



MINUTES
REGULAR CITY COUNCIL
TUESDAY, OCTOBER 11, 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 Ebiner
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 AND FLAG SALUTE

Mayor Morris called the meeting to order at 7:03 p.m.

2. INTRODUCTIONS

- ❖ Introduce Deborah Day, new Arborist for the Parks and Recreation Department.

Parks and Recreation Director Bruns introduced Deborah Day, the new Arborist with a background rich in experience and knowledge, and a great deal of enthusiasm to carry the City through with the Tree Management Program.

Deborah Day said she is thrilled and honored to have been selected as the City's Arborist. She has seven years experience in Municipal Urban Forestry and is excited about establishing a tree program.

Mayor Morris welcomed her to the City of San Dimas.

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) **Brad Secreto**, 1110 N. Cataract, compared Councilmember McHenry's permitting process with the process he is following to get permits for a pool, and said it is possible to fight city hall. He inquired about Mr. McHenry's tax base on the property.

2) **Dennis Phillips**, 525 No. Amelia Avenue, agreed with Mr. Secreto and said his own request was denied to construct a two-story garage with a recreation room for his kids; however, the judge ruled in his favor.

Upon Mr. Phillips addressing Councilmember Ebner, Mayor Morris ruled that he could not address individual Councilmembers. He stated that Oral Communications is an opportunity to address the entire Council.

Mr. Phillips said he identifies with Mr. Ebner because they both have small children. He mentioned that a lot of citizens have vocalized their concerns about the Gold Line station location in their neighborhood, which affects him as well. He inquired if the Council would consider only three locations which are in close proximity to each other and urged the Council to listen to the citizens.

3) **Janet Laiblin**, Public Affairs Specialist, South Coast Air Quality Management District, reported that the Air Quality Management District was awarded a \$6 million settlement from BP/Arco to spend on air quality issues, and she asked for input on how those funds should be spent. She invited the public to attend open house community meetings on Monday, October 17, 2005, from 6:30 – 8:30 p.m., at the City of Burbank Council Chambers and on Wednesday, November 2, 2005, at the Rialto Senior Center. She provided a form for funding project ideas, and encouraged San Dimas to apply. Ms. Laiblin also announced a great opportunity for kids to get involved in clean air by entering the Children's Calendar Coloring Contest for grades K-12 from September 1 through November 10, 2005. Winners will get a \$50 gift check and Grand Prize Winner will get a \$100 gift check and a new bike.

In response to Councilmember Bertone, Ms. Laiblin stated the money could be awarded to cities, communities, and environmental groups that submit a well thought out project. They do not plan to go through a Request for Proposal process.

Mayor Morris thanked her for her comments.

4) **Christian Spear**, 424 W. Second Street, expressed concerns with increased traffic off the 57 and 210 freeways, as well as the multi-level parking structure proposed for the area. He said other cities plan to share parking with Metrolink. He stated he is not opposed to public transportation, with the exception of the loud bells that might disturb a quiet community of historic homes. He said the majority of residents would prefer there was no station at that site and he suggested the City Council reconsider the Arrow Highway location.

Mayor Morris reminded the audience that people have the opportunity to provide any comments about the Gold Line Station at the City Council meeting at 7:00 p.m. on October 25, 2005.

5) **Cindy Bierman**, 424 W. Second Street, said her home is on the historic list and felt the parking structure would affect the historic value of the homes in the area. She said in the 1970's, the City Council adopted an Early California Village Architectural theme (AKA Frontier theme) and helped create one of the most unique downtown areas in Southern California. She hopes the City Council remains true to that vision and asked that they reconsider the Arrow Highway option.

6) **Brock Wonders**, Walker Avenue, expressed dissatisfaction with the Council's decision for the Gold Line Station Location. He stated the location and size of the station and the capacity of the parking lots are unacceptable. He stated that this proposal would cause unnecessary hardships on residents and children that would far outweigh the benefits of public transportation. He said not only would the Station destroy the neighborhood, it would displace a successful business in the area. He felt the reasoning was flawed in calculating the numbers for the parking structure and asked the City Council to reconsider another site.

7) **Craig Calley**, 441 W. Third Street, remarked that when he moved to San Dimas he was subjected to the strictest code requirements, and he has great pride in the city; however, he felt slighted that a Gold Line Station would be built near his home. He would prefer the City Council to vote for no station, or to consider a location that would not impact the residents of the historical towncore.

Mayor Morris issued a reminder that the public will have an opportunity to express their comments on everything related to the Gold Line Station at the October 25, 2005 City Council meeting.

8) **Jeff Church**, Via Verde, expressed concerns with eminent domain, increased traffic, and pollution due to the County Park and Ride Lot expansion. He would appreciate Council opposition to the proposal.

At the request of Councilmember Bertone, City Manager Michaelis said the meeting concerning the expansion would be held on Wednesday, October 12, 2005, at 6:30 p.m., in the Multi-purpose room of the San Dimas Branch Library, adjacent to city hall.

