



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, NOVEMBER 22, 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 Ebner  
Councilmember Sandy McHenry

City Manager Michaelis  
City Attorney Brown  
City Clerk Rios  
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 7:01 p.m.

**2. 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 Avenue, requested notification of proposals received for development of Amelia Street between Fifth Street to Gladstone.

Mayor Morris replied that on tonight's Agenda is a request for authorization to conduct an Engineering study on Amelia Avenue from Fifth Street to Gladstone and as an adjacent property owner Mr. Phillips would be notified.

Public Works Director Patel stated that the purpose of the request is to retain an engineering survey of streets for the design of sidewalks and other improvements on Amelia Avenue. Upon completion of the survey, staff will present to the City Council several conceptual design alternatives for budget consideration in Spring 2006.

**2) Ginny Phillips** provided a brief history of the application process to construct a garage to house various inoperable vehicles and mentioned receiving a stack of code enforcement letters for wood piles and building materials. She noted that Dennis has spent time clearing debris on property that had been

abandoned for years. Ultimately, they got approval but the City imposed a list of conditions, and a judge agreed with them.

3) In response to **Ron Kranzer**, Mayor Morris replied that the request from the Los Angeles County Fire Department was on the agenda for discussion.

b. City Manager

None

c. City Attorney

None

d. Members of the City Council

1) Mayor Pro Tem Templeman mentioned that at a recent Development Plan Review Board meeting a request was denied for the use of vinyl siding. He stated that with technology and good design, the right kind of vinyl siding has a place in a community. He inquired if at a future meeting the City Council could direct staff to conduct an analysis of vinyl siding products or alternative materials that could work in San Dimas.

Councilmember McHenry stated that vinyl siding violates the Town Core Guidelines and the Board had no choice but to deny the request. However, it is the decision of the City Council whether or not to revisit the issue.

It was the consensus of the City Council to add to the December 13, 2005 agenda the request whether or not to direct Planning staff to reconsider the use of vinyl siding.

### 3. 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 Ebiner requested clarification of April 5, 2005 minutes on page 5 concerning the Bonita/Cataract property to add Exclusive Negotiating Agreement to expire June 1, 2005.

City Clerk Rios requested amendment to the April 5, 2005 Minutes on page 3, under item (6) paragraph 1, to reflect the amount of the grant of \$610,650 for the bike trail from San Dimas Avenue to Cypress Street bordering the west side of the 57 Freeway.

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

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

(1) **No. 05-67**, A Resolution of the City Council of the City of San Dimas, California, approving certain demands for the month of November, 2005.

(2) **No. 05-72**, A Resolution of the City Council of the City of San Dimas, County of Los Angeles, State of California, amending the Flexible Benefits Plan.

b. Approval of minutes for City Council/Staff Retreat of April 5, 2005; regular meeting of November 8, 2005; and special meeting of November 15, 2005.

- c. Approval of the City's Annual Audited Financial Statements.
- d. Authorization to waive formal bid process for the purchase of Video Detection Cameras for Lone Hill Avenue/Covina Boulevard Traffic Signal Project and award of bid to RodefX, Inc., in the amount of \$20,784.00.
- e. Engineering survey of Amelia Avenue from Fifth Street to Gladstone Street
  - 1) Appropriation of \$9,770.00 from Infrastructure Funds;
  - 2) Award to DL&A for aerial and topographic survey of Amelia Avenue from 5<sup>th</sup> Street to Gladstone, in the amount of \$9,770.00.
- f. Rejection of claim for damages from Ramis Urribarri.

END OF CONSENT CALENDAR

#### 4. PUBLIC HEARING

(The following items have been published and/or posted. The Mayor will open the meeting to receive public testimony.)

- a. Tentative Parcel Map 05-01 (063238) A request to subdivide a 1.45 acre parcel into four lots at 343 East Foothill Boulevard.

**RESOLUTION NO. 05-68**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING TENTATIVE PARCEL MAP 05-01 (063238), A REQUEST TO SUBDIVIDE ONE LOT INTO FOUR LOTS ON THE PROPERTY LOCATED AT 343 EAST FOOTHILL BOULEVARD.

