



MINUTES
REGULAR CITY COUNCIL / SAN DIMAS PUBLIC
FACILITIES FINANCING CORPORATION / SAN DIMAS
HOUSING AUTHORITY MEETING
TUESDAY, DECEMBER 10, 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 Ebner
Councilmember Jeff Templeman

STAFF:

City Manager Blaine Michaelis
Assistant City Manager Larry Stevens
Assistant City Manager Ken Duran
Director of Parks and Recreation Theresa Bruns
Senior Engineer Shari Garwick
Building Superintendent Eric Beilstein
Deputy City Clerk Debra Black

1. CALL TO ORDER AND FLAG SALUTE

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

Director of Parks and Recreation Theresa Bruns announced that the Holiday Extravaganza has been rescheduled to December 14, 2013.

Margie Green announced the San Dimas Historical Society and Festival of Arts activities planned for the December 14, 2013 weekend.

2. PRESENTATION

- Mr. Bill Harford, Executive Director Inland Valley Humane Society – Report on Skunks and Feral Cats

Bill Harford gave an update on the Spay and Neutering and Feral Cat Program run by the Humane Society and also shared some different ways for the Humane Society to look at and address the skunk issue in the city.

- 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) Neal B. and Lyndsey Smith with the Pacific Railroad Society expressed their appreciation for the City's assistance with the painting of the Train Depot and Karon De Leon for obtaining the LED lighting from Edison.
- 2) Carolyn Anderson Corrao Chamber of Commerce announcements:
 - Shop San Dimas event continues through December 16, 2013.
 - Chamber Information Center for Gas Company's new gas meters
 - Discover San Dimas Open House January 16, 2014
 -Waste Management announcement:
 - Christmas Tree pick-up for two weeks after Christmas
 - Reminder of (6) free bulky item pick-up annually
- 3) Woodrow Gruber San Dimas High School Treasurer announced upcoming events at the school.
- 4) Denis Phillips shared the difficulties he has had with Waste Management and the pick-up of the palm leaves in the area.
- 5) Julie Draayom resident asked for Council support on US Postal Protect Act 2013
- 6) Ben Wong with Southern California Edison introduced himself as the Interim Regional Manager for the city.
- 7) Amy Crow Manager San Dimas Library announced planned activities for the library.
- 8) Donna Acosta resident on Oakway Avenue addressed Council on the parking issues affecting their neighborhood.
- 9) Leo Acosta resident on Oakway Avenue addressed Council on the parking issues affecting their neighborhood.
- 10) Ginny Phillips resident addressed Council on how the city's policies and regulations affect every neighborhood in the same manner without giving any consideration to the fact that the characteristics of some are different than others; which is the reason people bought their homes.

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 Bertone and seconded by Councilmember Badar, 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:

Approving Warrant Register for the months of November and December 2013.

RESOLUTION NO. 2013-58, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF NOVEMBER AND DECEMBER, 2013.

- b. Summary of San Gabriel Valley Council of Governments recent activities
- END OF CONSENT CALENDAR

5. PUBLIC HEARING

- a. A request to amend Chapter 15 of the Municipal Code (Buildings and Construction) to adopt by reference the 1997 Uniform Administrative Code, the 2013 editions of: the California Building Code volumes 1 & 2, the California Residential Code, the California Plumbing Code, the California Electrical Code, the California Mechanical Code, the California Fire Code, the California Green Building Standards Code, together with certain amendments, additions, deletions, and exceptions including fees and penalties

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 1997 UNIFORM ADMINISTRATIVE CODE, 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 PLUMBING CODE, THE 2013 EDITION OF THE CALIFORNIA ELECTRICAL CODE, THE 2013 EDITION OF THE CALIFORNIA MECHANICAL CODE, THE 2013 EDITION OF THE CALIFORNIA FIRE CODE, AND THE 2013 EDITION OF THE CALIFORNIA GREEN BUILDING STANDARDS CODE, TOGETHER WITH CERTAIN AMENDMENTS, ADDITIONS, DELETIONS, AND EXCEPTIONS, INCLUDING FEES AND PENALTIES - SECOND READING AND ADOPTION

Building Superintendent Eric Beilstein presented staff's report on this item and recommended adoption of Ordinance 1227.

Councilmember Templeman clarified that staff is required to adopt these changes and updates.

Superintendent Beilstein answered yes and the only thing staff has the ability to do is to make the code more stringent if warranted and the administrative changes of which we are doing now.

Councilmember Ebner asked if the administrative changes have time frames for demolition and legalizing unpermitted structures.

Superintendent Beilstein's response was the code uses 180 days between approved inspections.

