



**CITY COUNCIL/SUCCESSOR AGENCY  
MEETING MINUTES  
TUESDAY JUNE 12<sup>th</sup> 2018, 7:00 P. M.  
SAN DIMAS COUNCIL CHAMBER  
245 E. BONITA AVE., SAN DIMAS, CA**

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**CITY COUNCIL:**

Mayor Curtis W. Morris  
Mayor Pro Tem John Ebiner  
Councilmember Emmett Badar  
Councilmember Denis Bertone  
Councilmember Ryan A. Vienna

**STAFF PRESENT:**

City Manager Blaine Michaelis  
Assistant City Manager Ken Duran  
Assistant City Manager Community Development Larry Stevens  
City Attorney Mark Steres  
Director of Parks and Recreation Theresa Bruns  
Director of Public Works Krishna Patel  
Assistant City Clerk Debra Black  
Administrative Analyst Ann Garcia

**CALL TO ORDER AND FLAG SALUTE**

**Mayor Morris** called the meeting to order and led the flag salute at 7:06 p.m.

**Assistant City Manager Ken Duran** announced that the broadcast was having technical difficulties.

**ORAL COMMUNICATIONS** (Members of the audience are invited to address the City Council on any 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. However, your concerns may be referred to staff or set for discussion at a later date. If you desire to address the City Council on an item on this agenda, other than a scheduled public hearing item you may do so at this time or asked to be heard when that agenda item is considered. Comments on public hearing items will be considered when that item is scheduled for discussion. The Public Comment period is limited to 30 minutes. Each speaker shall be limited to three (3) minutes.)

a. Members of the Audience

- 1) Nora Chen San Dimas Library Manager – announcements on upcoming events and programs

**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.)

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

- a. **RESOLUTION 2018-32, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS APPROVING CERTAIN DEMANDS FOR THE MONTHS OF MAY AND JUNE, 2017.**
- b. Approve minutes for the May 22<sup>nd</sup>, 2018 Regular City Council Meeting.
- c. **FINAL PARCEL MAP 65790** - Approval and adoption of Resolution 2018-33 approving the Final Map for Parcel Map 65790 (PM 06-02) located at 405 W. Gladstone Street (APN: 8392-015-029) and authorizing its recordation.

**RESOLUTION 2018-33, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, APPROVING THE FINAL MAP FOR PARCEL MAP 65790 AND AUTHORIZING ITS RECORDATION**

- d. **Construction Contract No. 2018-05**, Pavement Preservation: Juanita Et Al Street Improvement Project
  1. Award of Construction to Hardy & Harper Inc. for the bid amount of \$669,000.00
  2. Approval of project change order 01 of \$136,650.00
  3. Approval of Project budget of \$936,000.00 which includes the construction contract, 15% contingency, geotechnical testing, survey and change order 01
- e. Traffic Signal Maintenance Contract - Contract Extension for up to 12-Months with Computer Services Company, Inc. in the amount of \$160,000
- f. SGVCOG Update

**END OF CONSENT CALENDAR**

**RECOMMENDED ACTION:** Approve consent calendar as presented.

**Councilmembers Badar, Bertone, Ebner and Vienna announced recusals for items on the June 15, 2018 Warrant Register.**

**MOTION:** Motion/seconded by Councilmembers Bertone/Badar to approve the consent calendar with the announced recusals of items 162006, 162011, 162037 and 162140 on the June 15, 2018 Warrant Register. The motion passed by unanimous vote. **(5-0)**



**YES:** Badar, Bertone, Ebner, Morris, Vienna  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

**PUBLIC HEARING**

- a. Consideration of Conditional Use Permit 17-0012, Precise Plan 17-0002, DPRB Case No. 17-0030 and Tree Removal Permit Case No. 17-0072

**RESOLUTION 2018-34, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, APPROVING CONDITIONAL USE PERMIT 17-0012, A REQUEST TO CONSTRUCT AND OPERATE A TWO-STORY, 30,525 SQUARE FOOT ALZHEIMER'S MEMORY CARE FACILITY WITH 32 BEDROOMS SERVING UP TO A MAXIMUM OF 60 PATIENTS, LOCATED AT 1155 VIA VERDE (APNS: 8448-020-067 and 074)**

**RESOLUTION 2018-35, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, APPROVING PRECISE PLAN 17-0002, DEVELOPMENT PLAN REVIEW BOARD CASE NO. 17-0030, AND TREE REMOVAL PERMIT 17-0072, A REQUEST TO CONSTRUCT AND OPERATE A TWO-STORY 30,525 SQUARE FOOT ALZHEIMER'S MEMORY CARE FACILITY WITH 32 BEDROOMS SERVING UP TO A MAXIMUM OF 60 PATIENTS, AND THE REMOVAL OF ONE TREE LOCATED AT 1155 VIA VERDE (APNS: 8448-020-067 and - 074) WITHIN THE SCENIC HIGHWAY OVERLAY ZONE**

**RECOMMENDED ACTION:** Approve Conditional Use Permit No. 17- 0012, Precise Plan No. 17-002, DPRB Case No. 17-030 and Tree Removal Permit 17-0072 per the adoption of attached Resolution 2018- 34(CUP) and 2018-35(PP, DPRB, TRP)

**Senior Planner Marco Espinoza** presented staff's report on this item.

**Councilmember Bertone** asked what changes could be made to the use without the applicant or operator coming back to city staff.