Planning Manager Hensley presented a request by Eric and Jennifer Simison to subdivide into four lots the property at 343 East Foothill Boulevard. He reported one issue concerning additional dedication for a sidewalk required by the Public Works Department. The Planning Commission felt a sidewalk was not needed and adopted Condition 8. However, the applicant requested that the City Council consider providing for a sidewalk along the front of the development in addition to the equestrian trail. Mr. Hensley pointed out that if the City Council considers the installation of a sidewalk, the Code requirement is for 25 feet of completely landscaped setback. Staff recommends adoption of Resolution No. 05-68.

In response to Councilmember Bertone, Manager Hensley stated that a redesign would be necessary if the additional dedication or easement extends eight feet beyond the face of the curb because the Code requires a 25-foot landscaping setback from the property line.

In response to Councilmember McHenry, Manager Hensley clarified that the property line is eight feet behind the face of the curb and the Code requires 25 feet of landscaped area from the property line. The horse trail is not counted as part of the landscaped area.

In response to Councilmember Ebner, Public Works Director Patel stated that the easement was secured for future use to permit pedestrian access across the trail to Foothill Boulevard.

Mayor Morris pointed out that the Flood Control Channel intersects Foothill Boulevard and suggested constructing a bridge to cross the channel in addition to the sidewalk.

In response to Mayor Pro Tem Templeman's inquiry concerning installing a pedestrian path as part of the landscape, Manager Hensley replied that all scenic areas should be void of structures and must be landscaped.

In response to Mayor Morris, Director Patel stated that staff is working with County Public Works and applying for grant money to widen Foothill Boulevard and would like to secure the easement for future use.

In response to Mayor Pro Tem Templeman, Manager Hensley stated that some hardscape design would be submitted, not continuous sidewalks; however, the Scenic Highway Overlay Zone requires the setback to be fully landscaped and void of any structures and improvements.

Mayor Pro Tem Templeman felt this was a good opportunity to separate a pedestrian sidewalk from the equestrian trail and supported the developer's willingness to construct both.

In response to Councilmember McHenry, Director Patel believed that if desired in the future, there was space for a sidewalk at Foothill/Walnut, and if a signal light were installed, the option was available for pedestrians to cross on the south side of Foothill Boulevard. He added that as part of the proposal, the trail would connect to the crossing bridge.

In response to Council, Community Development Director Stevens stated the problem is having an easement that could not be used and constructing a sidewalk would be in violation of the underline zoning requirement. He indicated that staff could not impose conditions on the parcel map and request changes on the precise plan already approved by the City Council.

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

**Eric Simison**, owner of property, stated that until tonight he had not heard that the horse trail within the landscaped area went against the scenic corridor. He said the intent was to accommodate the safety of both pedestrian and equestrian needs. He is not in favor of submitting a redesign and requested consideration of a softscape easement within the landscape zone. He said this proposal would accommodate the potential for a signal at Walnut and would enhance this parcel and benefit the City.

Mayor Morris stated the primary matter this evening is the division of tentative parcel map into four lots.

In response to Councilmember Bertone, Mr. Simison stated he is here for the approval of the parcel map.

**Gil Gonzales** opposed the parcelization of this particular lot and said if approved, the City would lose control over advertisement by individual owners.

In rebuttal, Mr. Simison stated that there has been a significant rise in property value, making it prohibitive for small businesses to occupy or lease large parcels. This proposal provides an opportunity for smaller business users to have their own property to run a professional business. He stated the CC&Rs provide restrictions on shared landscape, parking and maintenance, and they would adhere to the signage ordinance.

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

In response to Councilmember Bertone, Director Stevens stated that if approved, the Resolution contains Condition 8 as approved by the Planning Commission to not have a sidewalk, as there is not enough right of way to accommodate a sidewalk. He provided a way to include a sidewalk and to make it work, the City Council would have to interpret the scenic highway overlay zone standard to permit hard pack equestrian trail, and not have a fence inside because the structure is prohibited.

Mayor Morris stated that the Resolution before the Council approves the parcelization of the lot and Council could then consider Public Works and Applicant's request to add the easement for a sidewalk.

