



**MINUTES**  
**REGULAR CITY COUNCIL**  
**TUESDAY, JANUARY 10, 2006, 7:00 P. M.**  
**COUNCIL CHAMBERS, 245 E. BONITA AVE.**

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**PRESENT:**

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

**Ginny Phillips**, 525 No. Amelia Avenue, stated that she would like to obtain public records without having to be specific or filling out a form. She mentioned that she would also like DPRB agendas and minutes posted online.

**Dennis Phillips**, 525 No. Amelia Avenue, stated that the blighted Canyon Center does not support retail; and although the City has had numerous applications to develop the Canyon Center property into living space, the majority of the Council prefers to maintain the commercial zoning for the property. He said the City is taking legal action against the new property owners for property maintenance and brought up issues with the city-owned Mansion.

**Ted Powl**, President/CEO, Chamber of Commerce, invited citizens to the upcoming Citizen of the Year dinner on January 25, 2006, at San Dimas Canyon Clubhouse, to honor Jim Elliott, who is heavily involved with the School District and the Festival of Arts. He encouraged citizens to RSVP to the Chamber for a wonderful evening.

**Paul Looney**, 113 Commercial, addressed the City Council on 1) the overbuilding of the Historic District; 2) prevention of illegal teardowns; and 3) protecting the City from liability related to the illegal teardown on Commercial Street, particularly the failure to follow procedures of asbestos removal. He felt the homeowners' illegal actions should be punished by not permitting them to rebuild.

b. City Manager

No report.

c. City Attorney

No report.

d. Members of the City Council

No report.

**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.)

It was moved by Councilmember McHenry, seconded by Councilmember Ebner, and unanimously carried 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. 06-01**, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, CALIFORNIA, APPROVING CERTAIN DEMANDS FOR THE MONTHS OF DECEMBER 2005 AND JANUARY, 2006.

b. Approval of minutes for regular meeting of November 22, 2005; and study session of December 7, 2005.

END OF CONSENT CALENDAR

**4. OTHER MATTERS**

a. Update on DPRB Case No. 05-87, demolition of historic house at 125 West Commercial Street.

Planning Manager Hensley summarized the chronological history leading to the demolition of the historic house at 125 West Commercial Street in violation of the Municipal Code and Building Code, and reported that the Development Plan Review Board will consider revised plans at their January 12, 2006 meeting. Staff requested that the Board consider requiring removal of the front wall and upgrading the existing garage to match the new house. Planner Hensley reported on the possible prosecution for the illegal demolition and said staff felt that voluntary compliance was best since the applicant is willing to cooperate with and paid for the Historical Assessment Report prepared by John Ash Group, as well as the DPRB application fee and environmental review process. Staff will schedule the appeal hearing after the DRPB action.

Planner Hensley replied to Council that staff had recommended that the applicant revise plans to meet the historical assessment report, and if they chose not to do so, the plans could be denied; another recommendation is to have the applicant replace the garage; and the proposed unit is 2,059 square feet.

In response to Mayor Pro Tem Templeman, Planner Hensley stated that an asbestos report was submitted as part of the request to demolish the original building, and the applicants were required to reapply for what actually was demolished and submit an approval from the AQMD. He was unaware of issues with the soil.

In response to Councilmember Ebner, Mayor Morris explained that the demolition requires an inspector on site for the asbestos removal due to illegal additions and un-permitted shingle siding with asbestos. Planner Hensley stated that the City requires AQMD sign-off.

In response to Councilmember Ebner, Planner Hensley stated that the California Environmental Quality Act requires review if there is going to be impact on an historic structure. JAG was hired to conduct an historic assessment report and the suggested mitigation was that the towncore design guidelines be strictly followed.

Councilmember Ebner stated that he appealed because he personally did not feel that was enough. However, he valued the DPRB's suggestions and decision, and was in favor of waiting until the DRPB met on Thursday with entire plans before them.

Councilmember McHenry said the City would follow the Court's goal to gain compliance; he believed the DPRB would follow prior precedent, which was to follow JAG's recommendation for a redesign, and would approve if the applicant complied. He stated if a Councilmember desired to appeal, he suggested first rewriting policy for the DPRB to administer. He and Mayor Morris expressed concerns of having the DPRB go through a futile act if this item were appealed to the City Council.

After further discussion and consent of Councilmember Ebner, it was the consensus of the Council that the DPRB is helpful in narrowing down issues and there is value in proceeding with the Board meeting on Thursday.

- b. Update on Scenic Highway Overlay Zone on Foothill Boulevard related to Tentative Parcel Map 05-01.

Planning Manager Hensley reported that at their November 22, 2005 meeting, the City Council considered and approved Tentative Parcel Map 05-01, requesting staff to research other Foothill Boulevard developments to determine if encroachment into the 25-foot landscape setback had been permitted in the past. One of the issues raised at that meeting was the applicant's desire for a sidewalk and equestrian trail along Foothill Blvd, which would reduce to 17 feet the 25-foot landscape setback required in the Scenic Overlay Zone. A second issue raised at that meeting was the desire to have the sidewalk adjacent to the curb to permit safe exit from parked vehicles. It was determined that there is no on-street parking at this site. Staff recommended that no additional easement be required at this point and that the equestrian trail be retained, and in the future, a plan could be addressed for an extended sidewalk along the north side of Foothill Boulevard.

Planner Hensley responded to Council on parking limitations and restrictions; and said there would be parking in the future.

Councilmember McHenry stated that the only argument in favor of a sidewalk is that it connects to Walnut Avenue. He could not envision this Council expending money or degrading the viewshed to accommodate a horse trail and build a retaining wall from the Flood Control Channel to San Dimas Avenue.

