

Minutes of a Regular Meeting of the La Mesa City Council
and a Special Meeting of the City of La Mesa Successor Agency
Tuesday, January 26, 2016 at 6:00 p.m.
City Council Chambers, 8130 Allison Avenue, La Mesa, California

Mayor Arapostathis called the meeting to order at 6:00 p.m.

ROLL CALL: CITY COUNCIL

PRESENT: Mayor Arapostathis; Vice Mayor Baber; Councilmembers Alessio, McWhirter and Sterling.

ABSENT: None.

STAFF: City Manager Witt; City Attorney Sabine; Assistant City Manager/Community Services Director Garrett; City Clerk Kennedy.

ROLL CALL: CITY OF LA MESA SUCCESSOR AGENCY

PRESENT: Chairman Arapostathis; Agencymembers Alessio, Baber, McWhirter and Sterling.

ABSENT: None.

STAFF: Assistant City Manager/Community Services Director Garrett; City Attorney Sabine; Secretary Kennedy.

INVOCATION – VICE MAYOR BABER

PLEDGE OF ALLEGIANCE

CITY MANAGER COMMENTS

Assistant City Manager/Community Services Director Garrett announced the State of California Transportation Commission awarded the City a \$1.9 million dollar grant for the West La Mesa Project to increase pedestrian access. Ms. Garrett said the grant was specifically to improve connections between Helix High School, La Mesa Arts Academy and La Mesa Middle School, and to expand accessibility for pedestrians in and around University Avenue.

COMMUNITY BULLETIN REPORTS

The Mayor and Council made announcements and reported on various events taking place in the City. No action was taken.

ADDITIONS AND/OR DELETIONS TO THE AGENDA

City Manager Witt requested the Council to remove item 7 from the agenda.

ACTION: It was the consensus of the Council to approve the removal of item 7 from the agenda.

PUBLIC COMMENTS

Mr. Robert Wangeman, La Mesa, complained about barking pit bull dogs that were being kept at a commercial business near his home. Mr. Wangeman said the barking was a public nuisance that disturbed the residents in the surrounding neighborhood and requested the noise ordinance be enforced.

Brother Steven Sidlovsky asked to be placed on a future agenda to present information to the Council on life peace overlay zones.

Mr. Peter Carzis asked about the status of the money owed to the City by the Merchants Association for the 2015 Oktoberfest.

CONSENT CALENDAR – CITY COUNCIL (Items 1 through 4)

Vice Mayor Baber announced he would be voting no on item 3.

1. APPROVAL OF MOTION TO WAIVE THE READING OF THE TEXT OF ALL ORDINANCES AND RESOLUTIONS AT THIS MEETING
2. APPROVAL OF MINUTES OF A REGULAR MEETING HELD JANUARY 12, 2016

Approved.

3. RESOLUTION AUTHORIZING CITY PARTICIPATION IN THE CALIFORNIA STATEWIDE COMMUNITIES DEVELOPMENT AUTHORITY (CSCDA) OPEN PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM

Resolution No. 2016-006 was adopted.

4. RESOLUTION TO APPROPRIATE FUNDS FOR THE MIGRATION OF THE BUSINESS LICENSE SYSTEM TO HDL PRIME

Resolution No. 2016-007 was adopted.

ACTION: Motioned by Councilmember Sterling and seconded by Councilmember Alessio to approve Consent Calendar items 1 through 4.

Vote: 5-0 on items 1, 2, and 4.

Yes: Mayor Arapostathis, Vice Mayor Baber, Councilmember Alessio, Councilmember McWhirter and Councilmember Sterling

No: None

Abstained: None

Absent: None

Motion passed.

CONSENT CALENDAR – CITY COUNCIL – Continued

Vote: 4-1 on item 3.

Yes: Mayor Arapostathis, Councilmember Alessio, Councilmember McWhirter and Councilmember Sterling

No: Vice Mayor Baber

Abstained: None

Absent: None

Motion passed.

CONSENT CALENDAR – CITY OF LA MESA SUCCESSOR AGENCY

(Items 5 through 6)

5. APPROVAL OF MOTION TO WAIVE THE READING OF THE TEXT OF ALL ORDINANCES AND RESOLUTIONS AT THIS MEETING

Approved.

6. RESOLUTION OF THE SUCCESSOR AGENCY TO THE LA MESA COMMUNITY REDEVELOPMENT AGENCY APPROVING AND ADOPTING THE RECOGNIZED OBLIGATION PAYMENT SCHEDULE (ROPS) FOR THE TWELVE-MONTH PERIOD FROM JULY 1, 2016 THROUGH JUNE 30, 2017 AND APPROVING RELATED ACTIONS

Resolution No. 2016-025 SA was adopted.

ACTION: Motioned by Agencymember McWhirter and seconded by Chair Arapostathis to approve Consent Calendar items 5 and 6.

