



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, OCTOBER 25, 2005, 7:00 P. M.**  
**COUNCIL CHAMBERS, 245 E. BONITA AVE.**

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**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  
Senior Engineer Garwick

**CALL TO ORDER AND FLAG SALUTE**

Mayor Morris called the meeting to order at 7:01 p.m. and led the flag salute.

**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) Ginny Phillips**, 525 No. Amelia, addressed the Council on their victory in court on the unfair conditions imposed on them. She said Jack Long's conditions were revised and it was not necessary for him to appeal. She mentioned that homeowners face big issues in town and she felt their property rights are being robbed by decisions made by the City Council and staff.

**2)** In response to **Mr. Olander**, Mayor Morris clarified that at the conclusion of the staff report, the public would have an opportunity to speak on the Gold Line matter.

**3) Brock Wonders**, thanked his friends and neighbors for coming out in support of the neighborhood, their property rights, and their way of life with regard to the parking structure to be built for the Gold Line Railway. He criticized civil servants and bureaucratic misinformation.

Mayor Morris ruled Mr. Wonders out of order and said oral communications is an opportunity for members of the public to speak on matters not on the agenda. Since the Gold Line item is on the agenda, Mr. Wonders would have the opportunity to speak when the matter is discussed.

Councilmember Ebner stated that since he owns property near the proposed site, he is unable to participate in discussion and would have to leave the chambers. He requested that Mr. Wonders wait until that item came up for discussion so he would not have to prematurely leave the room.

4) **Jack Long** supported Ginny Phillips' comments.

b. City Manager

1) City Manager Michaelis acknowledged **Ken Pucci**, who has submitted his resignation as the Cable Coordinator for Adelphia Communications. Mr. Michaelis thanked Ken for an excellent job televising public meetings and sports activities, and for all he has done for our community.

Mayor Morris stated he'll miss Ken who has done an outstanding job promoting youths on Channel 3 for the public.

Councilmember Ebner thanked Ken for the phenomenal job broadcasting his son's baseball projects.

c. City Attorney

No report.

d. Members of the City Council

None

**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 audience requests separate discussion.)

It was moved by Councilmember McHenry, seconded by Mayor Pro Tem Templeman, 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. 05-62**, A Resolution of the City Council of the City of San Dimas, California, approving certain demands for the month of October, 2005.
- b. Approval of minutes for April 4, 2005 Staff/Retreat Session; and regular City Council meeting of October 11, 2005.
- c. Rejection of claim for damages from Palumbo.
- d. Award of Cash Contract No. 2005-08 to Southern California Landscape, Inc., in the amount of \$85,000.00, for Arrow Highway Parkway Improvement from San Dimas Avenue to Acacia Avenue.
- e. Cash Contract No. 2005-10, Downtown Parking Lot Lighting Project 1) Appropriation of an additional \$34,733.00 from City-Wide Lighting District Fund 7; and 2) Award of Cash Contract No. 2005-10, Downtown Parking Lot Lighting Project to Macadee Electrical Construction for the contract amount of \$58,849.00.

END OF CONSENT CALENDAR

## **OTHER BUSINESS**

- a. Review station and parking location designations. Consider alternatives. Provide direction and decision regarding Gold Line Station and parking locations.

Councilmember Bertone stated that on January 25, 2005, the City Council voted to designate Henkels and McCoy as the preferred location for the Gold Line Station. He moved that the former action of the City Council be rescinded and that the Gold Line Authority be informed that Henkels and McCoy would no longer be considered as a site for the Gold Line station and parking structure.

Councilmember Ebner stated he owns property at 325 Railway Street and he asked City Attorney Brown to clarify what he could or could not participate in discussions.

Mayor Pro Tem Templeman requested that the motion also consider M and E and Vue Sign properties.

Councilmember Bertone stated that he is requesting that the Council rescind the previous motion approved by the City Council to consider the Henkels and McCoy as the preferred site and also that the Gold Line be informed that this City Council is no longer considering that specific property.

Councilmember McHenry seconded the motion stating he voted no the first and every time.