Mayor Morris opened the item for public comment. No one came forward the public hearing was closed.

MOTION: It was moved by Councilmember Bertone, seconded by Councilmember Ebner to waive further reading and adopt Ordinance 1227. The motion carried unanimously.

- b. General Plan Amendment 13 – 02 – San Dimas 2014 – 2021 Housing Element Final Adoption

RESOLUTION NO. 2013 – 59 – A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING GENERAL PLAN AMENDMENT 13 - 2, ADOPTING THE 2014 – 2021 SAN DIMAS HOUSING ELEMENT OF THE GENERAL PLAN

Assistant City Manager of Community Development Larry Stevens presented staff's report on this item and recommended adoption of Resolution 2013-59,

Councilmember Templeman asked if there were any rezoning implications.

Assistant City Manager Stevens responded there are not.

Councilmember Templeman asked if in the future there would be any zone changes, staff would notify the community.

Assistant City Manager Stevens responded that staff would do what they have done in the past with Notices of Public Hearings and notices within a 300 foot radius of the subject property.

Mayor Morris opened the public hearing. No one came forward and the public hearing was closed.

MOTION: It was moved by Councilmember Bertone seconded by Councilmember Ebner to waive further reading, approve the Negative Declaration and adopt Resolution 2013-59. The motion carried unanimously.

6. PLANNING/DEVELOPMENT SERVICES

- a. Discussion of potential revisions to Ordinance No. 1226 establishing Regulations for Chickens in single family residential zones

**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 -
SECOND READING AND ADOPTION**

Assistant City Manager of Community Development presented staff's report on this item asking Council for direction.

There was discussion on how this issue came about and evolved, how confusing the language in the code is, as well as how most residents are not aware of the instances when they may be in violation of city codes.

Councilmember Ebner asked what would be the difference in staff's processing time for option two and three.

Assistant City Manager Stevens responded that option two could be introduced at this meeting and adopted in January; the difficulty with option three is that there is language which prohibits some types of bird and fowl that is a large point of concern. He went on to say that the better approach would be to do option three and the timeframe would be a discussion paper to the Planning Commission in January and back to Council with public hearing in February. He added that enforcement would be suspended on the animals involved in the discussions.

The discussion continued with Councilmember suggestions on wording to be used and requesting that the code be written as clear and simple as possible.

Assistant City Manager Stevens asked if Council wanted staff to as look at addressing the issues in the SF-A-Zone as well.

Councilmember Ebner stated that would complicate the process and is a separate issue. Staff should deal with the bird issue first and do more research and studies on what kind of animals on what size properties before bringing to Council the SF-A Zoning matter.

Councilmember Templeman expected that because the two issues fall under the same code section they would addressed together and not fragmented.

Councilmember Badar agreed with Councilmember Templeman that it should all be looked at and brought back to Council.

Mayor Morris stated that staff should include information about CC&R's possible prohibitions on certain animals.

Council invited Mr. Phillips to speak.

Dennis Phillips resident expressed his view points on staff's approach in defending their position on implementing and enforcing policy and code. He continued on by sharing his reasons in support of keeping chickens, duck and fowl.

MOTION: It was moved by Councilmember Bertone and seconded by Councilmember Badar to direct staff to refer the item back to Planning Commission and conduct public hearings. Motion carried unanimously.

7. OTHER MATTERS

- a. Report on overnight parking enforcement on Oakway Ave. and Ghent St. – resident petition to not enforce

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

City Manager Michaelis left the dais at 9:05 p.m. and returned at 9:07 p.m.

Council and staff discussed the unimproved area on the street, legal right of way and the unique characteristics of the neighborhood.

Councilmember Badar left the dais at 9:15 p.m. and returned at 9:18 p.m.

Mayor Morris invited residents in the audience to speak.

- 1) Steve Duncan feels that because of the age of the neighborhood and lack of enforcement in the past residents should be able to continue parking.

Mayor Morris explained how selective enforcement is legally not an option for cities and not fair to the rest of the community. He also suggested granting additional time for the residents to clear out their garages and other areas to comply with requirements for parking permits.

- 2) Leo Acosta added that the reason they bought their home was because of the uniqueness of their neighborhood.
- 3) Ben asked why the city can't issue an exemption for their street.

Mayor Morris stated that could be considered, but would require a going through the legal process of changing the code which may not be good policy.

- 4) Josalyn? described her household situation of inconvenience in having to move vehicles due to work and school schedules.

Councilmember Templeman asked the City Attorney to look into the issue of unimproved right of way and the parking.

Mayor Morris responded that would be an area that city staff would have to research and answer.

