

Minutes of a Regular Meeting of the La Mesa City Council
Tuesday, September 24, 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, except the presentation *Proclaiming September as National Preparedness Month* was heard prior to the *Presentation from Envision La Mesa*.

Mayor Arapostathis called the meeting to order at 6:00 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 – COUNCILMEMBER WEBER

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.

PRESENTATIONS

PROCLAIMING OCTOBER 2, 2019 AS MTS FREE RIDE DAY

Mayor Arapostathis presented the proclamation to Marcial Gutierrez, MTS Marketing Specialist.

Marcial Gutierrez, MTS Marketing Specialist, encouraged everyone to participate in MTS Free Ride Day on October 2, 2019.

PRESENTATION FROM ENVISION LA MESA

Craig Reed, Envision La Mesa Steering Committee Member, provided a PowerPoint presentation on the results of the environmental scan of La Mesa. Mr. Reed explained that the environmental scan was a survey of neighborhoods for blight or things that could lead to blight such as empty storefronts, graffiti, trash, poor maintenance of property, etc.

PROCLAIMING SEPTEMBER AS NATIONAL PREPAREDNESS MONTH

Mayor Arapostathis presented the proclamation to Emergency Preparedness Coordinator McKellar.

POLICE CHIEF'S QUARTERLY OPERATIONS REPORT

Police Captain Nicholass introduced new Police Department staff members. Captain Nicholass presented the crime statistics for quarter ending June 30, 2018, explained the statistics in the various crime categories, and highlighted recently solved cases. Captain Nicholass also spoke regarding the number of calls for service received this year, the Department's proactive operations and strategic enforcement, and the many community outreach programs in which the Department was involved.

Following Council questions, no action was taken.

ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

Jack Shu, resident, spoke regarding the proposed Citizen Public Safety Oversight Task Force.

Stacia Weisbach, representative of Lake Murray Shopping Center business owners, spoke regarding illegal parking and harassment by visitors of Murray Manor School.

Janet Castaños, resident, spoke regarding the coastal clean-up event that took place on Saturday, September 21, 2019.

CONFLICT DISCLOSURES

There were no conflict of interest disclosures.

BOARD AND COMMISSION INTERVIEWS

1. INTERVIEW OF APPLICANT FOR A VACANCY ON THE COMMUNITY RELATIONS AND VETERANS COMMISSION

City Clerk Wiegelman explained that during the annual recruitment for the City's Boards and Commissions fewer applications than openings were received for the Community Relations and Veterans Commission, and a senior representative position remained open. She stated that Dennis Sharp had submitted an application to serve on the Community Relations and Veterans Commission but sent his regrets that he would not be able to attend the meeting due to a prior commitment. She said that Dennis Sharp had expressed interest in still being considered for the appointment. City Clerk Wiegelman said the appointment would be made at the October 8th City Council meeting. No action was taken.

2. ANNUAL INTERVIEW OF APPLICANTS FOR OPENINGS ON THE CITY'S YOUTH ADVISORY COMMISSION

City Clerk Wiegelman briefly explained the interview process. City Clerk Wiegelman stated that Rachael Sharp, Erin Brown, and Zoe Kuhlken had sent their regrets that they would not be able to attend the meeting due to prior commitments but had expressed their interest in being considered for appointment or reappointment.

The following applicants spoke regarding their qualifications and interest in being appointed to the Youth Advisory Commission:

Rhys Aiem
Isaac Baber
Adrienne Collins
Ethan Jacob Garrett
Mallory Humora
Jolene Giles
Rafia Naeem
Maya Sellers

City Clerk Wiegelman said the appointments would be made at the October 8th City Council meeting.

Following the interviews, no action was taken.

CONSENT CALENDAR

(Items 3 through 5)

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

Approved.

4. A. APPROVAL OF A SPECIAL EVENT PERMIT APPLICATION FOR THE LA MESA VILLAGE ASSOCIATION'S 2019 HOLIDAY IN THE VILLAGE EVENT; AND

Approved.