Mayor Pro Tem Templeman stated that the goal is to remove cars from the street, and he did not believe Foothill Transit is in favor of acquiring horse ranch property.

In response to Mr. Church, Councilmember Bertone stated that the public should realize this Park and Ride lot is in the County of Los Angeles, not the city limits of San Dimas, and Supervisor Antonovich has indicated he would not allow the County to seize property without the private resident agreeing to eminent domain.

b. City Manager

No report.

c. City Attorney

No report.

d. Members of the City Council

No report.

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.)

Mayor Pro Tem Templeman requested item (c) be removed for separate discussion and consideration.

It was moved by Councilmember McHenry, seconded by Councilmember Bertone, and unanimously 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) No. 05-61, A Resolution of the City Council of the City of San Dimas Approving certain demands for the months of September and October, 2005.

b. Approval of minutes for September 27, 2005 regular City Council meeting.

d. Proclaim October 22, 2005 "Make a Difference Day."

END OF CONSENT CALENDAR

- c. Award of Contract to ISN Management Services, in an amount not to exceed \$15,000, to consult in the acquisition of a Telecommunications system and equipment.

Mayor Pro Tem Templeman noticed some inconsistencies in the professional fees and expenses, as well as the indemnification clause.

City Attorney Brown stated that prior discussion was held and the contract would be amended to reflect the correct amount and address indemnification.

With those minor corrections to the contract, Mayor Pro Tem Templeman moved to award the contract to ISN Management Services, in an amount not to exceed \$15,500, per staff's recommendations. The motion was seconded by Councilmember Bertone and carried unanimously.

5. SAN DIMAS REDEVELOPMENT AGENCY

Mayor Morris recessed at 7:56 p.m. the regular City Council meeting and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The meeting reconvened at 7:57 p.m. with all members present.

6. ORAL COMMUNICATIONS

- a. Members of the Audience

No person came forward to speak.

- b. City Manager

- 1) Report on Sycamore Canyon Equestrian Center Lease.

City Manager Michaelis reported that he has been working on negotiating a lease for the Sycamore Canyon Equestrian Center and has come to a tentative agreement to prepare a final lease for recommendation on October 25, 2005. He inquired if the City Council wished for him to also prepare an executive summary of the new lease to be available to anyone interested in what is being proposed.

Councilmembers expressed concern with public attendance in considering this matter along with the Gold Line Station issue. There being no objections, it was the consensus of the City Council to consider approval of the Sycamore Canyon Equestrian Center lease on Tuesday, November 8, 2005.

- 2) Report on upcoming Gold Line Station meetings.

City Manager Michaelis reported that a second meeting to allow public input on the Gold Line Station location is scheduled for Tuesday, October 17, 2005, at 7:00 p.m. in the Senior Citizens/Community Center, and the decision on the station location would be considered by the City Council at their Tuesday, October 25, 2005 meeting, at 7:00 p.m..

Councilmember Bertone requested that at the October 17 and October 25, 2005 meetings, the Council consider a no station option, as well as the Arrow Highway site; Park and Ride Lot; Depot site which includes the Ice Rink and M & E property, and that all people be legally notified of all options being considered.

Councilmember McHenry stated he opposes the project and wholly supports that a no station option be considered. He stated the only site that makes sense is the Arrow Highway location.

Mayor Pro Tem Templeman stated that to garner his support the station would have to be located further from Bonita Avenue/Arrow Highway and the only feasible site is 1.5 miles from the La Verne site.

Mayor Morris stated that the draft notice does not list all options to be considered; however, the meeting on October 17, 2005 will address all options.

Director Patel stated that 4,000 notices were mailed to residents. Councilmembers directed staff to notify residents of all options available.

Councilmember Ebner stated he owns a piece of property near the proposed Gold Line and is unable to discuss or vote on this issue, but plans to attend the October 25, 2005 meeting as a concerned neighbor.

For Council's benefit, City Attorney Brown explained that Mr. Ebner owns property within 500 feet of the proposed station location and cannot discuss or vote on this matter; however, as a concerned neighbor, he does not have to leave the room during discussion and could vote on a site that is not within the required distance of his property. He clarified that Mr. Templeman was able to vote on an unrelated project that affects the greater part of the community than an individual property.

c. City Attorney

No report.

d. Members of the City Council

Councilmember Bertone stated that a recent article in the Tribune and Daily Bulletin reported how the City of Diamond Bar dealt with congestion using speed cushions. He requested staff to investigate if it is feasible to use speed bumps as a way to deal with congestion in the City of San Dimas.

7. CLOSED SESSION

Adjourned at 8:10 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.9(a):

- a. **CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION
(SUBDIVISION (a) OF GOVERNMENT CODE SECTION 54956.9)**
Name of Case: Dennis Phillips v. City of San Dimas, LASC Case No. BS089159

No reportable action.

8. ADJOURNMENT

The meeting adjourned at 9:15 p.m. The next meeting is on October 25, 2005, 7:00 p.m.

Mayor of the City of San Dimas

ATTEST:

City Clerk