



MINUTES
REGULAR CITY COUNCIL MEETING
TUESDAY NOVEMBER 10, 2015 7:00 P. M.
SAN DIMAS COUNCIL CHAMBERS
245 E. BONITA AVENUE

CITY COUNCIL:

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

1. CALL TO ORDER

Mayor Morris called the meeting to order and led the flag salute at 7:06 p.m. He then introduced Assemblymember Chris Holden.

2. PRESENTATIONS

➤ Assemblymember Chris Holden

Some of the areas discussed in Assemblymember Holden's Capitol Update were:

1. Budget and strengthening healthcare and human services for every Californian
2. Education – ensuring all Californians receive a quality education
3. Legislation – Human Rights, Buy Here Pay Here Auto Loans, Franchise Bill
4. Drought – Statewide urban water conservation
5. Transportation – Gold Line Foothill Extension Metro Operations facility, Ontario Airport
6. Redevelopment – SB 107 – Redevelopment “Compromise”

Mayor Morris expressed the city's thanks for the Assemblymember's work on behalf of the city of San Dimas.

City Manager Blaine Michaelis joined Mayor Morris in expressing his thanks and appreciation to the Assemblymember and his staff.

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) Recreation Coordinator Erica Rodriguez extended an invitation to the Council and Community for the Bowser Bash and 10 year anniversary of the Dog Park.
- 2) ASB President San Dimas High School Evan Celaya – activities and events announcements
- 3) San Dimas High Scholl Mike Kelly thanked the city for their help with the Homecoming Parade.
- 4) Waste Management representative Teri Muse gave the quarterly update.
- 5) Rotary and Masonic Lodge member Raymond Foster - activities and events announcements.

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.)

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

RESOLUTION 2015 - 51, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF OCTOBER AND NOVEMBER, 2015.

- b. Approval of minutes for regular City Council meeting and Study Session of October 13, 2015.
- c. Deny claim: Heirs of Lopez-Prieto v. City of San Dimas
- d. SCOG November Newsletter

Motion: A motion was made by Councilmember Badar and seconded by Councilmember Ebiner to approve the consent calendar as presented. The motion carried by vote of five to zero. **(5-0)**

Yes: Badar, Bertone, Ebiner, Templeman, Morris

Noes: None

Absent: None

END OF CONSENT CALENDAR

5. PUBLIC HEARING

- a. Municipal Code Text Amendment No. 12-04, A request to amend the boundary of Planning Area One of Specific Plan No. 25 to include 40 additional acres and to increase the number of lots within the revised Planning Area One from 61 lots to 65 lots

ORDINANCE 1236 – AN ORDINANCE OF THE CITY COUNCIL OF THE CITY SAN DIMAS APPROVAL OF MUNICIPAL CODE TEX AMENDMENT 12-04, AMENDING THE BOUNDARY OF PLANNING AREA ONE OF SPECIFIC PLAN NO. 25 TO INCLUDE 40 ADDITIONAL ACRES AND TO INCREASE THE NUMBER OF LOTS WITHIN THE REVISED PLANNING AREA ONE FROM 61 TO 65 LOTS – **First Reading and Introduction**

Recommendation: Staff recommends introducing ordinance 1286 with revisions for first reading.

Assistant City Manager of Development Services Larry Stevens presented staff's report on this item.

Responding to Councilmember Ebner's question on the changing boundaries, Mr. Stevens used the power point slide to highlight the existing boundaries and potential boundary change. The existing boundary of planning area number 1 of Specific Plan 25, consists of a 270 acre development project proposing 61 lots. The addition of the south forty acreage currently in planning area number 2 would allow for an increase in the number of lots in planning area number 1 from 61 to 65, with no net increase within the specific plan.

In response to Councilmember Ebner's question regarding grading Mr. Stevens replied that no additional grading would be permitted.

Councilmember Bertone commented that this option requiring less grading works better for the environment.

Mayor Morris opened the hearing for public comment.

Stan Stringfellow speaking for NJD and Phelps Tointon, Inc. owners of the Brasada Project commented that a year ago discussions started on resolving issues that arose from changing circumstances for the city and developer and feels that this proposal represents steps to accomplish an acceptable trail system.

