



La Mesa City Council

Minutes of a Regular Meeting

Date: April 25, 2023, 6:00 pm
Location: City Council Chambers, 8130 Allison Avenue
La Mesa, California

Present: Mayor Arapostathis
Vice Mayor Parent
Councilmember Dillard
Councilmember Lothian
Councilmember Shu

Staff: City Manager Humora
Assistant City Manager Lee
City Attorney Sabine
City Clerk Wiegelman

1. CALL TO ORDER

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.

1.1 INVOCATION - COUNCILMEMBER DILLARD

1.2 PLEDGE OF ALLEGIANCE

2. REPORT FROM CLOSED SESSION

City Attorney Sabine announced there were no reportable actions.

3. CITY MANAGER COMMENTS

There were no comments.

4. COMMUNITY BULLETIN REPORTS

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

5. ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

6. PRESENTATION

6.1 PROCLAIMING MAY 2023 AS WATER SAFETY MONTH

The Mayor read the proclamation proclaiming May 2023 as Water Safety Month.

7. PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

John Schmitz announced that during the month of May a number of 3rd grade classes would be touring the La Mesa Library, City Hall, Police Station, and Fire Station.

William Best spoke regarding their issues with the City's building division.

8. CONFLICT DISCLOSURES

There were no conflict of interest disclosures.

9. BOARD AND COMMISSION APPOINTMENT

9.1 RESOLUTION APPOINTING A MEMBER TO FILL AN UNSCHEDULED VACANCY ON THE COMMUNITY POLICE OVERSIGHT BOARD

Mayor Arapostathis nominated Manuel Gomez for appointment to the Community Police Oversight Board as the Police Beat 1 representative.

Councilmember Shu announced that the Community Police Oversight Board Police Beat 3 representative seat was vacant and encouraged members of the community to apply.

Resolution No. 2023-032

Moved By Mayor Arapostathis

Seconded By Councilmember Dillard

Approve the appointment of Manuel Gomez to the Community Police Oversight Board as the Police Beat 1 representative and adopt Resolution confirming the appointment.

For (5): Mayor Arapostathis, Vice Mayor Parent, Councilmember Dillard, Councilmember Lothian, and Councilmember Shu

Approved (5 to 0)

10. PUBLIC COMMENTS ON CONSENT CALENDAR

Melissa Weiss Walter spoke in opposition to Item 11.12.

Christopher Glenn submitted a comment on Item 11.4

11. CONSENT CALENDAR

(Items 11.1 through 11.12)

*If a public hearing item is part of the Consent Calendar, the public hearing shall be deemed held if the item is not removed from the Consent Calendar for discussion and possible action (Items 11.2 and 11.7)

Councilmember Lothian requested Item 11.11 be pulled for separate consideration.

Councilmember Shu requested Item 11.12 be pulled for separate consideration.

Moved By Vice Mayor Parent

Seconded By Mayor Arapostathis

Approve Consent Calendar Items 11.1 through 11.10.

For (5): Mayor Arapostathis, Vice Mayor Parent, Councilmember Dillard, Councilmember Lothian, and Councilmember Shu

Approved (5 to 0)

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

Approve.

11.2 *QUIMBY ACT PARKLAND DEDICATION IN-LIEU FEE AND PARK ACQUISITION AND IMPROVEMENT IMPACT FEE

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 66000 ET SEQ. AND APPROPRIATING FUNDS FOR PROJECTS AS OUTLINED IN THE PARKS MASTER PLAN

Resolution No. 2023-033

Adopt Resolution.

11.3 RESOLUTIONS AUTHORIZING AND APPROVING POOLING OF SELF-INSURANCE THROUGH THE WORKERS' COMPENSATION (WC) PROGRAM OF PUBLIC ENTITY RISK MANAGEMENT AUTHORITY (PERMA) AND APPLICATION TO THE DIRECTOR OF INDUSTRIAL RELATIONS FOR A CERTIFICATE OF CONSENT

Adopt Resolutions.