In response to Councilmember McHenry, Director Stevens said the action is discretionary; the City Council could delete Condition 8 which precludes a sidewalk, and leave the issue of improvements to the precise plan. If further discussion is necessary on how to make both fit within the available right of way, it could be done with more general street improvement standards.

**MOTION:**

After the title was read, it was moved by Councilmember Bertone to waive further reading and adopt RESOLUTION NO. 05-68, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING TENTATIVE PARCEL MAP 05-01 (063238), A REQUEST TO SUBDIVIDE ONE LOT INTO FOUR LOTS ON THE PROPERTY LOCATED AT 343 EAST FOOTHILL BOULEVARD, including Condition 8 approved by the Planning Commission.

The motion failed due to lack of a second.

**MOTION:**

Councilmember McHenry opposed building sidewalks that lead to no where. He reluctantly moved to waive further reading and adopt RESOLUTION NO. 05-68, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING TENTATIVE PARCEL MAP 05-01 (063238), A REQUEST TO SUBDIVIDE ONE LOT INTO FOUR LOTS ON THE PROPERTY LOCATED AT 343 EAST FOOTHILL BOULEVARD, deleting Condition 8 approved by the Planning Commission.

In response to Council, Director Stevens said a sidewalk is required for street improvement and further adjustments to accommodate both a sidewalk and equestrian trail would require additional discussion as a separate agenda item as part of the plan processing. He said the precise plan included conditions requiring street improvements and the horse trail is a street improvement directed in previous discussions. At a future meeting, the Council would have to interpret the Scenic Overlay Zone requirements whether or not a sidewalk could fit.

Mayor Pro Tem Templeman requested a timely discussion and seconded the motion.

Councilmember Ebiner commented that the sidewalk/equestrian trail is a good idea; however, he is not in favor of interpreting the 25-foot landscaping setback to have a five-foot dirt path. Director Stevens said at the conclusion, there could be a sidewalk.

The motion carried unanimously.

Councilmember McHenry stated when this item comes back for discussion, he would like to know 1) if the 25-foot rule has been followed or have equestrian trails been allowed to go along the scenic easement; 2) what is the situation on properties to the west in terms of a bridge.

Mayor Pro Tem Templeman inquired if consideration has been given to ADA in this concept.

It was the consensus of the City Council to ask Planning and Public Works to bring back an analysis as requested.

In response to Mayor Morris, Director Stevens stated that this item could be brought to Council for discussion on December 13 or January 10, 2006 and would reasonably accommodate the applicant.

- b. Municipal Code Text Amendment 05-02: a request to amend Section 18.204 of the Municipal Code regarding re-submittal of denied variance applications.

**ORDINANCE NO. 1153, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 05-02, A REQUEST TO AMEND SECTION 18.204 REGARDING RE-SUBMITTAL OF DENIED VARIANCE APPLICATIONS. INTRODUCTION AND FIRST READING.**

Community Developer Director Stevens summarized the proposed amendment to bring the variance portion of the Zoning Code in line with other Zoning Code sections and clarify what has been City policy and practice and recommended approval of MCTA 05-02 and introduction of Ordinance No. 1153.

Mayor Morris opened the public hearing and asked if anyone wished to speak on this matter. There being no one the public hearing was closed.

**MOTION:**

After the title was read, it was moved by Councilmember Bertone, seconded by Councilmember McHenry, to waive further reading and introduce ORDINANCE NO. 1153, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING MUNICIPAL CODE TEXT AMENDMENT 05-02, A REQUEST TO AMEND SECTION 18.204 REGARDING RE-SUBMITTAL OF DENIED VARIANCE APPLICATIONS. The motion carried unanimously.

- c. **CONSIDER GENERAL PLAN AMENDMENT 04-01; ZONE CHANGE 04-01; AND MUNICIPAL CODE TEXT AMENDMENT 05- 01** – A request to amend the General Plan to add a Mixed Use Designation to the Land Use Element; amend the General Plan from Commercial to Mixed Use on various properties; Zone change from M-1 to Creative Growth Zone-Area 3 on various properties on the east side of San Dimas Avenue; and Text Amendment to Creative Growth Zone-Area 3 (Chapter 18.140) revising current standards and revising land use and setback map.

