



DATE: June 23, 2020

TO: Mayor and Members of the City Council

FROM: Megan Wiegelman, City Clerk *MW*
Glenn Sabine, City Attorney *GS*

VIA: Greg Humora, City Manager *GH*

SUBJECT: Consideration and Possible Adoption of a Resolution Confirming and Ratifying the Rules and Regulations as Issued by the Director of Emergency and Disaster ("Director") Pursuant to La Mesa Municipal Code ("LMMC") Section 2.56.060 for the Direct Protection and Benefit of the Citizens of the City of La Mesa

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 of Emergency and Disaster ("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. Subsequently, the City Council confirmed the Director's Proclamation of the Existence of a Local Emergency at the May 31, 2020 City Council Emergency meeting.

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. On May 31, 2020 and June 9, 2020 the City Council confirmed and ratified 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.
2. Extending the City-wide curfew for all Citizens of and visitors to La Mesa commencing May 31, 2020 at 7:00 p.m. and ending at 7:00 a.m. on June 1, 2020. All Citizens are encouraged to shelter in place (in a safe environment) for their personal safety.

3. Extending the City-wide curfew for all Citizens of and visitors to La Mesa commencing June 1, 2020 at 7:00 p.m. and ending at 5:30 a.m. on June 2, 2020. All Citizens are encouraged to shelter in place (in a safe environment) for their personal safety.
4. Extending the City-wide curfew for all Citizens of and visitors to La Mesa commencing June 2, 2020 at 7:00 p.m. and ending at 5:30 a.m. on June 3, 2020. All Citizens are encouraged to shelter in place (in a safe environment) for their personal safety.
5. Extending the City-wide curfew for all Citizens of and visitors to La Mesa commencing on the following dates and times with all Citizens encouraged to shelter in place (in a safe environment) for their personal safety:
 - a. June 3, 2020 at 7:00 p.m. and ending at 5:30 a.m. on June 4, 2020;
 - b. June 4, 2020 at 7:00 p.m. and ending at 5:30 a.m. on June 5, 2020;
 - c. June 5, 2020 at 7:00 p.m. and ending at 5:30 a.m. on June 6, 2020;
 - d. June 6, 2020 at 7:00 p.m. and ending at 5:30 a.m. on June 7, 2020; and
 - e. June 7, 2020 at 7:00 p.m. and ending at 5:30 a.m. on June 8, 2020.

Since the confirmation and ratification on May 31, 2020 and June 9, 2020, of the rules and regulations promulgated and issued by the Director as of those dates, the Director has taken additional action related to the authority granted pursuant to LMMC Section 2.56.060. The additional action is as follows:

1. Waiving of all fees related to obtaining permits and inspections for repair work to recover from damage sustained during rioting and looting on May 30 and May 31, 2020.

The June 23, 2020 City Council meeting is the earliest practicable time for the City Council to confirm the promulgation and issuance of various rules and regulations in response to the proclaimed emergency.

Staff recommends the Council 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

Attachment: A - Resolution Confirming Director Rules and Regulations

RESOLUTION NO. 2020-_____

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. Waiving of all fees related to obtaining permits and inspections for repair work to recover from damage sustained during rioting and looting on May 30 and May 31, 2020.

PASSED AND ADOPTED at an Regular meeting of the City Council of the City of La Mesa, California, held the 23rd day of June 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-_____, 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)