

Minutes of a Regular Meeting of the La Mesa City Council
Tuesday, March 12, 2019 at 6:00 p.m.
City Council Chambers, 8130 Allison Avenue, La Mesa, California

The City Council minutes are prepared and ordered to correspond to the City Council Agenda. Agenda Items can be taken out of order during the meeting.

The Agenda Items were considered in the order presented.

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

ROLL CALL

PRESENT: Mayor Arapostathis; Vice Mayor Parent; Councilmembers Alessio, Baber, and Weber.

ABSENT: None.

STAFF: City Manager Garrett; City Attorney Sabine; City Clerk Wiegelman; Assistant City Manager Humora.

INVOCATION – VICE MAYOR PARENT

PLEDGE OF ALLEGIANCE

CITY MANAGER COMMENTS

There were no comments.

COMMUNITY BULLETIN REPORTS

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

PRESENTATION

PROCLAIMING MARCH 8, 2019 AS WORKPLACE GENDER EQUITY DAY

Councilmember Alessio and Councilmember Weber presented a proclamation to Dr. Hei-ock Kim, Executive Director of Kim Center for Social Balance.

Dr. Hei-ock Kim, Executive Director of Kim Center for Social Balance thanked the Mayor and Council for recognizing Workplace Gender Equity Day.

ADDITIONS AND/OR DELETIONS TO THE AGENDA

Mayor Arapostathis announced that Staff Report Item 8, ninety day review of special event permit for the La Mesa Village Farmers' Market, would be continued to the March 26, 2019 City Council Regular meeting.

PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

Gene Carpenter, resident, spoke regarding Livable La Mesa, City Council meeting videos, and the time allotted for public comment.

Brenda Hammond, resident, spoke regarding the homeless.

Jack Shu, resident, provided an update on the residents group's research into a citizens' oversight commission for the La Mesa Police Department.

CONFLICT DISCLOSURES

Councilmember Baber announced he had a potential conflict of interest on Hearing Item 10 due to the proximity of his home to Collier Park and would recuse himself for the vote on Item 10.

CONSENT CALENDAR

(Items 1 through 6)

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

Approved.

2. APPROVAL OF THE MINUTES FOR THE CITY COUNCIL REGULAR MEETING HELD TUESDAY, FEBRUARY 26, 2019

Approved.

3. RESOLUTION AUTHORIZING THE EXECUTION OF A FIFTH AMENDMENT TO AN AGREEMENT BETWEEN THE CITY OF LA MESA AND SAN DIEGO METROPOLITAN TRANSIT SYSTEM (MTS) FOR ADMINISTRATION OF TAXICAB AND OTHER FOR-HIRE VEHICLE REGULATIONS

Resolution No. 2019-017 was adopted.

4. APPROVAL FOR COUNCILMEMBER PARENT TO ATTEND THE 2019 HOUSING CALIFORNIA ANNUAL CONFERENCE, APRIL 15 – 17, 2019, IN SACRAMENTO

Approved.

5. RESOLUTION ACCEPTING BID 19-07, AWARDING A CONSTRUCTION CONTRACT FOR THE MACARTHUR PARK IMPROVEMENT PROJECT PHASE I TO MARINA LANDSCAPE, INC. AND GRANTING BLUE PACIFIC ENGINEERING & CONSTRUCTION'S BID RELIEF REQUEST

Resolution No. 2019-018 was adopted.

6. RESOLUTION AUTHORIZING THE PURCHASE OF A BMW POLICE MOTORCYCLE FROM BMW MOTORCYCLES OF ESCONDIDO IN THE AMOUNT OF \$29,392.62

Resolution No. 2019-019 was adopted.

ACTION: Motioned by Councilmember Baber and seconded by Vice Mayor Parent to approve Consent Calendar Items 1 through 6.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, Councilmember Baber, and Councilmember Weber
No: None
Abstained: None
Absent: None

Motion passed.