At the request of Councilmember Ebner, City Attorney Brown reported that Councilmember Ebner owns a home on Railway within 500 feet of three sites that have been subjects of discussion. He said law places a restriction on participation by persons who have an economic interest in the decision and, therefore, Mr. Ebner cannot participate in discussion, nor can he be present during discussions. Although as a property owner, he could speak as a member of the audience, however, he has chosen not to participate.

After some brief discussion, it was determined that Mr. Ebner's property exceeds 1,000 feet and he was permitted to vote on this motion.

The motion carried 5.0.

City Manager Michaelis reported that staff was directed to hold meetings to inform the public about station locations and to provide an opportunity to express opinion about the proposals. He stated that the City Council has now rescinded its previous decision designating Henkels and McCoy as the preferred San Dimas Gold Line Station site and parking location. He said that based on the analysis of the concerns, comments and suggestions offered by residents at the Open House of September 29 and Workshop of October 17, 2005, staff recommends that the City Council explore a suitable location east of San Dimas Avenue, along the rail right-of-way. If the City Council is interested in pursuing this site, he noted that the environmental review has not taken place specifically on sites of parking and stations in that area, and recommended that staff be directed to enter into a written agreement with the Gold Line Construction Authority to evaluate and explore a suitable station location and accompanying parking facilities on the rail right-of-way between San Dimas Avenue and Walnut Avenue. The Agreement will set forth a cooperative public process involving the community, Residents Committee, Gold Line Construction Authority, and City to determine the preferred station and parking locations prior to the finalization of Segment 2, and require that the station and parking locations will be incorporated into the EIR/EIS documents to be used for Segment 2.

## **MOTION**

Councilmember Bertone moved to direct staff to secure a written agreement, preferably a Memorandum of Understanding with the Gold Line Construction Authority to evaluate and explore a suitable station

location and accompanying parking structure on the Rail right-of-way between San Dimas Avenue, just east of San Dimas Avenue. The Agreement will set forth a cooperative public process involving the community, Residents Committee, Gold Line Construction Authority, and City to determine the preferred station and parking locations prior to the finalization of Segment 2. The MOU agreement will further require that the station and parking locations be incorporated into the EIR/EIS documents to be used for Segment 2. He stated the main point is that the preferred site would be east of San Dimas Avenue.

Councilmember McHenry seconded the motion but requested that Councilmember Bertone amend the motion to include that full consideration be given to modifying the Fox project to accommodate the rail line. He stated that consideration of any site west of downtown brings very similar impacts in terms of traffic. He said that due to state mandates, the City is considering a mixed use densification project that would increase the population and traffic, and would have a great impact on schools.

Mayor Morris felt that the amendment to the motion might create serious legal ramifications and could be considered pre-condemnation damages for condemnation that may never occur, or could occur twenty years from now.

City Attorney Brown stated that the amendment would clearly create issues as staff is currently negotiating the wording of the final Disposition and Development Agreement and is in escrow to acquire one of two properties required for that development.

Councilmember McHenry withdrew his motion.

Councilmember Ebner stated he would like to hear public comments before considering seconding the motion.

Mayor Pro Tem Templeman indicated that the City Council approved traffic calming on Bonita Avenue and he could not support a station east of San Dimas Avenue that would impact egress and ingress onto Bonita Avenue.

Mayor Morris seconded the motion stating he is willing to consider studies necessary for a station location east of San Dimas Avenue, with access off Arrow Highway. He reiterated that Mr. Bertone's motion is to work with the Gold Line Construction Authority to see if it is possible to have a station at that site. He expressed concern that this station exceeds San Dimas' needs and would be used as a commuter station for other areas; however, declining to have a station may result in future repercussions. He provided the opportunity for the audience to express their opinion.

In response to Councilmember Ebner, City Attorney Brown stated that Mr. Ebner could stay for the comment period.

**1) Bob Olander**, 317 Via Blanca, said he worked with staff on the Rail Line Committee and found them to be very professional and open in reviewing Gold Line Station sites. 1) He stated that with population growth in the years ahead, it is important to find a way to move people and the city needs to be proactive in planning different alternatives to the existing transportation system; 2) A rail station is needed in 10-20 years; 3) He encouraged the City Council to look at alternative rail stations within the city of San Dimas.

