

Minutes of a Regular Meeting of the La Mesa City Council
Tuesday, April 27, 2021 at 6:00 p.m.
City Council Chambers, 8130 Allison Avenue, La Mesa, California

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

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 Item 18B was considered separately from Items 18A and 18C, Items 18A and 18C were considered prior to Item 17, and Item 18B was considered after Item 17.

Mayor Arapostathis called the meeting to order at 6:03 p.m.

ROLL CALL

PRESENT: Mayor Arapostathis; Councilmembers Baber, Parent, and Shu.

ABSENT: None.

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

INVOCATION – MAYOR ARAPOSTATHIS

PLEDGE OF ALLEGIANCE

CITY MANAGER COMMENTS

City Manager Humora provided an update on the rules and regulations issued by the City in response to the COVID-19 public health emergency, summarized the latest health order changes from the State of California and County of San Diego, and reported on the COVID-19 vaccination distribution process.

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 APRIL 30, 2021 AS ARBOR DAY

Mayor Arapostathis read aloud the proclamation proclaiming April 30, 2021 as Arbor Day.

PROCLAIMING MAY 2021 AS WATER SAFETY MONTH

Mayor Arapostathis read aloud the proclamation proclaiming May 2021 as Water Safety Month.

PROCLAIMING MAY 15, 2021 AS LAW ENFORCEMENT OFFICERS' MEMORIAL DAY

Councilmember Baber read aloud the proclamation proclaiming May 15, 2021 as Law Enforcement Officers' Memorial Day.

PROCLAIMING MAY AS OLDER AMERICANS MONTH

Councilmember Baber read aloud the proclamation proclaiming May as Older Americans Month.

ADDITIONS AND/OR DELETIONS TO THE AGENDA

City Clerk Wiegelman announced Item 18B would be considered separately from Items 18A and 18C.

PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

City Clerk Wiegelman read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

Kristen Miller submitted a comment regarding the Council's response to public comments.

CONFLICT DISCLOSURES

Councilmember Parent announced he would recuse himself for Item 1 because he had a potential conflict of interest under Government Code Section 87100 due to one of the applicants being a colleague.

Councilmember Baber announced he would recuse himself for Items 17 and 18B because he had a potential conflict of interest under Government Code Section 87100 due to the proximity of his home to Collier Park.

BOARD AND COMMISSION APPOINTMENTS

1. RESOLUTION APPOINTING A MEMBER TO FILL THE UNSCHEDULED VACANCY ON THE PLANNING COMMISSION

Councilmember Parent left the meeting at 6:20 p.m.

City Clerk Wiegelman explained the nomination process for the Planning Commission.

City Clerk Wiegelman read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

Aaron Amerling submitted a comment regarding a potential conflict of interest for Councilmember Parent due to one of the applicants being his colleague.

Dianne Osterling submitted a comment regarding a potential conflict of interest for Councilmember Parent due to one of the applicants being his colleague.

The Council began the open nomination process for the unscheduled vacancy on the Planning Commission.

City Clerk Wiegelman announced the nominations as follows:

Round 1:

Mayor Arapostathis nominated Jana Schwartz
Councilmember Baber nominated Brianna Coston
Councilmember Shu nominated Brianna Coston

ACTION: Motioned by Councilmember Shu and seconded by Mayor Arapostathis to approve the appointment of Brianna Coston to the Planning Commission and adopt the Resolution confirming the appointment.

Vote: 3-0-1

Yes: Mayor Arapostathis, Councilmember Baber, and Councilmember Shu
No: None
Abstained: Councilmember Parent
Absent: None

Motion passed. Resolution No. 2021-030 was adopted.

Councilmember Parent returned to the meeting at 6:25 p.m.

CONSENT CALENDAR

(Items 2 through 14)

Mayor Arapostathis pulled Consent Calendar Item 14 for separate consideration.

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

Approved.

3. APPROVAL OF THE MINUTES FOR THE CITY COUNCIL SPECIAL MEETING HELD TUESDAY, APRIL 13, 2021

Approved.