- a. **RESOLUTION AUTHORIZING APPLICATION TO THE DIRECTOR OF INDUSTRIAL RELATIONS, STATE OF CALIFORNIA FOR A CERTIFICATE OF CONSENT TO SELF-INSURE WORKERS' COMPENSATION LIABILITIES**

Resolution No. 2023-034

Adopt Resolution.

- b. **RESOLUTION AUTHORIZING AND APPROVING POOLING OF SELF-INSURANCE THROUGH THE WORKERS' COMPENSATION PROGRAM OF PERMA**

Resolution No. 2023-035

Adopt Resolution.

11.4 RESOLUTION AWARDDING RFP 23-14 FOR POLICE DEPARTMENT STAFFING/RESOURCE ANALYSIS SERVICES TO CITYGATE ASSOCIATES, LLC

Resolution No. 2023-036

Adopt Resolution.

11.5 RESOLUTION APPROVING THE REPAIR OF THE 2021 PIERCE FIRE ENGINE BY FIRETRUCKS UNLIMITED TO BE USED BY THE FIRE DEPARTMENT ON EMERGENCY RESPONSES

Resolution No. 2023-037

Adopt Resolution.

11.6 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, 2023

Authorize staff 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, 2023.

11.7 *SAN DIEGO ASSOCIATION OF GOVERNMENTS (SANDAG) ANNUAL ADJUSTMENT TO THE REGIONAL TRANSPORTATION CONGESTION IMPROVEMENT PROGRAM (RTCIP) DEVELOPMENT IMPACT FEE

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

Resolution No. 2023-038

Adopt Resolution.

11.8 RESOLUTION AUTHORIZING CONTRACT CHANGE ORDER NO. 1 FOR CONSTRUCTION TESTING AND INSPECTION SERVICES TO ARDURRA GROUP, INC., FOR THE EL CAJON BOULEVARD AND JESSIE AVENUE SAFETY IMPROVEMENTS PROJECT

Resolution No. 2023-039

Adopt Resolution.

11.9 RESOLUTION AUTHORIZING CONTRACT CHANGE ORDER NO. 1 FOR THE COLLIER PARK PHASE 2 IMPROVEMENT PROJECT TO HELIX ENVIRONMENTAL PLANNING, INC.

Resolution No. 2023-040

Adopt Resolution.

11.10 RESOLUTION AUTHORIZING A TASK ORDER TO DMAX ENGINEERING FOR DRY WEATHER MUNICIPAL SEWER (MS4) OUTFALL MONITORING AND PERSISTENT FLOW PROGRAM

Resolution No. 2023-041

Adopt Resolution.

11.11 RATIFICATION OF DESIGN REVIEW FOR PROJECT 2021-48 (SEA ANEMONE LLC)

A PROPOSED RESIDENTIAL APARTMENT DEVELOPMENT AT 8875 LA MESA BOULEVARD 5101-5131 GARFIELD STREET, AND 8940

DAILEY ROAD, APN 494-840-08-00, 494-840-09-00, 494-840-25-00, 494-840-26-00, 494-840-27-00, AND 494-850-01-00 IN THE RB-D-MU (RESIDENTIAL BUSINESS/URBAN DESIGN OVERLAY/MIXED USE OVERLAY), C-D-MU (GENERAL COMMERCIAL/URBAN DESIGN OVERLAY / MIXED USE OVERLAY), R3-P-MU (MULTIPLE UNIT RESIDENTIAL/ SCENIC PRESERVATION OVERLAY/URBAN DESIGN OVERLAY), AND R1-P (URBAN RESIDENTIAL/SCENIC PRESERVATION OVERLAY) ZONES

Councilmember Lothian inquired about the parking arrangements for the residents of the proposed development.

Associate Planner Kinnard responded to Councilmember Lothian's inquiry.

Council questions and comments ensued.

Moved By Vice Mayor Parent

Seconded By Councilmember Dillard

Approve.