**Environmental:** Mitigated Negative Declaration

**Applicant:** City of San Dimas

**RESOLUTION NO. 05-69, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING GENERAL PLAN AMENDMENT 04-01, ADDING A DOWNTOWN MIXED USE DESIGNATION TO THE LAND USE ELEMENT OF THE GENERAL PLAN AND CHANGING THE GENERAL PLAN DESIGNATION FROM COMMERCIAL TO MIXED USE ON VARIOUS PROPERTIES LOCATED NORTH OF ARROW HWY. AND SOUTH OF THE RAILROAD TRACKS ALONG SAN DIMAS AVENUE**

**ORDINANCE NO. 1154, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING THE SAN DIMAS MUNICIPAL CODE BY AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE ZONING FROM M-1 (INDUSTRIAL) TO CREATIVE GROWTH ZONE-AREA 3 ON THE PROPERTIES LOCATED NORTH OF ARROW HWY. AND SOUTH OF THE RAILROAD TRACKS ON THE EAST SIDE OF SAN DIMAS AVENUE. INTRODUCTION AND FIRST READING.**

**ORDINANCE NO. 1155, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING THE SAN DIMAS MUNICIPAL CODE BY AMENDING CHAPTER 18.140.090.C OF THE SAN DIMAS MUNICIPAL CODE (REVISED STANDARDS FOR CREATIVE GROWTH ZONE-AREA 3) AND ADOPTING NEW EXHIBITS A & B (SETBACKS) FOR CHAPTER 18.140 OF THE SAN DIMAS MUNICIPAL CODE. INTRODUCTION AND FIRST READING.**

Planning Manager Hensley reported that the proposed general plan amendment, zone change and municipal code text amendment are the first steps in the application process to take action on a proposed mixed use project located south of the Santa Fe Railroad tracks on the east side of San Dimas Avenue. A negative declaration with mitigations is proposed for the project. He reported that the Planning Commission approved the project and staff recommends the City Council approve Resolution No. 05-69; Ordinance No. 1154, Ordinance No. 1155 and a negative declaration with mitigations.

In response to Council, Manager Hensley stated that along Shirlmar the project would allow up to four houses with a minimum proposed lot size of 4,500 square feet per lot with a maximum footprint of 2,100 square feet, and some lot coverage with setback standards.

Councilmember Ebner left the dais at 8:30 p.m. and returned at 8:32 p.m.

At the request of Councilmember Ebner, Manager Hensley explained that the Floor Area Ratio is not near the state requirement of 1.2 in the general plan within the land use sections. He said the FAR for the 110 unit project proposed by Fox Group is .75 for residential and .35 for commercial, based on the total project.

Councilmember Ebner stated that residents of Area D across the street have expressed concern about the vacant piece of property, and to fit in with those lots, he recommended changing the minimum lot size to 5,000 square feet with 40% lot coverage. Manager Hensley stated that if the City Council changed the lot size to 5,000 square feet, there would be no negative impact to the properties.

In response to Councilmember Bertone, Manager Hensley stated that they have received conceptual plans for a multiple story senior apartment and office/commercial project at an adjacent project west of San Dimas Avenue.

Councilmember McHenry inquired if there were no subsidy, would potential buyers end up with an affordable product under the housing guidelines of low-moderate income. Manager Hensley stated that size alone does not create affordability and without a subsidy, it would be difficult to do. Also, there is no requirement for those units to be affordable.

In response to Council, Manager Hensley stated that a train stop is not consistent with the zone change on the east side of San Dimas Avenue. He indicated that the project precludes parking for a transit stop as it would be a significant financial burden for the Fox Group to alter the project to provide a transit station; however, the developer has agreed to provide access at various locations through the project if there is to be some type of parking south or southeast of the project. Additionally, the developer does not have opposition to setting up a platform directly north of the project.

In response to Councilmember Bertone, Manager Hensley stated a platform would be totally within the right of way and would not require a zone change.

