

Minutes of a Regular Meeting of the La Mesa City Council
Tuesday, November 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 Baber; Councilmembers Alessio, Parent and Weber.

ABSENT: None.

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

INVOCATION – COUNCILMEMBER ALESSIO

PLEDGE OF ALLEGIANCE

REPORT FROM CLOSED SESSION – CITY ATTORNEY

City Attorney Sabine announced the Council unanimously directed the City Manager to move forward with the appointment process for a new City Manager.

CITY MANAGER COMMENTS

City Manager Garrett stated the Council Chamber projector was no longer working and a temporary set-up was in place while the upgraded equipment was being installed. City Manager Garrett announced a City Manager recruitment brochure and community survey would be available on the City's website during the 30-day City Manager recruitment period beginning Wednesday, November 13, 2019.

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

PRESENTATION FROM THE INSURANCE SERVICES OFFICE

Fire Chief Swaney recognized the team and partnerships that make a Class 1 Public Protection Classification rating possible and introduced Stephanie Resanski, Western Regional Manager, Insurance Services Office (ISO), who provided a PowerPoint presentation on the rating process for the ISO's Public Protection Classification program which measures the effectiveness of public fire protection.

BUDGET MONITORING REPORT

Finance Director Waller-Bullock reported on the national, state and local economic outlook, state budget issues, the performance of the City's General Fund and Proposition L benchmarks for the quarter ending September 30, 2019.

CITY TREASURER'S QUARTERLY REPORT

City Treasurer Vogt made a presentation regarding the investment earnings for the quarter ending September 30, 2019.

ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

There were no public comments.

CONFLICT DISCLOSURES

Vice Mayor Baber announced he had a potential conflict of interest on Items 14 and 15 due to him being a board member of the County of San Diego Countywide Redevelopment Successor Agency Oversight Board.

CONSENT CALENDAR

(Items 1 through 10)

Mayor Arapostathis requested Consent Calendar Item 6 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.

2. **APPROVAL OF THE MINUTES FOR THE CITY COUNCIL SPECIAL MEETING HELD TUESDAY, OCTOBER 22, 2019**

Approved.

3. **APPROVAL OF THE MINUTES FOR THE CITY COUNCIL REGULAR MEETING HELD TUESDAY, OCTOBER 22, 2019**

Approved.

4. **APPROVAL OF MOTION TO CANCEL THE REGULAR MEETING OF THE CITY COUNCIL SCHEDULED FOR DECEMBER 26, 2019**

Approved.

5. **APPROVAL FOR VICE MAYOR BABER TO ATTEND THE CALCCA ANNUAL MEETING IN REDONDO BEACH ON NOVEMBER 6 – 7, 2019 AND THE LEAGUE OF CALIFORNIA CITIES POLICY COMMITTEE MEETINGS IN SACRAMENTO ON JANUARY 23 – 24, 2020, ANAHEIM ON APRIL 2 – 3, 2020, AND SAN FRANCISCO ON JUNE 4 – 5, 2020**

Approved.

6. **REMOVED.**

7. **RESOLUTION APPROVING A PROFESSIONAL SERVICE CONTRACT WITH BUREAU VERITAS NORTH AMERICA, INC. FOR BUILDING INSPECTION SERVICES**

Resolution No. 2019-105 was adopted.

8. **RESOLUTION AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE CALIFORNIA DEPARTMENT OF TRANSPORTATION TO FUND THE LA MESA LOCAL ROAD SAFETY 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. 2019-106 was adopted.

9. **RESOLUTION APPROVING A COOPERATIVE PURCHASE OF A REPLACEMENT WASTEWATER DUMP TRUCK FROM RUSH TRUCK CENTERS OF CALIFORNIA TO BE USED FOR THE MAINTENANCE OF THE SANITARY SEWER SYSTEM**

Resolution No. 2019-107 was adopted.

