

Minutes of a Special Meeting of the La Mesa City Council
Tuesday, September 15, 2020 at 6:00 p.m.
City Council Chambers, 8130 Allison Avenue, La Mesa, California

This meeting was conducted utilizing teleconferencing and electronic means consistent with State of California Executive Order N-29-20 dated March 17, 2020, regarding the COVID-19 pandemic.

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 Item 10 which was considered after Item 15.

Mayor Arapostathis called the meeting to order at 6:00 p.m.

ROLL CALL

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

ABSENT: None.

STAFF: City Manager Humora; City Attorney Sabine; Assistant City Manager Tomaino; City Clerk Wiegelman.

INVOCATION – COUNCILMEMBER ALESSIO

PLEDGE OF ALLEGIANCE

CITY MANAGER COMMENTS

City Manager Humora provided an update on the rules and regulations issued by the City in response to the COVID-19 public health emergency and summarized the latest health order changes from the State of California and County of San Diego. City Manager Humora also provided an update on the Coronavirus Aid Relief and Economic Security (“CARES”) Act Grant funding for the business assistance program and rental assistance program and announced the La Mesa Farmer’s Market had temporarily moved to the Allison Avenue parking lot.

COMMUNITY BULLETIN REPORTS

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

PRESENTATION

PROCLAIMING SEPTEMBER AS NATIONAL PREPAREDNESS MONTH

Mayor Arapostathis read the proclamation proclaiming September as National Preparedness Month.

ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

City Clerk Wiegelman and Executive Assistant to the City Manager Mackey read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

Jessica Hale submitted a comment in support of the proposed Ordinance creating a Community Police Oversight Board and Independent Police Auditor and regarding the recruitment and hiring of the next Police Chief.

A concerned resident submitted a comment regarding denouncing local vigilante groups.

John Hudson submitted a comment regarding the potential sale of City-owned property and a proposed plan to develop a piazza in Downtown La Mesa.

Aaron Amerling submitted a comment regarding Councilmember Parent's 2016 campaign contributions.

Rev. Kelly Ryan submitted a comment in support of the proposed Ordinance creating a Community Police Oversight Board and Independent Police Auditor.

Barbara Stevens submitted a comment regarding Councilmember Parent's proposed plans for public and private property.

Kris Elig submitted a comment regarding a proposed plan to develop a piazza in Downtown La Mesa.

Cheri Robertson submitted a comment in support of the proposed Ordinance creating a Community Police Oversight Board and Independent Police Auditor and the recruitment and hiring of the next Police Chief.

Lisa Mott submitted a comment regarding a proposed plan to develop a piazza in Downtown La Mesa.

Debbie Kinsinger submitted a comment regarding the City's community engagement efforts.

Manuel Gomez submitted a comment regarding the recruitment and hiring of the next Police Chief.

Debra Krom submitted a comment regarding multi-family housing projects in La Mesa.

Marcia Tolin submitted a comment regarding the potential sale of City-owned property and a proposed plan to develop a piazza in Downtown La Mesa.

Del Lisk submitted a comment regarding multi-family housing projects in La Mesa.

Rev. Marcus Lohrmann submitted a comment in support of the proposed Ordinance creating a Community Police Oversight Board and Independent Police Auditor.

Demetrius Antuna submitted a comment regarding the allocation of the CARES Act Grant funds and the City's community outreach efforts.

MaryAnn Fowler submitted a comment regarding a proposed plan to develop a piazza in Downtown La Mesa.

Dianne Osterling submitted a comment regarding government transparency, affordable housing, and housing policies.

Meegan Nolan submitted a comment regarding the La Mesa Police Department grant funding.

Dylan Mitchell submitted a comment regarding sections of the La Mesa Municipal Code related to prohibited vehicles, herding animals, and possession of marble games.

Melissa Walter submitted a comment regarding the City's allocation of the CARES Act Grant funds.

Emily Green submitted a comment regarding local vigilante activity, the recruitment and hiring of the next Police Chief, the City's allocation of the CARES Act Grant funds, and the City's community outreach efforts.

Mikaela Smith submitted a comment in support of the proposed Ordinance creating a Community Police Oversight Board and Independent Police Auditor, the recruitment and hiring of the next Police Chief, the development of a Homeless Outreach Mobile Engagement (HOME) Program, and the allocation of the CARES Act Grant funds.

Gene Carpenter submitted a comment regarding reservations at the La Mesa Community Pool.

