

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

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 – COUNCILMEMBER McWHIRTER

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.

ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

PUBLIC COMMENTS

There were no public comments.

CONSENT CALENDAR

(Items 1 through 10)

Councilmember Sterling requested item 2 be pulled for separate consideration.

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

Approved.

CONSENT CALENDAR – Continued

3. RATIFICATION OF THE DESIGN REVIEW BOARD'S APPROVAL OF DRB-15-12 (S/S LA MESA BLVD LLC) – A NEW MIXED-USE BUILDING INCLUDING SEVEN APARTMENTS AND FOUR COMMERCIAL SPACES AT 8055-61 LA MESA BOULEVARD IN THE CD-D (DOWNTOWN COMMERCIAL/ URBAN DESIGN OVERLAY) ZONE

Approved.

4. RATIFICATION OF THE DESIGN REVIEW BOARD'S APPROVAL OF DRB-16-11 (GAIPA) – AN EXTERIOR REMODEL TO AN EXISTING RESTAURANT SITE AT 8141–8147 LA MESA BOULEVARD IN THE CD-D (DOWNTOWN COMMERCIAL/ URBAN DESIGN OVERLAY) ZONE

Approved.

5. RESOLUTION AUTHORIZING SIXTH AMENDMENT TO CITY ATTORNEY EMPLOYMENT CONTRACT BETWEEN THE CITY OF LA MESA AND SABINE AND MORRISON

Resolution No. 2016-059 was adopted.

6. RESOLUTION RATIFYING THE AWARD FOR UPGRADE OF THE VOTING AND AV SYSTEM, AUDIO AND DVD RECORDERS TO WIDCO INC. DBA TECHNICAL SERVICES AND TRANSFERRING AND APPROPRIATING \$80,000 FROM PUBLIC EDUCATION AND GOVERNMENT FUNDS RESERVES FOR UPGRADE OF THE TELEVISION BROADCAST PRODUCTION SYSTEM

Resolution No. 2016-060 was adopted.

7. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA, CALIFORNIA, ESTABLISHING THE PROPERTY TAX RATE FOR BONDED INDEBTEDNESS FOR FISCAL YEAR 2016-2017

Resolution No. 2016-061 was adopted.

8. RESOLUTION SETTING A PUBLIC HEARING TO AMEND UNDERGROUND UTILITY DISTRICT NO. 28 ON MASSACHUSETTS AVENUE FROM UNIVERSITY AVENUE TO STATE ROUTE 94, AND NO. 29 ON WAITE DRIVE FROM MASSACHUSETTS AVENUE TO 69TH STREET

Resolution No. 2016-062 was adopted.

9. RESOLUTION AWARDED A SPECIALIZED PROFESSIONAL SERVICES CONTRACT FOR FINAL DESIGN FOR THE NORTH SPRING STREET PEDESTRIAN IMPROVEMENTS – PHASE 2 PROJECT TO KIMLEY-HORN AND ASSOCIATES, INC.

Resolution No. 2016-063 was adopted.

CONSENT CALENDAR – Continued

10. RESOLUTION APPROVING THE SANDAG-ARJIS DATA SHARING MEMORANDUM OF UNDERSTANDING (MOU) AND AUTHORIZING THE MAYOR OR HIS DESIGNEE AND THE CITY ATTORNEY TO SIGN THE MOU ON BEHALF OF THE CITY OF LA MESA

Resolution No. 2016-064 was adopted.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember McWhirter to approve Consent Calendar items 1, and 3 through 10.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

2. APPROVAL OF MINUTES OF A SPECIAL MEETING AND A REGULAR MEETING HELD JUNE 28, 2016; AND A SPECIAL MEETING AND A REGULAR MEETING HELD JULY 12, 2016

Councilmember Sterling pointed out there were typographical errors on pages 4 through 6 of the July 12 minutes and said she was listed as Vice Mayor instead of Councilmember.

City Clerk Kennedy said she would make the corrections.

