

**MINUTES OF A MEETING OF
THE LEMON GROVE CITY COUNCIL**

October 6, 2015

The City Council also sits as the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board, and Lemon Grove Successor Agency

Call to Order

Members present: George Gastil, Jerry Jones, Jennifer Mendoza, and Racquel Vasquez.
Members absent: Mary Sessom

City Staff present: Kathi Henry, Interim City Manager, Carol Dick, Development Services Director; Mike James, Public Works Director; Lt. May, Sheriff's Department; Laureen Ryan Ojeda, Administrative Analyst; Rick Sitta, Fire Chief; Cathleen Till, Finance Director; and James P. Lough, City Attorney.

Public Comment

John L. Wood commented that the creek is flowing well.

1. Consent Calendar

A. Approval of City Council Minutes

September 1, 2015 Regular Meeting
September 15, 2015 Regular Meeting
September 22, 2015 Special Meeting

B. Ratification of Payment Demands

C. Waive Full Text Reading of All Ordinances and Resolutions on the Agenda

D. Approval of City of Lemon Grove Investment Policy

E. Approval of Recreation Focus Group Applicant

Action: Motion by Councilmember Mendoza, seconded Councilmember Gastil to approve the Consent Calendar passed, by the following vote:

Ayes: Gastil, Jones, Mendoza, Vasquez

Resolution No. 2015-3363: Resolution of the City Council of Lemon Grove approving the City of Lemon Grove Amended Investment Policy.

2. San Diego Community Land Trust Entitlements and Construction Financing

In September 2014, the City and San Diego Community Land Trust (SDCLT) entered into a Purchase Option Agreement for the eventual sale of 8084 Lemon Grove Way. Contractual components of the Agreement are attached. A nine unit condominium development is currently entitled on the subject property. The Purchase Option Agreement required SDCLT to complete certain milestones by specified dates. These milestones ensure that SDCLT has done their due diligence to determine whether the project is feasible.

The first milestone—submission of a business plan—was to be completed in December 2014. The business plan was submitted on December 1, 2014 and the City Council reviewed the business plan and provided feedback to SDCLT on January 6, 2015.

The second milestone—securing entitlements and construction financing—was to be completed by September 2, 2015 and October 19, 2015 respectively.

SDCLT has stated that minimal revisions to the approved Tentative Map (TM0052) and Planned Development Permit (PDP06-09) are proposed. Entitlements are in place until February 20, 2016. SDCLT resubmitted the copies of the originally approved plans for TM0052 and PDP06-09 on February 9, 2015 in order to determine if the plans substantially conform to current codes. Staff provided SDCLT a notice of substantial conformance on March 10, 2015 with detailed directions for obtaining final map and building and grading permit approvals. An extension of TM0052 and PDP06-09 is required before February 20, 2016 in order for the applicant to proceed with the project as approved. On September 4, 2015, SDCLT submitted a Letter of Intent (LOI) from Torrey Pines Bank that has been signed with the appropriate deposit providing conditional approval for construction financing from Torrey Pines Bank. This action satisfied the second milestone.

The third milestone from SDCLT will be to submit building and site improvement applications by April 4, 2016. This milestone requires submittal of packages for a grading permit, building permit, landscape permit, public street improvement permits, and a final map. Appropriate plans and reports will include building and site construction plans, grading plans, public facility improvement plans, a landscape documentation package, an acoustical analysis, a Standard Urban Stormwater Mitigation Plan, draft Conditions, Covenants, and Restrictions (CC&Rs), and potentially other necessary reports, studies, and plans in accordance with City Council Resolutions 2694 and 2695 which approved TM0052 and PDP06-09 respectively. A “Hold Harmless” agreement shall be required for each submittal. Further milestones require that all of these permits are issued, the map is ready to record, and the appropriate improvement securities are provided by May 19, 2016. Staff recommends that SDCLT submit the required documents as soon as possible in order to allow time for staff to review the submittals and for responses to corrections (minimum three months recommended).

SDCLT has until September 16, 2016 to exercise its option and purchase the property.

