



MINUTES
REGULAR CITY COUNCIL MEETING
TUESDAY, MAY 27, 2014, 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVENUE

**NOTE: RECEPTION AT 6:30 P.M. FOR DISTINGUISHED SERVICE TO YOUTH AWARD
RECIPIENTS IN CITY HALL LOBBY**

COUNCIL:

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

STAFF:

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

1. CALL TO ORDER AND FLAG SALUTE

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

2. RECOGNITIONS – Distinguished Service to Youth

Parks and Recreation Director Theresa Bruns read the details involving each recipient and Mayor Morris presented each with a City Resolution.

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) **Robert Hardcastle** with the San Dimas Rodeo announced a Trail Horse Challenge Event to benefit the House of Ruth Shelter in Pomona.
- 2) **Galen Gillotte San Dimas Library** introduced the new library manager Nora Chang and announced upcoming activities at the library.
- 3) **Margaret Felberg** announced the upcoming Relay for Life Event at Horsethief Canyon Park.

- 4) **Margie Green** announcements for the McKinley Raging Duck Race and the Chamber of Commerce 100th Year Anniversary – Caroyl Smith Citizen of the Year, Joe Fransen Lifetime Achievement

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 or member of the audience requests separate discussion.)

MOTION: It was moved by Councilmember Bertone, seconded by Councilmember Ebner 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) **RESOLUTION NO. 2014-25**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF MAY, 2014.
- b. Approval of minutes for special meetings of April 22, 2014, May 13, 2014 and regular meeting of May 13, 2014.
- c. Approval of City's Statement of Investment Policy: This investment statement outlines the policies for maximizing the efficiency of the City's cash management system.
- d. **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 – **SECOND READING AND ADOPTION**

END OF CONSENT CALENDAR

5. PUBLIC HEARINGS

(The following item has been advertised and/or posted. The meeting will be opened to receive public testimony.)

- a. Recommending the Assessment Rate be confirmed for District 1 (Boulevard, Tract 32818) and District 1, Annexation No. 3 (Northwoods, Tract 32841), pursuant to the Landscape and Lighting Act of 1972 and subject to the procedures and approval process of Section 4 of Article XIID of the California Constitution.
 - 1) **RESOLUTION NO. 2014-26**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2014-2015 FOR OPEN SPACE DISTRICT NO. 1 (TRACT 32818, BOULEVARD DEVELOPMENT.)

Director of Parks and Recreation Theresa Bruns presented staff's report on this item and recommended adopting Resolution No. 2014-26.

Mayor Morris opened the public hearing on this item. Having no one come forward Mayor Morris closed the public hearing and brought the item back to Council for discussion.

MOTION: A motion to waive further reading and adopt Resolution No. 2014-26 was made by Councilmember Ebner and seconded by Councilmember Templeman. The motion passed by vote of five to zero. (5-0)

- 2) **RESOLUTION NO. 2014-27**, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, CONFIRMING THE DIAGRAM AND ASSESSMENT FOR FISCAL YEAR 2014-2015 FOR OPEN SPACE DISTRICT NO. 1, ANNEXATION NO. 3 (TRACT 32841, NORTHWOODS.)

Director of Parks and Recreation Theresa Bruns presented staff's report on this item and recommended adopting Resolution No. 2014-27.

Mayor Morris opened the public hearing on this item. Having no one come forward Mayor Morris closed the public hearing and brought the item back to Council for discussion.

MOTION: A motion to waive further reading and adopt Resolution No. 2014-27 was made by Councilmember Bertone and seconded by Councilmember Ebner. The motion passed by vote of five to zero. (5-0)

Councilmember Templeman gave a brief update on the history of this assessment.

- b. Setting the Special City-wide parcel tax for Fiscal Year 2014-2015.

- 1) **RESOLUTION NO. 2014-28**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, STATE OF CALIFORNIA, SETTING THE SPECIAL CITYWIDE PARCEL TAX FOR FISCAL YEAR 2014-2015 TO BE USED FOR LANDSCAPE MAINTENANCE PURPOSES

Director of Parks and Recreation Theresa Bruns presented staff's report on this item and recommended adopting Resolution No. 2014-28.

Councilmember Ebner asked if a brief explanation on what the funds are used for could be given to the public. Director Bruns gave the explanation.

Mayor Morris opened the public hearing on this item. Having no one come forward Mayor Morris closed the public hearing and brought the item back to Council for discussion.

City Attorney Mark Steres asked council to make note that there were two options to this resolution and to be clear when making the motion and voting.

