



MINUTES
REGULAR CITY COUNCIL
TUESDAY, JUNE 28, 2005, 7:00 P. M.
COUNCIL CHAMBERS, 245 E. BONITA AVE.

CITY COUNCIL:

Mayor Curtis W. Morris
Mayor Pro Tem Jeff Templeman
Councilmember Denis Bertone
Councilmember Sandy McHenry

City Manager Blaine Michaelis
City Clerk Ina Rios
City Attorney J. Kenneth Brown
Assistant City Manager Kenneth Duran
Community Development Director Larry Stevens
Public Works Director Krishna Patel
Parks and Recreation Director Theresa Bruns
Planning Manager Craig Hensley

ABSENT:

Councilmember John Ebner

CALL TO ORDER

Mayor Morris called the meeting to order at 7:00 p.m.

Mayor Morris recognized Pastor Shelter White, a long time San Dimas resident and Minister for 46 years. Mayor Morris presented to him a Proclamation in appreciation of his service to the San Dimas community.

Pastor White thanked the Council and stated he appreciates being a part of the City. He said Mayor Plummer helped him out in the past.

ORAL COMMUNICATIONS

(For anyone wishing to address the City Council on an 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.)

a. Members of the Audience

1) **Virginia Biaci**, resident at Caballo Ranch Road, said residents have seen men in the area, and inquired about progress with the bridge.

Public Works Director Patel reported that the men seen are contractors and the City is out for bid, and depending on the bid amount, work is expected to begin mid July with completion in approximately 30 days. He said the plan is to coordinate with the County to close down the dam to provide time to work on the bridge.

2) **Randy Argo** said Reverend White is a gentleman and he shared a story about his kindness.

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.)

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

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (1) No. 05-48, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF JUNE, 2005.
- b. Approval of minutes for regular City Council meeting of April 26, 2005.
- c. Traffic Signal Maintenance Contract – Contract Extension & Annual Cost of Living Adjustment.

END OF CONSENT CALENDAR

PUBLIC HEARING

- a. Request from Yellow Cab Co. for taxi service rate increase.

Assistant City Manager Duran presented the staff report and said the primary reason for the rate increase is due to the extraordinary rise in fuel costs and increase in liability insurance. Mr. Duran indicated that the increase would not affect Dial-A-Cab. Staff recommended approval of the rate increase for the current flag drop from \$2.00 to \$2.20 for the first 1/10 mile, and from \$0.20 to \$0.22 for each 1/10 mile thereafter.

Mayor Morris opened the public hearing and asked if anyone wished to speak.

Steve Carrigan, General Manager, Yellow Cab Co. requested approval of his request for his drivers.

There being no one else wishing to speak, Mayor Morris closed the public hearing.

It was moved by Councilmember Bertone, seconded by Councilmember McHenry, to grant the request from Yellow Cab Co. for taxi service rate increase per staff recommendation. The motion carried 4.0.1; Councilmember Ebiner was absent.

PLANNING

- a. Update on appeal of Community Development Director's decision denying nonconforming use – Randy Argo, 213 West First Street.

Community Development Director Stevens stated that on Friday, staff found an expert willing to inspect the residence, which might yield beneficial information. Staff is currently awaiting a cost proposal and scope of work proposal. He added that staff contacted but has not heard from the County relative to specific permit information reported by Mr. Argo. He plans to bring the additional information to Council on July 12, 2005 for their decision.

In response to Councilmember Templeman, Director Stevens stated that the cost of the contract is within his authority, and he will make sure costs are reasonable.

Randy Argo, Arizona, said his email does not work, however, he is in San Dimas on Monday, Tuesday, and Wednesday. He distributed to Council microfilm information provided by the County of Los Angeles, that was not available in San Dimas, and stated there was a misunderstanding that he did not want an inspection of the premises. He inquired if there were a difference between nonconforming uses of the roof, kitchen, and multi family room.

Mayor Morris said for the record, all documents presented this evening would be included as part of the appeal.

OTHER

- a. **RESOLUTION NO. 05-49**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS REPEALING RESOLUTION NO. 03-66. (Resolution No. 03-66 provides for \$25,000 in Agency assistance for the construction of a motel at the corner of Eucla Avenue and Arrow Highway.)