4. APPROVAL OF THE MINUTES FOR THE CITY COUNCIL REGULAR MEETING HELD TUESDAY, APRIL 13, 2021

Approved.

5. SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA AMENDING SECTION 2.80.010 OF THE LA MESA MUNICIPAL CODE TO UPDATE THE LA MESA COMMUNITY PARKING COMMISSION MEMBERSHIP TO TWO AT-LARGE MEMBERS AND THREE BUSINESS REPRESENTATIVES, PROPERTY OWNERS, OR RESIDENTS RESIDING IN THE CD/D DOWNTOWN COMMERCIAL ZONE

Ordinance No. 2021-2885 was adopted.

6. RESOLUTION APPOINTING A LA MESA HISTORICAL SOCIETY REPRESENTATIVE TO THE HISTORIC PRESERVATION COMMISSION

Resolution No. 2021-031 was adopted.

7. REMOVED.

8. RESOLUTION AUTHORIZING A GRANT APPLICATION FOR LOCAL GOVERNMENT PLANNING SUPPORT GRANT PROGRAM FUNDS THROUGH THE LOCAL EARLY ACTION PLANNING GRANT PROGRAM (LEAP) FOR 1) COMPLETION OF AN UPDATE TO THE DOWNTOWN VILLAGE SPECIFIC PLAN AND 2) COMPLETION OF AN UPDATE TO THE CITY'S HOUSING ELEMENT; ACCEPTING AND APPROPRIATING FUNDS IF AWARDED; AND APPOINTING THE CITY MANAGER, OR DESIGNEE, TO EXECUTE ALL AGREEMENTS AND ANY AMENDMENTS

Resolution No. 2021-032 was adopted.

9. RESOLUTION AMENDING THE AGREEMENT WITH CIVIC SOLUTIONS, INC. FOR PROFESSIONAL PLANNING SERVICES FOR STAFF SUPPORT TO INCREASE THE NOT-TO-EXCEED AMOUNT BY \$54,000 FOR FISCAL YEAR 2020-21 ONLY, FOR A TOTAL OF \$244,000 FOR THE FISCAL YEAR

Resolution No. 2021-033 was adopted.

- 10. RESOLUTION INCREASING THE BUDGET FOR BUILDING DIVISION PROFESSIONAL AND SPECIALIZED SERVICES ACCOUNT BY \$200,000 FOR FISCAL YEAR 2020-21, FOR A TOTAL OF \$502,000 FOR THE FISCAL YEAR**

Resolution No. 2021-034 was adopted.

- 11. RESOLUTION APPROVING THE SIXTH AMENDMENT TO THE HEARTLAND FIRE TRAINING AUTHORITY JOINT POWERS AGREEMENT TO REVISE THE RENEWAL DATES TO BE CONSISTENT WITH THE FACILITY LEASE AGREEMENT AND UPDATE THE DUTIES OF OFFICERS**

Resolution No. 2021-035 was adopted.

- 12. RESOLUTION APPROVING ACCEPTANCE OF THE 2021 FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION GRANT**

Resolution No. 2021-036 was adopted.

- 13. RESOLUTION ACCEPTING BID 21-10, MASSACHUSETTS AVENUE AND BLACKTON DRIVE PEDESTRIAN AND BICYCLE IMPROVEMENTS PROJECT, AND AWARDING A CONSTRUCTION CONTRACT TO PORTILLO CONCRETE, INC.**

Resolution No. 2021-037 was adopted.

- 14. REMOVED.**

ACTION: Motioned by Councilmember Baber and seconded by Mayor Arapostathis to approve Consent Calendar Items 2 through 13, except for Item 7.

Vote: 4-0

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

No: None

Abstained: None

Absent: None

Motion passed.

- 7. RATIFICATION OF THE DESIGN REVIEW BOARD'S APPROVAL OF PROJECT NO. 2019-15 (POHLE) – CONSIDERATION OF DESIGN REVIEW FOR A 19-UNIT RESIDENTIAL APARTMENT DEVELOPMENT AT 5061 KEENEY STREET IN THE R3 (MULTIPLE UNIT RESIDENTIAL) ZONE**

City Clerk Wiegelman read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

Dianne Osterling submitted a comment regarding short term rentals and the need for affordable housing.

