic Development (HCED)**. You can find out more about what each committee is working on at the bottom of the page.
- **SCAG Policy Committees:** Open to any City Council member. The COG appoints seven additional representatives for SCAG's three policy committees: **Transportation; Energy and the Environment; and Community, Economic, and Human Development (CEHD)**.
- **Rivers and Mountains Conservancy (RMC):** Open to any Governing Board Delegate representing a city that borders the San Gabriel River or its tributaries (the "Rivers" position). If you are interested in this position, please contact the COG offices to confirm eligibility. The purpose of the RMC is to oversee the restoration of the San Gabriel and Lower Los Angeles Rivers and its tributaries.
- **League of Cities:** Open to all Governing Board delegates and alternates.
- **Gold Line Foothill Extension Authority:** 2 positions (delegate and alternate) are open to all Governing Board delegates and alternates.

All nominations must be submitted in writing to the COG offices by **Thursday, May 2 at 4:00 p.m.** Letters have also been mailed to each eligible appointee.

WHAT'S GOING ON AT THE COG?

Here's the current topics being discussed at the 3 policy committees:

Transportation

Chair, John Fasana—Councilmember, City of Duarte
MTA's Proposed Measure R Acceleration Plan
Goods Movement

EENR

Chair, Sam Pedroza—Councilmember, City of Claremont
National Recreation Area designation for San Gabriel Mountains

HCED

Chair, Joe Lyons—Mayor Pro Tem, City of Claremont
Small Business Development Centers and SGV Economic Outlook



San Gabriel Valley Council of Governments

Date: April 30, 2013
To: Governing Board Delegates and Alternates
From: Andrea Miller, Executive Director

RE: APRIL 2013 GOVERNING BOARD MEETING HIGHLIGHTS

Below please find a summary of the major action items at the last Governing Board meeting. This should be used to provide an update to your colleagues regarding recent SGVCOG activities.

2012 CLIMATE CHANGE BUSINESS JOURNAL AWARD FOR PROJECT MERIT: ENERGY EFFICIENCY

During 2011-12, the COG partnered with PMC to complete Energy Action Plans for 27 participating cities. The Climate Change Business Journal (CCBJ) awarded the COG's Energy Action Plan project its 2012 Climate Change Business Journal Award for Project Merit: Energy Efficiency.

The CCBJ, a business research publication that provides strategic intelligence to the climate change industry, recognized the groundbreaking project for its regional approach to energy planning. The project—undertaken with funding from Southern California Edison (SCE) — helped 27 cities in the San Gabriel Valley complete greenhouse gas (GHG) emissions inventories and Energy Action Plans. With these efforts, cities were able to inventory their current energy usage, project their future usage and develop strategies to reduce usage. In total, the 27 plans had a combined total goal of reducing GHG emissions by more than 700,000 metric tons, identified 1.1 billion total kilowatt-hours (kWh) in community (residential and non-residential) reductions and 8.2 million kWh in reductions in municipal facilities. With participation from cities across the region, SGVCOG was able to take advantage of the coordination benefits of a regional approach, develop a regional framework, and provide individualized GHG inventories and Energy Action Plans for each of the participating cities.

At the meeting, Phil Carter, President of PMC, and Tammy Seale, Project Manager, presented the SGVCOG with the award from the Climate Business Change Journal.

SOUTHERN CALIFORNIA EDISON (SCE) SAN ONOFRE NUCLEAR GENERATING STATION (SONGS)

The San Onofre Nuclear Generating Station, located in northwest San Diego County near San Clemente has not been operating since January 2012, when, during a planned, routine inspection,

Motion: The Governing Board voted to move the May Governing Board meeting to Thursday, May 30. The location is still being determined.

WESTERN RIVERSIDE COG CALIFORNIA HERO PROGRAM MEMORANDUM OF UNDERSTANDING

California HERO is a residential and commercial PACE program that was developed by the WRCOG, which allows willing property owners to enter into contractual assessments to finance the installation of renewable generation products, energy efficiency improvements, and water conservation improvements that are permanently fixed to the property owner's residential, commercial, industrial, or other real property and repay the loan as an item on the property owner's property tax bill. Rick Bishop, Executive Director of Western Riverside COG, had presented at the Governing Board's March meeting, and the Governing Board directed staff to present the Memorandum of Understanding (MOU) between WRCOG and SGVCOG at the April meeting. The MOU would require the SGVCOG to promote the program to its cities and for every \$10 million of projects that was allocated in the region, the SGVCOG would receive \$5,000.

Motion: The Governing Board voted to adopt the California HERO Program MOU with WRCOG. SGVCOG staff will be distributing information packets to all cities about the program in the coming weeks.

ACE JOINT POWERS AUTHORITY – FEASIBILITY ANALYSIS AND DRAFT PROJECT TRANSFER AGREEMENT

At its October 30, 2012, meeting, the Governing Board directed “the SGVCOG staff, City Managers, and SGVCOG legal counsel to move forward the exploratory process and discussion using a responsible, prudent and systematic method to consider the issues raised by legal counsel, including: a) is the separation of ACE from the SGVCOG a good idea?; b) independent financial analysis; c) financial agreements from 1998 to present; and d) SGVCOG assessment of any liabilities.”

Since that time, the City Managers Steering Committee has been reviewing the documents and working with COG and ACE staff and the COG and ACE Counsel to address all of the potential issues related to the proposed separation. Because of the complexity of the matter, the City Managers Steering Committee still has a few remaining issues to clarify with COG General Counsel and recommended the Committee have one additional month to complete their review and make a recommendation to the Governing Board at its May meeting.

Motion: The Governing Board voted to continue the matter to the May 2013 meeting so that the City Managers Steering Committee could review and analyze of the draft Project Transfer Agreement.

AMENDMENT TO MEASURE R

Measure R was passed by voters in 2008, providing \$40 billion in traffic relief and transportation upgrades over the next thirty years. In order to implement Metro's 30/10 Policy, which seeks to complete the second and third decade projects in the next ten years, in January 2013, the Metro Board authorized staff to develop a financial plan to accelerate or advance funding .

