

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

July 19, 2016

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: Mayor Mary Sessom, Mayor Pro Tem George Gastil, and Councilmember Jennifer Mendoza.

Members absent: Mayor Sessom noted that Councilmember Jones and Councilmember Racquel Vasquez have an excused absence.

City Staff present: Lydia Romero, City Manager, David DeVries, Development Services Director; James P. Lough, City Attorney; Mike James, Public Works Director; Lt. May, Sheriff's Department; Rick Sitta, Fire Chief; Paolo Romero, Code Enforcement Officer; and Laureen Ryan Ojeda, Administrative Analyst.

Presentations

Eric Lund CEO/President San Diego East County Chamber, provided an overview of the Shop East County Campaign.

Introduction of Eric Craig, Associate Planner.

Public Comment

Jesus Benayas commented about a project along Golden Avenue that seems to be abandoned.

1. Consent Calendar

Ginger Jacobs, San Diego Immigrant Rights Consortium, commented on item 1.F and expressed appreciation for the support by City Council of this issue.

Cynara Velazquez commented on the report for item 1.H.

- A. Approval of City Council Minutes**
June 21, 2016 Regular Meeting
- B. Ratification of Payment Demands**
- C. Waive Full Text Reading of All Ordinances and Resolutions on the Agenda**
- D. Agreement between Liebert Cassidy Whitmore and the City of Lemon Grove for Employment Relations, Training and Support**
- E. Acceptance of the 2015 CIP Street Rehabilitation Project, New Jersey Avenue Deep Grind, Dig Out and Root Removal from San Miguel to Broadway**
- F. Resolution in Support of the Welcoming Communities Campaign**
- G. Lease Agreement between the City of Lemon Grove and the County of San Diego**
- H. Elections Code §9212 Impact Analysis Report**

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

Ayes: Sessom, Gastil, Mendoza,
Absent: Jones, Vasquez

Resolution No. 2016-3439: Resolution of the Lemon Grove City Council Approving an Agreement between Liebert Cassidy Whitmore and the City of Lemon Grove to Provide Employment Relations Training

Resolution No. 2016-3440: Resolution of the Lemon Grove City Council Accepting the 2015 CIP Street Rehabilitation Project – Concrete Repairs and Upgrade (Contract No. 2016-19) as Complete

Resolution No. 2016-3441: Resolution of the City Council of the City of Lemon Grove, California Supporting the White House Task Force on New Americans Welcoming Communities Campaign

Resolution No. 2016-3442: Resolution of the City Council of the City of Lemon Grove, California Approving the Lease Agreement between the City of Lemon Grove and the County of San Diego for 3240 Main Street to serve as the Lemon Grove Sheriff's Substation

2. Authorization for Placement of Property Liens

Paolo Romero reported that the City of Lemon Grove Municipal Code (LGMC) Section 1.24.030 provides the authority to issue administrative citations for violations of the City municipal code. Chapter 1.24 of the LGMC provides for escalating fines and late payment penalties for noncompliance and eventually, property liens. The purpose of a lien is to recover the civil fines and late payment and interest penalties after a person fails to pay fines within the thirty day time limit. The County of San Diego Tax Assessor requires liens be filed no later than August 10th every year in order to complete the tax rolls.

This year, staff is recommending three properties for property liens that have accumulated code enforcement fines and late payment penalty charges in amounts exceeding \$2,000 and the properties remain in violation. The properties are located at 1445 Skyline Drive, 7441 Broadway, and 7439 Broadway.

Mayor Sessom opened the cost confirmation hearing.

Public Speaker(s)

Tim Mc Candless commented on the proposed property liens at 7441 Broadway and 7439 Broadway.

Action: Motion by Mayor Sessom, seconded by Mayor Pro Tem Gastil, to close the cost confirmation hearing and adopt the resolution authorizing a lien at 1445 Skyline Drive passed, by the following vote:

Ayes: Sessom, Gastil, Mendoza,
Absent: Jones, Vasquez

Resolution No. 2016-3443: Resolution of the City Council of the City of Lemon Grove, California Approving the Report for the Placement of a Property Lien and Assessing the Cost of Fines with Late Penalties and Any Costs Associated with Fine Recovery and Efforts to Abate the Violation Pursuant to the City of Lemon Grove Municipal Code Chapter 1.24

3. Ordinance No. 439 – Zoning Amendment ZA1-600-0001 Amending the Beekeeping Regulations (Chapter 18.16 of the Municipal Code)

Miranda Evans stated that on June 21, 2016, the City Council introduced Ordinance No. 439 to approve amendments to the City’s beekeeping regulations. Proposed amendments of Ordinance No. 439 include provisions relating to: permitting, bee species, registration, locational requirements, sensitive area registration and requirements, hive size restriction, firefighting material, elimination of the adjacent property owner notification, and public nuisance requirements. If adopted, the Ordinance would become effective on August 20, 2016.

