



MINUTES
REGULAR CITY COUNCIL
SUCCESSOR AGENCY MEETING
TUESDAY, MAY 13, 2014, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVE.

CITY COUNCIL:

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

STAFF

City Manager Blaine Michaelis
City Attorney Mark Steres
Assistant City Manager Development Services Larry Stevens
Assistant City Manager Administrative Services Ken Duran
Director of Parks and Recreation Theresa Bruns
Director of Public Works Krishna Patel
Deputy City Clerk Debra Black
Associate Planner Jennifer Williams

1. CALL TO ORDER AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:04 p.m. and led the flag salute.

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

a. Members of the Audience

- 1) **Kassidy Cuccia-Aguirre** ASB President San Dimas High provided updates on recent student activities.
- 2) **Galen Gillotte** San Dimas Library provided updates on upcoming activities at the library and announced Amy Crow's promotion and move to the Claremont Library.
- 3) **Rhonda Beltran** Director of Development with McKinley Children's Center announced the upcoming Raging Rubber Duck Race at Raging Waters and invited the community.

- 4) **Alline Kranzer** thanked city staff for their help with Festival of Arts and commented on the various art events the city is able to host.
- 5) **Judy Neilson** thanked the city for allowing the Sheriff's Forum to be held at the Stanley Plummer Community Building and spoke on the issue of the National Recreation Area.
- 6) **Dan Hargis** San Dimas resident shared comments in opposition to the Care Meridian facility.
- 7) **Carolyn Gonzalez** spoke on the issue of the National Recreation Area.
- 8) **Marvin Ersher** San Dimas resident thanked staff for installing the pictures of past Councilmembers who have served the city.

3. **CONSENT CALENDAR**

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

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

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

RESOLUTION NO. 2014 - 23, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF APRIL AND MAY 2014

- b. Approval of minutes for the regular City Council meeting of April 22, 2014.
- c. Lupus Awareness Month
- d. Ehlers-Danlos Syndrome Month
- e. Award Cash Contract 2014-02 Arrow Highway and Lone Hill Avenue Improvements
- f. Award Cash Contract 2014-03 Walker House Exterior Recoating Project
- g. San Gabriel Valley Council of Government Updates

Councilmember Bertone urged Councilmembers to read material provided from the Council of Governments.

END OF CONSENT CALENDAR

4. **PUBLIC HEARINGS**

- a. Presentation of 2014-15 Preliminary Budget – Receive public comment

Assistant City Manager Ken Duran presented staff's report and explained the process for the benefit of the audience. Mayor Morris then opened the public hearing.

1) **Patrick Jones** resident expressed his concerns with the service of Inland Valley Humane Society and the operating costs for the Martin House.

Assistant City Manager Duran responded that the Martin House item shows up as a separate fund because of a tax credit revenue received through renovation funds that are to be used solely for the Martin House.

Mayor Morris announced June 10, 2014 as the date for final approval of the budget and closed the public hearing.

- b. Municipal Code Text Amendment (MCTA) 13-05 – Consideration of a Municipal Code Text amendments to allow a limited number of fowl to be kept as household pets in conjunction with a single-family detached residence in all residential zones and specific plans that allow 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 CHAPTER 18.20 RESIDENTIAL ZONES GENERALLY AND OTHER SECTIONS OF THE MUNICIPAL CODE TO ALLOW THE KEEPING OF CERTAIN TYPES OF FOWL IN A LIMITED NUMBER AS HOUSEHOLD PETS - FIRST READING AND INTRODUCTION

Associate Planner Jennifer Williams presented staff's report and recommended approval of Ordinance No. 1226 with the language originally presented to the Planning Commission regarding the number of fowl permitted (4 fowl maximum on any size lot).

Mayor Morris asked if the Planning Commission had much discussion on allowing 15 assorted fowl.

Associate Planner Williams answered the Planning Commission's interpretation of the existing code would allow for the assorted fowl; however staff's interpretation was that the intention of the code was for birds that are kept as household pets.

Councilmember Bertone asked if roosters or peacocks were allowed anywhere in the city.

Assistant City Manager of Community Development Larry Stevens responded roosters are not, peacocks not sure.

Discussion continued on the issue of roosters and peacocks.

Mayor Morris opened the public hearing at 7:53 p.m.

Speaking in favor of the ordinance:

- 1) **Dennis Phillips** resident, expressed that the Planning Commission understood the issue and made their recommendation of 15 fowl, Council should approve the ordinance and let everyone have the recommended number of fowl.

Speaking in opposition to the ordinance:

- 1) Marvin Ersher resident suggested moving in moderation.
- 2) Patrick Jones resident, expressed concern over the allowance for 5,000 square foot Lots.

The subject of CC&R's and HOA's was discussed.

Mayor Morris closed the public hearing at 8:05 p.m.

Councilmember Templeman provided a review of the subject for the benefit of the audience and indicated that he would support the Planning Commission's recommendation.

MOTION: The motion to approve Ordinance No. 1226 as presented was made by Councilmember Templeman and seconded by Councilmember Badar. Motion passed unanimously.

Councilmember Templeman left the dais at 8:10 p.m. and returned at 8:12 p.m.

5. PLANNING MATTERS

- a. Development Plan Review Board (DPRB) Case No. 13-12 – Consideration of a request to construct an approximately 9,400 square foot inpatient facility and an approximately 1,650 square foot outpatient facility and associated site improvements at 1136 & 1148 W. Puente Street

RESOLUTION NO. 2014 – 24, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING DPRB CASE NO. 13-12, A REQUEST TO CONSTRUCT AN APPROXIMATELY 9,400 SQUARE FOOT INPATIENT FACILITY AND AN APPROXIMATELY 1,650 SQUARE FOOT OUTPATIENT FACILITY AND ASSOCIATED SITE IMPROVEMENTS AT 1136 & 1148 W. PUENTE STREET (APN's 8448-020-069 AND 8448-020-070)

Associate Planner Jennifer Williams presented staff's report with recommendation to approve subject to conditions.

