



Mark Arapostathis
Mayor

Bill Baber
Vice Mayor

Kristine Alessio
Councilmember

Colin Parent
Councilmember

Akilah Weber
Councilmember

Greg Humora
City Manager

Glenn Sabine
City Attorney

Megan Wiegelman
City Clerk

Eldon Vogt
City Treasurer

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LA MESA CITY COUNCIL

AGENDA

An Emergency Meeting

Sunday, May 31, 2020

9:00 a.m.

**La Mesa Community Center
4975 Memorial Drive
La Mesa, CA 91942**

The purpose of a Council meeting is to accomplish the public's business as productively, efficiently and professionally as possible.

La Mesa e-Gov

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Welcome to the La Mesa City Council meeting.

The City of La Mesa is a community working together toward a common goal which includes a safe and healthy environment, state-of-the-art resources and technology, unsurpassed quality of life and an efficient and effectively run government organization.

- ✓ Agenda reports for items on this agenda are available for public review at the City Clerk's Office, 8130 Allison Avenue, and at the La Mesa library reference desk, 8074 Allison Avenue, during normal business hours.
- ✓ Materials related to an item on this agenda submitted to the Council after distribution of the agenda packet are available for public inspection in the City Clerk's Office, 8130 Allison Avenue, during normal business hours.
- ✓ As a courtesy to others, **PLEASE TURN OFF, OR PLACE IN SILENT MODE**, all electronic devices while in the Council Chambers.
- ✓ If you wish to speak concerning any item on the agenda, please complete a "Request to Speak" card and submit it to the Council Hostess. When the Mayor calls your name, step to the podium and state your name for the record. In order that all who wish to speak may be heard, it is requested that you limit your presentation to three minutes.
- ✓ Should you wish to speak concerning an item that is not listed on the agenda, you may be heard during that part of the agenda listed as "Public Comments." Please complete a "Request to Speak" card and submit it to the Council Hostess. When the Mayor calls your name, step to the podium and state your name for the record. **NOTE:** If appropriate, the item may be referred to staff or placed on a future agenda.
- ✓ Citizens who wish to make an audio/visual presentation pertaining to an item on the agenda, or during Public Comments, should contact the City Clerk's office at 619.667.1120, no later than 5:00 p.m., the Thursday prior to the meeting day. Advance notification will ensure compatibility with City equipment and allow Council meeting presentations to progress smoothly and in a consistent and equitable manner. **Please note** that all presentations/digital materials are considered part of the maximum time limit provided to speakers.
- ✓ For more specific information about the City Council meetings, please take a *Welcome to Your City of La Mesa City Council Meeting* brochure located at the back of the Council Chambers, or call the City Clerk's office at 619.667.1120.
- ✓ The City of La Mesa encourages the participation of disabled individuals in the services, activities and programs provided by the City. Individuals with disabilities, who require reasonable accommodation in order to participate in the City Council meetings, should contact the City's Americans with Disabilities Act (ADA) Coordinator, Rida Freeman, Director of Administrative Services, 48 hours prior to the meeting at 619.667.1175, fax 619.667.1163, or freeman@cityoflamesa.us.
- ✓ Hearing assisted devices are available for the hearing impaired. A City staff member is available to provide these devices upon entry to City Council meetings, commission meetings or public hearings held in the City Council Chambers. A photo i.d. or signature will be required to secure a device for the meeting.
- ✓ City Council meetings can be viewed live on Cox Cable Channel 24 (within La Mesa City limits) and on AT&T U-Verse Channel 99 (in the San Diego Region). City Council meetings are streamed live on the City's website (www.cityoflamesa.us) and on Facebook Live (www.facebook.com/lamesaca).
- ✓ Information about the services and programs offered by the City of La Mesa can be found on our website at www.cityoflamesa.us.

AGENDA

MAY 31, 2020

9:00 A.M.

ROLL CALL

PLEDGE OF ALLEGIANCE

PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

NOTE: In accordance with state law, an item not scheduled on the agenda may be brought forward by the general public for comment; however, the City Council will not be able to discuss or take any action on the item at this meeting. If appropriate, the item will be referred to Staff or placed on a future agenda.

EMERGENCY MEETING – OPEN SESSION

1. A. **CONSIDERATION AND POSSIBLE ADOPTION OF A RESOLUTION CONFIRMING THE DIRECTOR OF EMERGENCY AND DISASTER’S (“DIRECTOR”) PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO RIOTING AND LOOTING RELATED TO A POLICE PROTEST COMMENCING ON MAY 30, 2020, PURSUANT TO LA MESA MUNICIPAL CODE (“LMMC”) SECTION 2.56.060;**

Staff recommends the Council approve and adopt the Resolution.

