

Minutes of a Regular Meeting of the La Mesa City Council
Tuesday, October 8, 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 6:01 p.m.

ROLL CALL

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

ABSENT: None.

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

INVOCATION – MAYOR ARAPOSTATHIS

PLEDGE OF ALLEGIANCE

REPORT FROM CLOSED SESSION – CITY ATTORNEY

City Attorney Sabine announced that the City Council by a 4-1 vote, with Councilmember Parent voting no, approved joining a coalition of local governments to oppose the Federal Communications Commission's petition restricting municipalities, specifically the City of La Mesa's ability to say no to the co-location and expansion of 5G and similar wireless facilities.

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 OCTOBER 6 – 12, 2019 AS FIRE PREVENTION WEEK

Mayor Arapostathis presented the proclamation to Fire Chief Swaney, Heartland Fire Inspector II Richardson, and Fire Inspector Goularte. Chief Swaney thanked the men and women of the Fire Prevention Bureau. Heartland Fire Inspector II Richardson invited everyone to attend the Heartland Fire & Rescue Fire Prevention Week Open House event on October 19, 2019 at La Mesa Fire Station 11 from 9:00 a.m. to 12:00 p.m.

ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

Jerry Jones, resident, spoke on updating the documents on the City's website.

Terri-Ann Skelly spoke on the latest information from the Centers for Disease Control and Prevention and the U.S. Food and Drug Administration regarding vaping hospitalizations that result in lung injuries.

Becky Rapp spoke regarding a health advisory from the California Department of Public Health urging everyone to quit vaping altogether, no matter the substance or source.

CONFLICT DISCLOSURES

Vice Mayor Baber announced he had a potential conflict of interest on Item 2 due to his son being an applicant for reappointment to the Youth Advisory Commission.

Vice Mayor Baber announced he had a potential conflict of interest on Item 14 due to him being a board member of the County of San Diego Countywide Redevelopment Successor Agency Oversight Board.

Councilmember Parent announced he had a potential conflict of interest on Item 13 due to his employer being a partner in the development of the Livable La Mesa Age-Friendly City Action Plan.

BOARD AND COMMISSION APPOINTMENTS

1. RESOLUTION APPOINTING A MEMBER TO THE COMMUNITY RELATIONS AND VETERANS COMMISSION

Mayor Arapostathis nominated Dennis Sharp for appointment to the Community Relations and Veterans Commission.

ACTION: Motioned by Mayor Arapostathis and seconded by Vice Mayor Baber to approve the appointment of Dennis Sharp to the Community Relations and Veterans Commission and adopt the Resolution confirming the appointment.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed. Resolution No. 2019-091 was adopted.

2. RESOLUTION APPOINTING MEMBERS TO THE YOUTH ADVISORY COMMISSION

Vice Mayor Baber recused himself for Item 2 because he had a potential conflict of interest under Government Code Section 87100 due to his son being an applicant for reappointment to the Youth Advisory Commission. Vice Mayor Baber left the dais at 6:14 p.m.

Mayor Arapostathis nominated Mallory Humora, Ethan Garrett, Adrienne Collins, Maya Sellers, Rafia Naeem, and Nicholas Lam for appointment and Rhys Aiem, Isaac Baber, Jolene Giles, Zöe Kuhlken, and Rachael Sharp for reappointment to the Youth Advisory Commission.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Alessio to approve the appointment of Mallory Humora, Ethan Garrett, Adrienne Collins, Maya Sellers, Rafia Naeem, and Nicholas Lam and the reappointment of Rhys Aiem, Isaac Baber, Jolene Giles, Zöe Kuhlken, and Rachael Sharp to the Youth Advisory Commission and adopt the Resolution confirming the appointments.

Vote: 4-0-1

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

No: None

Abstained: Vice Mayor Baber

Absent: None

Motion passed. Resolution No. 2019-092 was adopted.

Vice Mayor Baber returned to the dais at 6:15 p.m.

CONSENT CALENDAR

(Items 3 through 10)

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

Approved.

4. APPROVAL OF THE MINUTES FOR THE CITY COUNCIL REGULAR MEETINGS HELD TUESDAY, SEPTEMBER 10, 2019 AND TUESDAY, SEPTEMBER 24, 2019

Approved.

5. RESOLUTION AWARDED A CONSTRUCTION CONTRACT FOR BID 20-10, ODESSA AVENUE SEWER IMPROVEMENTS PROJECT, TO MJC CONSTRUCTION

Resolution No. 2019-093 was adopted.

6. RESOLUTION AWARDED A CONSTRUCTION CONTRACT FOR BID 20-15, REHABILITATION OF STORM DRAIN PIPE IN LAKE MURRAY EASEMENT, TO SANCON TECHNOLOGIES, INC.

Resolution No. 2019-094 was adopted.

