

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

**September 5, 2017**

*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*

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**Call to Order**

City Councilmembers present:

Mayor Racquel Vasquez, Councilmember David Arambula, Councilmember Jerry Jones, and Councilmember Matt Mendoza.

City Council Members absent:

Mayor Pro Tem Jennifer Mendoza

City Staff present:

City Manager, Lydia Romero; Sheriff's Department Sergeant, Scott Amos; Development Services Director, David De Vries, Fire Division Chief, Daryn Drum; City Clerk, Susan Garcia; Assistant City Manager/Public Works Director; Mike James, City Attorney, James Lough; and Finance Manager, Auggie Matt.

**Pledge of Allegiance**

The Pledge of Allegiance was led by Councilmember Jerry Jones.

**Presentations**

The Lemon Grove History Minute #3 video was presented that featured Kindahl Hunter Rhodes of Hunter's Nursery.

Mayor Vasquez presented a proclamation honoring Hunter's Nursery.

**Public Comment**

Lim Cheng commented on issues with the homeless near his business.

Helen Ofield expressed appreciation to the City for recognizing Hunter's Nursery.

**1. Consent Calendar**

Councilmember Arambula requested that item 1. E Resolution in Support of Diversity and in Opposition of Hate Speech and Domestic Terrorism, be removed from the Consent Calendar.

**A. Approval of City Council**

July 18, 2017 Regular Meeting

**B. Ratification of Payment Demands**

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

**D. Rejection of Claim**

**E. Resolution in Support of Diversity and in Opposition of Hate Speech and Domestic Terrorism**

**Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to approve the Consent Calendar passed, by the following vote:**

**Ayes: Vasquez, Arambula, Jones, M. Mendoza**  
**Absent: J. Mendoza**

**1. E. Resolution in Support of Diversity and in Opposition of Hate Speech and Domestic Terrorism**

Councilmember Arambula read the resolution supporting diversity and inclusionary governance and opposing hate speech and domestic terrorism.

**Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to approve item 1. E passed, by the following vote:**

**Ayes: Vasquez, Arambula, Jones, M. Mendoza**  
**Absent: J. Mendoza**

**Resolution No. 2017-3534:** Resolution of the City Council of the City of Lemon Grove, California Supporting Diversity and Inclusionary Governance and Opposing Hate Speech and Domestic Terrorism

**2. Public Hearing to Consider an Amendment to the Transnet Local Street Improvement Program of Projects for FY 2017-21**

Mike James stated that TransNet funds are programmed for congestion relief or maintenance related projects that impact City streets, storm drain, and or traffic projects. The biennial adoption of the Local Street Improvement Program of Projects reconciles the City's prior budget year, with the amount of TransNet funds anticipated to be received the following year.

This amendment focuses on the City Council's priorities of keeping the alignment program funded and towards ongoing street rehabilitation projects.

He noted that there has been a computer error at SANDAG, regarding the payments made to the City. He provided revised documentation to the City Council as Exhibit 1 and Table 1.

Mayor Vasquez opened the public hearing.

Public Speaker(s)

There were no requests from the public to speak.

**Action: Motion by Councilmember Jones, seconded by Councilmember Arambula, to close the public hearing and adopt the resolution with the amendment "reflected in Exhibit 1 attached and Table 1" as presented by the City Attorney passed, by the following vote:**

**Ayes: Vasquez, Arambula, Jones, M. Mendoza**  
**Absent: J. Mendoza**

**Resolution No. 2017 – 3535:** Resolution of the City Council of the City of Lemon Grove, California Approving an Amendment to the Transnet Local Street Improvement Program of Projects for Fiscal Years 2017 through 2021

### **3. Approval of the Fiscal Year 2017-2018 Road Maintenance Rehabilitation Account Funding Allocation**

Mike James stated in 2017, the Road Repair and Accountability Act of 2017 (SB 1) was created to establish a new funding source in California's transportation system. The Road Maintenance and Rehabilitation Account (RMRA) in the State Transportation Fund is intended to address deferred maintenance on the State highway system, local street, and road systems. A requirement of SB1 is for each entity to declare what it plans to use the funds for each year.

RMRA funds are derived from a new gas tax, transportation improvement fees, and a portion of the diesel excise tax. The funds are continuously appropriated and apportioned to local governments monthly and not based on a reimbursement basis. The amount that any city may receive is allocated per capita with the first distribution expected in January 2018. The City is expected to receive an approximate total of \$150,355 in Fiscal Year 2017-2018 (FY 2017-18).

The use of RMRA local streets and roads funds is similar to the Highway Users Tax Account (HUTA) use rules. Pursuant to Streets and Highway Code Section 2030, RMRA local streets and roads allocations must be used for projects that include, but are not limited to, the following; road maintenance and rehabilitation, safety projects, railroad grade separations, traffic control devices, and complete street components, including active transportation purposes, pedestrian and bicycle safety projects.

RMRA contains a local agency Maintenance of Effort (MOE) requirement that applies to funds allocated through the RMRA. In order to receive any RMRA funds in FY 2017-18 a city must expend on streets and roads, discretionary general fund revenues of at least the average that the city spent in FY 2009-10, FY 2010-11, and FY 2011-12 in FY 2017-18. This means that in FY 2017-18, the City MOE expenditure requirement is \$301,668 in order to receive \$150,355.

Mr. James noted that the City already contributes to a similar MOE for its use of TransNet funds. In August 2017, City staff confirmed with League of California Cities staff and that the TransNet MOE may also be considered to satisfy RMRA MOE requirements. This is significant because almost half of the RMRA MOE has already been met, due to the City's compliance with the TransNet MOE requirements.

The RMRA requires that the City submit an annual report of project completion to receive RMRA funds. The report must include descriptions of all projects for which RMRA funds were expended including: description, location, funds expended, completion date, and estimated useful life of the project.

Councilmember M. Mendoza asked if the proposed \$301,668 is in the approved budget.

Lydia Romero answered that approximately \$164,000 was budgeted and that meets the MOE for Transnet funds. In order to accept the SB 1 funds an additional \$137,000 is needed to meet both MOE thresholds.

**Action: Motion by Councilmember M. Mendoza, seconded by Councilmember Jones, to adopt the resolution passed, by the following vote:**

**Ayes:** Vasquez, Arambula, Jones, M. Mendoza  
**Absent:** J. Mendoza

**Resolution No. 2017 – 3536:** Resolution of the City Council of the City of Lemon Grove, California, Amends the Fiscal Year 2017-2018 Budget to Program Road Maintenance and Rehabilitation Account Funds

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

Councilmember Jones attended a San Diego East County Chamber of Commerce meeting.

Councilmember Arambula had no reports this evening.

Councilmember M. Mendoza had no reports this evening.

Mayor Vasquez attended Senator Anderson's community coffee meeting, and the 2017 Presidential Champion Award Ceremony where she recognized Grand Master Spears for his efforts teaching martial arts in Lemon Grove.

**City Manager and Department Director Reports**

David De Vries reported that a Lemon Grove Park Beautification and Clean-Up Event is to be held on September 16, 2017, with registration to begin at 8:30 a.m. at Lemon Grove Park.

James Lough reported that he will be attending the League of California Cities Annual City Attorney conference, at his own expense.

**Adjournment**

There being no further business the meeting was adjourned at 7:00 p.m.