

Minutes of a Regular Meeting of the La Mesa City Council
Tuesday, June 9, 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.

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

ROLL CALL

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

ABSENT: None.

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

INVOCATION – COUNCILMEMBER PARENT

Pastor Travis Ferguson, Christ Lutheran Church Ministries, led the invocation.

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.

COMMUNITY BULLETIN REPORTS

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

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.

Caitlin Judkins submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Ryan Tongue submitted a comment regarding the policing practices of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Angella d'Avignon submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Mayor Arapostathis called a recess at 6:16 p.m. and reconvened the meeting at 6:22 p.m. with all members present.

Kristen Tongue submitted a comment regarding the policing practices of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Bohdan Kniahynyckyj submitted a comment regarding the recent actions of the La Mesa Police Department and in opposition of defunding the La Mesa Police Department.

Richard Hammett submitted a comment regarding police services, the Citizen Public Safety Oversight Task Force, and the Fiscal Year 2020-2021 budget allocations.

April Zay submitted a comment regarding Councilmember Alessio's remarks at the June 3, 2020 press conference.

Alicia Aguayo submitted a comment regarding the recent actions of the La Mesa Police Department.

Theresa Phalen submitted a comment regarding the recent actions of the La Mesa Police Department and defunding the La Mesa Police Department.

David Taylor submitted a comment regarding the recent actions of the La Mesa Police Department and defunding the La Mesa Police Department.

Hannah Wertheimer submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Ronald Meyer submitted a comment regarding Councilmember Alessio's association with the La Mesa Civil Defense group.

Michael Dawson submitted a comment regarding the recent actions of the La Mesa Police Department and excessive force investigations.

Jaime Symons submitted a comment regarding the recent actions of the La Mesa Police Department.

Jack Shu submitted a comment regarding the Citizen Public Safety Oversight Task Force.

Lawrence Stevens submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Chaminie Dhayalan submitted a comment on recent actions of the La Mesa Police Department and defunding the La Mesa Police Department.

Vinton Omaleki submitted a comment regarding the need for an extension of the City's eviction moratorium.

Kathryn Snyder submitted a comment regarding Councilmember Alessio's association with the La Mesa Civil Defense group.

Bill and Kasey Zahner submitted a comment regarding the removal of the thin blue line flags from La Mesa Police Department vehicles, the actions of the La Mesa Police Department, and the Citizen Public Safety Oversight Task Force.

Donna Cross submitted a comment regarding the City's response to the death of George Floyd.

Joni Lewison submitted a comment thanking the La Mesa Police Department and MTS for their efforts in resolving the trash and drug paraphernalia issue at the Amaya Trolley station.

Daniella Knelman submitted a comment regarding the Citizen Public Safety Oversight Task Force, City budget, and La Mesa Civil Defense group.

Dawn Tol submitted a comment regarding the policing practices of the La Mesa Police Department and defunding the La Mesa Police Department.

Brandon and Katie Greene submitted a comment regarding the Citizen Public Safety Oversight Task Force.

Pia Piscitelli submitted a comment regarding the Citizen Public Safety Oversight Task Force and reallocating the La Mesa Police Department budget.

Matthew Lockard submitted a comment regarding the need for a full-time Mayor.

Jennifer Grigg submitted a comment regarding the recent actions of the La Mesa Police Department, racial inequality, and defunding the La Mesa Police Department.

Rhavia Masiglat submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Jayden Conner submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Sam Mandler submitted a comment regarding the City needing to take visible steps towards support of all members of the community.

Sarina Dahlan submitted a comment regarding redesigning the La Mesa Police Department.

Angela Deegan submitted a comment regarding reallocating the La Mesa Police Department budget and measures to reduce greenhouse gas emissions from the transportation sector.

Rachel Rosado and Susan Brinchman submitted a comment regarding the actions that need to be taken to establish a safe, equitable, and socially just community for all.

Nikki Bassier submitted a comment proposing the formation of a police oversight commission and a diversity, equity, and inclusion committee.