Metro staff has proposed an amendment to the Measure R Ordinance with two funding requirements for accelerating specific transit projects:

- ✓ Metro executes federal Transportation Infrastructure Finance and Innovation Act (TIFIA) loans and
- ✓ Metro executes a TIFIA Master Credit Agreement of at least \$4.0 billion and Full Funding Grant Agreements (FFGAs) of at least \$1.9 billion

If this funding is secured for one or more of the 12 transit projects, then the funds available dates for 5 of the transit projects will be accelerated, 2 of which are located here in the San Gabriel Valley and were included in the COG's Transportation Priority Matrix. The funds available beginning for the Gold Line Eastside Extension Phase 2 would be amended from FY 2022-2024 to FY 2013-2024, and for the Regional Connector, the dates would be amended from FY 2014-2016 to FY 2013-2016. If the required loan agreements are not executed, the dates would not change.

Motion: The Governing Board voted to support the Metro Board issuing the notice of intent to enable the Measure R amendment. The Metro Board approved this motion at its April 24 meeting. The Governing Board also plans to consider the matter further at a future meeting.

SB 391 (DESAULNIER)

SB 391 (DeSaulnier) – the California Homes and Jobs Act of 2013 – would impose a \$75 fee on the recording of each real-estate document, except those related to home or commercial property sales in California. Eligible documents include but are not limited to deeds, UCC financing statements, liens, maps and covenants, conditions and restrictions. The fees collected would be sent quarterly to the State Department of Housing and Community Development for deposit in the newly-created California Homes and Jobs Trust Fund. The Legislature may then appropriate these funds for the development, acquisition, rehabilitation, and preservation of low- and moderate-income housing, including emergency shelters, transitional and permanent rental housing, foreclosure mitigation, and homeownership opportunities. It is anticipated that SB 391

(DeSaulnier) would create an estimated 29,000 jobs annually, primarily in the construction sector. Based on recording data from previous years, it is estimated that this bill will generate an average of \$525 million per year, ranging from \$300 million in low volume years to \$750 million in high volume years. This sustained funding stream for affordable housing would replace a portion of the \$1 billion that was generated by redevelopment agencies, which were required by State law to set aside of 20% of tax increment for affordable housing.

Motion: The Governing Board voted to adopt a Resolution of Support for SB 391, provided that the majority of the money collected is allocated proportionately to local jurisdictions and directly returned to them to replace a portion of the affordable housing funds lost with the dissolution of redevelopment.

Should you have any questions, please contact the SGVCOG offices at (626) 457-1800.

c: City Managers TAC
Public Works TAC
Planning Directors TAC



Agenda Item Staff Report

To: Honorable Mayor and Members of the City Council
For the meeting of May 14, 2013

From: Blaine Michaelis, City Manager

Initiated By: Ken Duran, Assistant City Manager

Subject: FY 13 – 14 Annual Capital & Operating Budget Public Hearing

Summary

Staff will provide an oral summary of the proposed budget for the benefit of the public. We will review and explain Schedule A, the Summary of Estimated Fund Balance and Transactions for all Funds. Following the presentation the Council shall conduct a public hearing to answer questions and receive public input on the proposed budget.

RECOMMENATION

1. Receive an oral presentation of the FY 13 -14 budget highlights.
2. Respond to questions and provide additional information as desired.
3. Conduct public hearing to receive public comment.
4. Direct staff to incorporate any desired adjustments to the budget to be considered for adoption at the June 11th Council meeting.

CITY OF SAN DIMAS
SCHEDULE 1: SUMMARY OF ESTIMATED ENDING BALANCES
AND TRANSACTIONS FOR FISCAL YEAR 2013-14

FUNDS	ESTIMATED BEGINNING 7/1/2013	ESTIMATED REVENUES 2013-14	TRANSFER IN 2013-14	TRANSFER OUT 2013-14	ESTIMATED EXPENDITURES 2013-14	ESTIMATED ENDING BAL 6/30/2014
01 General	14,077,175	18,748,949	322,051	815,222	16,741,347	15,591,606
02 Gas Tax	832,607	1,082,088	0	225,000	802,000	887,695
03 Walker House	264,835	265,440	0	0	160,265	370,010
04 City Hall/CB	0	0	742,270	0	742,270	0
06 Sewer	980,678	52,829	0	0	156,500	877,007
07 Lighting	1,716,652	1,103,307	0	95,000	900,600	1,824,359
08 L/S Parcel Tax	18,405	794,793	72,952	0	886,150	0
12 Infrastructure	1,062,142	1,002,000	0	6,847	2,057,295	0
20 Comm Park/Fac	72,772	45,000	0	0	69,000	48,772
21 Open Sp #1	117,434	0	0	0	97,500	19,934
22 Open Sp #2	213,706	0	0	0	2,000	211,706
23 Open Sp #3	0	0	0	0	0	0
27 CC Pkg Dist	0	15,460	7,674	0	23,134	0
28 CC Redemption	0	9,977	0	0	9,977	0
29 CC Reserve	3,262	0	0	827	0	2,435
40 CDBG	37,071	134,874	0	0	171,945	0
41 COPS	0	100,000	0	0	100,000	0
42 DOJ	0	0	0	0	0	0
53 Golf Course	214,192	645,000	0	0	645,000	214,192
70 Equipment Replacement	408,834	4,000	0	0	231,815	181,019
71 AQMD	84,987	41,228	0	2,051	50,010	74,154
72 Prop A	511,115	572,482	0	0	717,197	366,400
73 Prop C	1,217,098	475,451	0	0	1,162,000	530,549
74 Measure R	444,561	356,212	0	0	253,500	547,273
75 Open Space Mnt	10,785	44,260	0	0	41,880	13,165
ALL CITY FUNDS TOTAL	22,288,311	25,493,350	1,144,947	1,144,947	26,021,385	21,760,276
34 HOUSING AUTHORITY TOTAL	902,160	104,500	0	0	90,115	916,545
38 /39 SUCCESSOR AGENCY TOTAL	(2,336,056)	1,622,089	0	0	1,624,002	(2,337,969)
GRAND TOTAL CITY AND ENTITIES	20,854,415	27,219,939	1,144,947	1,144,947	27,735,502	20,338,852



Agenda Item Staff Report

TO: Honorable Mayor and Members of City Council
For the Meeting of May 14, 2013

FROM: Blaine Michaelis, City Manager

INITIATED BY: Community Development Department

SUBJECT: MUNICIPAL CODE TEXT AMENDMENT NO. 12-01 - A Request to amend Section 18.544.380 (Building Setbacks) of Specific Plan No. 26 to allow accessory structures, including carports, into required interior property line setback.

