



MINUTES
REGULAR CITY COUNCIL
TUESDAY, JULY 12, 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 John Ebner
Councilmember Sandy McHenry

City Manager Michaelis
City Clerk Rios
City Attorney Brown
Assistant City Manager Duran
Community Development Director Stevens
Public Works Director Patel
Parks and Recreation Director Bruns
Planning Manager Hensley

1. CALL TO ORDER

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

2. RECOGNITION

❖ Proclaim July as Parks and Recreation Month

Mayor Morris presented to Parks and Recreation Director Theresa Bruns a Proclamation declaring July as Parks and Recreation Month. He thanked her for all their support and said Parks and Recreation has a long tradition of providing great service to the community.

Director Theresa Bruns introduced her staff and said they take pride in the work they do and the impact they create on the San Dimas community. She thanked the Council for their continued support and presented them with shirts in celebration of Parks and Recreation month.

Director Bruns announced the grand opening of Horsethief Canyon Park Phase II at 9:00 a.m., Saturday, July 16, 2005. She said included in the opening is a new picnic area with a shade shelter, a walking path, as well as a dog park facility.

3. 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) **Dennis Phillips**, 525 No. Amelia, praised Parks and Recreation and criticized the Planning Department. He indicated that contractors who wish to add or repair existing dwellings would prefer to

take their chances in the courts than to approach Planning staff. He said he inquired how long it would take a person to get an over the counter permit and the response was it takes one year.

2) **Ted Powl**, President/CEO, Chamber of Commerce, reminded the City Council, staff and citizens of the City's Birthday celebration on Friday, 5:00 p.m., August 5, 2005, in the civic center. The event will include a deep pit BBQ; free rides and activities; and a wonderful band, for only \$5 advance sale, \$4 for seniors, and \$3 for children 12 up. Under 3 no charge. He said the Fairplex will provide a trolley for seniors. He looks forward to everybody attending.

Mayor Morris joined Mr. Powl in asking everyone to attend a great event.

Mr. Powl said Council has been kind enough to help out and he asked for volunteers to help serve food with the local elected officials. Volunteers could call the Chamber at 909/592-3818.

3) Mr. Powl invited everyone to enjoy a great day of golf on Thursday, July 14, 2005, at the Chamber's Golf Tournament at Sierra La Verne.

4) Mr. Powl said on July 31, 2005, San Dimas Sheriff Boosters is having their annual car show in downtown San Dimas. He said it's a great day to look at new and vintage cars. He invited the community to show off their cars. Citizens could register by calling the Chamber at 909/592-3818.

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.)

Councilmember Ebner stated he was absent on June 28, 2005 and would abstain on approval of minutes of that meeting.

It was moved by Councilmember McHenry, seconded by Councilmember Bertone, and carried unanimously to accept, approve and act upon the consent calendar, as presented, as follows, with the abstention of Councilmember Ebner on vote of June 28, 2005 minutes:

- a. Resolutions read by title, further reading waived, passage and adoption recommended as follows:
 - (1) RESOLUTION NO. 05-50, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTH OF JULY 2005.
- b. Approval of minutes for meeting of regular City Council meeting of May 10, 2005 and regular City Council meeting of June 28, 2005. **Councilmember Ebner abstained from voting on June 28, 2005 minutes.**
- c. Closure of the San Dimas Avenue Park and Ride lot and Bonita Avenue from San Dimas Avenue to Cataract Avenue from 5:00 a.m. to 4:00 p.m. Sunday, July 31, 2005 for the annual car show.
- d. Rejection of claim for damages from Mary Jones.

END OF CONSENT CALENDAR

5. OTHER

- a. Citrus Valley Health Foundation – Presentation

Yolanda Davis, CEO, introduced **Rich Jett**, Immediate Past Chair of the Board, and said they are both residents of San Dimas.

Rich Jett, said he appreciates living in San Dimas. He provided a brief history of Melisse and Mary Wittler's purchase of land for the establishment of Covina Hospital, renamed Inter-Community Medical Center; Sisters of the Immaculate Heart of Mary Order with the support of local business leaders opened Queen of the Valley Hospital and Queen of the Valley Auxiliary; and the Hospice of the East San Gabriel Valley was founded by a community of volunteers who worked out of a room donated by a local church. In 1994, the medical center, hospital and hospice combined services and created Citrus Valley Health Partners to offer patients more affordable and comprehensive care.

Ms. Davis shared a Powerpoint presentation illustrating state of the art health care services available to the East San Gabriel Valley through health care professionals at not-for-profit Inter Community Medical Center, Queen of the Valley Hospital in West Covina and Citrus Valley Hospice.

- b. San Dimas Canyon Road Temporary Culvert Crossing. Cash Contract No. 2005-07
 - 1) Appropriation of an additional \$63,510 from Emergency Reserve Funds
 - 2) Award of Cash Contract No. 2005-07, San Dimas Canyon Road Temporary Culvert Crossing to Gentry Brothers, Inc.