Councilmember Templeman noted that he did sit on the DPRB but did not vote on the item.

It was emphasized that only the design, landscape and architecture would be discussed.

Mayor Morris invited the developer to speak.

Keith Underwood with Care Meridian shared that they have worked with staff, DPRB and Council, in trying to address as many concerns as possible and feels that a quality product will be built.

Councilmember Ebner left the dais at 8:35 p.m. and returned at 8:37 p.m.

Patrick Jones a resident supports the Care Meridian project and reminded Council that in the past parts of the community were opposed to the KinderCare and 76 Station and they do not speak for the majority of Via Verde. He also added that he does not speak for the majority of Via Verde but those that he has spoken with are excited with the project.

Jan Bartolo a resident opposed the Care Meridian project by stating that the tree selections made for the project are not appropriate, and expressed concern over the city and staff's management of the project. She asked of the restrictions placed on the developer during construction.

Dan Hargis a resident opposed to the Care Meridian project spoke of the need for better fencing to and security cameras.

Marvin Ersher a resident opposed to the Care Meridian project and addressed some of the design features of the facility and felt that the same standards should be applied throughout the city.

In rebuttal Keith Underwood replied that their project does share some of the same design features and staff continues to work with them and improving the quality of the project.

Discussion continued on the various design features of the project.

Councilmember Templeman spoke of the DPRB and staff's involvement on this project and feels that everyone did a good job and he is supportive of the ordinance.

MOTION: A motion was made by Councilmember Templeman to approve and read Resolution No. 2014-24 by title; the motion was seconded by Councilmember Badar. Motion passed by vote of four to one with Councilmember Bertone voting against.

Councilmember Bertone expressed that in the past he has requested the notice requirement be expanded for the public to be informed of development projects and would have liked for staff to have done so on this project; and although he is not against the project he will vote no because of the notification process.

Councilmember Ebiner stated that the building should be integrated into the community and that has not been achieved.

Councilmember Badar stated that staff recognized the problems from the beginning and was able to help Care Meridian moved to a better project and overall this will be good for San Dimas. He stated that he has some concerns on the back fence and hopes that gets addressed but he will support the motion.

Mayor Morris stated he would vote in favor of the motion that was recommended by staff and DPRB.

Councilmember Bertone left the dais at 9:38 p.m. and returned at 9:41 p.m.

6. OTHER MATTERS

- a. Authorization for paperless filings of Campaign Finance Disclosure Statements

ORDINANCE NO. 1229, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS ADDING CHAPTER 2.60 TO THE SAN DIMAS MUNICIPAL CODE RELATING TO ELECTRONIC AND PAPER FILING METHODS OF CAMPAIGN FINANCE DISCLOSURE STATEMENTS – **SECOND READING AND ADOPTION**

MOTION: It was moved by Councilmember Badar and seconded by Councilmember Templeman to waive further reading and adopt Ordinance No. 1229. Motion passed by vote of five to one.

- b. Approve adjustments to Dial-A-Cab fares.

George Sparks Administrator of the Dial-A-Cab Program presented findings for the requested fare increases.

MOTION: It was moved by Councilmember Ebner and seconded by Councilmember Bertone to approve the fare adjustments to the Dial-A-Cab Program.

7. SUCCESSOR AGENCY

- a. Successor Agency Update -Verbal Report

Assistant City Manager Ken Duran reported that staff had the opportunity to communicate with both Assemblyman Holden and Senator Lui that we along with other cities are concerned over the opinions of the Department of Finance regarding the city loans. Staff will continue to keep them posted of any developments.

8. 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

Mayor's call in show schedule change – May 29th, 2014

- c. City Attorney

Nothing to report.

d. Members of the City Council

- 1) Reappointment Lou Gross, Chester Sasaki and Ed Wolfe to the Senior Citizens Commission.

MOTION: The motion was made by Councilmember Bertone and seconded by Councilmember Templeman to reappoint Lou Gross, Chester Sasaki and Ed Wolfe to The Senior Citizens Commission. The motion passed by vote of five to zero.

- 2) Request to support AB1839 to extend and expand the California Film and Television Tax Credit Program

City Manager Blaine Michaelis presented staff's report on this item.

MOTION: The motion to support AB1839 was made by Councilmember Ebiner and seconded by Councilmember Bertone. The motion passed by a vote of five to zero.

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

Nothing to report.

- 4) Individual Members' comments and updates

Councilmember Templeman reminded everyone of the dangers of the Tiger Mosquito and that continued precautions are necessary.

Councilmember Bertone announced San Dimas Day at the Fair on Friday, September 12, 2014. He asked how the order of the agenda is planned and asked staff to think about this going forward.

City Attorney Mark Steres shared that some agendas show as a line item "Reorder of Agenda" which allows for a Councilmember to request an item be heard at any point during the meeting.

The meeting adjourned to closed session at 10:17 p.m.

9. CLOSED SESSION

CONFERENCE WITH LABOR NEGOTIATOR – G.C. Section 54957.6

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

No reportable action taken during closed session. Adjourned at 11:05 p.m.

10. ADJOURNMENT

The next meeting is May 27, 2014, 6:30 p.m. for a reception to honor Distinguished Service to Youth Honorees.

Respectfully submitted



Debra Black, Deputy City Clerk