



La Mesa City Council Minutes of a Regular Meeting

Date: April 26, 2022, 6:00 p.m.
Location: City Council Chambers, 8130 Allison Avenue
La Mesa, California

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

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

This meeting was conducted utilizing teleconferencing and electronic means consistent with Government Code Section 54953, as amended by Assembly Bill 361, in relation to the COVID-19 State of Emergency and recommended social distancing measures.

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 6:03 p.m.

1.1 **INVOCATION - COUNCILMEMBER BABER**

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. PRESENTATIONS

5.1 PROCLAIMING APRIL 2022 AS VOLUNTEER APPRECIATION MONTH

Mayor Arapostathis read the proclamation proclaiming April 2022 as Volunteer Appreciation Month.

5.2 PROCLAIMING MAY 2022 AS BIKE MONTH

Mayor Arapostathis read the proclamation proclaiming May 2022 as Bike Month.

Jeremy Bloom, Circulate San Diego, presented the City of La Mesa with the 2021 Momentum Award in recognition of La Mesa's longstanding commitment to improving the safety of its streets with the construction of Class II bike lanes on University Avenue.

6. ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

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

John Moore spoke regarding the COVID-19 vaccine.

Diane Osterling spoke regarding affordable housing, government transparency, and policy making.

Gene Carpenter spoke regarding the safe storage of firearms.

8. CONFLICT DISCLOSURES

Councilmember Baber announced he would recuse himself for Item 13.3 because he had a potential conflict of interest under Government Code Section 87100 due to the proximity of his home to Collier Park.

9. BOARD AND COMMISSION INTERVIEWS

9.1 INTERVIEW OF APPLICANT FOR AN UNSCHEDULED VACANCY ON THE COMMUNITY POLICE OVERSIGHT BOARD

City Clerk Wiegelman briefly explained the interview process.

Reverend Christian DeMent spoke regarding their qualifications and interest in being appointed to the Community Police Oversight Board as the faith based community representative.

City Clerk Wiegelman said the appointments would be made at the May 10th City Council meeting.

Following the interview, no action was taken.

9.2 INTERVIEW OF APPLICANTS FOR UNSCHEDULED VACANCIES ON THE ENVIRONMENTAL SUSTAINABILITY COMMISSION

City Clerk Wiegelman briefly explained the interview process.

Shaelen Taylor spoke regarding their qualifications and interest in being appointed to the Environmental Sustainability Commission as the youth representative.

City Clerk Wiegelman said the appointments would be made at the May 10th City Council meeting.

Following the interview, no action was taken.

10. BOARD AND COMMISSION APPOINTMENTS

10.1 RESOLUTION APPOINTING MEMBERS TO FILL THE UNSCHEDULED VACANCIES ON THE YOUTH ADVISORY COMMISSION

Mayor Arapostathis nominated Zaida Donnelly, Mustafa Dost, and Dylan White for appointment to the Youth Advisory Commission.

Resolution No. 2022-027
Moved by Mayor Arapostathis
Seconded by Councilmember Baber

Approve the appointment of Zaida Donnelly, Mustafa Dost, and Dylan White to the Youth Advisory Commission and adopt the Resolution confirming the appointments.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

11. CONSENT CALENDAR

(Items 11.1 through 11.9)

Moved by Councilmember Baber
Seconded by Mayor Arapostathis

Approve Consent Calendar Items 11.1 through 11.9.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber,
Councilmember Lothian, and Councilmember Parent

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 APPROVAL OF THE MINUTES FOR THE CITY COUNCIL REGULAR MEETINGS HELD TUESDAY, FEBRUARY 22, AND MARCH 8, 2022

Approve.

11.3 RESOLUTION MAKING FINDINGS PURSUANT TO GOVERNMENT CODE SECTION 54953, AS AMENDED BY ASSEMBLY BILL 361, AND RE-AUTHORIZING THE CONTINUED USE OF VIRTUAL AND/OR HYBRID MEETINGS OF THE LEGISLATIVE BODIES BEGINNING MAY 1, 2022 THROUGH MAY 31, 2022

Resolution No. 2022-028

Adopt Resolution.

11.4 QUARTERLY COMMUNICATIONS REPORT: JANUARY TO MARCH 2022

Receive and file.