Mike Calandra submitted a comment regarding the planned redevelopment of the La Mesa Women's Club into a multi-story apartment building.

Helene Cauchon submitted a comment in support of the proposed Ordinance creating a Community Police Oversight Board and Independent Police Auditor.

Nicole Chenelle submitted a comment regarding public input in the recruitment and hiring of the next Police Chief and in support of the proposed Ordinance creating a Community Police Oversight Board and Independent Police Auditor.

Staci Wildman submitted a comment regarding the need for a sidewalk on the curved portion of Arizona Avenue.

Rev. Rebecca Littlejohn submitted a comment in support of the proposed Ordinance creating a Community Police Oversight Board and Independent Police Auditor.

Susan Zyphur submitted a comment regarding the noticing of public events and the protests in La Mesa.

Sharonne Ketels submitted a comment regarding a proposed plan to develop a piazza in Downtown La Mesa and other potential developments in the City.

CONFLICT DISCLOSURES

There were no conflict of interest disclosures.

BOARD AND COMMISSION INTERVIEWS

1. INTERVIEW OF APPLICANT FOR AN UNSCHEDULED VACANCY ON THE PERSONNEL APPEALS BOARD

City Clerk Wiegelman stated that the Personnel Appeals Board had an unscheduled vacancy. City Clerk Wiegelman briefly explained the interview process and said the appointment would be made at the September 22nd City Council meeting.

Karen Hill spoke regarding her qualifications and interest in being appointed to the Personnel Appeals Board.

Council questions and comments ensued.

Following the interview, no action was taken.

CONSENT CALENDAR

(Items 2 through 15)

Councilmember Parent requested Consent Calendar Item 10 be pulled for separate consideration.

City Clerk Wiegelman read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

Kathleen Brand submitted a comment on Item 10 with concerns of consolidating all the projects into one grant application.

Kathleen Brand submitted a comment on Item 11 regarding the allocation of the grant funds and implementation of the Local Traffic Safety, DUI Enforcement and Awareness Program.

Melissa Walter submitted a comment on Item 11 in opposition of approving grant funding for the La Mesa Police Department.

David Myers submitted a comment on Item 13 regarding the potential cost savings from budgeting for equipment rather than applying for and monitoring grants to obtain needed equipment.

2. APPROVAL OF MOTION TO WAIVE THE READING OF THE TEXT OF ALL ORDINANCES AND RESOLUTIONS AT THIS MEETING

Approved.

3. APPROVAL OF THE MINUTES FOR THE CITY COUNCIL REGULAR MEETINGS HELD TUESDAY, JULY 14, JULY 28, AND AUGUST 11, 2020

Approved.

4. APPROVAL OF THE MINUTES FOR THE CITY COUNCIL SPECIAL MEETINGS HELD FRIDAY, JULY 31, 2020 AND TUESDAY, AUGUST 11, 2020

Approved.

5. RESOLUTION TO AWARD RFP 21-02 FOR JANITORIAL AND CUSTODIAL SERVICES FOR CITY FACILITIES TO CCS FACILITY SERVICES

Resolution No. 2020-092 was adopted.

6. RESOLUTION AUTHORIZING CONTRACT CHANGE ORDER NO. 1 FOR BID 19-10, POLICE STATION COMPUTER ROOM HEATING AND VENTILATION AIR-CONDITIONING (HVAC) AND FIRE SUPPRESSION UPGRADES PROJECT, TO FORDYCE CONSTRUCTION

Resolution No. 2020-093 was adopted.

7. RESOLUTION APPROVING COST SHARE AGREEMENT FOR TECHNICAL AND MONITORING REPORTS FOR SAN DIEGO RIVER INVESTIGATIVE ORDER R9-2019-0014 ISSUED BY THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD

Resolution No. 2020-094 was adopted.

8. **RESOLUTION AUTHORIZING THE PURCHASE OF MOBILE COLUMN LIFTS FROM C. ALLEN SERVICES PURSUANT TO LA MESA MUNICIPAL CODE SECTION 2.40.070(A)(7)**

Resolution No. 2020-095 was adopted.

9. **RESOLUTION OF INTENT TO ENTER INTO POLE LICENSE AGREEMENTS WITH NEW CINGULAR WIRELESS PCS, LLC (DBA AT&T) FOR INSTALLATION OF 4G TELECOMMUNICATION EQUIPMENT WITHIN THE PUBLIC RIGHT-OF-WAY**

Resolution No. 2020-096 was adopted.