Mayor Pro Tem Templeman commented that staff use caution and not approve tall buildings backing against homes.

Mayor Morris stated this proposal is not for approval of any project; proposed is a change to the General Plan and zone change as necessary to comply with the revised general plan. He opened the public hearing and asked if anyone wished to speak either in favor of, or against, this item.

1) **Bill Fox**, President, Fox Group, said he is in favor of the development and was present to answer any question on the specific project.

In response to Councilmember Ebner, Mr. Fox stated that they have looked at preliminary designs with the civil engineers and architects, and if the platform is adjacent to their property, they could adjust the grades on the project to allow for pedestrian access through the property to accommodate the City's request for parking for the future Gold Line Station.

2) **Michael Cerrito**, owner of adjacent 1.5 acre property on the west side of the project, is looking to construct a mixed use office and senior housing along the western portion of Shirimar, fronting San Dimas Avenue.

In response to Mayor Morris, Mr. Cerrito stated they could work with 4,500 square feet; and he did not feel the change to 5,000 square feet would greatly impact the plans.

In response to Councilmember Ebner, Mr. Cerrito said frontage is approximately 100-120 feet wide and the engineer felt they could incorporate retaining walls and step elevation for a fourth lot. Three lots would be approximately 4,500 square feet.

3) **Ron Kranzer**, 508 No. San Dimas Avenue, stated that San Dimas Avenue has exceeded capacity for a two-lane highway and expressed concern with traffic impacts the additional growth would bring.

Speaking in opposition of the project:

1) **Maria Mimosa**, 148 Citrus Ranch Road, indicated that development is needed in San Dimas, however, constructing small overcrowded units would not improve safety or benefit the community. She feared having two or three families in one small unit and would like to see something built that would fit the goals of having a nice, safe town.

In response to Ms. Mimosa, Mayor Morris stated that the developer's intention is to make a profit, but as with any housing project in which the Redevelopment Agency participates, they are required to include affordable housing.

2) **Kay Staley**, she and her husband own the subject property at 200 So. San Dimas Avenue, would like assurance that if the zoning is changed, the property value would not decrease.

Mayor Morris assured her that if the property is taken under eminent domain, by law, she would receive fair market value for the property.

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

Councilmember Ebner stated he is in favor of the various actions, but would like an amendment to Ordinance 1155 changing the size of lots from 4,500 square feet to 5,000 square feet to better fit with the neighborhood across the street.

**MOTION:**

After the title was read, it was moved by Councilmember Ebner, seconded by Mayor Pro Tem Templeman, to waive further reading and adopt **RESOLUTION NO. 05-69**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING GENERAL PLAN AMENDMENT 04-01, ADDING A DOWNTOWN MIXED USE DESIGNATION TO THE LAND USE ELEMENT OF THE GENERAL PLAN AND CHANGING THE GENERAL PLAN DESIGNATION FROM COMMERCIAL TO MIXED USE ON VARIOUS PROPERTIES LOCATED NORTH OF ARROW HWY. AND SOUTH OF THE RAILROAD TRACKS ALONG SAN DIMAS AVENUE. The motion carried 4.1.

Councilmember McHenry praised the developer for the marvelous job on the design of the project, but expressed concern with density, burden on utilities, and traffic impacts. He opposed the motion.

In response to Councilmember Bertone, City Attorney Brown responded that he and Mayor Morris discussed with Mrs. Staley the property value and suggested obtaining an appraisal. He indicated that the zone change would have no affect on property value.

**MOTION:**

After the title was read, it was moved by Councilmember Bertone, seconded by Councilmember Ebner, to waive further reading and introduce **ORDINANCE NO. 1154**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING THE SAN DIMAS MUNICIPAL CODE BY AMENDING THE OFFICIAL ZONING MAP TO CHANGE THE ZONING FROM M-1 (INDUSTRIAL) TO CREATIVE GROWTH ZONE-AREA 3 ON THE PROPERTIES LOCATED NORTH OF ARROW HWY. AND SOUTH OF THE RAILROAD TRACKS ON THE EAST SIDE OF SAN DIMAS AVENUE. The motion carried 4.1; Councilmember McHenry was opposed.