11.5 RESOLUTION AUTHORIZING TRANSFER AND APPROPRIATION OF FUNDS FROM THE UNALLOCATED FUND RESERVES ACCOUNT TO THE CITY ATTORNEY'S PROFESSIONAL AND SPECIALIZED SERVICES ACCOUNT FOR LEGAL EXPENSES

Resolution No. 2022-029

Adopt Resolution.

11.6 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. 2022-030

Adopt Resolution.

11.7 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 66001 AND APPROPRIATING FUNDS FOR PROJECTS OUTLINED IN THE PARKS MASTER PLAN

Resolution No. 2022-031

Adopt Resolution.

11.8 RESOLUTION REJECTING BID NO. 22-12, HIGHWOOD PARK COURT RESURFACING PROJECT

Resolution No. 2022-032

Adopt Resolution.

11.9 RESOLUTION AWARDED CHANGE ORDER NO. 3 TO NV5 INC. FOR ENGINEERING DESIGN SERVICES FOR GROSSMONT CENTER DRIVE BRIDGE REHABILITATION AND WIDENING PROJECT IN THE AMOUNT OF \$118,118.95

Resolution No. 2022-033

Adopt Resolution.

12. ORDINANCE: FIRST READING

12.1 CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA APPROVING THE LA MESA POLICE DEPARTMENT'S MILITARY EQUIPMENT USE POLICY

Captain Runge provided a PowerPoint presentation on Assembly Bill 481: Military Equipment Funding, Acquisition and Use ("AB 481"), the equipment categories per AB 481, the La Mesa Police Department's ("LMPD") military equipment inventory, the requirements of AB 481, the need for AB 481 equipment, how AB 481 equipment is used by the LMPD, the proposed Military Equipment Use Policy ("Policy"), and LMPD's community outreach efforts.

Council questions and comments ensued.

Janet Castanos, Community Police Oversight Board Chair, spoke in support of the Ordinance with the following amendment to the Policy: add to Section 706.6 – Coordination with Other Jurisdictions, “La Mesa Police Department shall remain in charge of the overall incident command.”

The following members of the public voiced their concerns with the proposed Policy:

Andy Trimlett

Gene Carpenter

Mejgan Afshan

Council questions and comments continued.

City Attorney Sabine read the title of the Ordinance.

Moved by Vice Mayor Shu

Seconded by Mayor Arapostathis

Approve the introduction and first reading of the Ordinance approving the La Mesa Police Department’s Military Equipment Policy with the following amendment to the Policy: add to Section 706.6 – Coordination with Other Jurisdictions, “La Mesa Police Department shall remain in charge of the overall incident command.”

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

13. HEARINGS

13.1 CONSIDERATION OF RESOLUTION REVISING THE QUIMBY ACT PARKLAND DEDICATION IN-LIEU FEE AND PARK ACQUISITION

AND IMPROVEMENT IMPACT FEE BASED ON THE FINDINGS AND CONCLUSIONS OF THE PARK DEVELOPMENT IMPACT FEE UPDATE STUDY (2022 STUDY)

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.

Assistant City Manager Tomaino said the park development impact fees were paid to the City on a per unit basis by developers to accommodate growth and provide funding for capital improvements to City parks including playground equipment, courts, and other facilities. Assistant City Manager Tomaino stated the report was in response to Council direction provided in April of 2021 to initiate a study of the City's park development impact fees.

Senior Management Analyst Dedmon provided a PowerPoint presentation on the park development impact fees study, the type of park development impact fees, the current park development impact fees for single and multi-family developments, the study's recommended park development impact fees for single and multi-family developments, the City's park development impact fees in comparison to other cities in the County of San Diego, the proposed implementation of the new park development impact fees, and the Community Services Commission's recommendation regarding the park development impact fees.

Council questions and comments ensued.

Dianne Osterling spoke regarding the impact of the new park development impact fees on affordable housing.

Kathleen Brand, Community Services Commission Member, spoke in support of approving the proposed park development impact fees.

Council questions and comments continued.