7. RESOLUTION AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE SUSTAINABLE TRANSPORTATION PLANNING GRANT PROGRAM THROUGH THE CALIFORNIA DEPARTMENT OF TRANSPORTATION TO FUND THE LA MESA BOULEVARD COMPLETE STREETS PLAN, AND IF AWARDED, ACCEPTING AND APPROPRIATING FUNDS; AND APPOINTING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE ALL AGREEMENTS AND ANY AMENDMENTS FOR THE PROJECT

Resolution No. 2019-095 was adopted.

8. RATIFYING PROJECT NO. 2019-06 (ONPOINT DEVELOPMENT, LLC) – A PROPOSED FAST FOOD RESTAURANT WITH DRIVE-THRU AND OUTDOOR SEATING AREA ON A VACANT SITE ADDRESSED AS 7393 EL CAJON BOULEVARD IN THE C-D-MU (GENERAL COMMERCIAL/URBAN DESIGN OVERLAY/MIXED USE OVERLAY) ZONE

Ratified.

9. RESOLUTION TO AUTHORIZE A LICENSE AGREEMENT WITH THE LA MESA PARK & RECREATION FOUNDATION TO OPERATE AND MAINTAIN A COMMUNITY GARDEN AT MACARTHUR PARK

Resolution No. 2019-096 was adopted.

10. RESOLUTION ESTABLISHING A CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE

Resolution No. 2019-097 was adopted.

ACTION: Motioned by Councilmember Parent and seconded by Vice Mayor Baber to approve Consent Calendar Items 3 through 10.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

ORDINANCES: SECOND READING

11. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA AMENDING SECTION 12.56.120, USE OF MONEY DEPOSITED IN PARKING METERS, OF THE LA MESA MUNICIPAL CODE

City Attorney Sabine read the title of the Ordinance.

Council questions and comments ensued.

Councilmember Alessio stated that she would be voting no because the La Mesa Community Parking Commission was not given the opportunity to approve or oppose the amended fund amount for the La Mesa Village Enhancement Fund Program and the La Mesa Village Enhancement Fund Program guidelines do not include a requirement that non-profits or businesses located outside of City limits must co-apply with a local business.

Council questions and comments continued.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Parent to approve the second reading and adoption of the Ordinance amending Section 12.56.120, Use of Money Deposited in Parking Meters, of the La Mesa Municipal Code.

Vote: 4-1

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

No: Councilmember Alessio

Abstained: None

Absent: None

Motion passed. Ordinance No. 2019-2872 was adopted.

12. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA ADDING CHAPTER 6.11, COMMERCIAL ADULT-USE CANNABIS BUSINESSES, TO THE LA MESA MUNICIPAL CODE AUTHORIZING ADULT-USE RETAIL CANNABIS BUSINESSES TO CO-LOCATE WITH MEASURE U MEDICINAL CANNABIS BUSINESSES, AND AUTHORIZING ADULT-USE CANNABIS CULTIVATION, MANUFACTURING, DISTRIBUTION/TRANSPORTATION, AND TESTING LABORATORY BUSINESSES, SUBJECT TO CERTAIN RESTRICTIONS AND SPECIFICATIONS

City Attorney Sabine read the title of the Ordinance.

Community Development Director Kusiak summarized the amendments made to the ordinance pursuant to Council direction at the September 24, 2019 Council meeting.

Council questions and comments ensued.

City Manager Garrett read aloud the written statement cards submitted by members of the public.

The following members of the public submitted written statement cards in support of adopting the proposed Ordinance:

Sapphire Blackwood
Brittany Biesterfeld

ACTION: Motioned by Vice Mayor Baber and seconded by Councilmember Parent to approve the second reading and adoption of the Ordinance adding Chapter 6.11, Commercial Adult-Use Cannabis Businesses, to the La Mesa Municipal Code authorizing adult-use retail cannabis businesses to co-locate with Measure U medicinal cannabis businesses, and authorizing adult-use cannabis cultivation, manufacturing, distribution/transportation, and testing laboratory businesses, subject to certain restrictions and specifications.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed. Ordinance No. 2019-2873 was adopted.

STAFF REPORT

13. RESOLUTION APPROVING THE LIVABLE LA MESA AGE-FRIENDLY CITY ACTION PLAN FOR THE CITY OF LA MESA

Councilmember Parent recused himself for Item 13 because he had a potential conflict of interest under Government Code Section 87100 due to his employer being a partner in the

development of the Livable La Mesa Age-Friendly City Action Plan. Councilmember Parent left the dais at 6:30 p.m.

Community Services Director Richardson provided a brief overview of the purpose of the Livable La Mesa Age-Friendly City Action Plan and the parties involved in the action planning process.

Community Services Director Richardson introduced Jana Schwartz, Project Manager of Circulate San Diego, and Lori Clarke, Chief Program Officer of San Diego State University Social Policy Institute, who provided a PowerPoint presentation on the Livable La Mesa Age-Friendly City Action Plan highlighting the development process, community input opportunities, the 6 domains of livability specific to La Mesa, and the themes of livability going forward.