**2) Jim Elliot**, 537 E. Raborn, indicated that the train is coming through San Dimas whether or not we like it. He strongly urged the City Council to support a station in San Dimas, and agreed that east of San Dimas Avenue makes sense. He stated that it is incumbent upon the citizens and the City Council to make it the best station in the best possible location, and he is willing to do what is necessary to help. He felt that even if it becomes a commuter station during the week, it may be a destination station during the weekend for other activities in town.

**3) Angelo Faiella**, 325 W. 2<sup>nd</sup> Street, Aide to Assistant Sheriff Waldie, expressed concern for the young children that play on the street. He stated this town was built on quaintness that residents want to preserve and a three or four level concrete parking structure is unacceptable. He opposed a train station, unless it could be located east of San Dimas Avenue. He mentioned that Henkels & McCoy, M & E, General Pump and Vue Sign are low profile businesses behind nice oleander bushes.

Mayor Morris thanked them for their comments and stated that the M & E property needs to be improved. He said the City cannot afford to defy the state government that provides revenue for basic services.

**4) Craig Cowie**, 305 W. 4<sup>th</sup> Street, thanked the City Council for reconsidering the Henkels & McCoy and other locations west of San Dimas Avenue. He stands as an advocate for having no station in San Dimas given state mandates and traffic problems. He stated that having a commuter train station that would generate thousands of cars passing through town at peak rush hour does not make sense.

**5) Sharmaine Chambers**, 232 W. 1<sup>st</sup> Street, said that although she is not happy about having a station, she realizes that train traffic is inevitable. She would like for the City to be proactive and participate in getting online with a community train station, not a commuter station.

**6) Cindy Bierman**, 424 W. 2<sup>nd</sup> Street, stated that residents are already dealing with trains, whistles, and traffic bells, and are now being asked to be subjected to exhaust fumes and gas evaporation of almost 1,000 cars within 24 hours, and the probably of increased crime, as well as car alarms going off at all hours of the day. She asked the City Council to vote no on properties located within residential areas and that the Gold Line Construction Authority is notified to amend the final Environmental Impact Report stating that the Henkels & McCoy, M & E, and Vue Sign properties be removed from consideration. She mentioned that decisions made by this Council do not preclude future Council members from amending the action.

**7) Doris Markwell**, 314 W. Fifth Street, moved to San Dimas for its quiet, peaceful, and small town atmosphere that is safe for the children to play without fear of traffic or molestation. She indicated that San Dimas does not need commuters who park and leave and do not spend money in the area.

**8) Maria Gomez Lesardo**, 527 W. 4<sup>th</sup> Street, grew up in Central Los Angeles and moved to San Dimas to provide the opportunity to her son Lucas to ride his scooter or bike, walk to local markets without fear of strangers coming and going. She believes the Council would be remembered as being the ones to say no to a station. She asked the City Council to keep the city small and family oriented, invest in the schools and communities.

**9) Barbara Carter**, 305 W. 4<sup>th</sup> Street, is extremely happy to live in San Dimas and is blessed with wonderful neighbors. She stated that San Dimas has charm and is different from other cities in keeping with the Western theme and preserving buildings of antiquity. She does not believe a station is necessary to San Dimas. She inquired if there were a way for people to stop the State of California from having so much power over a little town.

**10) Steve Ditlinger**, 524 East Raborn, is in favor of Councilmember Bertone's motion and supports a train station in San Dimas. He stated that to say no to a station would be a missed opportunity and a failure of leadership. He urged the City Council to approve Mr. Bertone's motion to keep San Dimas' commitment to the Gold Line Construction Authority and keep a station in the downtown area. He mentioned that cities with stations become a more desirable place to live and work.

**11) Bill Rider**, Charter Oak, 801 W. Covina Blvd., recollected that Via Verde is inside the San Dimas city limits, and therefore, the City Council has to consider the needs of the people who live in Via Verde, as well as residents by the high school or the downtown area.