Jeff Richards submitted a comment in support of the La Mesa Police Department and in opposition of defunding the La Mesa Police Department.

Nicole Chenelle submitted a comment regarding the Citizen Public Safety Oversight Task Force and implementing the 8 Can't Wait use-of-force policies.

Esteban del Rio submitted a comment regarding reallocating the La Mesa Police Department budget.

The following members of the public submitted comments in support of raising the Gay Pride Flag at City Hall during the month of June:

April Zay
David Myers
Michael Dawson
Jack Shu
Jaime Symons
Aaron Amerling
Stuart Strenger
Art Madrid
Sam Mandler
Joe Glidden
Janet Castanos
Angela Durden
Sophie Coston
Carole Robasciotti
Samantha Pohaku
Gayle Neville
Scot MacDonald
Sadie Neville
Jessica Muramatsu
Gene Carpenter

The following members of the public submitted comments in opposition of raising the Gay Pride Flag at City Hall for the month of June:

Jason Robbins
Heidi Robbins

Pursuant to the City's Public Comment policy in response to the COVID-19 pandemic, public comments received after 4:00 p.m. the day of the Council meeting were not read aloud at the meeting. The following emailed public comments were received after 4:00 p.m. the day of the Council meeting:

Lev Kalman submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Amanda Hall submitted a comment regarding recent actions of the La Mesa Police Department.

Tyler McDonald submitted a comment regarding parking issues on Jackson Drive and a homeless problem on the corner of Jackson Drive and Fletcher Parkway.

Emily Green submitted a comment regarding the Citizen Public Safety Oversight Task Force, the timeline of events of May 30 through May 31, 2020, reallocating the La Mesa Police Department budget, and the La Mesa Civil Defense group.

A discussion ensued between Council and staff regarding the raising of the Gay Pride Flag at City Hall for the month of June.

ACTION: Motioned by Councilmember Parent and seconded by Mayor Arapostathis to direct staff to (1) raise the Gay Pride Flag at City Hall for the month of June; (2) add a proclamation proclaiming June 2020 as LGBTQ Pride Month to the June 23, 2020 Council agenda; and (3) amend the Display of Flags at City Facilities City policy and bring back for Council consideration at the June 23, 2020 Council meeting

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

CONFLICT DISCLOSURES

There were no conflict of interest disclosures.

CONSENT CALENDAR

(Items 1 through 7)

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

Approved.

2. **APPROVAL OF THE MINUTES FOR THE CITY COUNCIL REGULAR MEETING HELD TUESDAY, MAY 26, 2020**

Approved.

3. **APPROVAL OF THE MINUTES FOR THE CITY COUNCIL EMERGENCY MEETINGS HELD SUNDAY, MAY 31, 2020, TUESDAY, JUNE 2, 2020, WEDNESDAY, JUNE 3, 2020, AND THURSDAY, JUNE 4, 2020**

Approved.

4. **A. RESOLUTION CALLING FOR THE HOLDING OF A GENERAL MUNICIPAL ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020, FOR THE ELECTION OF CERTAIN OFFICERS AS REQUIRED BY THE PROVISIONS OF THE LAWS OF THE STATE OF CALIFORNIA RELATING TO GENERAL LAW CITIES;**

Resolution No. 2020-056 was adopted.

- B. RESOLUTION REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN DIEGO TO CONSOLIDATE A GENERAL MUNICIPAL ELECTION TO BE HELD ON NOVEMBER 3, 2020, WITH THE STATEWIDE GENERAL ELECTION TO BE HELD ON THE DATE PURSUANT TO § 10403 OF THE ELECTIONS CODE; AND**

Resolution No. 2020-057 was adopted.

- C. RESOLUTION ADOPTING REGULATIONS FOR CANDIDATES FOR ELECTIVE OFFICE PERTAINING TO CANDIDATES STATEMENTS SUBMITTED TO THE VOTERS AT AN ELECTION TO BE HELD ON TUESDAY, NOVEMBER 3, 2020**

Resolution No. 2020-058 was adopted.