Additional City Council recommendations include providing a list of sensitive area sites (public parks and schools), incorporating a six-month amnesty period for beekeepers with existing hives to obtain a no fee beekeeping permit, implementing a public outreach plan to inform and educate the community of the changes, and establishing a beekeeping permit fee of \$35.

Public Speaker(s)

There were no requests from the public to speak

Action: Motion by Mayor Sessom, seconded by Mayor Pro Tem Gastil, to conduct the second reading and adopt Ordinance No. 439 with the resolution passed, by the following vote:

Ayes: Sessom, Gastil, Mendoza,

Absent: Jones, Vasquez

Ordinance No. 439: An Ordinance of the City Council of the City of Lemon Grove, California Amending Chapter 18.16 of the Lemon Grove Municipal Code to Provide Modifications to the Beekeeping Regulations

Resolution No. 2016-3446: A Resolution of the City Council of the City of Lemon Grove, California Providing for Designated Sensitive Areas, a Six-Month Amnesty Period, a Public Outreach Plan, and Establishing a Permit Fee as it Relates to Beekeeping

.4. San Diego State University Sage Project

Lauren Ryan explained that the Sage Project is a partnership between San Diego State University (SDSU) and a local government in the San Diego region. It is modeled after the University of Oregon’s Sustainable Cities Initiative, which allows students to tackle community issues with city officials. The objective of the Sage Project is to help the public good by focusing thousands of hours of course-based effort within a community.

SDSU students, through their course work, engage in meaningful real-world projects where they are able to generate ideas, designs and solutions to assist the partner city in areas of need, while contributing to the quality of life for residents and the community. Students from across the University assist with partner-directed projects to address smart growth, quality of life and sustainability goals. SDSU students and faculty connect with high-priority, high-need community projects, thereby generating interest and fresh ideas that can create momentum and provide real service to the community.

The Sage Project promotes student success by providing college classes with opportunities for applied learning, service in local communities and research. Students are able to engage in meaningful work that helps address real city challenges, while also developing personal connections with a local community, and acquiring skills and experiences to prepare them for a future in the workforce.

Action: Motion by Councilmember Mendoza, seconded by Mayor Pro Tem Gastil, to adopt the resolution passed, by the following vote:

Ayes: Sessom, Gastil, Mendoza,
Absent: Jones, Vasquez

Resolution No. 2016-3447: Resolution of the City Council of the City of Lemon Grove, California Approving the Project Agreement and the MOU between San Diego State University and the City of Lemon Grove to be the 2016/2017 Sage Project Partner

5. Alternative Concept for Connect Main Street Project between Massachusetts Avenue and San Pasqual Street and Draft General Plan Amendment

Dave De Vries reported that on January 10, 2014, the City received a SANDAG Smart Growth Incentive Program (SGIP) grant to fund the design and related technical studies for the Main Street Promenade Extension Planning Project (now named "Connect Main Street"). The project is an approximate two-mile-long corridor adjacent to the Orange Line of the MTS trolley system that runs from Broadway to the south end of the City and includes walking and biking paths and park related activity areas.

On August 4, 2015, the City Council accepted the proposed project concept and directed staff to prepare a General Plan Amendment to incorporate the concept into the General Plan. Based on conflicts with SDG&E facilities and Union Pacific property, KTU+A (designer and project manager under contract) has developed an alternative design within the segment between Massachusetts Ave. and San Pasqual St. for City Council consideration. Draft General Plan amendment creating a new Special Treatment Area for the Connect Main Street project is also provided for consideration. Based on conflicts with SDG&E facilities and Union Pacific property, KTU+A has developed an alternative design for the segment between Massachusetts Avenue and San Pasqual Street.

After August 4, 2015 City Council meeting, SDG&E proposed changes to their existing gas lines in this segment of the project. The changes are a part of SDG&E's Pipeline Safety Enhancement Plan which implements the California Public Utilities Commission's (CPUC) required safety improvements of gas lines related to protection and control during or after a seismic event. The proposed plan allows SDG&E to keep the gas line and valve system in its current location and allows for new valves, control systems and equipment including an approximate 28-foot-high telecommunication antenna to be added that would remotely and automatically control and monitor the gas line for improved public safety. The City does not have much flexibility in the siting of these facilities based on CPUC requirements and restrictions. The new SDG&E facilities are problematic because they affect the available space and design of linear park facilities originally planned for this area. The proposed skate park components are directly impacted by these changes.