SUMMARY

The proposed amendment addresses an inadvertent conflict between the approved precise plan and SP 26 setback standards. The resolution of this conflict allows limited encroachments in interior setbacks in a manner consistent with other MF Zones in the City. Upon approval of this amendment the approved Precise Plan and Specific Plan would be consistent.

No one appeared at the Planning Commission hearing on this matter.

The Planning Commission and Staff recommend approval of Municipal Code Text Amendment 12-01.

BACKGROUND

On August 11, 2011 the DPRB gave final approval to the most recent revised plans for the project. The Director has granted a one year extension to that approval which expires on August 11, 2013. This revised plan included a shifting of the podium building in a southeasterly direction to accommodate fire access requirements and the placement of carports in the setback area.

ANALYSIS

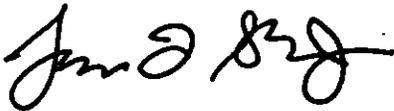
The proposed amendment to SP 26 would be consistent with the previously approved site plans and allows minor accessory structures such as a carport to

encroach into interior setback areas. Similar encroachments are commonly allowed in other MF Zones in the City.

RECOMMENDATION

Adopt attached Ordinance No. 1220.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Larry Stevens". The signature is fluid and cursive, with a prominent loop at the end.

Larry Stevens,
Assistant City Manager for Community Development

Attachments:

1. Ordinance No. 1220
2. Planning Commission Staff Report dated April 18, 2013
3. Planning Commission Resolution PC-1481
Planning Commission Minutes for April 18, 2013

ORDINANCE NO. 1220

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 12-01, A REQUEST TO AMEND SECTION 18.544.380 OF SPECIFIC PLAN NO. 26 TO ALLOW ACCESSORY STRUCTURES, INCLUDING CARPORTS, INTO REQUIRED INTERIOR PROPERTY LINE SETBACK.

THE CITY COUNCIL OF THE CITY OF SAN DIMAS DOES ORDAIN AS FOLLOWS:

SECTION 1. Replace existing Section 18.544.380 entitled "Building Setbacks" in its entirety to read as follows:

18.544.380 Building setbacks.

- A. Building setbacks in Area II shall be as follows:
1. Adjacent to East Bonita Avenue. The minimum required setback shall be fifteen feet and shall be fully landscaped and maintained.
 2. Adjacent to San Dimas Canyon Road. The minimum required setback shall be fifteen feet and shall be fully landscaped and maintained.
 3. Interior property lines, minimum ten feet, except that a garage or carport structure may be located within the setback provided that the garage or carport structure does not exceed one story in height.
 4. Accessory buildings, except as may be allowed in Subsection B, shall be minimum ten feet from property line.
- B. Where feasible, residential buildings shall be located a minimum of ten feet from parking spaces and parking aisles, as measured from the curbs.

SECTION 2. This Ordinance shall take effect 30 days after its final passage, and within 15 days after its passage the City Clerk shall cause it to be published in the Inland Valley Daily Bulletin, a newspaper of general circulation in the City of San Dimas hereby designated for that purpose.

PASSED, APPROVED AND ADOPTED THIS 14th DAY OF May, 2013.

Curt Morris, Mayor of the City of San Dimas

Debra Black, Deputy City Clerk

I, DEBRA BLACK, DEPUTY CITY CLERK of the City of San Dimas, do hereby certify that Ordinance No. 1220 was regularly introduced at the regular meeting of the City Council on May 14th, 2013, and was thereafter adopted and passed at the regular meeting of the City Council held on May 28th, 2013 by the following vote:

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

I DO FURTHER CERTIFY that within 15 days of the date of its passage, I caused a copy of Ordinance No. 1220 to be published in the Inland Valley Daily Bulletin.

Debra Black, Deputy City Clerk



Planning Commission Staff Report

DATE: April 18, 2013

TO: Planning Commission

FROM: Community Development Department

SUBJECT: MUNICIPAL CODE TEXT AMENDMENT NO. 12-01 - A Request to amend Section 18.544.380 (Building Setbacks) of Specific Plan No. 26 to allow accessory structures, including carports, into required interior property line setback.

SUMMARY

The proposed amendment addresses an inadvertent conflict between the approved precise plan and SP 26 setback standards. The resolution of this conflict allows limited encroachments in interior setbacks in a manner consistent with other MF Zones in the City. Upon approval of this amendment the approved Precise Plan and Specific Plan would be consistent.

Staff recommends approval of Municipal Code Text Amendment 12-01.

BACKGROUND

On August 11, 2011 the DPRB gave final approval to the most recent revised plans for the project. The Director has granted a one year extension to that approval which expires on August 11, 2013. This revised plan included a shifting of the podium building in a southeasterly direction to accommodate fire access requirements and the placement of carports in the setback area.

ANALYSIS

Specific Plan No. 26 was initially created in 2008 to facilitate a mixed use project consisting of neighborhood commercial and multi-family apartments. It was intended to implement a specific project proposal and site plan. It was later amended in 2009 to decrease the commercial area and increase the corresponding high density residential area. Since 2009 there have been several revisions to the site plan with the most recent occurring in 2011. The 2011 site plan revision resulted in a shift of the podium building in the northwest corner of

the site southeasterly to address concerns from the County Fire Department regarding safety access around that building. That shift, while approved as a Precise Plan, was later found to be inconsistent with the setback requirements of the Specific Plan.

