

Minutes of a Regular Meeting of the La Mesa City Council
Tuesday, March 27, 2018 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 for Item No. 8 which was considered following Item No. 5.

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

ROLL CALL

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

ABSENT: None.

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

INVOCATION – MAYOR ARAPOSTATHIS

PLEDGE OF ALLEGIANCE

CITY MANAGER COMMENTS

City Manager Garrett introduced Community Services Director Richardson who announced that the City received recognition from PlayCore, GameTime and the California Park and Recreation Society for receiving a Statewide Healthy Play Initiative Grant, being provided matching funding for the playground at Vista La Mesa and being designated as a National Demonstration Playground Site.

COMMUNITY BULLETIN REPORTS

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

PRESENTATION

PRESENTATION OF MISS LA MESA AND MISS LA MESA TEEN 2018

Mayor Arapostathis and Ms. Sierra Billock, Director of the Miss La Mesa pageant,

recognized Miss La Mesa 2017, Heather Bardin and expressed appreciation for all her hard work throughout the year. Alexis Smith, Miss La Mesa Teen 2017, was unable to attend. Miss La Mesa 2018, Kelli Loper, and Miss La Mesa Teen 2018, Kennedy Dirkes were then introduced. Also present were Junior Miss La Mesa Samantha Luevano and La Mesa Princess Hailey Peterson.

ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

CONFLICT DISCLOSURES

There were no conflict of interest disclosures.

PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

Mary Sessom, San Diego County Regional Airport Authority representative, spoke regarding a proposed Assembly Bill by Assemblywoman Lorena Gonzalez Fletcher that would return control of the airport to the San Diego Unified Port District. She requested that the Council write a letter of support of the San Diego County Regional Airport Authority's opposition to the bill.

CONSENT CALENDAR

(Items 1 through 4)

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, MARCH 13, 2018

Approved.

3. RATIFICATION OF THE DESIGN REVIEW BOARD'S APPROVAL OF DRB 17-09 (AT&T MOBILITY) – A REQUEST TO CONSTRUCT A WIRELESS COMMUNICATIONS FACILITY AT 5301 LAKE MURRAY BOULEVARD IN THE C (GENERAL COMMERCIAL) ZONE

Ratified.

4. CONSIDERATION OF THE 2017 ANNUAL REPORT – IMPLEMENTATION OF THE GENERAL PLAN

Approved.

ACTION: Motioned by Councilmember McWhirter and seconded by Councilmember Baber to approve Consent Calendar Items 1 through 4.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

HEARING

5. CONSIDERATION OF AN APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF CONDITIONAL USE PERMIT CUP 17-01 (SAN DIEGROWN LLC) – A REQUEST FOR A MEDICAL MARIJUANA DISPENSARY PROPOSED AT 8155 CENTER STREET IN ZONE M (INDUSTRIAL SERVICE AND MANUFACTURING)

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 Item 5 at 6:18 p.m.

Community Development Director Kusiak provided a PowerPoint presentation regarding the Measure U dispensary requirements, the property of the proposed medical marijuana dispensary, and the proposed project's compliance with Measure U. Mr. Kusiak reviewed the approval process and explained the reason for the appeal. Community Development Director Kusiak said staff recommended the Council deny the appeal and uphold the Planning Commission's approval of Conditional Use Permit CUP 17-01, subject to conditions set forth in Planning Commission Resolution No. PC-2018-08.

Following Council questions, Mayor Arapostathis opened the hearing and asked if anyone from the audience wished to speak.

The following members of the audience spoke in opposition to the proposed project and in support of the appeal:

Gina Austin, appellant representative
Anjanette Perkins
Rick Turner
Tom Hurner

The following members of the audience spoke in support of the proposed project and in opposition to the appeal:

Sean McDermott, applicant
Randy Baillargeon
Ambrose Wong
Casey Lynch
Alex Scherer

The following members of the audience submitted written statements in opposition to the proposed project and in support of the appeal:

Tom Perkins
Alan Austin

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

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Alessio, Councilmember Baber, Councilmember McWhirter and Councilmember Parent.

No: None

Abstained: None

Absent: None.

Motion passed.

Council questions and comments ensued.