Public Works Director Patel reported that at their May 24, 2005 meeting the City Council approved Phase 1 recommendations to construct a temporary repair of the San Dimas Canyon Road Dip Crossing near Caballo Ranch Road to allow immediate direct access for residents and allowed staff time to pursue funding for two longer term phases – a bridge crossing or large culvert crossing improvements. The Engineer's estimate for the temporary repairs, prepared by RKA Engineering, Inc. is \$55,000. The Council also approved waiver of the formal bid process to expedite the process. Staff was concerned that the negotiated price for the crossing is still too high and recommended 1) appropriation of an additional \$63,510 from the Emergency Reserve Fund in order to fund Cash Contract No. 2005-07 for a proposed total amount of \$123,510, including a 15% contingency; 2) that Council reject all informal bids and authorize staff to negotiate a time and material contract with Gentry Brothers. He stated the process may mean the work would commence mid-to-late September. He indicated a letter was sent on July 8, 2005 to Caballo Ranch Road residents to update them on the status of the bid contract and noticing tonight's meeting.

In response to Councilmember Bertone, Director Patel stated that in February, staff met with the County in an attempt to solicit cooperation of funding toward the short term, as well as a long term solution. Unfortunately the County responded negatively and concludes this is a San Dimas problem.

In response to Mayor Pro Tem Templeman, Director Patel said the plan is to uncover existing pipes; divert water flow; pump the water and allow dry time; and install two additional pipes as protection against future rain.

It was moved by Mayor Pro Tem Templeman, seconded by Councilmember Ebner, to approve staff's recommendations to appropriate an additional \$63,510 from the Emergency Reserve Fund; reject all informal bids and authorize staff to negotiate a time and material contract with Gentry Brothers. The motion carried unanimously.

City Manager Michaelis stated staff has not given up on the idea of appropriately involving other agencies that have a benefit to the short term and long term solutions. Staff will contact the Supervisor and elected official.

c. Update on Southern California Water Company request for rate increase

Assistant City Manager Duran updated the City Council on Southern California Water Company's request for a rate increase. He said staff continues to monitor the proceedings, work with city of Claremont, and has made a request with the Public Utilities Commission to be an interested party in the case to enable the City to submit formal comment and provide testimony at the hearings. He stated the PUC has set public participation hearings at three locations in Southern California. San Dimas is host for two of three hearings on Thursday, July 14 in the Council Chambers; one at 2:00 p.m. and the other at 7:00 p.m.. At the hearings, staff will monitor comments and oppose the requested rate increase due to the excessive amount.

In response to Councilmember Bertone, Assistant Manager Duran said the public hearings were announced in the Tribune and Bulletin publications. He would make a presentation at both public hearing sessions.

d. Gold Line Art Committee Final Report

Planning Manager Hensley reported that after several meetings reviewing resumes and interviewing artists, the San Dimas Art Committee recommended the team of Eugene Daub & Ann Olsen Daub as the San Dimas Gold Line Station Artist. The Metro Gold Line Construction Authority is asking the City Council to approve the Final Artist selection and the Station Visual Elements. Staff expressed concern about the request to approve the final station visual elements since no final design plans have been developed and exact dimensions, materials and colors cannot be provided. Staff recommends approval of the Final Artist selection along with the artist's conceptual design for the station. He said the second portion of the request is that the visual elements be approved. Staff is concerned about the wording of the request and felt that since there are no final design plans, staff recommended that the City Council give conceptual approval, subject to review and approval of final station plans by San Dimas DPRB and the City Council at some point in the future.

Leslie Elwood, Metro Gold Line Construction Authority, Foothill extension project, said it is a pleasure to work with a City that has an obvious dedication to art, aesthetics, and historic preservation. She stated they are asking for approval for the final artist for the station and approval for the conceptual art component as well as standard station components. She said that prior to final acceptance, there would be a final design concept that would go out to the community and the Council for review. She recognized the time and effort that members of the Art Review Committee put in and said they took sensitivity to the direction established by the City.

Councilmember Ebiner left the dais at 8:14 p.m. and returned at 8:16 p.m.

Ms. Elwood provided a brief Powerpoint presentation illustrating the bid process, selection process, recommended artist selection, artists preliminary design proposal and final artist selection. She stated the Art Review Committee selected local artists Eugene and Ann Daub, who live in Long Beach. She said the proposal submitted by the Daub team included three silhouetted horse figures placed in a pastoral corral off the platform; and proposed upgraded visual elements to be included on the platform, that are evocative of the citrus history in the area. In addition, one unique aspect was the unique treatment to the canopy top, based on roofing style treatment located at the Packing House.