Councilmember Shu inquired about the development incentives under the Density Bonus Law, the number of affordable units included in the proposed project, the sustainable elements of the proposed project, the City's plan to achieve the Regional Housing Needs Allocation requirement, and the City's inclusionary housing policy.

Staff responded to Councilmember Shu's questions.

Councilmember Parent spoke regarding housing needs and housing requirements.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Baber to ratify the Design Review Board's approval of Project No. 2019-15 (Pohle) – consideration of design review for a 19-unit residential apartment development at 5061 Keeney Street in the R3 (Multiple Unit Residential) Zone.

Vote: 4-0

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

No: None

Abstained: None

Absent: None

Motion passed.

14. HOMELESS OUTREACH AND MOBILE ENGAGEMENT (HOME) PROGRAM MARCH 2021 1ST QUARTER REPORT

City Clerk Wiegelman read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

Bonnie Baranoff submitted a comment commending the efforts and progress of the HOME Program.

Melissa Walter submitted a comment commending the efforts and progress of the HOME Program.

The Mayor and Council thanked all of those involved with the HOME Program.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Baber to receive and file the HOME Program 2021 1st Quarter Report.

Vote: 4-0

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

No: None

Abstained: None

Absent: None

Motion passed.

STAFF REPORT

15. REQUEST FOR AUTHORIZATION TO INITIATE THE NOTIFICATION PROCESS REQUIRED BY PROPOSITION 218 AND SCHEDULE A PUBLIC HEARING FOR A PROPOSED INCREASE IN EDCO TRASH RATES TO BE EFFECTIVE JULY 1, 2021

Environment Program Manager Ego explained the Proposition 218 notification process and timeline and discussed the rate proposal from EDCO.

Cheryl spoke regarding EDCO's billing policy.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Shu to authorize staff to initiate the notification process required by Proposition 218 and schedule a public hearing for a proposed increase in EDCO trash rates, which, if approved, would be effective July 1, 2021.

Vote: 4-0

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

No: None

Abstained: None

Absent: None

Motion passed.

16. DISCUSSION AND DIRECTION TO DETERMINE THE PROCESS OF FILLING A VACANCY ON CITY COUNCIL WITHIN 60 DAYS (FRIDAY, JUNE 18, 2021) OR SCHEDULING A SPECIAL ELECTION PURSUANT TO GOVERNMENT CODE SECTION 36512

City Clerk Wiegelman explained that pursuant to California Government Code §36512, the City Council had 60 days from commencement of the vacancy to either make an appointment or call for a special election. City Clerk Wiegelman said that due to Dr. Weber's resignation on April 19, 2021, the 60 day period would expire on June 18, 2021. City Clerk Wiegelman outlined the two processes for filling a vacancy on the City Council.

Council questions and comments ensued.

City Clerk Wiegelman read aloud six emailed public comments that were submitted by 4:00 p.m. the day of the Council meeting; three in support of a Council appointment to fill the vacancy on City Council and three in support of a holding a special election to fill the vacancy on City Council.

The following members of the public submitted a comment in support of holding a special election to fill the vacancy on City Council:

Yessenia Rivera
Darlene Vogt
William Ornelas

Nancy Smith
Lisa Richter
Victoria Hyzer

Joni Terada
Philip Weiss
Stephanie Maras Shelton
Ray Abbott
Peter Hoss
N Raffel
Naomi Goldsmith
Mike Osterling
Mike Acevedo
Michael Barletta
Mary Earnest
Francis Wilson Jr.
Marcia Tolin
Patricia Harris
Lisa Kincaid
Lauren Edwards
Kathleen Wackrow
Karen O'Hare
Karen Thompson
Julia Allen
Josh Polesky
Jim Johnson
Jeannine Robison
Janet Hafner
Mary Earnest
Amber Nirelli
Angel Samiliano
Anita Reichert
Barbara Stevens
Ben Holmes
Keith Terry
Rebecca DeGruchy
Brian Webster
Candace Kline
Cathleen Tiner
Christina De Plata
Christina Shattuck
Colin Campbell
Danielle Barney
Donna Brase
Eldon Vogt
Fred Richter III
Gilda Baslee
Sean Goodwin
Heather O'Boyle
I Wace
Dianne Osterling