At that time, it was determined that amending the Specific Plan was more appropriate than revising the site plan that had been approved. Staff opted to not proceed with this amendment as the developer was facing difficulty securing financing and there was some concern that other changes to the Specific Plan might be required at some point. A new developer is in escrow to purchase the project as approved and, assuming the City contribution for affordable housing remains an enforceable obligation, is willing to build the project without other changes to the Specific Plan.

The substantive issue arises from Section 18.544.380 which sets forth building setbacks for Area II (High Density Residential). It currently reads as follows:

18.544.380 Building setbacks.

- A. Adjacent to East Bonita Avenue. The minimum required setback shall be fifteen feet and shall be fully landscaped and maintained.*
- B. Adjacent to San Dimas Canyon Road. The minimum required setback shall be fifteen feet and shall be fully landscaped and maintained.*
- C. Interior property lines, minimum fifteen feet.*
- D. Building to curb, minimum ten feet.*
- E. Non-residentially occupied buildings shall be minimum ten feet from property line.*

The setbacks in question under the currently approved Precise Plan are interior property lines along the north and west boundaries of the project. A 15 foot building setback is required but the proposed carports are as close as two feet to those property lines. There is no viable alternative to retaining the setbacks as is without substantially altering the project design or eliminating a portion of the covered parking requirements. It should be noted that the MF and MF-30 Zones allow carports or garages to be placed on the side or rear property lines where not adjacent to streets or single properties. In this case both the north and west property lines are adjacent to parking for existing multi-family developments. It is reasonable, under these circumstances, to allow carports to encroach into these 15-foot setbacks.

In further evaluating the project it appears that the property lines between the commercial and residential areas of this Specific Plan are also interior property lines subject to the 15-foot setback. Two of the buildings along the north property line of the commercial site are less than the required setbacks – 10 and 11 feet respectively. From a site plan perspective the parking and service areas for the

commercial building are constructed in this area so a change in the setback there is not unreasonable.

In addition, some of the terminology in Section 18.544.380 can create confusion. It is not sufficiently clear what is intended by the "building to curb" setback standard nor is it clear if a "non-residentially occupied building" includes a carport or garage. The building to curb standard is likely intended to push buildings away from parking areas, drive aisles and possibly interior pedestrian walkways but, as written, could be applied to other situations.

The proposed amendment (strike-throughs are for deleted text and underlining is for added text) will address each of these concerns as follows:

18.544.380 Building setbacks.

A. ~~Building setbacks in Area II shall be as follows:~~

1A. Adjacent to East Bonita Avenue. The minimum required setback shall be fifteen feet and shall be fully landscaped and maintained.

2B. Adjacent to San Dimas Canyon Road. The minimum required setback shall be fifteen feet and shall be fully landscaped and maintained.

3C. Interior property lines, minimum ~~fifteen~~ ten feet, except that a garage or carport structure may be located within the setback provided that the garage or carport structure does not exceed one story in height.

~~D. Building to curb, minimum ten feet.~~

4E. Non-residentially occupied Accessory buildings, except as may be allowed in Subsection B, shall be minimum ten feet from property line.

B. Where feasible, residential buildings shall be located a minimum of ten feet from parking spaces and parking aisles, as measured from the curbs.

The DPRB reviewed the architectural and site design for the proposed carports on March 28, 2013 and determines the design to be acceptable subject to the approval of this amendment to SP 26.

CONCLUSIONS

The proposed amendment to SP 26 would be consistent with the previously approved site plans and allows minor accessory structures such as a carport to encroach into interior setback areas. Similar encroachments are commonly allowed in other MF Zones in the City.

RECOMMENDATION

Staff recommends approval of Municipal Code Text Amendment 12-01 amending Section 18.544.380 to read as follows:

18.544.380 Building setbacks.

- A. Building setbacks in Area II shall be as follows:
1. Adjacent to East Bonita Avenue. The minimum required setback shall be fifteen feet and shall be fully landscaped and maintained.
 2. Adjacent to San Dimas Canyon Road. The minimum required setback shall be fifteen feet and shall be fully landscaped and maintained.
 3. Interior property lines, minimum ten feet, except that a garage or carport structure may be located within the setback provided that the garage or carport structure does not exceed one story in height.
 4. Accessory buildings, except as may be allowed in Subsection B, shall be minimum ten feet from property line.
- B. Where feasible, residential buildings shall be located a minimum of ten feet from parking spaces and parking aisles, as measured from the curbs.

FINDINGS -

- A. The proposed Municipal Code Text Amendment will not adversely affect adjoining property as to value, precedent or be detrimental to the area. The revision allows limited encroachment of minor accessory structures into a required setback. Similar encroachments are allowed for the adjacent MF zoned properties and development.
- B. The proposed Municipal Code Text Amendment will further the public health, safety and general welfare. The proposed revision accommodates fire safety needs of the County Fire Department while preserving a project design and density which is necessary to accommodate affordable housing units within the project.
- C. The proposed Municipal Code Text Amendment is consistent with the General Plan. The Land Use designation is unchanged and the amendment facilitates a Housing Element goal to accommodate affordable rental housing at this site.

Respectfully Submitted,



Larry Stevens,
Assistant City Manager for Community Development

Attachments: Appendix A - General Information
 Exhibit A - Resolution PC-1481
 Attachment #1 – Site Plan
 Attachment #2 – Carport Plans

APPENDIX A

GENERAL INFORMATION

Applicant: VCH San Dimas Company LLC

Owner: VCH San Dimas Company LLC

Location: Northwest corner of San Dimas Canyon Road and Bonita Avenue (APN: 8390-013-021, -024, -025 and -026)

General Plan: Mixed Use

Surrounding Land Use and Zoning
North: Apartments in MF Zone
South: Apartments in MF Zone
East: Senior Residential Facility (La Verne)
West: Apartments in MF Zone

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 April 5, 2013.

Environmental: Categorical Exemption per Section 15061(b)(3) – The activity will not result in a direct or reasonably foreseeable indirect physical change in the environment.