B. RESOLUTION TEMPORARILY CLOSING PORTIONS OF LA MESA CITY STREETS FOR THE HOLIDAY IN THE VILLAGE SPECIAL EVENT SPONSORED BY THE LA MESA VILLAGE ASSOCIATION

Resolution No. 2019-089 was adopted.

5. RESOLUTION APPROVING THE COOPERATIVE PURCHASE OF A REPLACEMENT SKID STEER LOADER TO BE USED FOR THE MAINTENANCE OF THE SANITARY SEWER SYSTEM

Resolution No. 2019-090 was adopted.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember Parent to approve Consent Calendar Items 3 through 5.

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: SECOND READING

6. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA AUTHORIZING THE IMPLEMENTATION OF A COMMUNITY CHOICE AGGREGATION PROGRAM

City Attorney Sabine read the title of the Ordinance.

ACTION: Motioned by Mayor Arapostathis and seconded by Vice Mayor Baber to approve the second reading and adoption of the Ordinance authorizing the implementation of a Community Choice Aggregation program.

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. 2019-2871 was adopted.

ORDINANCES: FIRST READING

7. A. CONSIDERATION OF APPROVING THE LA MESA VILLAGE ENHANCEMENT FUND PROGRAM GUIDELINES; AND

B. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA AMENDING SECTION 12.56.120 OF THE LA MESA MUNICIPAL CODE

City Attorney Sabine read the title of the Ordinance.

Senior Management Analyst Dedmon provided a PowerPoint presentation on the La Mesa Village Enhancement Fund Program guidelines highlighting the eligible participants and activities, program area and goal, payment method, and application process and timeline. Senior Management Analyst Dedmon explained that an amendment to Section 12.56.120 of the La Mesa Municipal Code is necessary to add events, programs, and advertising as allowable expenditures of parking meter revenue for the La Mesa Village Enhancement Fund Program.

Council questions and comments ensued.

Councilmember Alessio stated that she would be voting no because the La Mesa Village Enhancement Fund Program guidelines does not include a requirement that non-profits or businesses located outside of City limits must co-apply with a local business.

ACTION: Motioned by Councilmember Parent and seconded by Vice Mayor Baber to (1) approve the La Mesa Village Enhancement Fund Program guidelines; and (2) approve the introduction and first reading of the Ordinance amending Section 12.56.120 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.

8. 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

Community Development Director Kusiak provided an overview of the proposed Ordinance highlighting the purpose and intent, authorized locations and business type, business license duration and eligibility, regulatory requirements, and application process.

Council questions and comments ensued.

Marcelo Ramirez, United Food and Commercial Workers International Union representative, spoke regarding a Measure U medicinal cannabis retail business that would be prohibited from obtaining a co-location commercial adult-use cannabis business license as a result of the proposed Ordinance's requirement that a retail commercial adult-use cannabis business shall be no closer than a one thousand foot radius from any school located in a single-family residential zone measured from the extent of the cannabis business to the school property line.

City Attorney Sabine explained that the purpose and intent of the Ordinance's proposed zoning scheme is not to omit any individual business but to regulate and authorize co-location of medicinal and adult-use cannabis and to protect the compatibility of the uses within a particular zone. City Attorney Sabine stated that certain provisions are put in place to preserve the integrity of the City zones.

Jessica McElfresh spoke in support of the proposed Ordinance but asked that the City consider allowing all Measure U applicants the opportunity to co-locate.

Ken Sobel spoke in support of the proposed Ordinance but asked that the City consider allowing all Measure U applicants the opportunity to co-locate.

Alex Scherer spoke in support of the proposed Ordinance but suggested that the required distance from schools and the hours of operation be amended to align with State requirements.

Stephanie Saathoff spoke in support of the proposed Ordinance but hoped the City would reconsider the advertising restrictions in the future.

Gina Austin, spoke regarding a Measure U medicinal cannabis retail business that would be prohibited from obtaining a co-location commercial adult-use cannabis business license as a result of the proposed Ordinance's requirement that a retail commercial adult-use cannabis business shall be no closer than a one thousand foot radius from any school located in a single-family residential zone measured from the extent of the cannabis business to the school property line.