Moved by Councilmember Parent
Seconded by Mayor Arapostathis

Close the hearing.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

Moved by Councilmember Parent
Seconded by Councilmember Baber

Direct staff to bring back for Council consideration the Quimby Act Parkland Dedication In-Lieu Fee and Park Acquisition and Improvement Impact Fee calculated based on per square footage for single and multi-family developments and to exempt deed restricted affordable units from the Quimby Act Parkland Dedication In-Lieu Fee and Park Acquisition and Improvement Impact Fee.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

13.2 CONSIDERATION OF RESOLUTION ADOPTING A FEE SCHEDULE TO BE CHARGED BY VARIOUS CITY DEPARTMENTS FOR 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.

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.

Council questions and comments ensued.

Dianne Osterling spoke regarding short term rental fees.

Council questions and comments continued.

Moved by Mayor Arapostathis
Seconded by Councilmember Parent

Close the hearing.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

Resolution No. 2022-034

Moved by Mayor Arapostathis

Seconded by Councilmember Parent

Adopt Resolution.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

13.3 CONSIDERATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM FOR FISCAL YEAR 2022-2023 AND A SUBSTANTIAL AMENDMENT TO FISCAL YEAR 2021-2022

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.

Councilmember Baber left the dais at 7:38 p.m.

Mayor Arapostathis opened the hearing for Item 13.3.

Associate Planner Kinnard provided a PowerPoint presentation on the CDBG program, the 2020-2025 Consolidated Plan goals, the proposed projects for Fiscal Year 2022-2023, and the proposed allocation of CDBG program funds for Fiscal Year 2022-2023.

Moved by Mayor Arapostathis

Seconded by Councilmember Parent

Close the hearing.

Yes (4): Mayor Arapostathis, Vice Mayor Shu, Councilmember Lothian, and Councilmember Parent

Abstain (1): Councilmember Baber

Approved (4 to 0)

Resolution No. 2022-035 and Resolution No. 2022-036

Moved by Mayor Arapostathis

Seconded by Councilmember Parent

(1) Adopt Resolution adopting the Fiscal Year 2022-2023 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 Fiscal Year 2021-2022 Annual Action Plan for the CDBG Program and authorizing submittal to HUD.

Yes (4): Mayor Arapostathis, Vice Mayor Shu, Councilmember Lothian, and Councilmember Parent

Abstain (1): Councilmember Baber

Approved (4 to 0)

14. COUNCIL INITIATED

14.1 DISCUSSION AND POSSIBLE DIRECTION TO STAFF ON PROVIDING A REGULAR REPORT OF PERMIT AND DEVELOPMENT ACTIVITY FOR REVIEW BY THE CITY COUNCIL AND PUBLIC - COUNCILMEMBER LOTHIAN

Councilmember Baber returned to the dais at 7:43 p.m.

Councilmember Lothian explained the purpose for directing staff to provide a quarterly report of permit and development activity for review by the Council and public.

Dianne Osterling spoke in support of directing staff to provide a quarterly report of permit and development activity for review by the Council and public.

Dawn-MariTol spoke regarding the need to look at all the variables to better understand the reasons behind the delay in the permit review and approval process.

The following members of the public spoke or submitted a comment on their personal experience with applying for a permit through the Community Development Department:

Erik Egelko

Oscar

Jill Heller

Chris Renfro

William Buzzell

Karly Robinson

Kathleen Brand spoke regarding possible solutions to improve the permit review and approval process.

Council questions and comments ensued.

Moved by Councilmember Lothian

Seconded by Councilmember Baber

Direct staff to provide a quarterly report of permit and development activity for review by the Council and public that excludes the personal and sensitive information of the applicants and to bring back for Council consideration possible solutions to improve the permit and development review and approval process.

Yes (5): Mayor Arapostathis, Vice Mayor Shu, Councilmember Baber, Councilmember Lothian, and Councilmember Parent

Approved (5 to 0)

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.

Mayor Arapostathis stated he would be stepping down from the American Rescue Plan Act Funding Ad Hoc Subcommittee and appointed Councilmember Lothian to fill the vacancy.

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

Councilmember Parent reported on his trip to Sacramento on Wednesday, April 20, 2022, to be a witness at the Assembly Local Government Committee hearing at the request of Assemblymember Laura Friedman.

17. CITY ATTORNEY REMARKS

There were no remarks.

18. ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 8:26pm.

City Clerk