ACTION: Motioned by Councilmember Sterling and seconded by Mayor Arapostathis to approve the minutes of a Special meeting and a Regular meeting held June 28, 2016; the minutes of a Special meeting held July 12, 2016; and the corrected minutes of a Regular meeting held July 12, 2016.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

WRITTEN COMMUNICATION

11. LETTER FROM THE LEAGUE OF CALIFORNIA CITIES REQUESTING THE DESIGNATION OF A VOTING DELEGATE AND ALTERNATE FOR THE ANNUAL LEAGUE CONFERENCE, OCTOBER 5 THROUGH OCTOBER 7, 2016, IN LONG BEACH

WRITTEN COMMUNICATION – Continued

ACTION: Motioned by Councilmember Sterling and seconded by Councilmember Alessio to designate Vice Mayor Baber as the voting delegate at the Annual League Conference.

Under discussion, Mayor Arapostathis requested the motion be amended to designate Councilmember McWhirter as the alternate voting delegate at the Conference. The amendment was acceptable to the maker and second to the motion. Mayor Arapostathis called for the vote.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

STAFF REPORTS

12. CONSIDERATION OF A STATE LICENSED RESIDENTIAL CARE FACILITY PROPOSED BY WESTMONT DEVELOPMENT ON AN APPROXIMATELY 3.3-ACRE PORTION OF THE BRIERCREST PARK SITE, A VACANT GRADED PROPERTY LEASED FROM THE CITY OF LA MESA AT THE NORTHEAST CORNER OF STATE ROUTE 125 AND MURRAY DRIVE (ADDRESSED AS 9000 MURRAY DRIVE) IN THE RIS-G (SUBURBAN RESIDENTIAL/GROSSMONT SPECIFIC PLAN OVERLAY) ZONE, INCLUDING:
 - A. RATIFICATION OF THE DESIGN REVIEW BOARD’S APPROVAL OF DRB-16-09; AND
 - B. ADOPTION OF A RESOLUTION APPROVING AN AGREEMENT TO GROUND LEASE PROPERTY BETWEEN THE CITY OF LA MESA AND WESTMONT DEVELOPMENT, L.P.

City Manager Witt gave a presentation to explain the proposed senior housing project that would include an assisted living and memory care component. City Manager Witt said staff recommended the Council: 1) ratify the Design Review Board's recommended approval of Design Review DRB 16-09 as set forth in the Certification of Design Review Board Action; and 2) adopt the resolution approving an Agreement to Ground Lease Property between the City of La Mesa and Westmont Development, L.P.

Council comments and questions ensued.

ACTION: Motioned by Councilmember Sterling and seconded by Councilmember Alessio to support staff’s recommendation to ratify the Design Review Board’s recommended approval of Design Review DRB 16-09 as set forth in the Certification Design Review Board Action.

STAFF REPORTS – Continued

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 McWhirter to adopt the resolution approving an Agreement to Ground Lease Property between the City of La Mesa and Westmont Development, L.P.

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. 2016-065 was adopted.

13. APPROVAL OF RESPONSE TO THE RECOMMENDATIONS MADE IN THE MAY 25, 2016 SAN DIEGO COUNTY GRAND JURY REPORT: *CITIZEN OVERSIGHT BOARDS OF POLICE BEHAVIOR*

Police Chief Vasquez provided background on the Grand Jury's recommendations pertaining to citizen oversight boards of police behavior and reviewed La Mesa's procedures and state law for handling citizen complaints. Chief Vasquez said La Mesa did not have a history of complaints about police behavior that had not been resolved through existing channels and procedures. Chief Vasquez said the Police Department would continue to review and evaluate the current citizen complaint policy to ensure compliance with California law, the Police Officers Bill of Rights, and current investigative procedures. Chief Vasquez said staff recommended the City Council approve forwarding the draft letter from the Mayor, on behalf of the Council, in response to the findings and recommendations of the report in accordance with the instructions provided by the Grand Jury.

Council discussion ensued.