**12) Brock Wonders** stated that the media described the Greenline ridership as relatively low for several years. He appreciates the vote of the City Council to no longer consider Henkels & McCoy and requested the station not be located at M & E or Vue Sign properties. He supported a no station decision.

**13) Female resident** inquired about the location on Gladstone, west of the Freeway, and south of Gladstone, where Costco is proposed.

**14) Male resident** commended the City Council for tonight's decision and thought it might be a good idea to have the Gold Line at the proposed Costco site.

**15) Claire Wilkinson** stated she moved to San Dimas because she liked the trees and that children could safely ride their scooters and bikes. She thanked the City Council for reconsidering the Henkels & McCoy sites and inquired about the M & E and Vue Sign properties.

Mayor Morris responded that the Council rescinded prior action which designated a preferred station location. He clarified that the City is now in a position to have no station designated and Mr. Bertone's motion is to consider whether to enter into further discussion with the Gold Line Authority regarding the possibility of having a station east of San Dimas Avenue, along the Rail way right-of-way, with the required environmental impact report, particularly traffic congestion studies.

**16) Female resident** hears about the restrictions imposed on residents and yet the City wants to bring to town a railway that has nothing to do with old San Dimas and that would bring in more people, pollution and graffiti. The railway cannot be stopped from going through, but could be stopped from coming in to San Dimas.

**17) Alice Barreras**, 4<sup>th</sup>/Eucla, thinks San Dimas is the most beautiful city in the world. She has lived in San Dimas since she was two weeks old and has seen the population grow from 7,000 to 30,000. She indicated that San Dimas is a quiet community and should be left that way. There is already too much traffic and congestion from people going to the freeway. If the Gold Line Station is built here, there would be more traffic congestion. She said if people want to ride the train, Pomona or Covina are not too far away.

**18) Linda Buck**, 334 W. 4<sup>th</sup> Street, moved to San Dimas because of its small town community. When she heard of the Gold Line coming through, she was excited. However, when she came to the meeting, and found she would be looking at a three- story parking structure from her back yard, she changed her mind. She asked if Council would have control of the size of the parking area/station or is it regulated by the Gold Line.

Mayor Morris replied that the Gold Line Authority has indicated the size of the parking structure they want, however, it is the City's decision to say no station, or it has to be a station that complies with what the Council supports. The Authority may say the City is not building the desired station, and therefore, would decide there would be no station.

In response to the City Council, **Tom Jenkins**, representative of the Gold Line Construction Authority, Project Manager for Environmental Documents, said parking is based on the regional forecasting model, using 2025 and 2030 estimated ridership, with 60% recommended on opening day, forecasting approximately 450 spaces. The Federal government says if there are fewer spaces, there could be impacts of spill over parking onto residential area city streets. The Authority would recommend implementation of a Neighborhood Area Parking Program to restrict parking, but which may reduce ridership and affect federal funding.

In response to Mayor Pro Tem Templeman's inquiry concerning a community station and fewer parking, Mr. Jenkins replied that it is the City Council's decision and parking would have to be constrained in the

model. He said the only way to discourage ridership is to limit parking and encourage them to go to surrounding stations.

In response to Councilmember Bertone's inquiry related to charging people for parking on city lots, Mr. Jenkins said the parking lot would be owned by the Gold Line Construction Authority/MTA and charging for parking could reduce ridership.

In response to Councilmember McHenry, Mr. Jenkins said MTA would keep the parking lot revenue unless the city entered into an agreement with the MTA.

Mayor Morris commented that the only way to control parking is to have no station. If a small station is built, the City would end up having to control parking on the streets.

In response to Councilmember McHenry, **Mr. Habib Balian** stated there was an informal agreement by the Joint Powers Authority for the Foothill Extension, to contribute \$5 million, which has to be ratified by the City Council. There was no action by the City Council committing to the \$5 million. Since then, the Construction Authority revised their financial plan to reflect a \$1 million contribution from each of the cities.

Mayor Morris stated the City Council never voted to contribute \$1 million. Mr. Balian said the next step over the next six months is to secure a formal resolution from each city committing \$1 million to the project.