EXHIBIT A

RESOLUTION PC-1481

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 12-01 , A REQUEST TO AMEND SECTION 18.544.380 OF SPECIFIC PLAN NO. 26 TO ALLOW ACCESSORY STRUCTURES, INCLUDING CARPORTS, INTO REQUIRED INTERIOR PROPERTY LINE SETBACK.

WHEREAS, an Amendment to the San Dimas Municipal Code has been duly initiated by VCH, Ltd.;

WHEREAS, the Amendment is described as a request to amend Section 18.544.380 (Building Setbacks) of Specific Plan No. 26 to allow accessory structures, including carports, into required interior property line setback.; and

WHEREAS, the Amendment would affect the northwest corner of Bonita Avenue and San Dimas Canyon Road within Specific Plan No. 26; and

WHEREAS, notice was duly given of the public hearing on the matter and that public hearing was held on April 18, 2013 at the hour of 7:00 p.m., with all testimony received being made a part of the public record; and

WHEREAS, all requirements of the California Environmental Quality Act and the City's Environmental Guidelines have been met for the consideration of whether the project will have a significant effect on the environment.

NOW, THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the Commissioners at the hearing, the Planning Commission now finds as follows:

- A. The proposed Municipal Code Text Amendment will not adversely affect adjoining property as to value, precedent or be detrimental to the area. The revision allows limited encroachment of minor accessory structures into a required setback. Similar encroachments are allowed for the adjacent MF zoned properties and development.
- B. The proposed Municipal Code Text Amendment will further the public health, safety and general welfare. The proposed revision accommodates fire safety needs of the County Fire Department while preserving a project

design and density which is necessary to accommodate affordable housing units within the project.

- C. The proposed Municipal Code Text Amendment is consistent with the General Plan. The Land Use designation is unchanged and the amendment facilitates a Housing Element goal to accommodate affordable rental housing at this site.

PURSUANT TO THE ABOVE FINDINGS, IT IS RESOLVED that the Planning Commission recommends to the City Council approval of Municipal Code Text Amendment 12-01 as follows:

SECTION 1. Replace existing Section 18.544.380 entitled "Building Setbacks" in its entirety to read as follows:

18.544.380 Building setbacks.

- A. Building setbacks in Area II shall be as follows:
1. Adjacent to East Bonita Avenue. The minimum required setback shall be fifteen feet and shall be fully landscaped and maintained.
 2. Adjacent to San Dimas Canyon Road. The minimum required setback shall be fifteen feet and shall be fully landscaped and maintained.
 3. Interior property lines, minimum ten feet, except that a garage or carport structure may be located within the setback provided that the garage or carport structure does not exceed one story in height.
 4. Accessory buildings, except as may be allowed in Subsection B, shall be minimum ten feet from property line.
- B. Where feasible, residential buildings shall be located a minimum of ten feet from parking spaces and parking aisles, as measured from the curbs.

PASSED, APPROVED and ADOPTED, the 18th day of April, 2013 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Jim Schoonover, Chairman

San Dimas Planning Commission

ATTEST:

Jan Sutton, Planning Secretary

ATTACHMENT #2



RESOLUTION PC-1481

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 12-01, A REQUEST TO AMEND SECTION 18.544.380 OF SPECIFIC PLAN NO. 26 TO ALLOW ACCESSORY STRUCTURES, INCLUDING CARPORTS, INTO REQUIRED INTERIOR PROPERTY LINE SETBACK

WHEREAS, an Amendment to the San Dimas Municipal Code has been duly initiated by VCH, Ltd.;

WHEREAS, the Amendment is described as a request to amend Section 18.544.380 (Building Setbacks) of Specific Plan No. 26 to allow accessory structures, including carports, into required interior property line setback; and

WHEREAS, the Amendment would affect the northwest corner of Bonita Avenue and San Dimas Canyon Road within Specific Plan No. 26; and

WHEREAS, notice was duly given of the public hearing on the matter and that public hearing was held on April 18, 2013 at the hour of 7:00 p.m., with all testimony received being made a part of the public record; and

WHEREAS, all requirements of the California Environmental Quality Act and the City's Environmental Guidelines have been met for the consideration of whether the project will have a significant effect on the environment.

NOW, THEREFORE, in consideration of the evidence received at the hearing, and for the reasons discussed by the Commissioners at the hearing, the Planning Commission now finds as follows:

- A. The proposed Municipal Code Text Amendment will not adversely affect adjoining property as to value, precedent or be detrimental to the area. The revision allows limited encroachment of minor accessory structures into a required setback. Similar encroachments are allowed for the adjacent MF zoned properties and development.**
- B. The proposed Municipal Code Text Amendment will further the public health, safety and general welfare. The proposed revision accommodates fire safety needs of the County Fire Department while preserving a project design and density which is necessary to accommodate affordable housing units within the project.**
- C. The proposed Municipal Code Text Amendment is consistent with the General Plan. The Land Use designation is unchanged and the**

CITY OF SAN DIMAS PLANNING COMMISSION MINUTES

Regularly Scheduled Meeting
Thursday, April 18, 2013 at 7:00 p.m.
245 East Bonita Avenue, Council Chambers

Present

Chairman Jim Schoonover
Commissioner David Bratt
Commissioner Stephen Ensberg
Commissioner M. Yunus Rahi
Assistant City Manager for Comm. Dev. Larry Stevens
Planning Commission Secretary Jan Sutton

Absent

Commissioner John Davis

CALL TO ORDER AND FLAG SALUTE

Chairman Schoonover called the regular meeting of the Planning Commission to order at 7:00 p.m. and Commissioner Bratt led the flag salute.