**MOTION:**

After the title was read, it was moved by Councilmember Ebner to waive further reading and introduce **ORDINANCE NO. 1155**, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING THE SAN DIMAS MUNICIPAL CODE BY AMENDING CHAPTER 18.140.090.C OF THE SAN DIMAS MUNICIPAL CODE (REVISED STANDARDS FOR CREATIVE GROWTH ZONE-AREA 3) AND ADOPTING NEW EXHIBITS A & B (SETBACKS) FOR CHAPTER 18.140 OF THE SAN DIMAS MUNICIPAL CODE with amendment to Area D to include a minimum lot size of 5,000 square feet, with a maximum lot coverage of 40%. The motion was seconded by Councilmember Bertone, and carried 4.1; Councilmember McHenry was opposed.

**5. OTHER BUSINESS**

- a. Request from Los Angeles County Fire Department to station the operation of a Trauma Response Helicopter at Station No. 64 on Walnut Avenue.

City Manager Michaelis reported that under the direction of the Board of Supervisors, the Los Angeles County Fire Department is seeking to temporarily locate at Station No. 64 a helicopter to reduce response times for patient transportation to trauma centers. Ultimately, the helicopter would be stationed in the City of Industry as part of a new station construction. City Manager Michaelis presented the questions and concerns of the request and recommended that the helicopter not be stationed out of Station 64; encouraged the County to utilize Brackett Field or another suitable site; requested a demonstration to evaluate the impact of having a helicopter stationed at 64; and if alternative locations are not available,

would like the County to consent to a maximum of three months accommodation while another site is found.

**Daryl Osby**, Deputy Chief, East Regional Operations Bureau, L. A. County Fire Dept., provided an overview of his responsibilities for daily operations and capacity of over 75 fire stations along the 710 Freeway to the East. He reported that after a lengthy analysis, it was determined that Fire Station No. 64 in San Dimas was the ideal site to temporarily house the operations of a Trauma Response Helicopter. He stated that the City of Industry has donated a five-acre parcel and they are in a fast track process to permanently relocate the 24 hour air operations, with a tentative time frame of 6-12 months. He looks forward to working with staff through the process of developing plans and mitigating impacts, and is prepared to provide public education and demonstrations to the City Council and citizens, and offer continuous follow-up concerning the time frame of the project.

Mayor Pro Tem Templeman stated that the community loves the Fire Department; however, he pointed out that a senior citizens housing, as well as other residential elements, are adjacent to the proposed site. He inquired why Bracket airfield was not further explored.

Councilmember McHenry stated that before deciding, he would like to observe the helicopter approach and land at Fire Station No. 64.

Deputy Chief Osby clarified that the temporary trailer assigned in Whittier Hills, would not be assigned in San Dimas. Their plans are to incorporate Fire Station No. 64 into living quarters for their personnel. He hopes to maintain the great working relationship with the City. They do recognize that the helicopter generates noise and are willing to provide demonstrations and public education. He stated the impacts are temporary and short term for a service that benefits the entire San Gabriel Valley within his budget.

In response to Councilmember Ebner, Deputy Chief Osby stated that Bracket Airfield is not a safe location and does not provide food service nor the special training required for personnel. He said the intent is to work in cooperation with the City to move forward by January 1, 2006.

In response to Councilmember Bertone, Deputy Chief Osby stated that gravel would control dust to minimize the impact to surrounding areas, but would not control the noise.

Mayor Morris stated he appreciated the candid approach as well as the information provided. He invited questions from the public.

**1) Deanna Burg**, resident on Pony Express Road, distributed fliers and stated that this service would not benefit the citizens of San Dimas, but would serve the entire San Gabriel Valley. She cited a Los Angeles Times article which provided statistics on maintenance and emergency calls for a 12-month period, and said each time a fire truck leaves with lights and sirens, they return quietly, but a helicopter is always noisy. She indicated that noise and dust are a concern, but the main concern should be for the safety of the citizens of San Dimas and felt a 12-month time frame to construct a facility in Industry was unrealistic. She encouraged an environmental impact report and that citizens be notified of the specific date for the demonstration. She suggested that CalOsha be brought in to survey the plans. She expressed concern with traffic on Bonita with the Post Office and bus stops, and suggested that other options be explored before putting a helicopter down in a densely populated area.

