

Minutes of a Regular Meeting of the La Mesa City Council
Tuesday, March 22, 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:

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.

INVOCATION – MAYOR ARAPOSTATHIS

PLEDGE OF ALLEGIANCE

CITY MANAGER COMMENTS

There were no comments.

COMMUNITY BULLETIN REPORTS

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

PRESENTATION

PRESENTATION OF MISS LA MESA AND MISS LA MESA TEEN 2016

Mayor Arapostathis and Ms. Mary England, President/CEO, La Mesa Chamber of Commerce, recognized Tiffany Hoffman, Miss La Mesa 2015, and expressed appreciation for all her hard work throughout the year. Kaitlyn Mayhue, Miss La Mesa Teen 2015, was unable to attend. Miss La Mesa 2016, Suzanna Wiggins, and Miss La Mesa Teen 2016, Jennifer Breeze, were then introduced.

Ms. England recognized Ms. Sarah Billick, coordinator of the Miss La Mesa and Miss Santee pageants.

ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

PUBLIC COMMENTS

Mr. Russell Buckley, La Mesa, commented on item 4A and B, and requested a cost benefit analysis be conducted when the Climate Action Plan was prepared.

CONSENT CALENDAR

(Items 1 through 6)

Councilmember Sterling and Vice Mayor Baber requested item 4A and B be pulled for separate consideration. Vice Mayor Baber announced he would abstain on item 6.

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

Approved.

2. APPROVAL OF MINUTES OF A REGULAR MEETING HELD FEBRUARY 9, 2016; A SPECIAL MEETING HELD FEBRUARY 16, 2016; A SPECIAL MEETING HELD FEBRUARY 18, 2016; A REGULAR MEETING HELD FEBRUARY 23, 2016; AND A REGULAR MEETING HELD MARCH 8, 2016

Approved.

3. ACCEPTANCE OF THE 2015 ANNUAL REPORT – IMPLEMENTATION OF THE GENERAL PLAN

Approved.

5. RESOLUTION AUTHORIZING THE TRANSFER AND APPROPRIATION OF RISK LIABILITY FUND RESERVES TO THE GENERAL FUND FOR FLOORING REPAIRS AT NAN COUTS COTTAGE AND THE ADULT ENRICHMENT CENTER

Resolution No. 2016-018 was adopted.

6. RESOLUTION ACCEPTING BID 15-09 AND AWARDING A CONSTRUCTION CONTRACT FOR COLLIER PARK IMPROVEMENT PROJECT PHASE 1 TO ANTON'S SERVICES, INC.

Resolution No. 2016-019 was adopted.

ACTION: Motioned by Vice Mayor Baber and seconded by Councilmember Alessio to approve Consent Calendar items 1, 2, 3, 5 and 6.

Vote: 5-0 on items 1, 2, 3 and 5

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

No: None

Abstained: None

Absent: None

Motion passed.

CONSENT CALENDAR – Continued

Vote: 4-0-1 on item 6

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

Motion passed.

4. A. RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS IN THE AMOUNT OF \$45,000 AND A REQUEST FOR SAN DIEGO ASSOCIATION OF GOVERNMENTS DATA TO COMPLETE THE CITY'S CLIMATE ACTION PLAN; AND
B. RESOLUTION AMENDING A CONTRACT TO AECOM FOR PROFESSIONAL SERVICES TO PREPARE A CLIMATE ACTION PLAN

Community Development Director Dick provided background on the draft Climate Action Plan and the public outreach that was conducted to gain input from the community on the potential measures to mitigate climate change. Ms. Dick said the City received substantial comments from the public and decided to revise the draft Plan.

Council questions and comments ensued.

Mr. John Suhr, La Mesa, requested a cost benefit analysis be conducted and suggested the City set up an online planning process and invite the public to participate.

Council questions and comments continued.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember Sterling to approve Consent Calendar item 4A and B.

Vote: 5-0

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

Motion passed. Resolution No. 2016-016 and Resolution No. 2016-017 were adopted.

STAFF REPORT

7. CONSIDERATION OF ADOPTING A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING FOR PHASE 1 ACTIVITIES FOR SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD INVESTIGATIVE ORDER NO. R9-2015-0058 FOR SEDIMENT QUALITY IN THE MOUTH OF CHOLLAS CREEK

STAFF REPORT

Public Works Director Humora gave a report on the San Diego Regional Water Quality Control Board's Investigative Order regarding the sediment quality in Chollas Creek. Mr. Humora explained the City's responsibility to work with other named parties in the Order to complete the Phase 1 work plan and monitoring activities. Public Works Director Humora said the staff recommended the Council adopt the resolution approving the Memorandum of Understanding for Phase 1 activities between parties in the Chollas Creek Watershed regarding San Diego Regional Water Quality Control Board Investigative Order No. R9-2015-0058 for sediment quality in Chollas Creek.

Council questions and comments ensued.