CONSENT CALENDAR

1. Approval of Minutes: March 20, 2013 (Ensberg absent)

MOTION: Moved by Bratt, seconded by Rahi to approve the Consent Calendar. Motion carried 3-0-1-1 (Davis absent, Ensberg abstain)

PUBLIC HEARINGS

2. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 12-01** – A Request to Amend Section 18.544.380 (Building Setbacks) of Specific Plan No. 26 to allow Accessory Structures, including Carports, into the Required Interior Property Line Setback, located at the northwest corner of Bonita Avenue and San Dimas Canyon Road. (APN: 8390-013-021, -024, -025 and -026)

Staff report presented by **Assistant City Manager Larry Stevens** who stated this code amendment is being driven by required changes to the original site plan for the podium building based on Fire Department access requirements. When the building was relocated, it put the covered carport parking at the north and west property lines, which encroached into the required 15-foot landscape area. Since carports are permitted to encroach into yards in the MF zone, Staff felt a code amendment was the appropriate way to address the situation. The property is currently in escrow with Avalon Bay, who is intending to build the project as previously approved with just a few minor changes. They are hoping to pull building permits shortly after closing escrow this spring.

With this amendment he is also addressing two other inconsistencies he found between the plan and the setback standards, and the code has been reformatted into an A and B section. Section A changes the setback from 15 to 10 feet due to an issue of an existing habitable building located between the residential and the commercial portions of the project. It also includes the exception for covered carports that are one-story or less in height. The new Section B is a clarification of the previous Subsections D and E, where the intention of the original language was to keep buildings away from the drive aisles when using the wording "building to curb face."

Staff is recommending approval of MCTA 12-01 as outlined in the staff report and set forth in Resolution PC-1481.

Commissioner Bratt asked what was located on the other side of the wall along the west property line.

Assistant City Manager Stevens stated it is almost entirely driveway or parking area along that property line, and also to the north. That is another reason why Staff is willing to allow the parking in that area, and felt the height limitation set some protection for the neighboring properties. He estimated that all the residential buildings on the neighboring properties were at least 45 feet away.

Commissioner Rahi asked about the standard in Item A3 being reduced from 15 feet to 10 feet.

Assistant City Manager Stevens stated that apparently Building Pad 18.3 is approximately 11 feet from the property line instead of 15 feet, so he amended the setback to allow it to remain in that location. It abuts the Fresh & Easy parking lot so there is still plenty of distance between the buildings.

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

RESOLUTION PC-1481

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SAN DIMAS RECOMMENDING APPROVAL OF MUNICIPAL CODE TEXT AMENDMENT 12-01, A REQUEST TO AMEND SECTION 18.544.380 OF SPECIFIC PLAN NO. 26 TO ALLOW ACCESSORY STRUCTURES, INCLUDING CARPORTS, INTO REQUIRED INTERIOR PROPERTY LINE SETBACK

MOTION: Moved by Bratt, seconded by Ensberg to recommend approval of Municipal Code Text Amendment 12-01 and adopt Resolution PC-1481. Motion carried 4-0-1 (Davis absent).

3. **CONSIDERATION OF MUNICIPAL CODE TEXT AMENDMENT 12-03** – A Request to Amend Section 18.542.250, and other Sections as deemed appropriate, of the San Dimas Municipal Code, to allow an up to 950 Square Foot Second-Story Architectural Element on lots with a One-Story Height Limit and other associated revisions, as deemed appropriate, located in Specific Plan No. 25 in the Northern Foothills of San Dimas.

Staff report presented by **Assistant City Manager Larry Stevens** who stated this item was mentioned when they reviewed the Precise Plan for the Architectural Guidelines, and the final

McKenna Long & Aldridge^{LLP}

MEMORANDUM

TO: Chairperson and Members of the Housing Authority of the City of San Dimas

FROM: City Attorney

DATE: May 14, 2013

RE: Assignment of Interest of VCH-San Dimas Company LLC to Avalon San Dimas L.P. Bonita Gateway Apartment Development

On July 28, 2009 an AGREEMENT FOR THE PURCHASE AND SALE OF AFFORDABLE HOUSING COVENANTS (the "Agreement") was entered into by and between VCH-SAN DIMAS COMPANY, LLC (the "Owner") and the SAN DIMAS REDEVELOPMENT AGENCY (the "Agency") regarding the residential component of the mixed use retail/commercial and residential development on the property shown on Exhibit A which is attached hereto and incorporated herein by reference. The residential component of the project contemplated the development of 156 apartment units of which 15 percent (the "Affordable Apartments") would be made available to persons of very low, low and moderate income. The Agency agreed to pay to the Owner \$2,684,000 to acquire the housing covenants which would maintain the Affordable Apartments for a period of 55 years following the issuance of the Certificate of Completion.

As a result of the dissolution of the Redevelopment Agency, the Housing Authority has now succeeded to the housing assets of the dissolved agency, including the \$2,684,000. At this time the Owner has entered into an agreement to assign its interest in the residential component of the project, including the Affordable Apartments, to Avalon San Dimas L.P. ("Avalon"). The Owner and Avalon are working through issues relating to the project including the amendment of

the specific plan which is on the City Council agenda this evening to allow accessory structures, including carports, into the required interior property line setback.

The Agreement permits the assignment of the Owner's interest but requires the approval of the Agency, now Housing Authority, to that assignment. We have been provided with, and have reviewed, a copy of the proposed agreement between the Owner and Avalon and the attached resolution approves the assignment and assumption between Owner and Avalon.

It is recommended that the Housing Authority approve the assignment from the Owner to Avalon and waive further reading and adopt Resolution No. ____:

A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SAN DIMAS AS SUCCESSOR TO THE HOUSING ASSETS OF THE DISSOLVED SAN DIMAS REDEVELOPMENT AGENCY APPROVING THE ASSIGNMENT TO AND ASSUMPTION BY AVALON SAN DIMAS, L.P. OF THE INTEREST OF VCH-SAN DIMAS COMPANY, LLC IN THE AGREEMENT FOR THE PURCHASE AND SALE OF AFFORDABLE HOUSING COVENANTS AND APPROVING THE TRANSFER OF FUNDS TO ESCROW