10. **REMOVED.**

11. **RESOLUTION AUTHORIZING THE ACCEPTANCE AND APPROPRIATION OF A GRANT FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY TO CONDUCT A LOCAL TRAFFIC SAFETY, PEDESTRIAN AND BICYCLE SAFETY PROGRAM BY APPROVING THE ADDITION OF THE GRANT FUNDS TO THE FISCAL YEAR 2020-2021 BUDGET**

Resolution No. 2020-097 was adopted.

12. **RESOLUTION AUTHORIZING THE ACCEPTANCE AND APPROPRIATION OF A GRANT FROM THE CALIFORNIA OFFICE OF TRAFFIC SAFETY TO CONDUCT A LOCAL TRAFFIC SAFETY, DUI ENFORCEMENT AND AWARENESS PROGRAM BY APPROVING THE ADDITION OF THE GRANT FUNDS TO THE FISCAL YEAR 2020-2021 BUDGET**

Resolution No. 2020-098 was adopted.

13. **RESOLUTION AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF THE FISCAL YEAR 2019 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE PROGRAM GRANT FUNDS**

Resolution No. 2020-099 was adopted.

14. **RESOLUTION AUTHORIZING THE ACCEPTANCE AND EXPENDITURE OF THE FISCAL YEAR 2020 BUREAU OF JUSTICE ASSISTANCE CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING GRANT**

Resolution No. 2020-100 was adopted.

15. **RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN THE POLICE DEPARTMENT AND THE DEPARTMENT OF ALCOHOL BEVERAGE CONTROL FOR THE ALCOHOL POLICING PARTNERSHIP PROGRAM GRANT IN THE AMOUNT OF \$52,349**

Resolution No. 2020-101 was adopted.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Parent to approve Consent Calendar Items 2 through 15, except for Item 10.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

10. RESOLUTION AUTHORIZING THE FILING OF A GRANT APPLICATION FOR THE ACTIVE TRANSPORTATION PROGRAM FOR THE STATEWIDE AND REGIONAL COMPETITIONS, FOR THE LA MESA BIKE AND SIDEWALK CONNECTIONS PROJECT

Councilmember Parent spoke on utilizing grant funds to implement protected bike facilities.

ACTION: Motioned by Councilmember Parent and seconded by Mayor Arapostathis to adopt a resolution authorizing the filing of a grant application for the Active Transportation Program for the Statewide and Regional Competitions, for the La Mesa Bike and Sidewalk Connections Project.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed. Resolution No. 2020-102 was adopted.

ORDINANCE: FIRST READING

16. PRESENTATION AND RECOMMENDATION OF THE CITIZEN PUBLIC SAFETY OVERSIGHT TASK FORCE AND POSSIBLE INTRODUCTION AND FIRST READING OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA ADDING CHAPTER 2.30 TO THE LA MESA MUNICIPAL CODE FOR THE PURPOSE OF CREATING A COMMUNITY POLICE OVERSIGHT BOARD AND INDEPENDENT POLICE AUDITOR

Citizen Public Safety Oversight Task Force (“CPSOTF”) Chair McRae provided a PowerPoint presentation on the CPSOTF’s assigned tasks and the methodologies used to complete the tasks.

CPSOTF General Counsel Dale Larson, Caroline Chiapetti, and Andrea Sheridan Ordin of Strumwasser & Woocher LLP, continued the PowerPoint presentation and introduced the proposed Ordinance creating a Community Police Oversight Board (“CPOB”) and Independent Auditor. CPSOTF General Counsel Dale Larson, Caroline Chiapetti, and Andrea Sheridan Ordin of Strumwasser & Woocher LLP, reviewed the purpose, functions, composition, and meetings of the CPOB and the purpose and responsibilities of the Independent Auditor. CPSOTF General Counsel Dale Larson, Caroline Chiapetti, and Andrea Sheridan Ordin of Strumwasser & Woocher LLP, explained the underlying legal issues related to the creation of a CPOB and provided examples of the different models of community oversight of law enforcement.

Council questions and comments ensued.

City Clerk Wiegelman and Executive Assistant to the City Manager Mackey read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

The following members of the public submitted a comment in support of the proposed Ordinance creating a CPOB and Independent Police Auditor:

Kasey Zahner
Larry Beck
Mary Jane Fay
Emily Green
Meegan Nolan
Melissa James
Rev. Greg Batson
Janet Franklin
Melissa Walter
Teri Andre
Andy Trimlett
Demetrius Antuna and Family
Eric Duhamel

Dave Myers submitted a comment regarding the limitations of the proposed Ordinance creating a CPOB and Independent Police Auditor.