Tamara Weiss
Susan Brinchman
Richard Hammett
Romina Pacheco
Paula Costanzo
Norma Pizarro
Nancy Meade
Michael Maus
Michele Kmak
Michael Bartelt
Mary Wilson
Marsha Mann
Lydia Pellecer
Lisa Mott
Lili Feingold
Kristen Short
Karen Rakestraw
K B
Juliet Thomas
Judy Hewitt
Joyce James
Jenny Rivera
Jeanne Schultz
Linda Ballantyne
Aaron Amerling
Andrea Beth Damsky
Angela Durden
Antonio Gonzalez
Balinda McClellan
Roberta Terry
Brendan DeGruchy
Brett Jasionowski
Bruce Duncan
Carol Brent
Cela Nash
Christine Goforth
Harry Teel
Carole Cooper
Del Lisk
Dottie Welch
Erich Hall
George Ching
Marion Quintanilla
Jimmy Long
Helga Buehner
Brianna Coston
Rick Schulte

Bob Brent
Shelby Utz
Stanley Krom

Sam Mandler
Karen Toyohara

The following members of the public submitted a comment in support of a Council appointment to fill the vacancy on City Council:

Julie White
Eunice Ventura
Laura Lothian
Dr. Janet Castanos
Fernando Ortiz
Cindy Mur
Anne-Marie Roach

Rebecca Arevalo
Mike Castanos
Linda Johnson
Karen Gibson
Connie Henry
Carole Ortiz
Jim Roach

The following members of the public spoke in support of holding a special election to fill the vacancy on City Council:

Em Wilson
Cheryl
Dianne Osterling
Antonio Gonzalez
Doris Meserole

The following members of the public spoke in support of a Council appointment to fill the vacancy on City Council:

Patrick Dean
Janet Castanos

Council questions and comments continued.

ACTION: Motioned by Councilmember Baber and seconded by Mayor Arapostathis to direct staff to return to Council with the details for holding a special election that corresponds with the Governor's recall election.

Vote: 2-2

Yes: Mayor Arapostathis and Councilmember Baber
No: Councilmember Parent and Councilmember Shu
Abstained: None
Absent: None

Motion failed.

ACTION: Motioned by Councilmember Parent and seconded by Councilmember Shu to direct staff to bring back the item at the May 11, 2021 Council meeting with an update on the potential dates and cost for a City of La Mesa special election.

Vote: 4-0

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

No: None

Abstained: None

Absent: None

Motion passed.

HEARINGS

17. CONSIDERATION OF A RESOLUTION ADOPTING THE FISCAL YEAR 2021-2022 ANNUAL ACTION PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM AND AUTHORIZING SUBMITTAL TO THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Councilmember Baber left the meeting at 7:46 p.m.

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 17.

Senior Planner Kinnard provided a PowerPoint presentation on the CDBG program, the 2020-2025 Consolidated Plan goals, the proposed projects for Fiscal Year 2021-2022, and the proposed allocation of CDBG program funds for Fiscal Year 2021-2022.

Council questions and comments ensued.

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

Vote: 3-0

Yes: Mayor Arapostathis, Councilmember Parent, and Councilmember Shu

No: None

Abstained: None

Absent: Councilmember Baber

Motion passed.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Parent to adopt the Resolution adopting the Fiscal Year 2021-2022 Annual Action Plan for the CDBG Program and authorizing submittal to HUD.

Vote: 3-0

Yes: Mayor Arapostathis, Councilmember Parent, and Councilmember Shu

No: None

Abstained: None

Absent: Councilmember Baber

Motion passed. Resolution No. 2021-040 was adopted.

