



**MINUTES**  
**REGULAR CITY COUNCIL MEETING**  
**TUESDAY, NOVEMBER 26, 2013, 7:00 P. M.**  
**SAN DIMAS COUNCIL CHAMBERS**  
**245 E. BONITA AVENUE**

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**CITY COUNCIL:**

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

**STAFF:**

Blaine Michaelis City Manager  
City Attorney Ken Brown  
Assistant City Manager of Community Development Larry Stevens  
Assistant City Manager of Administrative Services Ken Duran  
Director of Parks and Recreation Theresa Bruns  
Deputy City Clerk Debra Black

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

Mayor Morris called the meeting to order at 6:58 p.m. and led the flag salute.

**2. ANNOUNCEMENTS**

- Holiday Extravaganza December 7, 2013

Recreation Coordinator Erica Rodriguez announced the activities planned for the Holiday Extravaganza.

Councilmember Bertone announced the Southern California Edison LED Light exchange program.

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

a. Members of the Audience

- 1) Gil Gonzalez - thanked Ken Brown for all the years of service to the city. Mr. Gonzalez expressed that he would like to see some different programming for Channel 3, maybe have the High School participate in some type of programming. He also asked about the lack of sidewalk area near the Scuba Store and thanked staff for meeting with him on his concerns.

Councilmember Bertone asked City Manager Michaelis for follow-up regarding the sidewalk.

City Manager Michaelis responded that the City does not have right away in that area to install a sidewalk.

- 1) Denis Phillips – 525 North Amelia Avenue requested that Council not approve the MCTA 13-05 because of his pending code enforcement issue.
- 2) Danielle Phillips – 525 North Amelia Avenue addressed Council asking them not to approve MCTA 13-05 and allow them to keep their pet goose.
- 3) Nicol Phillips – 525 North Amelia Avenue addressed Council asking them not to approve MCTA 13-05 and allow them to keep their pet goose.
- 4) Ginny Phillips – 525 North Amelia Avenue shared her concerns on the proposed code changes.
- 5) Amy Crow – Manager San Dimas Library announced the upcoming activities at the library.
- 6) Sharon and David Hatch addressed Council regarding the parking issues their street is facing because of enforcement.

#### 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.)

Request from Councilmember Ebner to correct minutes from: November 12, 2013 Regular City Council Meeting to reflect “over six feet in height” on discussion of the chicken coops; October 22<sup>nd</sup>, 2013 Special Meeting minutes, correct Fund 70 name to Equipment Replacement Fund and October 28<sup>th</sup>, 2013 Council/Staff Retreat minutes, should reflect that Councilmember Ebner left the room for discussion on the Bonita/Cataract property.

**MOTION:** It was moved by Councilmember Bertone seconded by Councilmember Ebner and carried to accept and approve the correction to minutes.

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

Remove “Item C” MCTA 13-05 for further discussion.

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

**RESOLUTION NO. 2013 - 57, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTH OF NOVEMBER, 2013.**

- b. Approval of minutes for regular City Council meeting of November 12, 2013, Study Session October 22, 2013 and City Council/Staff Retreat October 28, 2013.

- c. **MUNICIPAL CODE TEXT AMENDMENT 13-05** - Consideration of a Municipal Code Text Amendment to allow a limited number of household chickens in conjunction with a single-family detached residence in all residential zones and specific plans that allow single-family detached residential uses, and other minor miscellaneous edits.

**ORDINANCE NO. 1226 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADOPTING MUNICIPAL CODE TEXT AMENDMENT 13-05, AMENDING CHAPTERS 18.08, 18.16, AND 18.20 OF THE SAN DIMAS MUNICIPAL ZONING CODE - SECOND READING AND ADOPTION**

END OF CONSENT CALENDAR

Discussion of Item C – MCTA 13-05

Councilmember Templeman explained that he felt further discussion was needed on this item to clean-up and clarify some of the language in the ordinance and make the purpose clearer.

