

Minutes of a Regular Meeting of the La Mesa City Council
 Tuesday, January 28, 2020 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 City Manager Comments which were made after Item 9.

Mayor Arapostathis called the meeting to order at 6:01 p.m.

ROLL CALL

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

ABSENT: None.

STAFF: Interim City Manager Humora; City Attorney Sabine; City Clerk Wiegelman.

INVOCATION – COUNCILMEMBER PARENT

PLEDGE OF ALLEGIANCE

CITY MANAGER COMMENTS

City Manager Humora thanked the City Council for the opportunity to serve the City in this new position.

COMMUNITY BULLETIN REPORTS

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

ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

John Schmitz, resident, thanked the Mayor for the State of the City Address and suggested larger venues for future Town Hall meetings.

CONFLICT DISCLOSURES

There were no conflict of interest disclosures.

CONSENT CALENDAR

(Items 1 through 8)

Mayor Arapostathis requested Consent Calendar Item 4 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 REGULAR MEETING AND THE LA MESA PUBLIC FINANCING AUTHORITY SPECIAL MEETING HELD TUESDAY, JANUARY 14, 2020

Approved.

3. APPROVAL OF THE MINUTES FOR THE CITY COUNCIL SPECIAL MEETING HELD SATURDAY, JANUARY 18, 2020

Approved.

4. REMOVED.

5. RESOLUTION ACCEPTING BID NO. 20-09 AND AWARDING A CONSTRUCTION CONTRACT TO HMS CONSTRUCTION, INC. FOR THE CITYWIDE FIBER OPTIC COMMUNICATIONS PROJECT

Resolution No. 2020-007 was adopted.

6. RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH URBAN CORPS OF SAN DIEGO COUNTY FOR THE LA MESA SIDEWALK CONNECTIONS GRANT PROJECT; AND IF AWARDED, APPOINTING THE INTERIM CITY MANAGER OR DESIGNEE TO EXECUTE THE AGREEMENT

Resolution No. 2020-008 was adopted.

7. RESOLUTION AUTHORIZING THE APPROPRIATION OF FUNDS FOR THE REPLACEMENT OF A FORD POLICE INTERCEPTOR UTILITY VEHICLE DUE TO DAMAGE

Resolution No. 2020-009 was adopted.

8. A. RESOLUTION AWARDING THE PURCHASE OF THREE 2020 FORD POLICE INTERCEPTOR UTILITY VEHICLES TO KEARNY MESA FORD; AND

Resolution No. 2020-010 was adopted.

B. RESOLUTION AWARDING OUTFITTING OF THREE 2020 FORD POLICE INTERCEPTOR UTILITY VEHICLES TO AEP CALIFORNIA, LLC

Resolution No. 2020-011 was adopted.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember Parent to approve Consent Calendar Items 1 through 8, except for Item 4.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

4. RESOLUTION APPROVING THE FINAL MAP, AUTHORIZING THE EXECUTION OF THE SUBDIVISION IMPROVEMENT AGREEMENT, AND APPROVING THE SECURITY FOR LA MESA TRACT NO. 17-01 (LA MESA SUMMIT PARTNERS LLC), A 38-LOT, 30-UNIT PLANNED RESIDENTIAL DEVELOPMENT SOUTH OF EASTRIDGE DRIVE, BETWEEN DENVER DRIVE AND BROOKE COURT, IN THE R1S ZONE

Jack Shu, resident, spoke on requiring all development projects be green, sustainable and environmentally friendly.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember Parent to adopt the Resolution approving the Final Map, authorizing the execution of the Subdivision Improvement Agreement, and approving the security for La Mesa Tract No. 17-01 (La Mesa Summit Partners LLC), a 38-lot, 30-unit planned residential development south of Eastridge Drive, between Denver Drive and Brooke Court, in the R1S Zone.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed. Resolution No. 2020-012 was adopted.

STAFF REPORT

9. APPROVAL OF THE COUNCIL SUBCOMMITTEE'S RECOMMENDATION REGARDING THE COMPENSATION/EMPLOYMENT CONTRACT FOR THE APPOINTMENT OF GREGORY P. HUMORA AS CITY MANAGER, AND ADOPTION OF A RESOLUTION AUTHORIZING EXECUTION OF THE CITY MANAGER AGREEMENT BETWEEN THE CITY OF LA MESA AND GREGORY P. HUMORA

Mayor Arapostathis and Councilmember Parent spoke regarding the Council Subcommittee's discussions with the City Attorney and their recommendations for approval by the Council.