It is notable that on September 18, 2015, Circulate San Diego (formerly Walk San Diego) issued a Move Alliance Certification for the project for “demonstrating a commitment to creating, preserving, and enhancing sustainable communities that provide mobility choices in the San Diego region”]

Public Speaker(s)

Jean Diaz commented on the development and the Move Alliance Certification.

Action: Motion by Councilmember Jones, seconded by Councilmember Gastil, to Receive and File Letter of Intent.

Ayes: Gastil, Jones, Mendoza, Vasquez

3. General Plan Update Focus Group

City Council authorized staff to recruit for members of a General Plan Update Focus Group and the recruitment information was based on the Project Proposal in the CalPoly San Luis Obispo (CalPoly SLO) agreement and modeled after the recent Recreation Focus Group recruitment process. Because of the opportunity that was presented by CalPoly SLO, the City Council agreed that the Focus Group should be involved for the entire student project (September 2015 to June 2016). As a refresher, the following information lists the Focus Group tasks. The response to the recruitment is outlined in the last section below.

General Plan Update Focus Group Tasks

The General Plan Update Focus Group is tasked with providing the CalPoly SLO team with input and support during the course of the Master’s Program Studio project. The list below

outlines typical tasks, but adjustments once the studio project has commenced may occur and the tasks may not be limited to the list. The Focus Group will:

- 1) Provide input to the Planning Process through special meetings with the CalPoly SLO team, conduct site visits and solicit opinions from neighbors and businesses.
- 2) Communicate community perspectives that identify:
 - Deficiencies in the current General Plan.
 - Conditions that need to be addressed (physical as well as programmatic needs).
 - Goals for the community.
 - Barriers and opportunities to meet those Goals.
- 3) Provide recommendations to the City Council on the proposed General Plan Update.

The focus group members will be asked to meet with the student team at least once during each of the two to three proposed CalPoly SLO team visits, correspond electronically with student team members and faculty and City staff as needed, conduct or provide support for research/surveys, perform analysis as directed by the team, and seek community feedback in order to support the proposed project at the final City Council presentation. The Focus Group members will be asked to attend City Council presentations.

Response to Recruitment

The City initially received 7 applications (one withdrew) and the City Council appointed six candidates listed on the following page. The City Council expressed concern about the small response and asked that staff continue the recruitment process. The City Council members also requested that business owners, service organizations and real estate professionals be targeted. City Council members also indicated that they would reach out to increase the interest.

A one-page application used for past focus groups was issued and the form asks applicants to provide information about work and community experience (including volunteer activities and experience or special knowledge).

The form also asks potential focus group members why they would like to serve on the focus group. Completed applications have been made available to the City Council members for their consideration.

Candidates appointed September 15, 2015

Richard Lee Cortopassi
James Davis
Katie Dexter
Helen M. Ofield
Marie Venable
Susan Yepiz

Candidates for Consideration

Thomas Clabby
Grant K. Conrad
Michael Golden
Dr. Allan Goetz
Denise Strattman
Jarvis Gandy
John DuFon
Stephen Browne

Action: Motion by Mayor Pro Tem Vasquez, seconded by Councilmember Gastil, to approve additional applicants:

Ayes: Gastil, Jones, Mendoza, Vasquez

4. Ordinance No. 433 – Changes to Titles 2, 12, 13 & 15 of the Lemon Grove Municipal Code to refocus planning authority from the Planning Commission to the City Council

On September 15, 2015, the City Council adopted an Ordinance to assign Planning Commission jurisdiction to the City Council and establish the City Council as the City’s primary Planning Agency. Changes need to be made throughout the Municipal Code to eliminate references to the Planning Commission and to make sure that it is clear that the City Council has authority over various planning agency matters.

The attachments (“C” – “F”) to the Ordinance are four Chapters that cover all references to the Planning Commission in Titles 2, 12, 13 and 15 of the Lemon Grove Municipal Code (LGMC). This Ordinance updates those references to cover the shift in legal authority from the Planning Commission to the City Council.