In response to Mayor Pro Tem Templeman, Ms. Elwood stated that \$125,000 is allotted per station for each artist. However, the baseline is concrete pavers, and money would go back into the art project to be applied toward the creation of work proposed for the location. It is her understanding that this would be something prominent and unique about the station and needs to be included. The artist would not be held to those costs in six to ten years and they are committed to see it happen.

Councilmember McHenry thought the artwork was fantastic. However, he stated the site selected is a horrible location for the project and would be disastrous for the neighborhood. He opposed the design and said the parking structure is abysmal. He said the initial cost to the City is \$5 million and costs in seven to ten years are unknown.

Councilmember Bertone made it clear that the location was chosen by the City Council. Furthermore, Phase I came in under budget, and he believed ½ of 1% is directed toward the art project. He stated the City would pay for any additional costs over the allotted funds.

Ms. Elwood replied that this is a preliminary concept. She said the City Council has a menu of options and decides what is more important to have from the concept submitted by the artist.

It was moved by Councilmember Bertone, seconded by Councilmember Ebner, to approve the team of Eugene Daub & Ann Olsen Daub as the San Dimas Gold Line Station Artist and the artist's conceptual design, subject to review and approval per staff's recommendations. The motion carried by the following vote:

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

6. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed the regular City Council meeting at 8:23 p.m. and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The meeting reconvened at 8:25 p.m. with all members of the Council present.

7. ORAL COMMUNICATIONS

a. Members of the Audience

No one came forward.

b. City Manager

No report.

c. City Attorney

No comments.

d. Members of the City Council

1) Reappointments to Equestrian Commission

Mayor Morris reported that Equestrian Commissioners terms expire August 31, 2005 for Sally Feola and Darlene McGrady. Both wish and are eligible for reappointment.

It was moved by Councilmember McHenry, seconded by Councilmember Bertone, to reappoint Sally Feola and Darlene McGrady to the Equestrian Commission, with terms to expire August 31, 2007. The motion carried unanimously.

2) Mayor Pro Tem Templeman said Director Patel has done well keeping Council posted when Gladstone will be closed and will notify residents that on July 21, 2005, between 7:00 am – 4:00 pm, Gladstone between Amelia and San Dimas Avenue will be closed for an Edison project.

3) Mayor Pro Tem Templeman said this is the fourth week there has been graffiti on the cell site by the high school. He is fed up with this group not taking responsibility for cleanup of that building and felt they should be held responsible in the conditional use permit and given a five day notice to improve.

Community Development Director will look into the matter.

4) Councilmember Bertone said the City has a very active, generous senior community in the city of San Dimas. He said the senior citizens center needed a new dishwasher and asked Director Bruns to explain.

Director Bruns said the dishwasher was purchased at a cost of \$5,183, and the Senior Citizens Club stepped forward and donated \$1500 toward the expense, and the Senior Citizen Commission Foundation donated \$2500, leaving a balance of \$1,183 to be covered by the city budget, significantly offsetting the City's expense.

5) Mayor Morris commented for people in the audience who listen to various people attack the planning staff and other staff members. He stated that people have a privileged right to comment. However, since those issues are not on the agenda, the Council is not permitted to respond, and could only consider agenda items. He said the statement made is clearly not correct that something that could be approved over the counter takes one year.

Councilmember Ebiner added that it is a common occurrence to speak with someone on the telephone, who will comment how much they appreciated the standards San Dimas has compared to other cities. He said it is just a testament to the Planning Dept. that holds people to those standards.

Mayor Pro Tem Templeman stated that it would be easy to identify how many submittals are approved and what percentage are not approved. He knows it is not the case that nothing gets approved.

Councilmember Bertone pointed out that there are two persons complaining, not the entire community. He mentioned that during the last election, someone ran on the platform of changing the Planning Department and did not win.

8. CLOSED SESSION

The meeting recessed at 8:33 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.8:

- a. **Property:** Property east side of San Dimas Avenue, north of Arrow Highway
APN 8390-018-008, 009, 010 & 011
APN 8390-018-015, 016, 018, 012 & 038

Negotiating Parties:

For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown, City/Agency Attorney

For Owners: Richard G. & Kathy E. Staley (APN 8390-018-008, 009, 010 & 011)
Robert & Sue Hua Acon (APN 8390-018-015, 016, 018, 012 & 038)

Under Negotiation: Approval of appraisal report.

No reportable action.

- b. **Property:** Property east side of San Dimas Avenue, north of Arrow Highway
APN 8390-018-008, 009, 010 & 011
APN 8390-018-015, 016, 018, 012 & 038

Negotiating Parties:

For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown,
City/Agency Attorney

For Owner: William Fox, President

Under Negotiation: Disposition and Development Agreement

No reportable action.

9. ADJOURNMENT

The meeting adjourned at 9:18 p.m. The next meeting is on July 26, 2005, 5:00 p.m. for a study session on Vista Verde Ranch.

Mayor of the City of San Dimas

ATTEST:

City Clerk