Respectfully submitted,

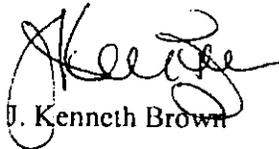
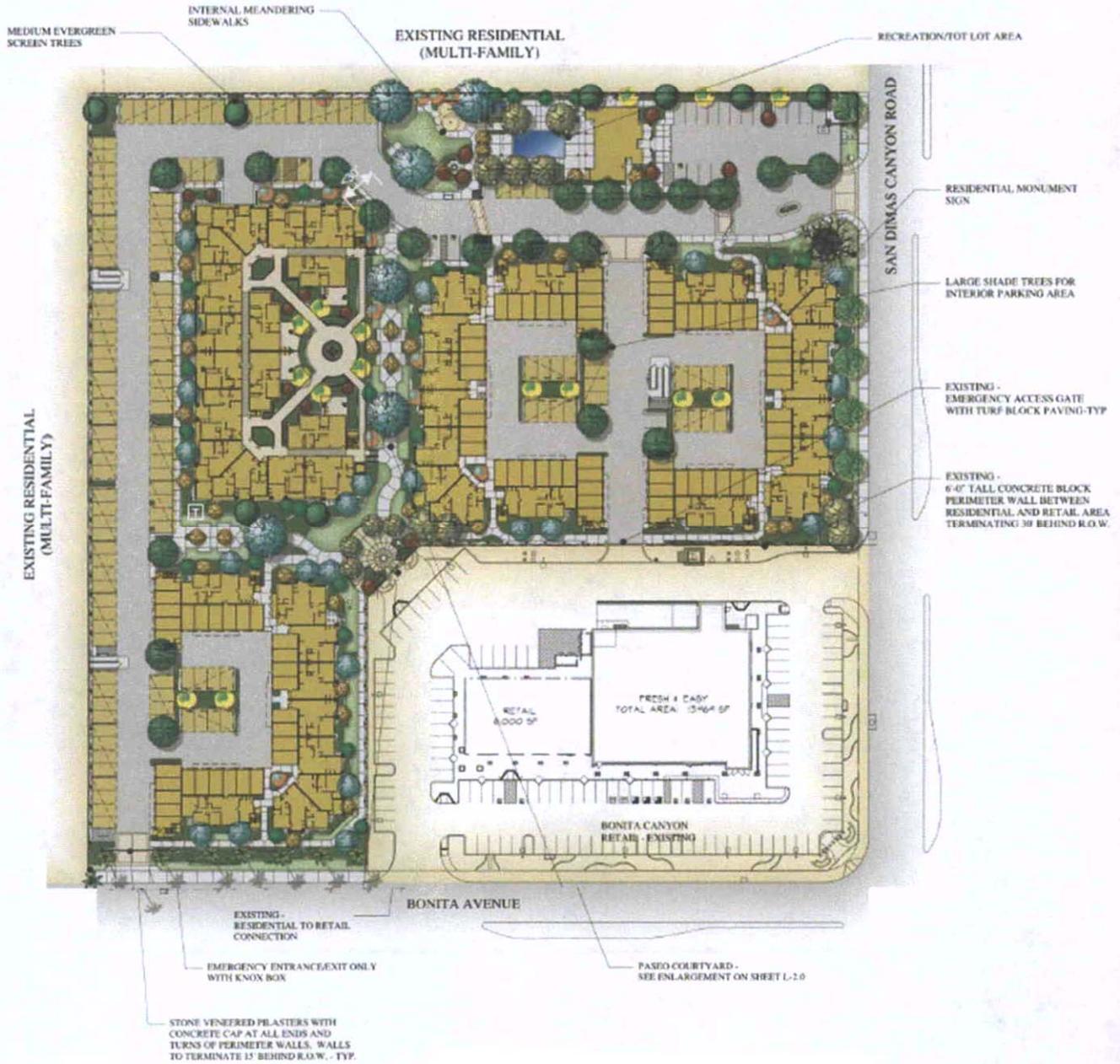

J. Kenneth Brown

EXHIBIT A



The May 14th meeting will be a joint meeting of the San Dimas City Council and the Housing Authority of the City of San Dimas As Successor To The Housing Assets Of The Dissolved San Dimas Redevelopment Agency. Under the Housing Authority part of the City, there will be a staff report and a resolution. The Resolution will be captioned:

RESOLUTION No. ____

A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SAN DIMAS AS SUCCESSOR TO THE HOUSING ASSETS OF THE DISSOLVED SAN DIMAS REDEVELOPMENT AGENCY APPROVING THE ASSIGNMENT TO AND ASSUMPTION BY AVALON SAN DIMAS, L.P. OF THE INTEREST OF VCH-SAN DIMAS COMPANY, LLC IN THE AGREEMENT FOR THE PURCHASE AND SALE OF AFFORDABLE HOUSING COVENANTS AND APPROVING THE TRANSFER OF FUNDS TO ESCROW

RESOLUTION NO. 4

A RESOLUTION OF THE HOUSING AUTHORITY OF THE CITY OF SAN DIMAS AS SUCCESSOR TO THE HOUSING ASSETS OF THE DISSOLVED SAN DIMAS REDEVELOPMENT AGENCY APPROVING THE ASSIGNMENT TO AND ASSUMPTION BY AVALON SAN DIMAS, L.P. OF THE INTEREST OF VCH-SAN DIMAS COMPANY, LLC IN THE AGREEMENT FOR THE PURCHASE AND SALE OF AFFORDABLE HOUSING COVENANTS AND APPROVING THE TRANSFER OF FUNDS TO ESCROW

RECITALS

WHEREAS, on July 28, 2009 an AGREEMENT FOR THE PURCHASE AND SALE OF AFFORDABLE HOUSING COVENANTS (the "Agreement") was entered into by and between VCH-SAN DIMAS COMPANY, LLC a CALIFORNIA limited liability company (the "Owner"), and the SAN DIMAS REDEVELOPMENT AGENCY, a public body corporate and politic (the "AGENCY") regarding the development of a mixed use retail-commercial and residential development (the "Project") on property shown on Exhibit A which is attached hereto and incorporated herein by reference (the "Site"); and

WHEREAS, the residential component of the Project contemplated the development of 156 apartment units (the "Apartments") of which 15 percent would be made available to persons of very low, low and moderate income (the "Affordable Units"); and