For (4): Mayor Arapostathis, Vice Mayor Parent, Councilmember Dillard, and Councilmember Shu

Against (1): Councilmember Lothian

Approved (4 to 1)

11.12 RESOLUTION AFFIRMING THE COUNCIL'S DESIRE NOT TO HAVE FUTURE PROPOSALS FROM STAFF REGARDING NEW RESIDENTIAL DEVELOPMENT IMPACT FEES UNLESS OTHERWISE DIRECTED BY COUNCIL

Councilmember Shu expressed his opposition to the Resolution affirming the Council's desire not to have future proposals from staff regarding new residential development impact fees unless otherwise directed by staff.

Council questions and comments ensued.

Resolution No. 2023-042

Moved By Vice Mayor Parent

Seconded By Mayor Arapostathis

Adopt Resolution.

For (4): Mayor Arapostathis, Vice Mayor Parent, Councilmember Dillard, and Councilmember Lothian

Against (1): Councilmember Shu

Approved (4 to 1)

12. STAFF REPORTS

12.1 CONSIDERATION OF RESOLUTION ADOPTING A FEE SCHEDULE TO BE CHARGED BY VARIOUS CITY DEPARTMENTS FOR FISCAL YEAR 2023-2024

Purchasing Officer Munzenmaier provided a PowerPoint presentation on the City's Cost Allocation and User Fee Study, highlighting the new and adjusted fees.

Council questions and comments ensued.

Resolution No. 2023-043

Moved By Vice Mayor Parent

Seconded By Councilmember Shu

Adopt Resolution adopting a fee schedule to be charged by various City departments for Fiscal Year 2023-2024.

For (5): Mayor Arapostathis, Vice Mayor Parent, Councilmember Dillard, Councilmember Lothian, and Councilmember Shu

Approved (5 to 0)

12.2 CONSIDERATION OF HEARTLAND COMMUNICATIONS FACILITY AND HEARTLAND FIRE TRAINING FACILITY AUTHORITY CHANGE OF COUNCIL REPRESENTATION

Vice Mayor Parent explained he was not able to be the primary representative for the San Diego Community Power Board of Directors and the two Heartland Boards due to conflicting meeting schedules.

Council questions and comments ensued.

ACTION: Following discussion, it was the consensus of the Council to appoint Councilmember Dillard as the primary representative on the Heartland Communications Facility Authority Board and the Heartland Fire Training Facility Authority Board.

12.3 CONSIDERATION OF ANNUAL MILITARY EQUIPMENT USE REPORTING AND APPROVAL OF CONTINUED USE PER LA MESA ORDINANCE NO. 2022-2896 (LA MESA POLICE DEPARTMENT'S MILITARY EQUIPMENT USE POLICY - ASSEMBLY BILL 481

Chief Sweeney provided a PowerPoint presentation on the La Mesa Police Department's Annual Military Equipment Report, highlighting the requirements of AB 481, the complaints received, the military equipment violations discovered, and the additional acquisitions of military equipment in 2023.

Council questions and comments ensued.

Moved By Mayor Arapostathis

Seconded By Councilmember Dillard

(1) Accept the Military Equipment Use Policy Annual Report; and (2) Approve the policy and the continued use of Military Equipment by the La Mesa Police Department based on the findings as required by law.

For (5): Mayor Arapostathis, Vice Mayor Parent, Councilmember Dillard, Councilmember Lothian, and Councilmember Shu

Approved (5 to 0)

13. HEARINGS

13.1 CONSIDERATION OF A RESOLUTION ADOPTING THE HOUSING ELEMENT OF THE GENERAL PLAN 6TH CYCLE UPDATE

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 13.1.

Director of Community Development Kusiak provided a PowerPoint presentation on the Housing Element of the General Plan 6th Cycle update, highlighting the Housing Element update process, the affordable housing revisions, the site inventory revisions, the City's Regional Housing Needs Allocation (RHNA), the next steps in the Housing Element process, and the environmental review.