Staff Reference: Mr. Sabine

- B. **CONSIDERATION AND POSSIBLE ADOPTION OF A RESOLUTION CONFIRMING AND RATIFYING THE RULES AND REGULATIONS AS ISSUED BY THE DIRECTOR PURSUANT TO LMMC SECTION 2.56.060 FOR THE DIRECT PROTECTION AND BENEFIT OF THE CITIZENS OF THE CITY OF LA MESA; AND**

Staff recommends the Council approve and adopt the Resolution.

Staff Reference: Mr. Humora

- C. **RIOTING AND LOOTING RELATED TO POLICE PROTEST STATUS – DISCUSSION AND POSSIBLE DIRECTION TO CITY MANAGER/DIRECTOR OF REGARDING SAME**

Staff recommends the Council discuss the rioting and looting related to the police protest response status if so desired and possibly provide direction to the City Manager/Director of Emergency of Disaster regarding the same.

Staff Reference: Mr. Humora

EMERGENCY MEETING – CLOSED SESSION

1. **CONFERENCE WITH LEGAL COUNSEL – PUBLIC SECURITY THREAT PURSUANT TO GOVERNMENT CODE SECTION 54957(a)**

REPORT FROM CLOSED SESSION

ADJOURNMENT



DATE: May 31, 2020

TO: Mayor and Members of the City Council

FROM: Megan Wiegelman, City Clerk
Glenn Sabine, City Attorney

VIA: Greg Humora, City Manager

SUBJECT: **Agenda Item 1A**

1. Consideration and Possible Adopting of a Resolution Confirming the Director of Emergency and Disaster's ("Director") Proclamation of the Existence of a Local Emergency Related to Rioting and Looting Related to a Police Protest Commencing on May 30, 2020, Pursuant to La Mesa Municipal Code ("LMMC") Section 2.56.060;

Agenda Item 1B

2. Consideration and Possible Adoption of a Resolution Confirming and Ratifying the Rules and Regulations as Issued by the Director Pursuant to LMMC Section 2.56.060 for the Direct Protection and Benefit of the Citizens of the City of La Mesa; and

Agenda Item 1C

3. Rioting and Looting Related to a Police Protest Status – Discussion and Possible Direction to City Manager/Director Regarding Same.

On the evening of May 30, 2020 rioting and looting related to a police protest occurred in the City of La Mesa. Since that time, conditions and threatened conditions of extreme peril to the safety of persons or property have arisen within the City of La Mesa either caused by the demand on City resources, threats to public safety (including bodily injury and possible death), damage to both public and private property, and unsecured public and private property.

Pursuant to LMMC Section 2.56.050, on March 13, 2020 the Mayor appointed the City Manager as Director and the Director of Finance as Assistant Director. The City Council subsequently confirmed these appointments. The Director proclaimed the existence of a local emergency concerning rioting and looting related to a police protest within the City on May 31, 2020.

LMMC Section 2.56.060 empowers the Director to promulgate and issue rules and regulations on matters reasonably related to the protection of life and property related to a proclaimed emergency. These rules and regulations must be confirmed at the earliest practicable time by the City Council thereafter. Since the Proclamation of the Existence of a Local Emergency concerning rioting and looting related to a police protest on May 30, 2020, the Director has taken the following actions related to said authority:

1. A City-wide curfew shall be instituted for all Citizens of La Mesa commencing on May 30, 2020 at 1:30 a.m. and ending at 7:00 a.m. on May 31, 2020. During this timeframe, Citizens of La Mesa are encouraged to shelter in place (in a safe environment) for their personal safety.

The Emergency City Council Meeting held on May 31, 2020 is the earliest practicable time for the City Council to confirm the Proclamation of the Existence of a Local emergency concerning rioting and looting related to a police protest that commenced on May 30, 2020, and the promulgation and issuance of various rules and regulations in response to the proclaimed emergency.

Staff recommends the Council:

- (1) Approve and adopt the Resolution confirming the Director's Proclamation of the Existence of a Local Emergency concerning rioting and looting related to a police protest commencing on May 30, 2020 pursuant to LMMC Section 2.56.050;
- (2) Approve and adopt the Resolution confirming and ratifying the rules and regulations as issued by the Director pursuant to LMMC Section 2.56.060 for the direct protection and benefit of the Citizens of the City of La Mesa; and
- (3) If so desired, discuss the rioting and looting related to police protest response status and possibly provide direction to the City Manager/Director of Emergency and Disaster regarding the same.