Mayor Morris stated that the City has no jurisdiction and the Fire Department is not requesting permission, but informing the City of their intentions to incorporate personnel into the San Dimas Fire Station.

In response to Ms. Burg's comments, **Erich Goetz**, Fire Captain, Air Operations Section, replied that the main emphasis of the article focused on helicopter mechanics not receiving comparable pay. He reported that the Board of Supervisors approved a salary plan to attract more mechanics and safety was not compromised.

2) **Ron Kranzer**, 508 No. San Dimas Avenue, said considering all aspects, he felt Brackett Field offered the greatest opportunity of service in facilities and to the community.

In response to Council, Deputy Chief Osby stated he would work with the City Manager to address concerns and schedule a demonstration. He added that Bracket Field is a safe location and is temporarily used as a base when there are brush fires; however, for a 24-hour operation, Station No. 64 is a better fit, considering budget, facilities, and training.

3) **Mike Hall**, 618 Maryport, agreed with Mr. Kranzer, and felt the Fire Department should consider Bracket Field.

## **RECESS**

Mayor Morris recessed at 10:21p.m. and the meeting reconvened at 10:29 p.m. with all members of the Council present.

- b. Request to transfer Cable Television Franchise from Century-TCI California L.P. to CAC Exchange I, LLC.

**RESOLUTION NO. 05-70**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING A TRANSFER, WITH CONDITIONS, OF THE CITY'S CABLE TELEVISION FRANCHISE FROM CENTURY-TCI CALIFORNIA, L.P. TO CAC EXCHANGE I, LLC.

Assistant City Manager Duran reported that in June, 2005, the City received a request to transfer to CAC Exchange I, LLC, a subsidiary of Time Warner, the existing cable television franchise from Century-TCI California, LP, managed by Adelphia. He said that under Federal Telecommunications law, the City has the authority to review and consent to the transaction. Staff identified three issues but felt they were not enough to deny the transfer. Staff recommends approval of Resolution No. 05-70 consenting to the transfer with conditions.

## **MOTION:**

After the title was read, it was moved by Councilmember Bertone, seconded by Councilmember McHenry, to waive further reading and adopt **RESOLUTION NO. 05-70**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING A TRANSFER, WITH CONDITIONS, OF THE CITY'S CABLE TELEVISION FRANCHISE FROM CENTURY-TCI CALIFORNIA, L.P. TO CAC EXCHANGE I, LLC. The motion carried unanimously.

Mayor Morris commented that the City has been very pleased with former Cable Coordinator Ken Pucci, responsible for televising City meetings and activities. He stated that Ken brought a lot to the community and he hopes Time Warner quickly finds someone like him.

- c. Resolution No. 05-71 Amending the Optional Benefit Plan Contribution

**RESOLUTION NO. 05-71, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING SECTION 2 OF RESOLUTION 05-46 TO PROVIDE FOR AN INCREASE IN THE CITY'S OPTIONAL BENEFIT PLAN.**

City Manager Michaelis reported that health and dental insurance premiums are proposed to increase by 9% for 2006 in the Optional Benefit Plan and recommended approval of Resolution No. 05-71 providing for an increase in the additional contribution.

**MOTION:**

After the title was read, it was moved by Councilmember Ebner, seconded by Councilmember Bertone, to waive further reading and adopt **RESOLUTION NO. 05-71, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS AMENDING SECTION 2 OF RESOLUTION 05-46 TO PROVIDE FOR AN INCREASE IN THE CITY'S OPTIONAL BENEFIT PLAN.** The motion carried unanimously.

**6. SAN DIMAS REDEVELOPMENT AGENCY**

Mayor Morris recessed at 10:40 p.m. the regular City Council meeting to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The regular meeting was reconvened at 11:22 p.m. with all members present.