ORDINANCES: SECOND READING

7. A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA ADOPTING AMENDMENTS TO TITLE 24 (ZONING) OF THE LA MESA MUNICIPAL CODE FOR THE DEVELOPMENT OF ACCESSORY DWELLING UNITS (ADUs) IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65852.2

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA ADOPTING AMENDMENTS TO TITLE 24 (ZONING) OF THE LA MESA MUNICIPAL CODE FOR THE DEVELOPMENT OF JUNIOR ACCESSORY DWELLING UNITS (JADUs) IN ACCORDANCE WITH CALIFORNIA GOVERNMENT CODE SECTION 65852.22

The following members of the audience spoke in opposition of the ADU and JADU ordinances:

Aaron Amerling
Stephanie Murphy
Mercy Graef
Dianne Osterling
Mike Osterling
Saul Amerling
Marcia Tolin
Susan Wayne
Eileen Schmitz
John Schmitz

Brooke Rainer

Eunice Ventura submitted a written statement in opposition of the ADU and JADU ordinances as written.

The following members of the audience spoke in support of the ADU and JADU ordinances:

Jerry Jones
Angeli Calinog
Lynn Oshaughnessy
Martha Bertles
Jared Basler
Caitlin Bigelow
Tracy Hollingworth
Robert Calloway
Rebecca Pollack Rude
Richard Hammett
Matt Davis
Tina Daneri
Jan Farley
Ashlee Hurry

A discussion ensued between Council and staff regarding the Regional Housing Needs Assessment (RHNA) requirements, the state housing requirements, the permitted zones for the construction of ADUs and JADUs, the potential number of ADUs and JADUs that could be built in the City, the transparency of the ADU and JADU approval process, owner occupancy regulations, short term rental regulations, the permitted square footage of ADUs and JADUs, and adopting additional regulations for ADUs in the future.

City Attorney Sabine read the title of the ADU ordinance.

ACTION: Motioned by Vice Mayor Parent and seconded by Councilmember Alessio to (1) approve the second reading and adoption of the Ordinance adopting amendments to Title 24 (Zoning) of the La Mesa Municipal Code for the development of Accessory Dwelling Units (ADUs) in accordance with California Government Code Section 65852.2; and (2) direct staff to return to Council in twelve months with a report on the operations of the ADU program, number of ADUs constructed, any concerns raised by residents, options to remedy any concerns, and how ADU regulations impact the permit parking districts.

Vote: 3-2

Yes: Vice Mayor Parent, Councilmember Alessio, and Councilmember Baber
No: Mayor Arapostathis and Councilmember Weber
Abstained: None
Absent: None

Motion passed. Ordinance No. 2019-2865 was adopted.

City Attorney Sabine read the title of the JADU ordinance.

ACTION: Motioned by Vice Mayor Parent and seconded by Councilmember Alessio to approve the second reading and adoption of the Ordinance adopting amendments to Title 24 (Zoning) of the La Mesa Municipal Code for the development of Junior Accessory Dwelling Units (JADUs) in accordance with California Government Code Section 65852.22.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio,
Councilmember Baber, and Councilmember Weber

No: None

Abstained: None

Absent: None

Motion passed. Ordinance No. 2019-2866 was adopted.

STAFF REPORTS

8. NINETY DAY REVIEW OF SPECIAL EVENT PERMIT FOR THE LA MESA VILLAGE FARMERS' MARKET

This item was continued to the March 26, 2019 City Council Regular meeting.

9. RESOLUTION AUTHORIZING STAFF TO PROCEED WITH PROPOSITION 218 NOTIFICATION AND PUBLIC HEARING FOR PROPOSED ADJUSTMENTS TO SEWER SERVICE CHARGES FOR FISCAL YEARS 2020 AND 2021

Director of Public Works Leja provided a PowerPoint presentation regarding the Proposition 218 process, the basis for the sewer fund analysis, the actual revenues and expenditures of the sewer fund for Fiscal Year 2018, the estimated and projected revenues and expenditures for Fiscal Years 2019 through 2021, the proposed sewer rate adjustments for Fiscal Years 2020 and 2021, and the updated Proposition 218 Protest Form.