Council questions and comments continued.

Councilmember Alessio stated she would be voting no due to her concerns with the legality of the La Mesa Police Officers’ Association’s (“POA”) request for a meet and confer.

Councilmember Baber stated he would be voting no because he thought the City should honor the La Mesa POA’s request for a meet and confer.

City Attorney Sabine read the title of the Ordinance.

ACTION: Motioned by Councilmember Parent and seconded by Mayor Arapostathis to (1) approve the introduction and first reading of the Ordinance adding Chapter 2.30 to the La Mesa Municipal Code for the purpose of creating a CPOB and Independent Police Auditor; and (2) direct staff to meet with the La Mesa POA to discuss whether or not the proposed Ordinance is subject to a formal meet and confer and the La Mesa POA's recommended changes to the proposed Ordinance.

Vote: 3-2

Yes: Mayor Arapostathis, Vice Mayor Weber, and Councilmember Parent
No: Councilmember Alessio and Councilmember Baber
Abstained: None
Absent: None

Motion passed.

STAFF REPORTS

17. CONSIDERATION OF RESOLUTION CONFIRMING AND RATIFYING THE RULES AND REGULATIONS INCLUDED IN EXECUTIVE ORDER NO. 5-2020 AS ISSUED BY THE DIRECTOR OF EMERGENCY AND DISASTER PURSUANT TO LA MESA MUNICIPAL CODE SECTION 2.56.060 FOR THE DIRECT PROTECTION AND BENEFIT OF THE CITIZENS OF THE CITY OF LA MESA

Mayor Arapostathis read the title of the Resolution.

City Manager Humora reviewed the actions included in Executive Order No. 5-2020.

Council questions and comments ensued.

ACTION: Motioned by Mayor Arapostathis and seconded by Vice Mayor Weber to adopt the Resolution confirming and ratifying the rules and regulations included in Executive Order No. 5-2020 as issued by the Director of Emergency and Disaster pursuant to La Mesa Municipal Code Section 2.56.060 for the direct protection and benefit of the citizens of the City of La Mesa.

Vote: 5-0

Yes: Mayor Arapostathis, Vice Mayor Weber, Councilmember Alessio, Councilmember Baber, and Councilmember Parent
No: None
Abstained: None
Absent: None

Motion passed. Resolution No. 2020-103 was adopted.

18. DISCUSSION REGARDING THE HOMELESS OUTREACH AND MOBILE ENGAGEMENT (“HOME”) PROGRAM

Assistant City Manager Tomaino provided an overview of the recommendations provided by the Citizen Task Force on Homelessness at the August 11, 2020 City Council meeting and the purpose of the Homeless Outreach and Mobile Engagement (“HOME”) Program. Assistant City Manager Tomaino stated the HOME Program was modeled after Portland, Oregon’s Crisis Assistance Helping Out On The Streets (CAHOOTS) Program.

Acting Chief Nicholass provided a PowerPoint presentation on homelessness in La Mesa, the CAHOOTS Program, adapting a CAHOOTS model for La Mesa, the Police Department’s calls for service related to homelessness, the implementation phases of the HOME Program, the reasons for creating a program unique to La Mesa, the potential service gaps addressed by the HOME Program, the costs of the HOME Program, the funding sources, the milestones that would be used to track the progress of the HOME Program, and the next steps in implementing the HOME Program.

Council questions and comments ensued.

City Clerk Wiegelman and Executive Assistant to the City Manager Mackey read aloud the first 300 words of the emailed public comments submitted by 4:00 p.m. the day of the Council meeting.

The following members of the public submitted a comment in support the implementation of the HOME Program:

Bonnie Baranoff
Mary Kate Miller
Rev. Christian DeMent
Meegan Nolan
Donna Cross
Melissa Walter
Eric Dewey-Hoffman
Mike Williams
Esther Brasmer
Wendy Mihalic
Lauren Niwinski
Rosa Alcaraz
Lois Knowlton
Suellen Treadwell

Council questions and comments continued.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Baber to approve the implementation of the HOME Program two- phased approach.

Vote: 5-0

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

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))

There were no reports.

CITY ATTORNEY REMARKS

There were no remarks.

ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 9:25 p.m.

Megan Wiegelman, CMC
City Clerk

Prepared by:
Piper Richards-Crawford, Deputy City Clerk