ACTION: Motioned by Councilmember Sterling and seconded by Councilmember McWhirter to approve staff's recommendation.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed. Resolution No. 2016-020 was adopted.

COUNCIL COMMITTEE REPORTS (3 MINUTE LIMIT)

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))

There were no reports.

COUNCIL INITIATED

8. UPDATE/POSSIBLE COUNCIL ACTION ON PROPOSED SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) BALLOT MEASURE – COUNCILMEMBER ALESSIO

Councilmember Alessio reported on SANDAG's proposed 40 year, ½ cent sales tax increase to fund transportation and transit projects throughout the County and said there were several iterations of expenditure plan. Councilmember Alessio said she would like the Council's input before the next meeting at SANDAG.

Council questions and discussion ensued.

Mr. Russell Buckley, La Mesa, spoke in opposition to SANDAG's proposed ballot measure and urged it not be approved.

Following continued discussion and comments, no action was taken.

7:00 P.M.

HEARING

9. CONSIDERATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR FISCAL YEAR 2016-2017

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.

Associate Planner Kinnard gave a presentation regarding the Housing and Urban Development's (HUD) requirements for the allocation of funds. Ms. Kinnard discussed funding for social service programs and for the proposed capital improvement projects. Associate Planner Kinnard said staff recommended the Council authorize staff to develop the FY 2016-2017 CDBG Annual Plan, and direct staff to return on April 26, 2016 for final review and approval of the FY 2016-2017 Annual Plan for U.S. Department of Housing and Urban Development (HUD) funded activities.

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

Mr. George Ibarra, Senior Housing Counselor, CSA San Diego County Fair Housing, spoke regarding the services provided and in support of funding for the organization.

Council questions and comments continued.

ACTION: Motioned by Councilmember Sterling and seconded by Councilmember Alessio 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.

ACTION: Motioned by Councilmember Sterling and seconded by Councilmember Alessio to approve staff's recommendations to develop the FY 2016-2017 CDBG Annual Plan, and direct staff to return on April 26, 2016 for final review and approval of the FY 2016-2017 Annual Plan for U.S. Department of Housing and Urban Development (HUD) funded activities.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

HEARING/ORDINANCE: FIRST READING

10. CONSIDERATION OF ZONING ORDINANCE AMENDMENT ZOA-16-01 (GARDEN FRESH RESTAURANT CORPORATION) – AN ORDINANCE AMENDING CHAPTER 24.06 OF THE LA MESA MUNICIPAL CODE RELATED TO OFF-SITE DISTRIBUTION OF FOOD OR FOOD PRODUCTS OR CONFECTIONS PREPARED ON-SITE IN COMMERCIAL ZONES AND APPROVAL OF THE NEGATIVE DECLARATION

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.

Community Development Director Dick said the proposed Zoning Ordinance Amendment would affect all four commercial zones in the City. Ms. Dick said the amendment had been initiated by the Souplantation, also known as Garden Fresh Restaurant Corporation, and was the first step in addressing a code violation at the Souplantation restaurant on Fletcher Parkway. Community Development Director Dick said the City received a noise complaint regarding the business operations at the restaurant, and investigations revealed the La Mesa restaurant site was being used as a food manufacturing and distribution facility (Central Kitchen) to supply prepared food for 12 to 14 other Souplantation restaurants in the region.

Community Development Director Dick explained the current zoning of the property and discussed the purpose of the proposed Zoning Ordinance Amendment. Ms. Dick said the Planning Commission recommended the Council approve Zoning Ordinance Amendment ZOA 16-01, including the Negative Declaration prepared in accordance with the California Environmental Quality Act (CEQA).

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

Mr. Richard Annen, Attorney, representing the Garden Fresh Restaurant Corporation, spoke in support of the proposed Zoning Ordinance Amendment and provided background about the Central Kitchen. Mr. Annen also spoke about the efforts to change the timing of the truck deliveries and pickups and their outreach to the surrounding neighborhood.

Ms. Alice Knotts, El Cajon, spoke in opposition to the Zoning Ordinance Amendment. Ms. Knotts asked the Council to study the implications of the amendment and said the issue had not been fully investigated. Ms. Knotts expressed her concerns that food distribution from restaurants in La Mesa could impact walkability in the City, said the Conditional Use Permit process was too difficult for the average citizen to understand, and requested the issue be tabled and sent back for additional review.

Mr. Thomas Mitchem, El Cajon, also spoke in opposition to the Zoning Ordinance Amendment and spoke about the problem of noise and exhaust from the delivery trucks throughout the day and night. Mr. Mitchem said the restaurant was not a good neighbor.

Council questions and comments continued.

HEARING/ORDINANCE: FIRST READING – 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.

City Attorney Sabine read the title of the Ordinance.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember Sterling to approve the Negative Declaration, and the introduction and first reading of the Ordinance.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

CITY ATTORNEY REMARKS

There were no remarks.

ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 8:07 p.m.

Mary J. Kennedy, CMC
City Clerk