In response to Councilmember Bertone, Planner Hensley stated that there could be a sidewalk in the future.

In response to Mayor Morris, Director Stevens said they may have to negotiate the easement to acquire property as they have done with other sidewalk projects.

In response to Mayor Morris, Public Works Director Patel said his position was to secure the easement for future use. The owners are willing to give the easement if they could have a sidewalk on the curbside.

Planner Hensley said if the owner decides to have a sign on the property, a portion of the trail may not have a fence due to visibility issues.

- c. Request for authorization to waive formal bid process to purchase a new Parking Permit Machine to be installed at the San Dimas Sheriff's Station.

Assistant City Manager Duran reported that one of two parking permit machines is nine years old and heavily used. After review of the age, use of the machine, and frequent need for service, it was determined that a new machine would be appropriate for installation at the new Sheriff's Station. Also, a replacement permit dispenser for the Via Verde Shopping Center is being considered in Fiscal Year 2006-07 budget. Staff recommends that the City Council waive the formal bid process and authorize the purchase of a new parking permit machine from Pacific Parking Systems, Inc. in the amount of \$14,287 to be appropriated from the General Fund.

Assistant Manager Duran replied to Council that there is money available to relocate the dispenser; and the second machine is located in front of Von's in the Via Verde Shopping Center.

Mayor Pro Tem Templeman felt that installing the dispenser outside would mar the aesthetics of the new Sheriff's Station.

Assistant Manager Duran replied that the site was identified during construction plans, and for security reasons the decision was made to install the dispenser outside since many citizens take out permits during the middle of night hours.

It was moved by Councilmember Bertone, seconded by Councilmember McHenry, to waive formal bid process and authorize the purchase of a new parking permit machine from Pacific Parking Systems, Inc. in the amount of \$14,287 from the General Fund; and consider in Fiscal Year 2006-07 budget a replacement machine for the Via Verde Shopping Center. The motion carried unanimously.

## **5. SAN DIMAS REDEVELOPMENT AGENCY**

Mayor Morris recessed at 8:10 p.m. the regular City Council meeting to convene a meeting of the San Dimas Redevelopment Agency Board of Directors. The meeting reconvened at 8:15 p.m. with all members present.

## **6. ORAL COMMUNICATIONS**

- a. Members of the Audience

**Paul Looney** stated that on Wednesday, October 12, 2005, he reported the illegal tear down and that afternoon the City issued a stop work order, which was ignored by the homeowners. He said he attended the DPRB meetings and the Board discussed the architectural features, but seemed unable to address the major issue. The issue for the Council is how to address the teardowns. He disagreed with a \$500 fine and thought people should not be permitted to build a house larger than the demolished unit.

b. City Manager

1) Update on San Dimas Homeless/Hunger programs.

City Manager Michaelis reported that the City's Housing staff maintains a list of resources to refer homeless persons and families to shelters in the area where they could obtain temporary housing, food, employment assistance or medical care. Most shelters are for immediate need and not intended as long-term housing. The homeless population is served by the East San Gabriel Valley Coalition for the Homeless; the Pomona Inland Valley Council of Churches, and 2-1-1 (a 24-hour Social Service Hotline) which became available last July. In cases where a homeless appears to be mentally ill, the Los Angeles County Department of Mental Health provides a Mobile Response Team who can evaluate the individual and take them to a County medical facility. These resources are posted on the City website, San Dimas Weekly E-Newsletter, and local newspapers.

Councilmember Ebner said he requested this report and appreciates the information. He said notices on e-newsletter go out free of charge, and the website provides various resources with detailed information. He expressed concern that sometimes the homeless go unseen and this time of year homelessness is a serious problem.

In response to Councilmember Ebner, City Manager Michaelis added that persons could also call Eliza Durazo or Diana Kasuyama for a list.

Councilmember Bertone inquired if all staff members knew to direct the homeless to the appropriate personnel. City Manager Michaelis replied that he has scheduled a brief meeting for employees.

Mayor Pro Tem Templeman said when someone comes to the Senior Citizens Center, they get fed, and the Chamber of Commerce will contact Mike Long of Christ Church of the Valley, who could help with food and clothing.

c. City Attorney

No report.

d. Members of the City Council

1) Councilmember Ebner said City Council policy has the numerical standards and architectural guidelines to guide development or redevelopment in the town core. He said sometime in the near future, he would like to get on the agenda a report from staff on what it takes to start the process to deter the mansionization of the town core. He thought the best offense is to get something in place.

Councilmember McHenry said 50% of what the DPRB is dealing with is size of additions. He added that he would like to discuss at the meeting not only bulk and mass, size, and square footage, but also state mandates encouraging densification.

Mayor Morris agreed that the greatest threat is the State and that in every legislative session at least four bills are introduced endorsing on-street parking. He said the State is opposed to green or white space and exerted pressure that cities deal with millions of people. He thought it a good idea within the next three months to devote a study session to housing and have the City Attorney provide a review of the latest legislation related to housing.

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

No reportable action.

- b. Property: Fox Project Grove Station L.L.C., San Dimas Avenue  
Negotiating Parties:  
For Agency: Blaine Michaelis, City Manager/Executive Director, and J. Kenneth Brown, City/Agency Attorney.  
For Property: William Fox; Jide Alade  
Under Negotiation: Terms and conditions of property disposition and/or Agency participation.

No reportable action.

- c. **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.

## 8. ADJOURNMENT

The meeting adjourned at 9:15 p.m. The next meeting is on Tuesday, January 24, 2006, 7:00 p.m.

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Mayor of the City of San Dimas

ATTEST

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City Clerk