Attachment: 1A – Attachment 1 Resolution Confirming Director Rules and Regulations
1B – Attachment 2 Resolution Confirming Director Rules and regulations

RESOLUTION NO. 2020-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA CONFIRMING THE DIRECTOR OF EMERGENCY AND DISASTER'S PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY RELATED TO RIOTING AND LOOTING RELATED TO A POLICE PROTEST COMMENCING ON MAY 30, 2020, PURSUANT TO LA MESA MUNICIPAL CODE SECTION 2.56.050

WHEREAS, La Mesa Municipal Code ("LMMC") Section 2.56.050 empowers the Director of Emergency and Disaster ("Director") to proclaim the existence or threatened existence of a local emergency when City of La Mesa is affected or likely to be affected by a public calamity and the La Mesa City Council ("City Council") is not in session;

WHEREAS, LMMC Section 2.56.050 empowers the Director to proclaim a local emergency if the City Council is not in session and requires that the City Council take action to ratify the proclamation at the earliest practicable time thereafter;

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within the City of La Mesa, as a result of rioting and looting related to a police protest commencing on May 30, 2020 and continues to this date;

WHEREAS, the Director finds that conditions of extreme peril to the safety of persons and property have arisen within the City of La Mesa, caused by rioting and looting related to a police;

WHEREAS, these conditions are or are likely to be beyond the control of the services, personnel, equipment and facilities of the City of La Mesa; and;

WHEREAS, the City Council does hereby find that the above described conditions of extreme peril warrant and necessitate the Proclamation of the Existence of a Local Emergency in La Mesa attached to this Resolution as Attachment A.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa, California, that a local emergency now exists concerning the rioting and looting related to a police protest on May 30, 2020 throughout the City.

BE IT FURTHER RESOLVED that the Director of Emergency and Disaster, Assistant Director of Emergency and Disaster are hereby designated as the authorized representatives of the City of La Mesa for the purpose of receipt, processing and coordination of all inquiries and requirements necessary to obtain available state and federal assistance;

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded to the State Director of the Governor of California's Office of Emergency Services with the following request:

1. The State Director find the Resolution acceptable in accordance with provisions of the California Disaster Assistance Act; forward this Resolution, and request for a Presidential Declaration of Emergency, to the Governor of California for consideration and action; waive regulations that may hinder response and recovery efforts; and make all relevant funds available to the City of La Mesa and all eligible community members and businesses, including, but not limited to, aid provided by the Small Business

Administration and aid made available by the California Disaster Assistance Act, to assist the City of La Mesa with an appropriate level of response, recovery, and mitigation measures.

BE IT FURTHER RESOLVED that during the existence of said local emergency the powers, functions and duties of the emergency organization of this City shall be those prescribed by state law, ordinances, resolutions, and by the City of La Mesa Emergency Plan; and that the emergency proclamation shall be deemed to continue to exist until its termination is proclaimed by the City Council of the City of La Mesa.

PASSED AND ADOPTED at an Emergency meeting of the City Council of the City of La Mesa, California, held the 31st day of May 2020, by the following vote, to wit:

AYES:

NOES:

ABSENT:

CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2020-XXX, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)

RESOLUTION NO. 2020-XXX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA CONFIRMING AND RATIFYING THE RULES AND REGULATIONS AS ISSUED BY THE DIRECTOR OF EMERGENCY AND DISASTER PURSUANT TO LA MESA MUNICIPAL CODE SECTION 2.56.060, AS A RESULT OF RIOTING AND LOOTING RELATED TO A POLICE PROTEST COMMENCING ON MAY 30, 2020, FOR THE DIRECT PROTECTION AND BENEFIT OF THE CITIZENS OF THE CITY OF LA MESA

WHEREAS, on March 13, 2020, the Mayor appointed the City Manager as the Director of Emergency and Disaster ("Director") pursuant to La Mesa Municipal Code ("LMMC") Section 2.56.050 and subsequently, the La Mesa City Council ("City Council") confirmed the appointment;

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within the City of La Mesa ("City") as a result of rioting and looting related to a police protest commencing on May 30, 2020;

WHEREAS, consequently, the Director proclaimed the existence of a local emergency with the City on that same date;

WHEREAS, LMMC Section 2.56.060 empowers the Director to promulgate and issue rules and regulations on matters reasonable related to the protection of life and property as affected by such emergency; and

WHEREAS, such rules and regulations must be confirmed at the earliest practicable time by the City Council thereafter.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa, California, that it confirms and ratifies the following rules and regulations as promulgated and issued by the Director pursuant to LMMC Section 2.56.060 for the protection of the Citizens of La Mesa:

1. A City-wide curfew shall be instituted for all Citizens of La Mesa commencing May 30, 2020 at 1:30 a.m. and ending at 7:00 a.m. on May 31, 2020. All Citizens are encouraged to shelter in place (in a safe environment) for their personal safety.

PASSED AND ADOPTED at an Emergency meeting of the City Council of the City of La Mesa, California, held the 31st day of May 2020, by the following vote, to wit:

AYES:

NOES:

ABSENT:

CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2020-XXX, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)