Council questions and comments ensued.

Stephen Russell, on behalf of the San Diego Housing Federation, submitted a comment in support of the adoption of the revised 6th Cycle Housing Element prepared by staff, with the recommendations that the City aggressively pursue the policies noted in the revised Housing Element, and include the development of an Inclusionary Housing Policy, paired with a Density Bonus program, to help meet the Affirmatively Furthering Fair Housing (AFFH) and affordable housing goals.

Moved By Mayor Arapostathis

Seconded By Vice Mayor Parent

Close the hearing.

For (5): Mayor Arapostathis, Vice Mayor Parent, Councilmember Dillard, Councilmember Lothian, and Councilmember Shu

Approved (5 to 0)

Resolution No. 2023-044

Moved By Vice Mayor Parent

Seconded By Councilmember Shu

Adopt Resolution approving the revised Housing Element 6th Cycle update including a provision authorizing the Community Development Director to make non-legislative technical updates as directed by the California Department of Housing and Community Development (HCD).

For (5): Mayor Arapostathis, Vice Mayor Parent, Councilmember Dillard, Councilmember Lothian, and Councilmember Shu

Approved (5 to 0)

13.2 CONSIDERATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR FISCAL YEAR (FY) 2023-2024 AND A SUBSTANTIAL AMENDMENT TO FISCAL YEAR 2022-2023

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 13.2.

Associate Planner Kinnard provided a PowerPoint presentation on the CDBG program, the 2023-2024 Consolidated Plan goals, the proposed

projects for FY 2023-2024, and the proposed allocation of CDBG program funds for FY 2023-2024.

Moved By Mayor Arapostathis

Seconded By Vice Mayor Parent

Close the hearing.

For (5): Mayor Arapostathis, Vice Mayor Parent, Councilmember Dillard, Councilmember Lothian, and Councilmember Shu

Approved (5 to 0)

Resolution No. 2023-045 and Resolution No. 2023-046

Moved By Vice Mayor Parent

Seconded By Mayor Arapostathis

(1) Adopt Resolution approving the FY 2023-2024 Annual Action Plan for the CDBG program and authorizing submittal to the United States Department of Housing and Urban Development (HUD); and (2) Adopt Resolution approving a substantial amendment to the FY 2022-2023 Annual Action Plan for the CDBG program and authorizing submittal to HUD.

For (5): Mayor Arapostathis, Vice Mayor Parent, Councilmember Dillard, Councilmember Lothian, and Councilmember Shu

Approved (5 to 0)

14. COUNCIL INITIATED

14.1 CONSIDERATION OF A REQUEST THAT STAFF APPLY FOR AN INCLUSIONARY HOUSING ORDINANCE GRANT- COUNCILMEMBER SHU

Councilmember Shu explained the purpose for requesting the Council direct staff to apply for an inclusionary housing ordinance grant.

Council questions and comments ensued.

Stephen Russell, on behalf of the San Diego Housing Federation, submitted a comment endorsing the request by Councilmember Shu to apply for a grant to begin a study of the potential for inclusionary housing in La Mesa.

ACTION: Following Council discussion, it was the consensus of the Council to direct staff to bring to the strategic planning workshop a report on the share of multifamily development since the adoption of the City's Affordable Homes Bonus program that includes affordable deed restriction onsite units.

Moved By Councilmember Shu

Seconded By Councilmember Dillard

Direct staff to pursue a grant application with San Diego Association of Governments (SANDAG) or other organizations to help the City study the housing issues and draft an inclusionary housing ordinance.

For (2): Councilmember Dillard, and Councilmember Shu

Against (3): Mayor Arapostathis, Vice Mayor Parent, and Councilmember Lothian

Failed (2 to 3)

15. 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.

16. AB 1234 REPORTS (GC 53232.3 (d))

There were no reports.

17. CITY ATTORNEY REMARKS

There were no remarks.

18. ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 7:18 p.m.

City Clerk