Seeing no one come forward to speak in opposition Mayor Morris closed the public comment period and brought the item back to council for discussion and decision.

Motion: A motion was made by Councilmember Bertone and seconded by Councilmember Badar to waive further reading and introduce Ordinance 1286. The motion carried by vote of five to zero. **(5-0)**

Yes: Badar, Bertone, Ebner, Templeman, Morris

Noes: None

Absent: None

6. PLANNING MATTERS

- a. Consideration of alternate trail proposal in conjunction with Tentative Tract No. 70583 as authorized by Condition #56 (NJD/Northern Foothills)

Recommendation: Staff recommends supporting the alternate trail proposal with the conditions listed in the staff report.

Mr. Stevens presented staff's report on this item.

Councilmember Ebner asked for additional explanation on the disposition of the trail from Shirlmar.

Mr. Stevens explained that based on a RKA study, extending the trail would be difficult engineering and raised considerable issues as to how it might affect or alter downstream drainage and associated flooding problems. He further stated that based on these factors the conclusion to not have a trail along that portion of the property would be best, and that the city not acquire ownership because of potential expectations for existing natural conditions that cause flooding at the terminus of that trail.

Motion: A motion was made by Councilmember Templeman and seconded by Councilmember Bertone to approve the staff recommendation. The motion carried by vote of five to zero. **(5-0)**

Yes: Badar, Bertone, Ebner, Templeman, Morris

Noes: None

Absent: None

- b. Consideration of an Agreement to modify development rights for the NJD/Brasada project in the Northern Foothills related to trail modifications, land transfers and related matters

Mr. Stevens presented staff's report on this item and asked for a continuance of this matter and withhold second reading of ordinance 1286 until all revisions are completed and brought back to council.

City Attorney Steres added that the agreement will be a recorded document because of continuing obligations and if the project is ever sold anyone considering buying will know of those obligations.

Mayor Morris asked for comments from the developer.

Mr. Stringfellow stated the developer is in agreement with the deal points.

In conclusion the council and the developer agreed to the deal points of the agreement.

- c. Initiation of a Municipal Code Text Amendment to Conditionally Permit Microbreweries

Associate Planner Jennifer Williams presented staff's report on this item.

Recommendation: Staff recommends that the City Council provide feedback to staff and, if the Council desires, initiate a Municipal Code Text Amendment to conditionally permit microbreweries.

Mayor Morris asked if it was possible to have a tax or fee for food trucks.

Mr. Stevens stated the city could create some additional standards, that would address problems of parking on the street and potential safety of the customers.

It was the consensus of the council that staff should move forward with initiating a Municipal Code Text Amendment to conditionally permit microbreweries.

7. OTHER BUSINESS

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

Recommendation: Staff recommendation approval of the 0.55% rate increase for residential and commercial services as requested by Waste Management effective January 1, 2016.

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

Motion: A motion was made by Councilmember Templeman and seconded by Councilmember Bertone to approve the 0.55% rate increase for residential and commercial services requested by Waste Management. The motion carried by vote of five to zero. **(5-0)**

- b. LA-RICS Communication System – Provide City Manager with authority to withdraw the city's participation as may be recommended by the Contract Cities Association

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

Recommendation: Authorize City Manager to have the City of San Dimas withdraw its participation in the LA-RICS program prior to November 23, 2015 if that position is recommended by the California Contract Cities Association.

Motion: A motion was made by Councilmember Bertone and seconded by Councilmember Badar to authorize the City Manager to withdraw the city's participation in the LA-RICS Program if recommended by the California Contract Cities. The motion carried by vote of five to zero. **(5-0)**

YES: Badar, Bertone, Ebner, Templeman, Morris

Noes: None

Absent: None

8. ORAL COMMUNICATIONS

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

None

- c. City Manager

December 10, 2015 will be the next Mayor Call in Show.

- d. City Attorney

Nothing to report.

- e. Members of the City Council

- 1) Councilmembers' report on meetings attended at the expense of the local agency.
- 2) Individual Members' comments and updates.

9. ADJOURNMENT

The meeting adjourned in honor of Veteran's Day at 9:01 p.m. The next meeting will be Tuesday, November 24th, 2015 at 7:00 p.m.

Respectfully submitted,



Debra Black, Assistant City Clerk