A discussion ensued between Council and staff regarding the cost associated with the Proposition 218 notification process, the updated Proposition 218 protest form, the Proposition 218 protest process, and the Pure Water San Diego Program.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Baber to adopt the Resolution authorizing staff to proceed with the notification and public hearing process required by Proposition 218 for proposed adjustments to sewer service charges.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio,
Councilmember Baber, and Councilmember Weber

No: None

Abstained: None

Absent: None

Motion passed. Resolution No. 2019-020 was adopted.

HEARING

10. CONSIDERATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR FISCAL YEAR 2019-2020

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 opened the hearing for Hearing Item 10 at 8:43 p.m.

Associate Planner Kinnard gave a presentation regarding the U.S. Department of Housing and Urban Development's (HUD) requirements for the allocation of funds. She discussed the anticipated CDBG allocations the City will receive and the social service programs and capital improvement projects that will be funded by CDBG. Associate Planner Kinnard said staff recommended the Council direct staff to develop the FY 2019-2020 CDBG Annual Plan for HUD funded activities and return to Council on April 23, 2019 for final review and approval of the Plan.

Councilmember Baber recused himself for Hearing Item 10 because he has a potential conflict of interest under Government Code Section 87100 due to the proximity of his home to Collier Park. Councilmember Baber left the meeting at 8:46 p.m.

George Ibarra, CSA San Diego County Fair Housing Senior Housing Counselor, spoke regarding the services CSA San Diego has been able to provide as a result of the funds provided from the CDBG program.

Estela De Los Rios, Executive Director of CSA San Diego County, spoke regarding the services CSA San Diego has been able to provide to individuals and families from the CDBG funds that the City allocates to fair housing services.

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

Vote: 4-0-1

Yes: Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, and Councilmember Weber.

No: None

Abstained: Councilmember Baber

Absent: None.

Motion passed.

ACTION: Motioned by Mayor Arapostathis and seconded by Vice Mayor Parent to direct staff to develop the FY 2019-2020 CDBG Action Plan for the U.S. Department of Housing and Urban Development (HUD) funded activities and return to Council on April 23, 2019 for final review and approval of the Plan.

Vote: 4-0-1

Yes: Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, and Councilmember Weber

No: None
Abstained: Councilmember Baber
Absent: None

Motion passed.

Councilmember Baber returned to the dais at 8:55 p.m.

COUNCIL COMMITTEE REPORTS (3 MINUTE LIMIT)

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

AB 1234 REPORTS (GC 53232.3(d))

There were no reports.

COUNCIL INITIATED

11. DISCUSSION REGARDING COUNCIL APPROVAL TO ADD A WORK ELEMENT TO THE TRAFFIC COMMISSION WORKPLAN FOR FY 2019-2020 – VICE MAYOR PARENT

Vice Mayor Parent explained the purpose for adding a work element to the Traffic Commission's 2019 Work Plan. He stated the new work element would be to review the potential of expanding the Traffic Commission's powers and duties and changing the name of the Traffic Commission to the Mobility Commission.

ACTION: Motioned by Vice Mayor Parent and seconded by Councilmember Baber to amend the Traffic Commission's 2019 Work Plan by adding a work element to examine the potential of expanding the Traffic Commission's powers and duties and formally changing the name of the Traffic Commission to the Mobility Commission.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Parent, Councilmember Alessio, Councilmember Baber, and Councilmember Weber

No: None

Abstained: None

Absent: None

Motion passed.

CITY ATTORNEY REMARKS

There were no remarks.

ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 9:03 p.m. in honor and memory of former Mayor George Bailey who recently passed away. George Bailey was an active member of the La Mesa Community. During his many years of public service, he served on the La Mesa Planning Commission, La Mesa City Council, and the County of San Diego Board of Supervisors.

Megan Wiegelman, CMC
City Clerk