10. **RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION TO THE COUNTY OF SAN DIEGO NEIGHBORHOOD REINVESTMENT PROGRAM FOR MACARTHUR PARK IMPROVEMENTS INSTALLING BALLFIELD SAFETY NETTING, ACCEPTING AND APPROPRIATING FUNDS IF AWARDED, AND**

APPOINTING THE COMMUNITY SERVICES AND PUBLIC WORKS DIRECTORS TO EXECUTE ALL AGREEMENTS AND ANY AMENDMENTS

Resolution No. 2019-108 was adopted.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember Parent to approve Consent Calendar Items 1 through 10, except for Item 6.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

6. RATIFICATION OF PROJECT NO. 2019-10 (SUNNY DONUTS) – A BUILDING ADDITION AND STOREFRONT REMODEL AT 4199 SPRING STREET IN THE CN-P-D-MU (NEIGHBORHOOD COMMERCIAL / SCENIC PRESERVATION OVERLAY / URBAN DESIGN OVERLAY / MIXED USE OVERLAY) ZONE

Jerry Jones, resident, spoke regarding the Design Review Board's role in the project approval process and recommended making the process less difficult for applicants.

ACTION: Motioned by Councilmember Parent and seconded by Vice Mayor Baber to ratify the Design Review Board's approval of Project No. 2019-10 (Sunny Donuts) – a building addition and storefront remodel at 4199 Spring Street in the CN-P-D-MU (Neighborhood Commercial / Scenic Preservation Overlay / Urban Design Overlay / Mixed Use Overlay) Zone.

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: FIRST READING

11. A. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA ADDING SECTION 10.50.043 TO THE LA MESA MUNICIPAL CODE FOR PURPOSES OF AUTHORIZING THE CITY MANAGER TO APPROVE SPECIAL EVENT PERMITS SUBJECT TO CERTAIN TERMS AND CONDITIONS; AND

B. RESOLUTION AUTHORIZING THE CITY MANAGER TO TEMPORARILY CLOSE A PORTION OF LA MESA CITY STREETS FOR SPECIAL EVENTS

City Clerk Wiegelman explained the Ordinance had been revised after the agenda was published to include an amendment to Section 10.50.030(a)(9) which was inadvertently omitted. City Clerk Wiegelman stated the amendment would provide the City Manager the authority to approve street closures for special events attended by less than one thousand persons and more than one thousand persons.

City Attorney Sabine read the title of the Ordinance.

Council questions and comments ensued.

City Attorney Sabine explained the City's appeal process.

Council questions and comments continued.

Community Development Director Kusiak explained the public noticing process for residential construction.

Jerry Jones, resident, spoke in opposition of the approval of the introduction and first reading of the proposed Ordinance as written.

Council questions and comments continued.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember Weber to approve the introduction and first reading of the Ordinance as amended to add the following requirement: for special events that require a street closure and numbers more than one thousand persons, the City Manager shall notify addressees via US mail within a 300 foot radius of the event boundaries 15 business days prior to the City Manager's decision. Alternatively, the applicant may hand deliver said notice to the required addressees with proof of delivery being provided to the City Manager. In either event, the applicant shall be responsible for any cost associated with the notification. The notification shall include the date the City Manager will make the decision, posting location of the City Manager's decision, and how to appeal the City Manager's decision.

Vote: 3-2

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

Motion passed.

ACTION: Substitute motion – Motioned by Councilmember Parent and seconded by Vice Mayor Baber to approve the introduction and first reading of the Ordinance as amended to add the following requirement: the decision of the City Manager for special events that require a street closure and numbers more than one thousand persons shall be published on the City's website and posted on the City's bulletin boards.

Vote: 2-3

Yes: Vice Mayor Baber and Councilmember Parent

No: Mayor Arapostathis, Councilmember Alessio, and Councilmember Weber
Abstained: None
Absent: None

Motion failed.

Following Council questions and comments, Mayor Arapostathis called the vote on the original motion.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Alessio to adopt the Resolution authorizing the City Manager to temporarily close a portion of La Mesa City streets for special events.

Vote: 4-1

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

Motion passed. Resolution No. 2019-109 was adopted.