18. A. CONSIDERATION OF A RESOLUTION ADOPTING A FEE SCHEDULE TO BE CHARGED BY VARIOUS CITY DEPARTMENTS FOR FISCAL YEAR 2021-2022; AND

C. CONSIDERATION OF A RESOLUTION ADOPTING THE SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) ANNUAL ADJUSTMENT TO THE REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCIP) DEVELOPMENT IMPACT FEE TO COMPLY WITH THE REQUIREMENTS OF SANDAG COMMISSION ORDINANCE 04-01 AND TRANSNET EXTENSION ORDINANCE AND EXPENDITURE PLAN

Item 18B was considered separately from Items 18A and 18C.

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 18A and 18C.

Senior Management Analyst Dedmon provided background on the City's Cost Allocation and User Fee Study. Senior Management Analyst Dedmon discussed the annual update of the fees and explained the new and adjusted fees. Senior Management Analyst Dedmon provided an overview of the annual adjustment to the Regional Transportation Congestion Improvement Program (RTCIP) Development Impact Fee.

Council questions and comments ensued.

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

Vote: 4-0

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

No: None

Abstained: None

Absent: None

Motion passed.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Shu to adopt: (1) the Resolution adopting a fee schedule to be charged by various City departments for Fiscal Year 2021-2022; and (2) the Resolution adopting the SANDAG annual adjustment to the RTCIP Development Impact Fee to comply with the requirements of SANDAG Commission Ordinance 04-01 and TransNet Extension Ordinance and Expenditure Plan.

Vote: 4-0

Yes: Mayor Arapostathis, Councilmember Baber, Councilmember Parent, and Councilmember Shu
No: None
Abstained: None
Absent: None

Motion passed. Resolution No. 2021-038 and Resolution No. 2021-039 were adopted.

B. CONSIDERATION OF A RESOLUTION APPROVING THE FINDINGS FOR THE QUIMBY ACT PARKLAND DEDICATION IN-LIEU FEE AND PARK ACQUISITION AND IMPROVEMENT IMPACT FEE AS REQUIRED BY CALIFORNIA GOVERNMENT CODE SECTION 66001 AND APPROPRIATING FUNDS FOR COLLIER PARK IMPROVEMENTS AND FOR PROJECTS AS OUTLINED IN THE PARKS MASTER PLAN

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 18B.

Senior Management Analyst Dedmon provided background on the Quimby Act Parkland Dedication In-lieu Fee ("Park In-lieu Fee") and Park Acquisition and Improvement Impact Fee ("Park Impact Fee") and discussed the allocation of funds to park projects based on the Park Master Plan. Senior Management Analyst Dedmon explained the purpose for a study of the Park In-lieu Fee and Park Impact Fee.

Council questions and comments ensued.

Patrick Dean spoke regarding the importance of parks and in support of a study of the Park In-lieu Fee and Park Impact Fee.

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

Vote: 3-0

Yes: Mayor Arapostathis, Councilmember Parent, and Councilmember Shu
No: None
Abstained: None
Absent: Councilmember Baber

Motion passed.

ACTION: Motioned by Councilmember Shu and seconded by Mayor Arapostathis to adopt the Resolution approving the findings for the Park In-Lieu Fee and Park Impact Fee as required by California Government Code Section 66001 and appropriating funds for Collier Park improvements and for projects as outlined in the Parks Master Plan.

Vote: 3-0

Yes: Mayor Arapostathis, Councilmember Parent, and Councilmember Shu
No: None
Abstained: None
Absent: Councilmember Baber

Motion passed. Resolution No. 2021-041 was adopted.

ACTION: Motioned by Councilmember Parent to allocate \$25,000 to the City's Capital Improvement Program dedicated park fund in lieu of a study of the Park In-lieu Fee and Park Impact Fee. The motion failed due to a lack of a second.

Council questions and comments continued.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Parent to authorize staff to proceed with a study of the City's Park In-Lieu Fee and Park Impact Fee.

Vote: 3-0

Yes: Mayor Arapostathis, Councilmember Parent, and Councilmember Shu
No: None
Abstained: None
Absent: Councilmember Baber

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.

CITY ATTORNEY REMARKS

There were no remarks.

ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 8:14 p.m.

Megan Wiegelman, CMC
City Clerk