**19) Robert Alexander** stated he was born and grew up in San Dimas. He is a Local Union Iron Worker who has worked on the Red Line, Green Line, and Blue Line, and said there are labor problems on each project. He hopes the Gold Line goes accident free.

**20) Steve Lee** felt fortunate to be raised in San Dimas. He would like to go on record to say he is glad the City Council recognized residents' concern about a train station in their vicinity. He thanked the people who brought it to everyone's attention in surrounding neighborhoods. He inquired if there was a possibility of considering the City yard property as an alternate location.

Mayor Morris stated that the scope of the motion includes anything east of San Dimas Avenue could be studied, which includes the city yard.

**21) Josh Miller**, 436 West 4<sup>th</sup> Street, expressed concern with people coming from the outside and confusion about how much taxpayer money is being spent. He thanked the City Council for listening to concerns with the Henkels & McCoy site. He strongly disagreed with the comparison to freeway off ramps and stated he is happy with the community and would like to keep San Dimas the special place it is. He said the police officer at the meeting shared his opinion and experience that there would be more crime as a result of a station. It would not be a lack of leadership or vision to say no to a station in San Dimas.

At a request from Mayor Morris, people in the audience raised their hands in favor of and in opposition to having a station in San Dimas.

**22) Miles**, 5<sup>th</sup> Street, could not see why a train station is necessary anywhere near local property or where traffic is greatly impacted. He suggested the Flavor House might be a good place for a train station, with ample parking across the street.

**23) Lydia Tamarado**, 240 Commercial Street, daily walks her grandson to school. She stated that San Dimas Avenue, Cataract, Arrow Highway and Bonita Avenue are already heavily congested and she could only imagine what traffic would be if a station is located on San Dimas Avenue.

**24) Suzanne Johnson**, 2<sup>nd</sup> street, inquired if the City Council selects another location than those previously studied, how the final would DEIS/DEIR be modified or recirculated. It is the neighborhood's choice to have all the proposed sites removed as potential parking and station locations and she hopes the City Council would require the environmental documents prior to adoption by the Gold Line.

Mayor Morris responded that before a vote could be taken in favor of a station east of San Dimas Avenue, an environmental study must be conducted, as well as a congestion study to determine the effects on the flow of traffic on Arrow Highway and on every intersection crossing Arrow Highway. He commented that traffic on Arrow Highway during peak rush hours is twice as heavy as Foothill Boulevard, and he suggested a greatly downsized station, realizing that this would impact federal funding.

Councilmember McHenry stated that if Arrow Highway cannot handle the excess traffic, there is no street in town that could adequately handle the additional traffic.

In response to Ms. Johnson, Councilmember Bertone stated that the motion required a new environmental impact report that has to be recirculated.

**25) Craig Cowie** hopes the City Council makes a point to better decimate information to the entire town; and inquired why the parking structure could not be built underground.

Councilmember Bertone replied that the City could control the number of stories; however, if the demand is made to construct the structure underground, the Gold Line might decide to have no station.

**26)** In response to **Cindy Bierman**, Mayor Morris stated that unless a Councilmember designates the M & E, Vue Sign properties as a station location, under the present rules, it would not be the station site, irregardless of whether or not an environmental study had been conducted on those sites. However, he warned that anything this Council approves would not bind future Council from changing.

**27)** In response to **Brock Wonders**, Mayor Morris stated that the City Council created the Redevelopment Area Zone; but has not designated any particular property as blighted. He said infrastructure improvements could be made on those properties and owners have the right to sell; however, they have an obligation to disclose any problems.

**28) Elizabeth Ebiner**, 237 W. 4<sup>th</sup> Street, has three children and shares one vehicle, so she depends on public transportation for her livelihood. She looks forward to having a train station and hopes others could learn to depend on public transportation. As a whole, a train station will help alleviate congestion and pollution.

**29) Steven Perez**, 533 W. 3rd Street, Smog Technician, stated that due to cold starts, it takes ten minutes for pollution to dissipate. He stated that the evaporating system during time of parking emits fuel vapors into the charcoal canister, which is emitted into the air. He said imagine having 750 additional vehicles polluting the air.

**30) Ginny Phillips** stated that the traffic problems to be created by the Costco project have not been resolved or mitigated.