City Manager Michaelis reported that in 2003 the Council/Agency Board approved a \$75,000 project assistance program for Keith Porchia's project to construct a new suites motel on the corner of Eucla and Arrow Highway, subject to prevailing wage requirements. A recent ruling from the Labor Relations Board summarized that if the Agency's financial participation is minimal, prevailing wage requirements may not apply. Staff recommended adoption of Resolution No. 05-49.

After the title was read, it was moved by Councilmember McHenry, seconded by Councilmember Bertone, to waive further reading and adopt RESOLUTION NO. 05-49, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS REPEALING RESOLUTION NO. 03-66. (Resolution No. 03-66 provides for \$25,000 in Agency assistance for the construction of a motel at the corner of Eucla Avenue and Arrow Highway.) The motion carried 4.0.1; Councilmember Ebner was absent.

SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular City Council meeting at 7:52 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The meeting reconvened at 7:55 p.m.

ORAL COMMUNICATIONS

- a. Members of the Audience

Dennis Phillips, 525 No. Amelia Avenue, addressed the Council on the Secreto's entitlement to a larger pool.

- b. City Manager

- 1) City Manager Michaelis reported receiving three proposals expressing interest in the city-owned parcel on Eucla/Bonita from 1) Chaparral Lanes wished to acquire the parcel for expansion and parking; 2) Mark Development would like the land for a tire store in the Bonita frontage property; 3) Citrus Valley Association of Realtors' lease expires soon and would like to construct a two-story building, utilizing the second floor for training and the first floor leased out for retail use. He asked for Council's preference on use.

City Attorney Brown stated he would prefer that discussion on the appropriateness of the land use so council could provide direction and express opinions be agendaized for the next meeting as a public discussion item. He would like discussion in closed session as well to come back at the next meeting.

2) City Manager Michaelis announced that Keith Porchia had commenced grading on the site for the hotel project. He stated it has been a long time in the planning stages and he is pleased to see some progress.

c. City Attorney

No report.

d. Members of the City Council

1) Direction on Planning Commission vacancy and appointments.

Mayor Morris reported that Planning Commissioners are not subject to term limits and Commissioners Ash Dhingra, David Bratt and Howard Levreau's terms will expire at the end of August, creating three vacancies. He said Commissioner Dhingra wished to resign his commission upon term expiration, while Commissioners Bratt and Levreau desired reappointment.

Councilmember Templeman said it showed a lack of confidence to re-interview existing commissioners and moved to reappoint David Bratt and Howard Levreau to the Planning Commission and interview for one vacancy. The motion failed for lack of a second.

It was moved by Councilmember Bertone, seconded by Councilmember McHenry, to advertise for the three vacancies and consider reappointments. The motion carried by the following vote:

AYES: Councilmembers Bertone, McHenry, Morris
NOES: Councilmember Templeman
ABSENT: Councilmember Ebner
ABSTAIN: None

The City Clerk was directed to advertise for the three vacancies and to inform the Commissioners about interviews.

CLOSED SESSION

The meeting was adjourned at 8:10 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.8:

CONFERENCE WITH REAL PROPERTY NEGOTIATION

- a. Property: Agency owned property at the southeast corner of Bonita Avenue and Eucla
Negotiating Parties:
For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown, City/Agency Attorney.
For Buyer:: Mike Patel, Chaparral Lanes; Roger Wade, Citrus Valley Realtors, Frank Vera, Mark Development.
Under Negotiation: Terms and conditions of sale of land and City/Agency possible participation.

This item was not discussed and continued to the next meeting on July 12, 2005.

- b. Property: Southeast corner of Lone Hill Avenue and Gladstone Avenue
- Negotiating Parties:
 - For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown, City/Agency Attorney.
 - For Property: Steve McArthur, Northwest Atlantic/Costco
 - Under Negotiation: Possible sale of property and terms and conditions of City/Agency possible participation.

There was no reportable action.

ADJOURNMENT

The meeting was adjourned at 8:45 p.m. The next meeting is July 12, 2005, 5:30 p.m. for a study session concerning Vista Verde Ranch (Dentec)

Mayor of the City of San Dimas

ATTEST:

City Clerk