ACTION: Motioned by Councilmember Baber and seconded by Councilmember Parent to reopen the hearing.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Alessio, Councilmember Baber, Councilmember McWhirter and Councilmember Parent.

No: None

Abstained: None

Absent: None.

Motion passed.

Council questions continued.

Councilmember Baber stated for the record that the appellant representative, Gina Austin, shook her head in agreement to his statement that on the first day of the medical marijuana conditional use permit (CUP) process the City gave out the CUP numbers in an informal process, and on the second day the City stated the numbering system would be used for the medical marijuana CUP process.

ACTION: Motioned by Councilmember McWhirter and seconded by Vice Mayor Alessio to close the hearing.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Alessio, Councilmember Baber, Councilmember McWhirter and Councilmember Parent.

No: None

Abstained: None

Absent: None.

Motion passed.

A discussion ensued between Council and staff regarding the medical marijuana CUP numbering process, the medical marijuana CUP submittal process, the efforts of City staff throughout the medical marijuana CUP process, and the ADA requirements for the medical marijuana dispensaries.

ACTION: Motioned by Councilmember McWhirter and seconded by Vice Mayor Alessio to deny the appeal and uphold the Planning Commission's approval of Conditional Use Permit CUP 17-01, subject to conditions set forth in Planning Commission Resolution No. PC-2018-08.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

STAFF REPORTS

6. NEIGHBORHOOD PERMIT PARKING DISTRICT POLICY EVALUATION

Public Works Director Leja provided a PowerPoint presentation on the permit parking district policy elements recommended by the Traffic Commission for City Council consideration. Public Works Director Leja reviewed the current Wellesley Street permit parking district practices and the regional best practices for permit parking district policies.

A discussion ensued between Council and staff regarding the number of parking districts within the City, the permit parking district policy of other cities, guest placard limitations, permit parking requirements in the Wellesley parking district, accessibility of permit parking for renters versus property owners, the formation and boundaries process for the construction of a permit parking district, the fees and cost recovery of a permit parking district, and petition thresholds for the policy.

Susan Wayne, resident, spoke regarding the fee and cost recovery component of a permit parking district policy.

Mercy Graef, resident, spoke regarding guest placard limitations and the fee and cost recovery component of a permit parking district policy.

Cliff Anderson, resident, spoke regarding parking issues on Wellesley Street.

Sam Van, resident, spoke regarding the permit cost for the Wellesley Street permit parking district and not creating a 'one fits all' permit parking district policy.

A discussion continued between Council and staff regarding differentiating parking permits for businesses versus residents, grandfathering in the current policy for the Wellesley Street permit parking district, and the issuance of parking permits.

ACTION: Motioned by Councilmember Baber and seconded by Mayor Arapostathis to (1) support the following permit parking district policy elements recommended by the Traffic Commission: (a) formation and boundaries mimic that of the Neighborhood Traffic Management Policy; (b) implementation of a fee and cost recovery; (c) allow for a maximum of four permits; (d) review of permit parking districts every 2-years; (e) employment of more robust permit protection measures; (f) exemptions for government/emergency vehicles, disabled, and other special situations; (g) issuance of permits to owners and residents only; (h) permits for guests utilize the temporary allotments for residence without limitation; (i) no parking subzones for nominal sized permit parking districts; (j) implementation of a prioritization process similar to the Neighborhood Traffic Management Policy; (k) reevaluation and reconsideration of a permit parking district if a more intensive development occurs within an established district boundary; and (l) establishment of district boundaries be limited to those areas with similar zoning and land uses of the affronting properties; (2) increase the petition threshold to no less than sixty percent (60%) and up to two thirds (2/3) of the affected properties; and (3) grandfather in the Wellesley permit parking district policies.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

7. CONSIDERATION OF A SPECIAL EVENT PERMIT APPLICATION FOR THE LA MESA VILLAGE FARMERS' MARKET EVENT WITH RELATED STREET CLOSURES

City Manager Garrett gave a brief history of the La Mesa Farmers' Market and provided an overview of the proposed La Mesa Village Farmers' Market event to be sponsored by the La Mesa Village Association.