**Mr. Espinoza replied** that one of the conditions of use is if it were an assisted living the patients could not park their vehicles at the location.

**Assistant City Manager of Community Development Larry Stevens** added that they would have to come back to the city council for a new conditional use permit if they wanted to change the use to a drug rehabilitation facility.

Responding to Councilmember Ebiner Mr. Espinoza replied there were no compact parking spaces.

**Mayor Morris** reopened the public hearing for presentations or members of the audience to speak.

**Paul Bunton** shared that they had worked with staff to add significant parking while giving up a memory garden for the patients; he added that the project is significantly over parked.

**Mr. Bunton** responded to Mayor Morris saying that they would like to have the option of a memory garden open for the operator of the facility and said that the demand for this type of use is high.

**Councilmember Ebiner** asked if they would be willing to have a condition that said they didn't have to install parking spots 33, 34 and 35 now for the memory garden to be accommodated, but if needed later the parking spots would replace it.

**Mr. Bunton** they would be willing to accept that condition.

**Councilmember Badar** added that condition wouldn't be any different then what was done for the Care Meridian facility with the landscape requirement.

**Betty T. Lamb** resident spoke in opposition to the project and urged council to reject the proposal.

**Mayor Morris** closed the public hearing and brought the item back to the council for discussion and vote.

**Councilmember Ebiner** offered that a memory garden would be important to the facility and he would be open to not requiring the last three spaces, but would be added if needed in the future.

**Councilmember Vienna** added that he appreciated the developer's patience and thought the memory garden was an important feature and **made the motion** to accept staff's recommendations to adopt resolutions 2018-34 and 2018-35 adding language excluding parking spots 33, 34 and 35; but if a parking issue arises in the future it would be brought back for consideration.

**Councilmember Badar** shared an email message he received from Raymond M. asking that the hearing be postponed or be denied.

Mayor Morris called for resolutions 2018-34 and 2018-35 to be read by title.

**Councilmember Ebiner** seconded the motion to accept staff's recommendations adopting resolutions 2018-34 and 2018-35 with the added language.

**Mr. Stevens** asked if council would prefer the condition for the parking spaces be written to require 32 parking spaces with the option of adding three spaces should an issue occur or 35 spaces and defer three spaces until such parking issues are identified in the future.

The consensus from council was to accept the second option defined by Mr. Stevens and have staff be the reviewing body if the issue arises.

The motion passed by unanimous vote. **(5-0)**

**YES:** Badar, Bertone, Ebiner, Morris, Vienna

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

b. 1) Establishing an Underground Utility District on San Dimas Avenue between West Commercial Street and Bonita Avenue

2) Adopt Resolution 2018-36, Establishing Underground Utility District No. 10 on San Dimas Avenue between West Commercial Street to Bonita Avenue

**RESOLUTION 2018-36, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN DIMAS, COUNTY OF LOS ANGELES, CALIFORNIA ESTABLISHING UNDERGROUND UTILITY DISTRICT NO. 10 AND ORDERING THE REMOVAL OF POLES, OVERHEAD WIRES AND ASSOCIATED STRUCTURES, AND THE UNDERGROUND INSTALLATION OF WIRES AND FACILITIES FOR SUPPLYING ELECTRIC, COMMUNICATION, OR SIMILAR ASSOCIATED SERVICES ON SAN DIMAS AVENUE BETWEEN WEST COMMERCIAL STREET AND BONITA AVENUE**

**RECOMMENDED ACTION:** Adopt Resolution 2018-36, thereby establishing the formation of Underground Utility District No. 10 on San Dimas Avenue between West Commercial Street and Bonita Avenue.

**Director of Public Works Krishna Patel** presented staff's report on this item.

**Mayor Morris** opened the public hearing for comments. Seeing no one come forward the public hearing was closed and brought back to Council for discussion and vote.

**MOTION:** Motion/seconded by Councilmembers Badar/Vienna to waive further reading and accept staff's recommendation to adopt Resolution 2018-36. The motion passed by unanimous vote. **(5-0)**

**YES:** Badar, Bertone, Ebiner, Morris, Vienna

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

**OTHER MATTERS**



a. City of San Dimas – Plan to Prevent and Combat Homelessness

**RECOMMENDED ACTION:** Approve City of San Dimas Homelessness Plan.

Assistant City Manager of Community Development Larry Stevens provided a brief overview of staff's work on this item and then introduced Maureen Richey with LESAR Development Consultants to give an overview of the information provided in the agenda packet.

**Councilmember Bertone** stated that the report and presentation were done well, but felt that the goals are unrealistic and unattainable.