The negotiations with SDG&E allowed staff to resolve another conflict with water lines that exist in the middle of the street. As a part of the redesign, Helix Water District has agreed to abandon the existing water line in this segment allowing for landscape and park improvements above ground within five feet of the water lines.

The original design concept reviewed by the City Council on August 4, 2015, included the use of the Union Pacific (UP) sliver parcels. The entire project has 1.44 acres of UP land within the project area. The north end has only a soft surface trail along it with 18,000 sq. ft. of UP lands, while the middle section does include some park facilities and more permanent trail facilities running through them with 37,200 sq. ft. owned by UP. The parcels most affected are the San Pasqual to Massachusetts segment with 7,600 sq. ft. of UP land. This section includes a multi-use path within the UP property.

The existing UP property in this segment contains numerous mature trees and landscape that the City would not be required to maintain, but beautify and provide shade to the area. Discussions with Union Pacific have indicated that they would like to sell these lands, but that they would need to be sold at fair market value or higher. Union Pacific indicated that they have been able to obtain a high land value for similar property in the Los Angeles basin area.

Mr. De Vries explained that the draft concept alternative stays out of the UP parcels, and allows for the proposed SDG&E facilities. The alternative maintains the clearance from the proposed utilities and proposes a more costly bio-swale system, using Silva Cells (a modular suspended pavement system that uses soil volumes to support large tree growth and provide powerful on-site stormwater management through absorption, evapotranspiration, and interception) for underground storage, with reuse of this water for the proposed trees. The BMX bike pump track is eliminated and a new eight-foot-wide decomposed granite (DG) pathway is proposed. Other changes are proposed. The alternative design is more limited in size, but the skate park could be replaced with a BMX bike pump track if so desired.

KTU+A has contacted the original working group members to ask of their opinion of the changes. Overall, the working group understood the need for the redesign and consented to the changes. Some of the working group members indicated that maybe this area needs to include more bike related facilities and fewer skateboard related facilities and suggested the inclusion of lighting and public art.

Staff requests direction from the City Council as it relates to the forthcoming General Plan Amendment for Connect Main Street. Specifically, should the General Plan Amendment amend the General Plan Community Development Element adding a new Special Treatment Area within the project area including a general description of Connect Main Street and the accepted vision and goals and providing general direction for future improvements within the corridor.

Staff believes the addition of a Special Treatment Area is sufficient to provide guidance for future development in the Connect Main Street corridor, however, the City Council can direct staff to include other amendments to the General Plan or the Downtown Village Specific Plan as desired.

Proposed amendments will also be transferred into the forthcoming General Plan Update and/or Downtown Village Specific Plan Expansion as applicable.

Mayor Sessom read a letter from Councilmember Jones commenting on this project.

After the discussion, the City Council accepted the alternative concept with an amendment that the skate park label include "or other youth activity area" and directed staff to provide an overview of the concept at a future meeting and provide a General Plan Amendment.

6. Registrar of Voter's Signature Verification Letter for "An Initiative to Rescind the Prohibition of Marijuana Dispensaries and add the Marijuana Regulatory Ordinance to the Lemon Grove Municipal Code"

Lydia Romero stated that on July 13, 2016, the Lemon Grove City Clerk received via electronic mail a letter from the San Diego County Registrar of Voters regarding the verification of signatures for a citizen's initiative.

The title of the initiative is "An Initiative to Rescind the Prohibition of Marijuana Dispensaries and add the Marijuana Regulatory Ordinance to the Lemon Grove Municipal Code," and failed to submit enough valid signatures to be placed on the November 8, 2016 ballot. The total number of signatures submitted for verification was 1,495. Of those submitted signatures only 1,136 were found to be valid signatures. The required number of signatures to qualify the Initiative is 1,172. The measure failed to qualify by 36 signatures.

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

Councilmember Mendoza attended Assemblywoman Weber's recognition event of the Lemon Grove School District students with perfect attendance along with the Mexican American Business Professional Association breakfast.

Mayor Pro Tem Gastil attended the Mexican American Business Professional Association breakfast, a MTS meeting and facilities tour, a Heal Zone event, and he noted that the Mariposa Lane project is finished.

Mayor Sessom thanked Councilmember Mendoza and Mayor Pro Tem Gastil for helping with the education process on the Quality of Life initiative that will be on the ballot. She suggested including discussion of a possible hotel tax at a future goal setting meeting.

City Manager and Department Director Reports

Mike James reported that the annual Lemon Grove Clean-up event will be held on July 23.

Lydia Romero reported on the kick-off event for the Heal Zone and on July 30 will be Paws at the Park.

Closed Session

Conference with Legal Counsel – Anticipated Litigation Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9:
One Case

Closed Session Report: No reportable action was taken.

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 7:25 p.m.

Susan Garcia

Susan Garcia, City Clerk