5. **RESOLUTION ACCEPTING AN IRREVOCABLE OFFER OF DEDICATION OF RIGHT-OF-WAY ALONG ALTO DRIVE FOR TENTATIVE PARCEL MAP TPM 18-03 (HOFMANN), A THREE-LOT PARCEL MAP LOCATED AT 9415-9425 LEMON AVENUE IN THE R1S-P (SUBURBAN RESIDENTIAL / SCENIC PRESERVATION OVERLAY) ZONE**

Resolution No. 2020-059 was adopted.

6. RESOLUTION AUTHORIZING A STANDARD AGREEMENT FOR SPECIALIZED PROFESSIONAL SERVICES BETWEEN THE CITY OF LA MESA AND KEYSER MARSTON ASSOCIATES, INC. FOR REAL ESTATE ADVISORY SERVICES RELATED TO THE PROCESSING OF THE PROPOSED ALVARADO SPECIFIC PLAN

Resolution No. 2020-060 was adopted.

7. RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 TO CONTRACT WITH AMERICAN ASPHALT SOUTH, INC. FOR BID NO. 20-23, 2020 SLURRY SEAL PROJECT (VARIOUS LOCATIONS)

Resolution No. 2020-061 was adopted.

ACTION: Motioned by Vice Mayor Baber and seconded by Councilmember Alessio to approve Consent Calendar Items 1 through 7.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

STAFF REPORT

8. A. CONSIDERATION OF RESOLUTION 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; AND

City Attorney Sabine read the title of the Resolution.

ACTION: Motioned by Councilmember Alessio and seconded by Councilmember Parent to adopt the Resolution 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.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed. Resolution No. 2020-062 was adopted.

**B. RIOTING AND LOOTING RELATED TO A POLICE PROTEST STATUS –
DISCUSSION AND POSSIBLE DIRECTION TO CITY MANAGER / DIRECTOR OF
EMERGENCY AND DISASTER REGARDING SAME**

Melissa Weiss spoke regarding the La Mesa Police Department's response to the police protest and the City's response to the crisis.

Meegan Nolan spoke regarding the recent actions of the La Mesa Police Department and holding the La Mesa Police Department accountable for their actions.

Melissa Solis spoke on defunding the La Mesa Police Department, the recent actions of the La Mesa Police Department, and holding the La Mesa Police Department accountable for their actions.

Tareq Asfour spoke regarding the La Mesa Police Department's response to the police protest, the City's lack of communication during the crisis, and the City's response to the crisis.

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.

Randee and Joseph Matuk, Amy Hicks, Scott Pyrz, and Linda and Kurt Olson submitted a comment regarding the City's leadership during and after the crisis.

Mejgan Afshan submitted a comment regarding the La Mesa Police Department's response to the police protest and defunding the La Mesa Police Department.

Aaron Amerling submitted a comment regarding the need for a third party investigation into the City's handling of the May 30 and May 31, 2020 events.

Kristen Tongue submitted a comment on the timeline of events of May 30 and May 31, 2020, an outside investigation of the policing practices of the La Mesa Police Department, and the Citizen Public Safety Oversight Task Force.

Cristina Castro submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Alicia Aguayo submitted a comment regarding the City-wide curfew imposed from May 30, 2020 to June 8, 2020.

Jessica Muramatsu submitted a comment regarding implementing the 8 Can't Wait use-of-force policies.

Madison Huemmer submitted a comment regarding implementing the 8 Can't Wait use-of-force policies.

Melissa Weiss submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Colin Campbell submitted a comment regarding the recent actions of the La Mesa Police Department and defunding the La Mesa Police Department.

John Arriola submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Jo Light submitted a comment regarding the recent actions of the La Mesa Police Department, the La Mesa Civil Defense group, government transparency, honesty and accountability, and the Citizen Public Safety Oversight Task Force.

Jenna Northum submitted a comment regarding the recent actions of the La Mesa Police Department and defunding the La Mesa Police Department.