Tamara Leetham spoke regarding the proposed Ordinance's security measures language and the co-location ownership requirement and recommended the prior Measure U applicants be exempt from the requirement that a retail commercial adult-use cannabis business be no closer than a one thousand foot radius from any school located in a single-family residential zone measured from the extent of the cannabis business to the school property line.

Jim Bartell spoke regarding a Measure U medicinal cannabis retail business that would be prohibited from obtaining a co-location commercial adult-use cannabis business license as a result of the proposed Ordinance's requirement that a retail commercial adult-use cannabis business shall be no closer than a one thousand foot radius from any school located in a single-family residential zone measured from the extent of the cannabis business to the school property line.

Gregg Holda spoke regarding a Measure U medicinal cannabis retail business that would be prohibited from obtaining a co-location commercial adult-use cannabis business license as a

result of the proposed Ordinance's requirement that a retail commercial adult-use cannabis business shall be no closer than a one thousand foot radius from any school located in a single-family residential zone measured from the extent of the cannabis business to the school property line.

Fred Beck submitted a written statement card in support of the proposed ordinance with modifications.

Council questions and comments ensued.

City Clerk Wiegelman read the title of the ordinance.

ACTION: Motioned by Vice Mayor Baber and seconded by Mayor Arapostathis to approve the introduction and first reading 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, as amended, for any Measure U application for a retail medicinal cannabis business that was submitted prior to September 24, 2019, a co-location application for retail commercial adult-use cannabis business license may be authorized provided that the cannabis business complies with the separation requirements under Measure U (LMMC Chapter 24.23). For Measure U applications for a retail medicinal cannabis business that was submitted between September 24, 2019 and the effective date of this Ordinance, a co-location application for retail commercial adult-use cannabis business license may be authorized provided that the cannabis business complies with the separation requirements under Measure U (LLMC Chapter 24.23) and additionally, is located no closer than a one thousand foot radius from any school located in a single family residential zone measured from the extent of the cannabis business to the school property line.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

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

9. CONSIDERATION OF ESTABLISHING A PILOT MICRO-GRANT PROGRAM FOR BUSINESSES IN THE WEST LA MESA AREA – COUNCILMEMBER ALESSIO AND COUNCILMEMBER WEBER

Councilmember Alessio and Councilmember Weber explained the purpose and intent for the proposal to establish a pilot micro-grant program for businesses in the West La Mesa area.

Council questions and comments ensued.

Craig Reed, resident, spoke in support of establishing a pilot micro-grant program for businesses in the West La Mesa area.

Council questions and comments continued.

City Attorney Sabine explained the appropriate approval process for use of General Fund monies and the required agreements to prevent liability issues.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember Weber to direct staff to return to Council with an outline for a pilot micro-grant program for businesses in the West La Mesa area.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

10. CONSIDERATION OF ESTABLISHING REVITALIZATION GRANTS FOR PROPERTIES ADJACENT TO FORMER ILLEGAL DISPENSARY SITES (PILOT PROGRAM) – VICE MAYOR BABER AND COUNCILMEMBER ALESSIO

Vice Mayor Baber explained the purpose for the proposal to establish revitalization grants for properties adjacent to former illegal dispensary sites.

Council questions and comments ensued.

Craig Reed, resident, spoke in support of establishing revitalization grants for properties adjacent to former illegal dispensary sites.

ACTION: Motioned by Vice Mayor Baber and seconded by Mayor Arapostathis to direct staff to return to Council with an outline for a revitalization grant program for properties adjacent to former illegal dispensary sites, revising the program's allotted amount to up to \$20,000 per year and including a requirement that Council be updated periodically on the use of the monies and effectiveness of the program.

Vote: 5-0

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

CITY ATTORNEY REMARKS

There were no remarks.

ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 9:06 p.m.

Megan Wiegelman, CMC
City Clerk