ACTION: Motioned by Vice Mayor Baber and seconded by Councilmember McWhirter to support staff's recommendation to approve forwarding the draft letter from the Mayor, on behalf of the Council, in response to the findings and recommendations of the report in accordance with the instructions provided by the Grand Jury.

Vote: 5-0

STAFF REPORTS – Continued

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

Motion passed.

14. APPROVAL OF RESPONSE TO THE RECOMMENDATIONS MADE IN THE JUNE 8, 2016 SAN DIEGO COUNTY GRAND JURY REPORT: *EAST COUNTY CITIES' LACK OF RESPONSE TO HOMELESSNESS*

Police Chief Vasquez spoke regarding the Grand Jury's research and recommendations pertaining to homelessness which included recommendations for agencies to initiate coordinated homelessness-related efforts to increase prevention, shelter, and transitional housing services in East County, and join the Regional Continuum of Care Council and participate in its work. Chief Vasquez discussed the Police Department's efforts to address homelessness which included interacting, supporting, and helping homeless individuals, as well as obtaining assistance from the Psychiatric Emergency Response Team (PERT). Chief Vasquez indicated he was already a member of the Regional Continuum of Care Council and that the Department was participating on the Sheriff's East County Homeless Outreach Team. Chief Vasquez said staff recommended the City Council accept both recommendations and approve forwarding the draft letter from the Mayor, on behalf of the Council, in response to the findings and recommendations of the report in accordance with the instructions provided by the Grand Jury.

Council discussion ensued.

Ms. Esther Brasmer, Community Outreach Program, La Mesa Methodist Church, spoke in support of the Police Department's efforts to assist the homeless. Ms. Brasmer said most homeless people do not have mental illness and live out of their cars, are women with children, or are living with relatives. Ms. Brasmer asked whether the City could check with local schools to determine the number of people who fall in that category. She also asked if the City could apply for grant funds in order to provide vouchers for hotels to help people on a short term basis.

ACTION: Motioned by Vice Mayor Baber and seconded by Councilmember McWhirter to support staff's recommendation to approve forwarding the draft letter from the Mayor, on behalf of the Council, in response to the findings and recommendations of the report in accordance with the instructions provided by the Grand Jury.

Vote: 5-0

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

Motion passed.

STAFF REPORTS – Continued

15. CONSIDERATION OF A POLICY REGARDING CREDIT FOR CREATING PUBLIC PARKING

Community Development Director Dick explained the proposed policy and said it would provide credit for the creation of permanent on-street public parking for properties in the Downtown Commercial (CD) zone as a result of new development that eliminated driveway access across sidewalks. Ms. Dick said the Parking Commission and staff recommended the City Council approve a resolution adopting a policy that provides credit for creating permanent on-street public parking as a result of new development that eliminates driveway access across sidewalks in the Downtown Commercial (CD) Zone.

ACTION: Motioned by Councilmember McWhirter and seconded by Councilmember Alessio to approve the recommendation and adopt the resolution.

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. 2016-066 was adopted.

16. APPROVAL OF SUBCOMMITTEE RECOMMENDATION REGARDING THE COMPENSATION/EMPLOYMENT CONTRACT FOR THE APPOINTMENT OF YVONNE GARRETT AS CITY MANAGER, AND ADOPTION OF A RESOLUTION AUTHORIZING EXECUTION OF A CITY MANAGER AGREEMENT

City Attorney Sabine provided an overview of the process for appointment, the history of previous City Manager compensation and employment contracts, and the subcommittee's recommendations which were consistent with past practices.

Mayor Arapostathis and Vice Mayor Baber spoke regarding the subcommittee's discussions with the City Attorney and their recommendations for approval by the Council.

ACTION: Motioned by Vice Mayor Baber and seconded by Councilmember Alessio to approve the subcommittee's recommendation and adopt the resolution authorizing the execution of a City Manager Agreement.

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. 2016-067 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.

CITY ATTORNEY REMARKS

There were no remarks.

ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 7:13 p.m. in honor of City Manager Dave Witt who will be retiring after 29 years of service to the City of La Mesa.

Mary J. Kennedy, CMC
City Clerk