Jana Schwartz, Project Manager of Circulate San Diego, introduced Peggy Pico, Age-Friendly Communities Manager of The San Diego Foundation, who spoke on the importance and benefits of implementing an Age-Friendly City Action Plan.

Brian Loorya, Commissioner of the City of La Mesa Community Relations and Veterans Commission, spoke in support of the Livable La Mesa Age-Friendly City Action Plan.

Lorenzo Higley, CASA representative, spoke in support of the Livable La Mesa Age-Friendly City Action Plan.

Council questions and comments ensued.

ACTION: Motioned by Mayor Arapostathis and seconded by Vice Mayor Baber to adopt the Resolution approving the Livable La Mesa Age Friendly City Action Plan for the City of La Mesa.

Vote: 4-0-1

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

No: None

Abstained: Councilmember Parent

Absent: None

Motion passed. Resolution No. 2019-098 was adopted.

Councilmember Parent returned to the dais at 6:50 p.m.

- 14. RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA IN ITS CAPACITY AS THE HOUSING SUCCESSOR TO THE FORMER LA MESA COMMUNITY REDEVELOPMENT AGENCY APPROVING AN EXCLUSIVE NEGOTIATION AGREEMENT (ENA) BY AND BETWEEN THE CITY OF LA MESA AND USA PROPERTIES FUND, INC. TO ESTABLISH TERMS AND CONDITIONS FOR THE POTENTIAL GROUND LEASE OF PROPERTY AND DEVELOPMENT OF A MIXED-INCOME MULTI-FAMILY RESIDENTIAL RENTAL PROJECT ON SUCH PROPERTY LOCATED AT 8181 ALLISON AVENUE, MORE COMMONLY KNOWN AS THE OLD POLICE STATION SITE, AND APPROVING OTHER RELATED ACTIONS**

Vice Mayor Baber recused himself for Item 14 because he had a potential conflict of interest under Government Code Section 87100 due to him being a board member of the County of San Diego Countywide Redevelopment Successor Agency Oversight Board. Vice Mayor Baber left the dais at 6:50 p.m.

Community Development Program Coordinator Gonzales provided a brief history of the property located at 8181 Allison Avenue and the La Mesa Community Redevelopment Agency dissolution process. Community Development Program Coordinator Gonzales gave an overview of the actions taken by the City to meet the property's development deadline, USA Properties Fund, Inc.'s development proposal, and the Exclusive Negotiation Agreement by and between the City of La Mesa and USA Properties Fund, Inc.

Community Development Program Coordinator Gonzales introduced Milo Terzich, Vice President of Development for USA Properties Fund, Inc., who provided a PowerPoint presentation on the history and mission of USA Properties Fund, Inc., the project team, and the development concept for the property.

Milo Terzich, Vice President of Development for USA Properties Fund, Inc., introduced Stephanie Saathoff, President of The Clay Company, who spoke on the public relations aspect of the proposed project.

Milo Terzich, Vice President of Development for USA Properties Fund, Inc., continued the PowerPoint presentation.

Council questions and comments ensued.

Jerry Jones, resident, spoke regarding the development concept of the proposed project and the development potential of the property.

Council questions and comments continued.

ACTION: Motioned by Councilmember Parent and seconded by Councilmember Alessio to adopt the Resolution of the City Council of the City of La Mesa in its capacity as the Housing Successor to the former La Mesa Community Redevelopment Agency approving an Exclusive Negotiation Agreement by and between the City of La Mesa and USA Properties Fund, Inc. to establish terms and conditions for the potential ground lease of property and development of a mixed-income multi-family residential rental project on such property located at 8181 Allison Avenue, more commonly known as The Old Police Station Site, and approving the other related actions.

Vote: 4-0-1

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

No: None

Abstained: Vice Mayor Baber

Absent: None

Motion passed. Resolution No. 2019-099 was adopted.

Vice Mayor Baber returned to the dais at 7:17 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

15. CONSIDERATION OF THE LEAGUE OF CALIFORNIA CITIES RESOLUTIONS THAT WILL BE VOTED ON AT THE ANNUAL CONFERENCE IN LONG BEACH, CALIFORNIA, ON OCTOBER 16 – OCTOBER 18, 2019 – VICE MAYOR BABER

Vice Mayor Baber gave a brief overview of both resolutions. Vice Mayor Baber stated that as the Council’s voting delegate at the conference he recommends supporting both resolutions.

ACTION: Motioned by Vice Mayor Baber and seconded by Councilmember Parent to support the two resolutions that will be voted on at the Annual Conference in Long Beach, California, on October 16 – October 18, 2019.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Baber, Councilmember Alessio, Councilmember Parent, 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 7:21 p.m.

Megan Wiegelman, CMC
City Clerk