In response to a comment from Mrs. Phillips, Councilmember Bertone stated that Mr. McHenry was the only person who voted against the Eucla project.

**31) Michelle Villegas**, 611 Brinwood Drive, initially did not want to see a station in San Dimas for all the reasons stated; however, her son, a student in Baltimore, stated that not having a station would defeat the purpose of having a mass transit line. She indicated that San Dimas residents have to consider others and find a decent solution for everyone.

**32) Karen Bridgewater**, 5<sup>th</sup> Street, said the idea of having a train station has positive and negative aspects. She felt it was important to not have the station in a residential area and thanked the City Council for listening to residents. She suggested looking at incorporating the train station with the Fox project. She inquired if the City would still have to pay whether or not San Dimas has a station and if the City Council decided against a station, would there be an opportunity for a station in the future.

City Manager Michaelis replied that the project would be owned, operated, and maintained by the Metropolitan Transit Authority and the primary source for construction of the project would be federal transportation funds. The only financial contribution from the City is \$1 million from our transportation funds, whether or not San Dimas has a station.

Councilmember Bertone stated that if the decision is to put in a station, the City could opt out in four years, but the environmental documents would have to be recirculated.

There being no one else wishing to speak, Mayor Morris brought the issue to the Council for discussion.

Mayor Pro Tem Templeman remained concerned about providing parking for non-residents. He stated that traffic issues on Bonita and mitigation measures on Cataract would have to be addressed.

Councilmember Ebiner commented that as downtown San Dimas is revitalized, visitors would want to come to San Dimas. He said a good railway transit system would not solve traffic problems, but would slow the process.

Councilmember McHenry was not convinced a train station is needed, although he conceded the long term benefits. Although he does not oppose considering the city yard or the Fox Project areas, he opposed a station north of the tracks which would compound traffic problems on Bonita Avenue.

Councilmember Bertone stated that the vast majority of people are in favor of a station. He agreed that he would not take it out of one neighborhood to put the station in another. The motion specifically states that east of San Dimas Avenue would be the Council's preferred site and is asking for a study in that area. He did not oppose considering the Fox project, but he would like to get the Fox Group to voluntarily participate for a worthwhile project.

Mayor Morris was not convinced that a station was needed in San Dimas; nevertheless, he was willing to support the motion to leave open the possibility of having a station in San Dimas that would serve the citizens of San Dimas and to provide the necessary environmental studies of the new preferred location to enable the determination of whether or not the additional traffic congestion is worthwhile.

Mayor Pro Tem Templeman stated it was important to realize that police and fire would have a battle when responding to service if additional traffic stopped at Walnut. He also expressed concern with creating an agreement with the Gold Line Construction Authority that reports to the MTA.

Councilmember Bertone responded that the MTA has nothing to do with building stations. When the project is complete, the MTA would operate and maintain the system and the Gold Line Construction Board votes for funding of the project.

Councilmember Ebiner supported the motion because he felt that many people are dependent on public transportation; 2) people moving into the Fox Project would have the benefit of a nearby rail station; and 3) the Gold Line has a destination.

The motion carried by the following vote:

AYES: Councilmembers Bertone, Ebiner, Morris

NOES: Councilmembers McHenry, Templeman  
ABSENT: None  
ABSTAIN: None

**MOTION**

Councilmember McHenry moved to negotiate an agreement with the Fox Group to integrate the Fox Project into the environmental study. Councilmember Bertone seconded the motion.

Mayor Morris expressed concerns that the action could place the City in legal jeopardy from condemnation damages.

In response to Council's concerns, Community Development Director Stevens stated that a public hearing would be heard on November 22, 2005 to consider design, associated environmental impacts and the Disposition and Development Agreement with the Fox Group. He said the City Council has the authority to impose conditions related to potential access.

The motion carried by the following vote:

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

As he owns property in the vicinity of the area being discussed, Councilmember Ebner left the dais at 10:03 p.m.

**MOTION**

It was moved by Councilmember McHenry, seconded by Mayor Pro Tem Templeman, to clearly state that the M & E Packing House, Vue Sign Barricade Flasher, and General Pump Replacement are no longer considered by the City Council as potential sites for the Gold Line Station.