The following members of the audience spoke in opposition of the proposed La Mesa Village Farmers' Market event:

John Bedlion
Lupe Marrujo
Susan Wayne

The following members of the audience spoke in support of the proposed La Mesa Village Farmers' Market event:

Aaron Dean
Theresa Favro
Peter Soutowood
Deanne Ross
Vincent Perez
Janet Castanos
Karen Rado
Laura Lothien
Tony Gaipa

Jennifer Derks

The following members of the audience submitted written statements in opposition of the proposed La Mesa Village Farmers' Market event:

Marcia Tolin

The following members of the audience submitted written statements in support of the proposed La Mesa Village Farmers' Market event:

Barbara Atkins
Mike Castanos
Leroy Johnson
Nora Kearney-Johnson
Lisa Campbell
Delores Buller
Daniel Webster
Jean Philipe
Sallee Ghomizadeh

A discussion ensued between Council, staff, and Vincent Perez, representative of Brian's Farmers' Markets, regarding informing visitors about the street closure time of the Farmers' Market, the removal of vehicles still parked in the event area when the event set-up begins, food trucks at the farmers' market, the impact farmers' markets have on nearby restaurants, the other farmers' markets managed by Brian's Farmers' Markets, and the success of farmers' markets in relation to the day of the week they are held.

A discussion ensued between Council and staff regarding the proposed day of the week for the La Mesa Village Farmers' Market event, the concerns of the businesses, accommodating both the Downtown Village businesses and the proposed farmers' market, and possible outreach efforts to inform visitors of the street closure time for the farmers' market event.

Vice Mayor Alessio stated that she supports the move of the farmers' market to La Mesa Boulevard but she would be voting no because she does not support the farmers' market being held on Friday evenings.

ACTION: Motioned by Councilmember Parent and seconded by Mayor Arapostathis to (1) approve the La Mesa Village Association's application for the weekly Farmers' Market in the Downtown Village for a period of six months and waive the application fee for a special event permit application following the six month period; (2) adopt the resolution temporarily closing portions of La Mesa City streets for the "La Mesa Farmers' Market" special event sponsored by the La Mesa Village Association; (3) continue the 100% cost recovery policy for small events that do not serve alcohol and that require minimum City support; and (4) direct the farmers' market operators to provide notification to the Downtown Village visitors of the street closure and no parking on La Mesa Boulevard prior to the start of the weekly La Mesa Village Farmers' Market.

Vote: 4-1

Yes: Mayor Arapostathis, Councilmember Baber, Councilmember McWhirter, and Councilmember Parent

No: Vice Mayor Alessio

Abstained: None

Absent: None

Motion passed. Resolution No. 2018-023 was adopted.

BOARD AND COMMISSION INTERVIEWS

8. INTERVIEW OF APPLICANTS FOR THREE UNSCHEDULED VACANCIES ON THE YOUTH ADVISORY COMMISSION

City Clerk Wiegelman briefly explained the interview process and said the appointments would take place at the April 10th Council meeting. She stated that Elaine Alfaro and Zöe Kuhlken were not able to attend the meeting but both had expressed their interest in serving on the Commission. City Clerk Wiegelman said that Elaine Alfaro had submitted a written statement expressing her interest in being considered for appointment to the Youth Advisory Commission.

The following applicant spoke regarding her qualifications and interest in being appointed:

Katherine Rabasco

Following the interview, no action was taken.

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))

Councilmember Parent reported on his trip to Yosemite National Park on March 15 through March 18, 2018 for the Local Government Commission Policymakers Conference – Building Livable Communities.

COUNCIL INITIATED

9. CONSIDERATION OF A NOTICE OF SUPPORT LETTER FOR AB 3162 (FRIEDMAN) – ALCOHOLISM OR DRUG ABUSE RECOVERY OR TREATMENT FACILITIES – VICE MAYOR ALESSIO AND COUNCILMEMBER BABER

Vice Mayor Alessio and Councilmember Baber requested the Council support AB 3162 (Friedman) by submitting a letter of support to Assembly Member Laura Friedman.

ACTION: Motioned by Councilmember Baber and seconded by Mayor Arapostathis to submit a notice of support letter for AB 3162 (Friedman) to the author of AB 3162, Assembly Member Laura Friedman.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

CITY ATTORNEY REMARKS

There were no remarks.

ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 9:26 p.m.

Megan Wiegelman, CMC
City Clerk