Karen Browne submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Jen Lothspeich submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Bohdan Rhodehamel submitted a comment regarding the recent actions of the La Mesa Police Department and holding the La Mesa Police Department accountable for their actions.

Maria H. submitted a comment regarding the recent actions of the La Mesa Police Department and defunding the La Mesa Police Department.

Susan Wayne submitted a comment regarding the recent actions of the La Mesa Police Department and the City's preparation and response to the protest.

Mark Meech submitted a comment regarding the timeline of events of May 30 and May 31, 2020 and the response of the La Mesa Police Department and Fire Department.

Christine Edwards submitted a comment regarding the Citizen Public Safety Oversight Task Force and the accountability of the City leaders.

Dustin Lothspeich submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Wendy Mihalic submitted a comment on addressing the underlying problems of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

The Harris family and Killpack family submitted a comment in support of the Mayor and City Council, making needed changes, and rebuilding the community.

Pursuant to the City's Public Comment policy in response to the COVID-19 pandemic, public comments received after 4:00 p.m. the day of the Council meeting were not read aloud at the meeting. The following emailed public comments were received after 4:00 p.m. the day of the Council meeting:

Kate Collier submitted a comment regarding the recent actions of the La Mesa Police Department and reallocating the La Mesa Police Department budget.

Demetrius Antuna submitted a comment regarding the recent actions of the La Mesa Police Department.

Kim Elliott submitted a comment regarding the need for an investigation into the recent actions of the La Mesa Police Department, government transparency, and a community forum.

City Manager Humora provided a report on the events that transpired on May 30 and May 31, 2020, the rules and regulations implemented by the City in response to the events, the supportive actions of the community, the status of governmental services, the planned investigation into the events, where to find information on disaster relief support, and the status of the City's Boards and Commissions.

Council questions and comments ensued.

Chief Vasquez reviewed the timeline of events of May 30 and May 31, 2020 and stated the La Mesa Police Department would fully support and cooperate with an outside investigation into the events that occurred on May 30 through May 31, 2020.

Council questions and comments continued.

ACTION: Motioned by Councilmember Parent and seconded by Mayor Arapostathis to direct the City Manager to engage in an investigation of the totality of the emergency that commenced on May 30, 2020, that it be done by an outside party, and the findings be released to the City Council and public. The investigation needs to: (1) review the City's preparation for the protest and actions taken during the duration of the emergency, including actions taken by all City personnel, City elected officials, and partnering agencies; (2) provide a determination of whether the City's actions were appropriate; and (3) provide recommendations on how the City may better respond to emergency situations.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

HEARING

9. CONSIDERATION OF RESOLUTION ESTABLISHING A LICENSE APPLICATION FEE FOR COMMERCIAL ADULT-USE CANNABIS CULTIVATION, MANUFACTURING, DISTRIBUTION, AND TESTING LABORATORY BUSINESSES AS AUTHORIZED BY LA MESA MUNICIPAL CODE SECTIONS 6.11.250A3 AND 6.11.250B2

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and at the time specified in the notice.

Mayor Arapostathis opened the hearing for Item 9.

Community Development Director Kusiak provided a PowerPoint presentation on the application review process and the proposed license application fee for commercial adult-use cannabis cultivation, manufacturing, distribution, and testing laboratory businesses.

Council questions and comments ensued.

ACTION: Motioned by Mayor Arapostathis and seconded by Councilmember Alessio to close the hearing since there were no members of the public who wished to speak.

Vote: 5-0

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

No: None

Abstained: None

Absent: None

Motion passed.

ACTION: Motioned by Vice Mayor Baber and seconded by Councilmember Parent to adopt the Resolution establishing a license application fee for commercial adult-use cannabis cultivation manufacturing, distribution, and testing laboratory businesses as authorized by La Mesa Municipal Code Sections 6.11.250A3 and 6.11.250B2.

Vote: 5-0

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

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 8:57 p.m.

Megan Wiegelman, CMC
City Clerk

DRAFT