**Mr. Stevens** clarified for council the concept behind the strategy for dealing with the homeless.

Council and staff discussed the various aspects and stages of the plan and different ideas on implementation.

**MOTION:** Motion/seconded by Councilmembers Vienna/Bertone to accept staff's recommendation to approve the City of San Dimas Homelessness Plan. The motion passed by unanimous vote. **(5-0)**

**YES:** Badar, Bertone, Ebner, Morris, Vienna  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

b. Consideration of City Council direction to initiate a Municipal Code Text Amendment to allow modification of setback standards in the Scenic Highway Overlay Zone and/or C- H (Commercial Highway) Zone as they affect expansion of the existing development located at the northwest corner of Foothill Boulevard and San Dimas Canyon Road.

**RECOMMENDED ACTION:** Council input direction/guidance.

**Mr. Stevens** presented staff's report on this item.

Council and staff discussed the historical development of the site and surrounding area and what the best options would be for the applicant. Mr. Stevens suggested that if there is consensus of council to have him tweak an approach in the non-conforming section of the code that includes a use permit option, interpreting intensity of the changes in use in a way that can probably accommodate this project. If council likes that approach then staff will come back and look at the broader non-conforming section and its issues at some point in time.

Council agreed to the plan set forth by Mr. Stevens with the car wash concept eliminated.

c. Gold Line Update-verbal report.

**City Manager Blaine Michaelis** provided that the authority prepared design plans for the construction of the project and they were released to four preapproved bidders for review and submission of their bids for the design build process in September of 2018.

Mayor Morris recessed the City Council meeting and convened a meeting of the San Dimas Successor Agency at 8:56 p.m.

### **SUCCESSOR AGENCY**

a. Approve Purchase and Sale Agreement with F & A Credit Union

**RECOMMENDED ACTION:** 1) Recommend that the San Dimas Oversight Board approve the Purchase and Sale Agreement and sales price of \$1,161,718.74 subject to the City Attorney's final approval of the Agreement as to form and content.

2) Authorize the Successor Director to execute the Agreement upon approval of the Oversight Board.

**Assistant City Manager Ken Duran** presented staff's report on this item.

**MOTION:** Motion/seconded by Councilmembers Bertone/Vienna to accept staff's recommendation to approve the Purchase and Sale Agreement and sales price of \$1,161,718.74 subject to the City Attorney's final approval of the Agreement as to form and content; and authorize the Successor Director to execute the Agreement upon approval of the Oversight Board. The motion passed by unanimous vote. **(5-0)**

**YES:** Badar, Bertone, Ebiner, Morris, Vienna  
**NOES:** None  
**ABSENT:** None  
**ABSTAIN:** None

### **ORAL COMMUNICATIONS**

a. Members of the Audience (Speakers are limited to five-minutes or as may be determined by the Chair.)

b. City Manager

Mayor's call in show scheduled for Thursday.

A reception is planned for retiring Parks and Recreation Director Theresa Bruns before the council meeting on June 22, 2018.



**Mayor Morris** announced that at the conclusion of this meeting council would reconvene the earlier study session to discussion the remaining items on that agenda.

c. City Attorney

Announcement of closed session items as presented on agenda.

d. Members of the City Council

- 1) Approval to begin recruitment and interview process to fill unexpected vacancy on Parks and Recreation Commission.

**RECOMMENDED ACTION:** Authorize the Assistant City Clerk to begin the recruitment and interview process to fill the vacancy.

**MOTION:** Motion/seconded by Councilmembers Ebiner/Vienna to accept staff's recommendation and begin the recruitment and interview process. The motion passed by unanimous vote. **(5-0)**

**YES:** Badar, Bertone, Ebiner, Morris, Vienna

**NOES:** None

**ABSENT:** None

**ABSTAIN:** None

- 2) Councilmembers' report on meetings attended at the expense of the local agency

Nothing reported.

- 3) Individual Members' comments and updates.

- **Councilmember Vienna reports/comments:**

- 1) Attendance at the 2018 Newly Elected Officials Academy (California Joint Powers Authority)

- **Councilmember Bertone reports/comments:**

- 1) November Ballot changes to Proposition 47 and 57 designed to reduce the prison inmate population and the Executive Board of the COG vote in support of.
- 2) Recognition of Senior Volunteers

**CLOSED SESSION**

**CONFERENCE WITH LEGAL COUNSEL—ANTICIPATED LITIGATION**

Pursuant to Paragraph (1) of subdivision (d) of Government Code Section 54956.9

**Name of Case:** City of San Dimas v. Metro Gold Line Foothill Extension Construction Authority (Los Angeles Superior Court Case No. BS 171326)



**ADJOURNMENT**

The meeting recessed at 9:09 p.m. to continue the study session after which the closed session was held. The regular meeting reconvened in the City Council Chambers and the City Attorney announced that “the City Council met, discussed and provided direction on the closed session agenda item. No action was taken to be reported.” The meeting adjourned at 10:55 pm.

  
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Debra Black, Assistant City Clerk

  
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Curtis W. Morris, Mayor