MOTION: A motion to waive further reading and adopt Resolution No 2014-28, Option 2, was made by Councilmember Ebner and seconded by Councilmember Bertone. The motion carried by vote of five to zero. (5-0)

- c. **MUNICIPAL CODE TEXT AMENDMENT 14-01** - To consider possible revisions to the permitted and conditionally permitted uses, which may include offices (without retail), various indoor recreation uses, grocery stores, day care uses, and other non-retail uses, within Chapter 18.140 Creative Growth Zone relative to Area 1 – Regional Commercial and to consider possible revisions to the parking standards for shopping

centers currently set forth in Chapter 18.156 – **FIRST READING AND INTRODUCTION**

- 1) **ORDINANCE NO. 1230 - AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 14-01, MAKING CERTAIN REVISIONS TO THE PERMITTED, CONDITIONAL AND PROHIBITED USE LISTS IN CREATIVE GROWTH ZONE, AREA 1 AND TO THE PARKING STANDARDS APPLICABLE TO SHOPPING CENTERS**

Assistant City Manager of Community Development Larry Stevens presented staff's report on this item and recommended approval and introduce of Ordinance No 1230.

Council and staff discussed the various uses and parking issues at the city's shopping centers.

Overall changes being made are added uses, prohibiting some uses and allowing flexible parking as long as the 4 ½ per thousand formula is used.

Councilmember Badar asked if staff's recommendation was to eliminate the restaurant cap.

Assistant City Manager Stevens responded yes and that the Planning Commission was comfortable with that as well, but added an office cap which staff had not recommended.

The discussion then focused specifically on thrift stores.

Mayor Morris opened the public hearing on this item. Having no one come forward Mayor Morris closed the public hearing and brought the item back to Council for discussion.

MOTION: A motion to waive further reading and introduce Ordinance No. 1230 with additional language "collection of donated goods maybe restricted or prohibited", was made by Councilmember Badar and seconded by Councilmember Templeman. The motion passed with a vote of four to one (4 to 1) with Councilmember Ebner voting against.

6. OTHER MATTERS

- a. Consider increase to Business License Fees.

- 1) **RESOLUTION NO. 2014-29, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, SETTING THE BUSINESS LICENSE FEES RATES FOR FISCAL YEAR 2014-15.**

Assistant City Manager Ken Duran presented staff's report on this item with recommendation to approve Resolution No. 2014-29.

MOTION: A motion to waive further reading and adopt Resolution No. 2014-29 was made by Councilmember Bertone and seconded by Councilmember Badar. The motion passed by vote of five to zero. (5 to 0)

7. ORAL COMMUNICATIONS

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

No one came forward.

b. City Manager

Mayor's call in show.

c. City Attorney

Nothing to report.

d. Members of the City Council

1) Re-appointment to Parks and Recreation Commission

- a. Thomas Diaz
- b. Kevin Kenney
- c. Frank Neal
- d. Kathryn Perkins

MOTION: A motion to reappoint commissioners to the Parks and Recreation Commission was made by Councilmember Ebiner and seconded by Councilmember Badar. The motion passed by a vote of five to zero. (5 to 0)

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

Mayor Morris reported that all Councilmembers attended the Ethics Training Session at the California Contract Cities Annual Conference early during the month.

Councilmember Templeman commented that the Ethics Training was a better presentation than past years; he also spoke of information shared at the conference regarding the future of retail.

Councilmember Ebiner shared how social media played a role in the revitalization of businesses on Sunset Blvd.

Councilmember Badar commented on how a report from the District Attorney's Office really emphasized the role of ethics in government.

Councilmember Bertone also commented on the importance of the ethics training.

3) Individual Members' comments and updates.

Nothing to report.

Meeting adjourned at 9:34 p.m. to closed session.

8. CLOSED SESSION

a. **CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Recess to closed session pursuant to Government code Section 54956.8)**

Property: Assessor Parcel Number 8665-001-005

Negotiating Parties:

For City: Blaine Michaelis, City Manager; Larry Stevens, Assistant City Manager for Community Development; and Mark Steres, City Attorney

For Seller: NJD Limited; Agent: Travis W. Gillmore, Phelps-Tointon, Inc.

Under Negotiation: Potential property acquisition and the conditions under which the transaction would take place

The meeting adjourned at 10:24 p.m. with no reportable action. The next meeting is 7:00 p.m. on June 10, 2014.

Respectfully submitted,



Debra Black, Deputy City Clerk