WHEREAS, the Agency agreed to pay to the Owner from the Agency's Low and Moderate Income Housing Fund two million six hundred eighty four thousand dollars (\$2,684,000) (the "Agency Purchase Price") to acquire housing covenants (the "Affordable Housing Covenants") to insure that the Affordable Units would remain affordable for a period of 55 years following issuance of a certificate of completion for the Apartments; and

WHEREAS, the Agreement provides the terms and conditions under which the Agency Purchase Price would be paid into an escrow to be disbursed to Owner upon timely completion of the Apartments and designation of the Affordable Units; and

WHEREAS, because the Agency was to be dissolved as of February 1, 2012 pursuant to the provisions of ABx 1 26 (the "Dissolution Act"), on January 10, 2012 the San Dimas City Council adopted Resolution No. 2012-2 and elected to serve as the Successor Agency to the dissolved San Dimas Redevelopment Agency pursuant to the provisions of California Health and Safety Code Section 34173 and initiated the process to unwind the Agency's affairs; and

WHEREAS, pursuant to the provisions of California Health and Safety Code Section 34176(a)(1) the City of San Dimas elected to retain the housing assets and functions previously performed by the Agency and transferred those responsibilities to the San Dimas Housing Authority (the "Housing Authority"); and

WHEREAS, pursuant to the provisions of California Health and Safety Code Section 34176(a)(2), on July 31, 2012 the Housing Authority filed with the California Department of

Finance (the "DOF") a list of all housing assets transferred to the Housing Authority by the dissolved Agency and identified on Exhibit C, the Agency Purchase Price as an enforceable obligation and the DOF did not object to that transfer, and

WHEREAS, pursuant to the provisions of California Health and Safety Code Section 34179.6(c), on September 26, 2012 the City of San Dimas Successor Agency submitted to the DOF, an oversight board Approved Low and Moderate Income Housing Fund Due Diligence Review and identified the Agency Purchase Price as an enforceable obligation to which the DOF did not object; and

WHEREAS, pursuant to the provisions of California Health and Safety Code Section 34177(l), the City of San Dimas Successor Agency submitted to the DOF oversight board Approved Recognized Obligation Payment Schedules and included thereon the Agency Purchase Price as enforceable obligations, and the same have been approved; and

WHEREAS, the zoning and other entitlements for the Apartments have been approved by the City, including, because of the Affordable Units, a density bonus and a reduction in the number of parking spaces otherwise required, and applications for building permits for the Apartments have been filed with the City; and

WHEREAS, the Housing Authority desires to facilitate implementation of the Agreement, and provide the Affordable Units for persons of very low, low and moderate income; and

WHEREAS, pursuant to the provisions of Section 4.1 of the Agreement, Owner has requested that the Agency approve a transfer of the Agreement and all of the Owner's obligations and rights thereunder to Avalon San Dimas, L.P. ("Avalon") and provided to Agency a copy of the Purchase and Sale Agreement (the "Purchase Agreement") between the Owner and Avalon dated March 5, 2013, as provided in Section 4.1.

NOW THEREFORE, the Housing Authority, as Successor to the housing assets of the dissolved San Dimas Redevelopment Agency does hereby find, determines and declare as follows:

1. The foregoing Recitals are adopted as findings and incorporated herein and made a part hereof.
2. The requirements of Section 2.6(i) of the Agreement have been satisfied.
3. Subject to the terms set forth in this Resolution, the Owner's assignment to Avalon of all of Owner's right, title and interest in the Agreement as provided in the Purchase Agreement is approved. Such approval, and the rights and obligations of Avalon under the Agreement upon that Assignment, are solely for the benefit of the parties to the Agreement and there shall be no third party beneficiaries to that Assignment or the rights and obligations of the parties under the assigned Agreement. The

effectiveness of such approval is subject to, and the Housing Authority's consent to such assignment is conditioned upon, the execution and delivery to the Housing Authority of an Assignment and Assumption Agreement and Consent to Assignment in such form as the Executive Director of the Housing Authority shall approve providing for Avalon's assumption of all applicable obligations and Avalon's acknowledgment and acceptance of the source of and limitation on the Agency Purchase Price funding.

4. The Housing Authority will deposit the Agency Purchase Price into a separate escrow account to be established by the Housing Authority and held at First American Title within seven days following the approval of this resolution upon such terms as are established by the Housing Authority and the escrow holder (the Housing Authority Escrow). The funds to be held in the Housing Authority Escrow will be subject to the sole control of the Housing Authority until the transfer to the Owner and Agency escrow and the close of the Owner and Agency escrow as provided in Section 2.6 of the Agreement, unless the Housing Authority Escrow is otherwise previously terminated by its terms.

5. The Executive Director is authorized to approve and execute such documents as deemed necessary relative to said Housing Authority Escrow, commencement of construction and timely completion of the Apartments and designation and occupancy of the Affordable Units as required in the Agreement. In connection with the foregoing and as a condition to the Owner's Assignment to Avalon, the Executive Director is authorized to and shall establish a current date for the commencement of the construction of the Apartments, which shall be not later than September 1, 2013.

6. Approval of the Assignment by the Authority will not result in a direct or reasonably foreseeable indirect physical change in the environment and is therefore categorically exempt per Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act.

RESOLVED FURTHER that this approval is granted without representation or warranty of any kind by the Agency and/or the Housing Authority and/or any of their affiliates, agents, or representatives as to what effect, if any, the dissolution of redevelopment agencies in California, and particularly the Agency, as a result of ABx 1 26 and AB 1484 and the implementation of those statutes, may have on the Housing Authority's authority to approve the assignment to Avalon and

payment of the Agency Purchase Price, and Avalon's acceptance and acknowledgment thereof shall be a condition to the effectiveness of that approval.

PASSED, APPROVED AND ADOPTED THIS 14th day of May 2013.

Chairperson of the Housing Authority of the City of
San Dimas as Successor to the Housing Assets of
the San Dimas Redevelopment Agency

ATTEST:

Secretary

I HEREBY CERTIFY that the forgoing Resolution No 4 was adopted by vote of the City Council of the City of San Dimas at its regular meeting of May 14th, 2013 by the following vote:

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

Secretary