Councilmember Parent stated the contract was amended to require annual evaluations of the City Manager by the City Council.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Parent to (1) approve the Council Subcommittee's recommendation regarding the Compensation/Employment Contract for the appointment of Gregory P. Humora as City Manager with a base annual salary of two hundred eleven thousand fifty seven dollars (\$211,057); and (2) adopt the Resolution authorizing the execution of the City Manager Agreement between the City of La Mesa and Gregory P. Humora.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed. Resolution No. 2020-013 was adopted.

ORDINANCES: SECOND READING

10. CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA AMENDING LA MESA MUNICIPAL CODE SECTION 24.05.020.D2 RELATED TO THE KEEPING OF CHICKENS IN R2 AND R3 ZONES, PROJECT NO. 2019-18

City Attorney Sabine read the title of the Ordinance.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Alessio to approve the second reading and adoption of the Ordinance amending La Mesa Municipal Code Section 24.05.020.D2 related to the keeping of chickens in R2 and R3 Zones, Project No. 2019-18.

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. 2020-2877 was adopted.

11. CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA REPEALING AND REPLACING CHAPTER 7.27 AND REPEALING SECTION 9.08.074 OF THE LA MESA MUNICIPAL CODE TO UPDATE AND REVISE THE REGULATION OF SMOKING IN THE CITY OF LA MESA

Mayor Arapostathis read the title of the Ordinance.

The following members of the public spoke in support of the proposed Ordinance:

Carol Green, California State PTA representative
Moana Cabiles, resident

Mayor Arapostathis read aloud the written statement card submitted by Jean Duffy, Community, Action, Service and Advocacy (CASA) representative, in support of the proposed Ordinance.

The following member of the public spoke in opposition of the proposed Ordinance:

Brenda Leek, resident

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember Weber to approve the second reading and adoption of the Ordinance repealing and replacing Chapter 7.27 and repealing Section 9.08.074 of the La Mesa Municipal Code to update and revise the regulation of smoking in the City of La Mesa.

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. 2020-2878 was adopted.

HEARING

12. CONSIDERATION OF AN APPEAL OF THE PLANNING COMMISSION'S APPROVAL OF PROJECT NO. 2018-24 (LA MESA QUARRY 2 LLC) – A SITE DEVELOPMENT PLAN FOR A MIXED-USE DEVELOPMENT AT 4400 PALM AVENUE IN THE RB-P-D-MU (RESIDENTIAL BUSINESS / SCENIC PRESERVATION OVERLAY / URBAN DESIGN OVERLAY / MIXED USE OVERLAY) ZONE

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.

Senior Planner Kinnard provided a PowerPoint presentation regarding the subject property, the site development plan, the project plan, and the Planning Commission's approval of the Project. Senior Planner Kinnard explained the reason for the appeal and provided responses to the claims presented in the appeal. Senior Planner Kinnard stated that staff recommends the Council uphold the Planning Commission's approval of Project No. 2018-24 based on the findings and subject to the conditions set forth in Planning Commission Resolution PC-2019-21, thus denying the appeal.

Mayor Arapostathis opened the hearing for Item 12 at 6:30 p.m.

Vice Mayor Baber stated his property was within 800 feet of the proposed project and the City Attorney and Community Development Director performed a fact based analysis to determine if there was a conflict of interest. Vice Mayor Baber said the City Attorney and the Community Development Director determined there was not a conflict of interest and therefore, he would participate in the discussion and consideration of Item 12.

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

Alicia Vicars, appellant
Majed Rashi, appellant
Huntington Hardisty, appellant

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

Jim Tanner, applicant representative
Christopher D'Avignon, applicant representative
Jerry Jones, resident

Council questions and comments ensued.

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: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

ACTION: Motioned by Councilmember Parent and seconded by Councilmember Alessio to uphold the Planning Commission's approval of Project No. 2018-24 based on the findings and subject to the conditions set forth in Planning Commission Resolution PC-2019-21, thus denying the appeal.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

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))

Councilmember Baber reported on his trip to Sacramento on January 23 - 24, 2020 for the League of California Cities Policy Committee meetings.

CITY ATTORNEY REMARKS

There were no remarks.

ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 7:04 p.m.

Megan Wiegelman, CMC
City Clerk

Prepared by:
Piper Richards-Crawford, Deputy City Clerk