LGMC Chapter 2.04 governs the City Council-City Manager relationship. This Chapter establishes the Office of City Manager and delegates management to the Manager of day-to-day operations of the City. The changes contained in are clerical and remove references to the Planning Commission regarding responsibilities of the City Manager. It also expands authority of the City Manager to include liaisons to focus groups and other permanent and temporary bodies that the City Council may form.

LGMC Chapter 12.10 governs Public Streets, Dedications and Improvements. The changes here are clerical and redirect authority to the City Council. LGMC Chapter 13.32 governs Construction and Demolition Debris. The changes here clerical and redirect authority to the City Council. LGMC Chapter 15.44 governs moving and storage of buildings. The changes here clerical and redirect authority to the City Council.

The Staff will return with more changes to the Zoning, Subdivisions and the Citywide Regulation Titles. Each will follow the same format as this Agenda Item unless otherwise directed by the City Council.

The Commission shall have all of the powers and duties established by state law, ordinances and resolutions, which the Council may enact. The City Council, acting as the Planning Commission in all matters, may delegate to the Commission advisory functions on a case-by-case basis by Resolution. It is the duty of the Commission to advise the City Council upon the amendment or revision of the General Plan when requested by the City Council.

Pursuant to Public Resources Code Section 21065, this action does not constitute a “project” within the meaning of CEQA. The action has no potential to cause either a direct change in the environment, or a reasonably foreseeable indirect physical change in the environment, and therefore does not require environmental review.

Action: Motion by Councilmember Jones, seconded by Councilmember Gastil, to conduct first reading and adopt Ordinance No. 433:

Ayes: Gastil, Jones, Mendoza,

No: Vasquez

Ordinance No. 433: An Ordinance of the City Council of the City of Lemon Grove, California amending Sections 2.04.070, 12.10.010, 12.10.040, 13.32.160, 15.44.010, 15.44.030 & 15.44.050 of the Lemon Grove Municipal Code to Reassign Planning Duties to the City Council.

City Council Oral Comments and Reports on Meetings Attended at the Expense of the City. (GC 53232.3 (d))

Councilmember Jones commented that he attended the Open House and Pancake breakfast at the Lemon Grove Fire Station and the MTS meeting.

Councilmember Mendoza attended the Journey for Justice March, the Helix Water Treatment Plant Open House, SANDAG Public Safety Meeting, HEAL Group Meeting, ACS Breakfast, THRIVE Lemon Grove where there was discussion of a community garden, the Lemon Grove Planning Commission, was nominated to receive an award as a government leader in San Diego County for Hispanic Heritage Day put on by Assembly member Weber, attended the Not to Be Forgotten Rally and attended the Open House and Pancake breakfast at the Lemon Grove Fire Station.

Councilmember Gastil attended the Open House and Pancake breakfast at the Lemon Grove Fire Station.

Mayor Pro Tem Vasquez thanked the Sheriff's Department for the Drug Take-back event in Lemon Grove, and thanked everyone who helped make the Buena Vista mural happen. She attended the Journey for Justice March, the 3rd Annual I Am My Brother's Keeper, THRIVE Lemon Grove, Open House and Pancake breakfast at the Lemon Grove Fire Station, Free Community Yard Sale at the Cornerstone Church, and the Local Agency Formation Commission meeting.

City Manager and Department Directors Report

Fire Chief Sitta thanked the City Council for attending the Open House and Pancake Breakfast.

Lt. May commented on the traffic strike team that was in Lemon Grove on September 23rd. The strike team used technology similar to what was presented at the September 15th City Council meeting and wrote 91 citations in 3.5 hours. Lt May also mentioned the passing of Sheriff Kolendar and wished his family the best.

Closed Session

Conference with Legal Counsel – Existing Litigation (Paragraph (1) of subdivision (d) of Section 54956.9) City of Lemon Grove, et al. vs. California Department of Finance, et al. 34-2013-80001480-CU-WM-GDS

Closed Session Report: No reportable actions were made.

Adjournment

There being no further business to come before the City Council, Housing Authority, Sanitation District Board, Lemon Grove Roadway Lighting District Board, and the Lemon Grove Successor Agency the meeting was adjourned at 7:00 p.m.

Susan Garcia

Susan Garcia, City Clerk