Vote: 5-0

Yes: Chair Arapostathis, Agencymember Alessio, Agencymember Baber, Agencymember McWhirter, Agencymember Sterling.

No: None

Abstained: None

Absent: None

Motion passed.

COUNCIL COMMITTEE REPORTS

The Mayor and Council reported on various outside board, commission and committee meetings they attended. No action was taken.

AB 1234 REPORTS (GC 53232.3(d))

Vice Mayor Baber reported on his attendance at the League of California Cities Housing Policy Committee meeting on January 21 – 22, 2016 in Sacramento.

COUNCIL INITIATED

7. REQUEST FOR COUNCIL APPROVAL OF VICE MAYOR BABER'S TRAVEL EXPENSE TO ATTEND THE LEAGUE OF CALIFORNIA CITIES HOUSING POLICY COMMITTEE MEETING, JANUARY 21 – 22, 2016 IN SACRAMENTO – VICE MAYOR BABER

This item was deleted from the agenda.

Mayor Arapostathis recessed the meeting at 6:26 p.m.

The meeting reconvened at 7:00 p.m. with all members present.

7:00 P.M.

HEARING/ORDINANCE: FIRST READING

8. CONSIDERATION OF AN ORDINANCE AMENDING CHAPTER 24 OF THE LA MESA MUNICIPAL CODE TO INCREASE THE NUMBER OF DOGS ALLOWED PER DWELLING UNIT

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and at the time specified in the notice.

Mayor Arapostathis read the title of the Ordinance and outlined how the hearing would be conducted.

Community Development Director Dick provided background on the issue and explained the proposed Ordinance that would allow up to two adult dogs per multi-family dwelling unit and up to three adult dogs in a single-family dwelling unit. Ms. Dick said the proposed Ordinance would also allow ordinary household pets on commercial properties containing residential dwellings consistent with the single-family dwelling and multi-family dwelling unit limitations. Community Development Director Dick said staff recommended the Council approve the Negative Declaration and approve the introduction and first reading of the Ordinance.

Following Council questions, Mayor Arapostathis opened the hearing and asked if anyone from the audience wished to speak.

Ms. Jean Baber, La Mesa, spoke in support of animal adoption. Ms. Baber said the problem of barking dogs was the result of irresponsible pet owners and should be addressed by enforcing the noise Ordinance.

Ms. Harriet Seldin, Golden Retriever Club of San Diego County, spoke in support of the Ordinance and raising the limit to four dogs.

Ms. Susan Wayne, La Mesa, spoke about the problem of barking dogs and said other than mediation, there were no enforcement provisions in the noise Ordinance. Ms. Wayne suggested

taking care of the noise Ordinance first and then consider the issue of the number of dogs allowed in the future.

HEARING/ORDINANCE: FIRST READING – Continued

Ms. Melanie Morton, La Mesa, spoke in support of increasing the number of dogs allowed and in support of enforcing the noise Ordinance as it relates to the problem of barking dogs.

Mr. Robert Wangeman, La Mesa, asked about the new provision in the proposed Ordinance allowing dogs on commercial properties. Mr. Wangeman was informed that the proposed Ordinance would only pertain to commercial properties that contained residential dwellings.

Mr. Dexter Levy, La Mesa, suggested the Council consider strengthening the noise Ordinance as it pertained to nuisance animals.

Council questions continued.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember Sterling to close the hearing since there was no one else in the audience who wished to speak.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Baber, Councilmember Alessio, Councilmember McWhirter and Councilmember Sterling

No: None

Abstained: None

Absent: None

Motion passed.

Council discussion ensued.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember McWhirter to approve the Planning Commission and staff recommendations with one exception—increase the limit to five dogs per single-family dwelling.

Under discussion, Councilmember Sterling presented a substitute motion.

ACTION: Motioned by Councilmember Sterling and seconded by Mayor Arapostathis to approve the Planning Commission and staff recommendations to increase the limit to three dogs per single-family dwelling unit.

Vote: 2-3

Yes: Mayor Arapostathis and Councilmember Sterling

No: Vice Mayor Baber, Councilmember Alessio and Councilmember McWhirter

Abstained: None

Absent: None

Motion failed.

Mayor Arapostathis then called for the vote on the original motion.

HEARING/ORDINANCE: FIRST READING – Continued

Vote: 4-1

Yes: Mayor Arapostathis, Vice Mayor Baber, Councilmember Alessio, and
Councilmember McWhirter
No: Councilmember Sterling
Abstained: None
Absent: None

Motion passed.

CITY ATTORNEY REMARKS

There were no remarks.

ADJOURNMENT

Mayor/Chair Arapostathis adjourned the City Council and City of La Mesa Successor Agency meetings at 8:07 p.m.

Mary J. Kennedy, CMC
City Clerk