Assistant City Manager Larry Steven explained that the purpose of the language used was to make clear that chickens are not included in the fifteen bird count outlined in the ordinance.

Councilmember Templeman and Ebner expressed concern that staff's interpretation of the ordinance in an effort to make it clearer could confuse a lay person reading the ordinance.

Discussion continued on the process of how the item needed to be presented again.

Assistant City Manager Stevens stated that staff would present a report at the next meeting that may include options on language revision.

Councilmember Badar wanted confirmation on whether the Phillips' were in code enforcement and if that would be suspended while this item is under review.

Assistant City Manager Stevens confirmed that staff would not be going forward with any code enforcement while this is under review.

## 5. PLANNING

- a. Introduction and first reading of Uniform Building Codes and set December 10, 2013 as date for public hearing and adoption.

**ORDINANCE NO. 1227, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING SPECIFIED CHAPTERS OF TITLE 15 OF THE SAN DIMAS MUNICIPAL CODE AND ADOPTING BY REFERENCE THE 2013 EDITION OF THE CALIFORNIA BUILDING CODE, VOLUMES 1 & 2, THE 2013 EDITION OF THE CALIFORNIA RESIDENTIAL CODE, THE 2013 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 2013 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2013 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS, AND EXCEPTIONS, INCLUDING FEES AND PENALTIES - **FIRST READING AND INTRODUCTION****

Assistant City Manager Larry Stevens presented staff's report on this item and recommended introducing Ordinance 1227 and set the hearing date for December 10, 2013.

**MOTION:** The motion to waive further reading and introduce Ordinance 1227 and set the hearing date for December 10, 2013 was made by Councilmember Bertone and seconded by Councilmember Templeman. The motion carried unanimously.

## 6. OTHER BUSINESS

- a. Extension of the Agreement with the University of La Verne for the Management of the City's Government/Education Access Channel

Assistant City Manager Ken Duran presented staff's report on this item and recommended extending the agreement for one year with added language that if the City does terminate the agreement prior to the end of one year that the University return any payment of unearned amounts to the City.

Councilmember Bertone stated that he would not be in favor of the extension because of the poor service.

**MOTION:** The motion was made to approve the extension of the contract with ULV by Councilmember Templeman and seconded by Councilmember Badar. The motion passed by a vote of 4 to 1 with Councilmember Bertone voting against.

Councilmember Ebner asked if a log was kept of the problems that could be given to ULV to be addressed.

Assistant City Manager Duran answered staff does not keep a log, but does contact ULV when a problem occurs.

- b. Request from Waste Management for Refuse Service Rate Increase

Assistant City Manager Ken Duran presented staff's report on this item and recommended approval.

**MOTION:** The motion was made by Councilmember Templeman and seconded by Councilmember Bertone to approve the proposed rate increase by Waste Management. The motion carried unanimously.

## 7. ORAL COMMUNICATIONS

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

- 1) Dennis Phillips asked that the policies and codes be written so that people can understand what the rules are.
- 2) Ginny Phillips shared comments in support of Dennis Phillips statement.
- 3) Emily Stillion spoke against the Marijuana Wellness Center and the Mode Vape Store.

- b. City Manager

The "Asked the Mayor" for this week has been cancelled.

- c. City Attorney

Announcement of a Special Meeting after Council meeting.

- d. Members of the City Council

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

Nothing to report.

- 2) Individual Members' comments and update

Councilmember Ebner asked the City Manager for a report at the next meeting on information regarding winter shelters and resources for the homeless.

Councilmember Bertone asked the City Manager for a report on the sign off the 57 Fwy. next to the Lowe's Shopping Center.

## 10. ADJOURNMENT

The Mayor adjourned the meeting at 8:22 p.m. to a Special Closed Session Meeting. The next meeting will be Tuesday, December 10, 2013 at 7:00 p.m.

Respectfully submitted,

  
Debra Black Deputy City Clerk