MOTION: It was moved by Councilmember Bertone and seconded by Councilmember Badar to delay the change of enforcement of overnight parking on Oakway and Ghent Streets until May 1, 2014.

The motion carried unanimously.

- b. US Postal Service Protection Act of 2013 – request for city review/action

City Manager Blaine Michaelis presented this item to Council with a recommendation to decline request for endorsement of US Postal Protection Act of 2013.

Council agreed not to endorse the US Postal Protection Act of 2013 in keeping with their position of endorsing items or issues when they directly relate to city matters. The request will be considered received and filed.

Council invited Matt Kozlo up to be heard on this request.

Matt Kozlo read some of the bullet points of what the consequences would be for the Postal Service and Employees if this is passed.

Mayor Morris recessed the meeting of the City Council and convened the meeting of the San Dimas Public Facilities Financing Corporation at 10:03 p.m.

8. MEETING OF SAN DIMAS PUBLIC FACILITIES FINANCING CORPORATION

- a. Public Comments (*This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.*)

No one came forward.

- b. Approval of Minutes for meeting of December 11, 2012.

MOTION: It was moved by Councilmember Templeman and seconded by Councilmember Ebner to approve the minutes of December 11, 2012. The motion passed unanimously.

- c. Election of Officers

MOTION: It was moved by Councilmember Templeman and seconded by Councilmember Ebner to appoint Mayor Curtis Morris as President, Mayor Pro Tem Denis Bertone as Vice President and City Manager Blaine Michaelis as Secretary Treasurer.

- d. Members of the Corporation

Nothing to report.

Mayor Morris adjourned the meeting of the San Dimas Public Facilities Financing Corporation at 10:04 p.m. and convened the meeting of the San Dimas Housing Authority Corporation.

9. MEETING OF SAN DIMAS HOUSING AUTHORITY CORPORATION

- a. Public Comments (*This is the time set aside for members of the audience to address the Board. Speakers are limited to three minutes.*)

No one came forward.

- b. Approval of Minutes for meeting of December 11, 2012, May 14, 2013 and May 28, 2013

MOTION: It was moved by Councilmember Bertone and seconded by Councilmember Templeman to approve the minutes of December 11, 2012, May 14, 2013 and May 28, 2013. The motion passed unanimously.

- c. Update of authority activities for 2013

City Manager Blaine Michaelis highlighted the activities for the year:

- Purchased 10 homes to be sold to qualified affordable families
- Authorize \$45,000 from the proceeds of Charter Oak Mobile Home Community to be available for housing rehab

- d. Members of the Authority

Councilmember Bertone commented on the operations of these committees here and elsewhere and provided that our Councilmembers are not paid for sitting on these committees.

Mayor Morris adjourned the meeting and reconvened the City Council meeting at 10:10 p.m.

10. ORAL COMMUNICATIONS

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

No one came forward.

- b. City Manager
 - East San Gabriel Valley Winter Shelter and Transportation Program

Information has been posted on the city's website.

Mayor's call in show will broadcast on December 12, 2013

Assistant City Manager Larry Stevens announced that the city was awarded a grant of \$850,000 from the Board of Supervisors 5th District for the Walnut Creek Project.

- c. City Attorney
 - Report on Freeway Sign for Cask n Cleaver

City Attorney Ken Brown reported that letters will be sent to the owners and users of the sign addressing the nuisance. He reported that he has met with some of the parties and is still gathering information.

- d. Members of the City Council

- 1) Reappointment of John Sorcenelli to serve another term on the Development Plan Review Board

MOTION: It was moved by Councilmember Bertone and seconded by Councilmember Badar to reappoint John Sorcenelli to serve another term on the Development Plan Review Board. Motion carried unanimously.

Councilmember Templeman indicated that he would like to have a discussion in the future regarding having other members of the community considered.

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

Nothing to report.

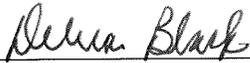
3) Individual members' comments and updates.

- Councilmember Templeman wished everyone happy holidays.
- Councilmember Ebner thanked Blaine for the information on the Winter Shelters and wished everyone happy holidays.
- Councilmember Badar wished everyone happy holidays and recognized the San Dimas High School Football Team win.
- Councilmember Bertone reminded everyone of the Holiday Extravaganza on December 14, 2013. He also asked residents not to criticize staff for the decisions handed down from the Councilmembers. He also wished everyone happy holidays.
- Mayor Morris announced his attendance at the 100th Birthday Party of San Dimas resident Elsie P.

10. ADJOURNMENT

The meeting was adjourned at 10:34 p.m. The next meeting will be on January 14, 2014, 7:00 p.m.

Respectfully submitted,



Debra Black Deputy City Clerk