**7. ORAL COMMUNICATIONS**

- a. Members of the Audience

No one came forth.

- b. City Manager

None

- c. City Attorney

None

- d. Members of the City Council

- 1) Appoint Mayor Pro Tem Jeffrey Templeman to represent City of San Dimas on San Gabriel Valley Mosquito & Vector Control District Board of Trustees.

It was moved by Councilmember Bertone, seconded by Councilmember Ebner, to reappoint Mayor Pro Tem Jeffrey Templeman as the City of San Dimas representative on the San Gabriel Valley Mosquito & Vector Control District Board of Trustees. The motion carried unanimously.

2) Councilmember McHenry mentioned that the Development Plan Review Board approved two second unit projects that would encroach into the equestrian zones and would limit the amount of horse keeping areas in their neighbor's property. He stated that the Equestrian Commission and members of the

equestrian community expressed concern, but staff did a good job of finding a balancing point. He felt the DPRB would see more of these types of challenges.

In response to Councilmember Ebner, Director Stevens stated staff applied the adopted standard, and balanced against state law, could not apply discretion to the second units. He felt a reasonable interpretation of standards was reached and staff required on both projects the location of units to be modified to minimize potential impacts on horse keeping areas. He noted that a revision to the Second Unit Ordinance would be brought before Council sometime in the near future, and if an appeal is required, the City Council has fourteen days from the date the letter is sent.

In response to Council, Director Stevens stated that all properties retain horse keeping capabilities slightly more restricted where improvements have been constructed on the property. He added that adjacent property owners were not notified.

Mayor Morris felt adjacent properties owners should be notified.

3) Councilmember Bertone expressed concern that management is not proceeding with the acquisition of open space whereas other cities have been awarded millions of dollars in grants.

4) Community Development Director Stevens announced that the environmental impact report for Vista Verde was not completed and previously scheduled meeting with the Los Angeles County Regional Planning on December 7, 2005 has been postponed until December 19, 2005. He stated he will be notified of the new hearing.

## **8. CLOSED SESSION**

Recessed at 11:32 p.m. to a City/Redevelopment Agency closed session pursuant to Government Code Section 54956.9:

**a. 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.

**b. CONFERENCE WITH REAL PROPERTY NEGOTIATION**

Property: Property acquisition pursuant to the Disposition Development Agreement with Costco for the Costco project at the southeast corner of Lone Hill and Gladstone.  
APN: 8383-009-004; 019, 025, 026, 044, 045, 046 & 047, 602 N. Lone Hill Avenue; 526 N. Lone Hill Avenue; 522 N. Lone Hill Avenue; 514 N. Lone Hill Avenue; 508 N. Lone Hill Avenue.  
APN: 8383-009-020 & 021, 506 N. Lone Hill Avenue  
APN: 8383-009-034, 943 W. 5<sup>th</sup> Street; 943 "B" W. 5<sup>th</sup> Street  
APN: 8383-009-035, 933 W. 5<sup>th</sup> Street  
APN: 8383-009-017, 018, & 036, 1000 W. Gladstone  
APN: 8383-009-015 & 016, 1002 Gladstone Street; 1004 Gladstone Street.  
APN: 8383-010-005, 948 W. 5<sup>th</sup> Street  
APN: 8383-010-054, 942 W. 5<sup>th</sup> Street  
APN: 8383-010-?, 932 W. 5<sup>th</sup> Street  
APN: 8383-010-009, 922 W. 5<sup>th</sup> Street  
APN: 8383-010-018, 019 & 020, 914 W. 5<sup>th</sup> Street

**Negotiating Parties:**

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

For Developer: Steve McArthur, Costco-Northwest Atlantic

Under Negotiation: Terms and conditions of City/Agency possible participation.

The Board approved appraisal reports for the properties that are required for the project and authorized that offers be extended to the property owners at the appropriate time.

**9. ADJOURNMENT**

The meeting adjourned at 1:02 a.m. The next meeting is December 7, 2005, 7:30 a.m. to meet with Supervisor Antonovich.

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Mayor of the City of San Dimas

ATTEST:

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City Clerk