HEARING/ORDINANCES: SECOND READING

12. **AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA BUILDING STANDARDS CODE, KNOWN AS TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, INCORPORATING THE INTERNATIONAL BUILDING CODE, 2018 EDITION, INTERNATIONAL EXISTING BUILDING CODE, 2018 EDITION, AND THE INTERNATIONAL RESIDENTIAL CODE, 2018 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL; THE UNIFORM PLUMBING CODE, 2018 EDITION, AND THE UNIFORM MECHANICAL CODE, 2018 EDITION, PUBLISHED BY THE INTERNATIONAL ASSOCIATION OF PLUMBING AND MECHANICAL OFFICIALS; THE NATIONAL ELECTRICAL CODE, 2017 EDITION, PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION; AND AMENDING TITLE 14 OF THE LA MESA MUNICIPAL CODE AND ALL OTHER ORDINANCES IN CONFLICT THEREWITH**

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.

City Attorney Sabine read the title of the Ordinance.

Mayor Arapostathis opened the hearing for Item 12 at 7:20 p.m.

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

Vote: 5-0

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

No: None

Abstained: None

Absent: None

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Alessio to approve the second reading and adoption of the Ordinance.

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. 2019-2874 was adopted.

13. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA ADOPTING BY REFERENCE THE 2019 EDITION OF THE CALIFORNIA FIRE CODE, KNOWN AS THE CALIFORNIA CODE OF REGULATIONS, TITLE 24 PART 9 (CCR, T-24, P-9) INCORPORATING: THE INTERNATIONAL FIRE CODE, 2018 EDITION, PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, WITH CERTAIN AMENDMENTS, ADDITIONS AND DELETIONS, AND AMENDING TITLE 11 OF THE LA MESA MUNICIPAL CODE AND ALL OTHER ORDINANCES IN CONFLICT THEREWITH

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 read the title of the Ordinance.

Mayor Arapostathis opened the hearing for Item 13 at 7:23 p.m.

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

Vote: 5-0

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

No: None

Abstained: None

Absent: None

ACTION: Motioned by Vice Mayor Baber and seconded by Councilmember Alessio to approve the second reading and adoption of the Ordinance.

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. 2019-2875 was adopted.

STAFF REPORTS

Vice Mayor Baber recused himself for Items 14 and 15 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 7:27 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 AGREEMENT FOR SPECIALIZED PROFESSIONAL SERVICES BETWEEN THE CITY OF LA MESA AND KANE BALLMER & BERKMAN (KBB) FOR LEGAL SERVICES RELATED TO THE NEGOTIATION OF A GROUND LEASE AND DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) BY AND BETWEEN THE CITY OF LA MESA AND USA PROPERTIES FUND FOR THE 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**

Community Development Program Coordinator Gonzales stated that the item for consideration was related to the potential development of the Old Police Station Site located at 8181 Allison Avenue and provided an overview of past Council actions in regards to the proposed project. Community Development Program Coordinator Gonzales explained that the City would need to retain the services of legal and real estate advisory specialists to assist with the negotiations related to the proposed development project and summarized the terms and conditions of the proposed Agreement for Specialized Services between the City of La Mesa and Kane Ballmer & Berkman.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember Parent 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 Agreement for Specialized Professional Services between the City of La Mesa and Kane Ballmer & Berkman (KBB) for legal services related to the negotiation of a Ground Lease and Disposition and Development Agreement (DDA) by and between the City of La Mesa and USA Properties Fund for the 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.

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. 2019-110 was adopted.

15. 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 AGREEMENT FOR SPECIALIZED PROFESSIONAL SERVICES BETWEEN THE CITY OF LA MESA AND KEYSER MARSTON ASSOCIATES, INC. (KMA) FOR REAL ESTATE ADVISORY SERVICES RELATED TO THE NEGOTIATION OF A GROUND LEASE AND DISPOSITION AND DEVELOPMENT AGREEMENT (DDA) BY AND BETWEEN THE CITY OF LA MESA AND USA PROPERTIES FUND FOR THE 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

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ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Parent 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 Agreement for Specialized Professional Services between the City of La Mesa and Keyser Marston Associates, Inc. (KMA) for real estate advisory services related to the negotiation of a Ground Lease and Disposition and Development Agreement (DDA) by and between the City of La Mesa and USA Properties Fund for the 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.

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. 2019-111 was adopted.

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.

CITY ATTORNEY REMARKS

There were no remarks.

ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 7:33 p.m.

Megan Wiegelman, CMC
City Clerk

Prepared by:
Piper Richards-Crawford, Deputy City Clerk