The motion failed by the following vote:

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

Councilmember Ebner returned to the dais at 10:09 p.m.

**RECESS**

Mayor Morris recessed at 10:10 p.m. the meeting of the City Council. All members reconvened at 10:25 p.m.

**SAN DIMAS REDEVELOPMENT AGENCY**

Mayor Morris recessed at 10:27 p.m. the regular City Council meeting and convened a meeting of the San Dimas Redevelopment Agency Board of Directors. The meeting reconvened at 10:31 p.m. with all members present.

## ORAL COMMUNICATIONS

### a. Members of the Audience

1) **Cindy Bierman** expressed dissatisfaction with the vote on the M and E property and inquired what is left for citizens.

Mayor Morris assured Ms. Bierman that the City Council never designated that site for the station location. He expressed that in time the area could be cleaned and maintained using transportation funds.

Councilmembers replied to Ms. Bierman that Phase I is scheduled for completion in 2008-09; if a station is designated, the City Council has the opportunity in 2008 to opt to not have a station, whereas if a station is not designated, there is an opportunity to designate a site. As it stands with tonight's decision, it is likely that the Gold Line would take the position to have no station in San Dimas. The Gold Line is concerned they might not get the federal funding if they are required to conduct and recirculate the environmental studies. This proposed station is classified "C" by the federal government and if not moved up to "B" or "A", the project could be cancelled. Wherever a parking lot is built, the City's Planning Department would require landscaping barriers to minimize the impact.

2) **Nick Villegas** expressed his disappointment with the Council's decision to not permanently eliminate the M & E site from consideration as a potential site. He urged the Council to be more open minded to the opportunity of having a station in San Dimas in better locations than the three sites.

### b. City Manager

- 1) Recommendation from the Public Safety Commission: Request Los Angeles County Fire to evaluate the need for a Paramedic assessment Engine at Station 141 (1124 W. Puente.)

City Manager Michaelis said that at the October 18, 2005 Public Safety Commission meeting, a member of the public inquired if the city would consider asking the Los Angeles County Fire Department to evaluate the need for a full Paramedic assessment engine at Station 141 in Via Verde. The Public Safety Commission and staff concurred to forward this request to the City Council.

It was moved by Councilmember Bertone, seconded by Mayor Pro Tem Templeman, to request the Los Angeles County Fire Department to provide an initial review of Paramedic service levels from Station 141 in Via Verde, to determine if it is adequate and meets minimum response and service standards, with follow up analysis and action as needed. The motion carried unanimously.

### c. City Attorney

No report.

### d. Members of the City Council

1) Councilmember McHenry reported that at the DPRB meeting, there was a request from an owner of a house on the historical list to construct a garage in the rear yard off the alley. The problem is that the DPRB has no authority to approve curb required setbacks.

Director Stevens reported that there are 12 and/or five foot limits to a maximum of 600 square feet. Since this is the first time for this issue, there is some feeling that staff should take a look at setback requirements in rear yard areas. The decision may not help the applicant; however, Council has the opportunity to make changes.

**CLOSED SESSION**

Recess at 11:02 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: Bradley and Rebecca Secreto v. City of San Dimas, LASC Case No. BC298567

No reportable action.

**b. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION  
(SUBDIVISION (a) OF GOVERNMENT CODE SECTION 54956.9)**

Name of Case: Bradley and Rebecca Secreto v. City of San Dimas, LASC Case No. BS094531

No reportable action.

**c. CONFERENCE WITH LEGAL COUNSEL – PENDING LITIGATION  
(SUBDIVISION (a) OF GOVERNMENT CODE SECTION 54956.9)**

Name of Case: Phillips v. City of San Dimas, LASC Case No. BS089159

No reportable action.

**ADJOURNMENT**

Adjourned at 11:09 p.m. The next meeting is on Tuesday, November 1, 2005, 3:00 p.m. – 7:00 pm for a City Council/Staff Retreat.

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Mayor of the City of San Dimas

ATTEST:

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City Clerk