



LA MESA CITY COUNCIL AGENDA

A Regular Meeting

Date: Tuesday, September 24, 2024, 6:00 p.m.
Location: City Council Chambers, 8130 Allison Avenue
La Mesa, California

Elected Officials: Mayor Mark Arapostathis
Vice Mayor Patricia N. Dillard
Councilmember Laura Lothian
Councilmember Colin Parent
Councilmember Jack Shu
City Treasurer Matthew Strabone

Staff: City Manager Greg Humora
City Attorney Glenn Sabine
City Clerk Megan Wiegelman

The City Council meeting may be viewed in-person or live on Cox Cable Channel 24 (within La Mesa City limits), AT&T U-Verse Channel 99 (in the San Diego Region), the City's website (www.cityoflamesa.us), Facebook Live (www.facebook.com/lamesaca) or using the following Zoom Webinar options:

The public may view the meeting live using the following remote options:

Teleconference Meeting Webinar

<https://us06web.zoom.us/j/84472650722>

Telephone (Audio only)

(669) 900-6833 or (253) 215-8782 Webinar ID: 844 7265 0722

Copy and paste the webinar link into your internet browser if the webinar link does not work directly from the agenda.

PUBLIC COMMENTS

- **In-Person comments during the meeting:** Join us for the City Council meeting at the time and location specified on this agenda to make your 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. Comments will be limited to three (3) minutes.
- **How to submit eComments:** eComments are available once an agenda is published. Locate the meeting in "upcoming meetings" and click the comment bubble icon. Click on the item you wish to comment on. eComments can be submitted when the agenda is published and until **24 hours prior** to the meeting. eComments are limited to 3700 characters (approximately 500 words). eComments may be viewed by the City Council and members of the public following the close of the eComment submission period (24 hours prior to the meeting). Email your comment to cityclrk@cityoflamesa.us if you have difficulty submitting an eComment. eComments will not be read aloud as a regular meeting item; however any member of the Council or member of the public may do so during their respective comment time.

PLEASE NOTE: Public Comment will be limited to 3 minutes per item. The timer begins when the participant begins speaking. Time cannot be combined or yielded to another speaker.

***Live Remote Public Comment ONLY permitted during Councilmember teleconferencing pursuant to California Government Code Section 54953 (AB 2449).**

- ***Zoom Audio Comments:** To provide oral public comments during the meeting, join the Zoom meeting by computer, mobile phone, or dial in number. On Zoom video conference by computer or mobile phone, use the “Raise Hand” feature. This will notify the moderator that you wish to speak during a specific item on the agenda or during non-agenda Public Comment. Members of the public will not be shown on video but will be able to speak when called upon. If joining the meeting using the Zoom dial-in number, you may raise your hand by pressing *9. Comments will be limited to three (3) minutes. No further comments will be entertained after the Mayor closes public comment.

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 12:00 p.m., the Monday 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.

Agenda reports for items on this agenda are available for public review at the City Clerk's Office, 8130 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.

ACCESSIBILITY: 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 Administrative Services Department 48 hours prior to the meeting at 619.667.1175, fax 619.667.1163, or GSpaniol@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.

Pages

1. **CALL TO ORDER**
 - 1.1 **INVOCATION - COUNCILMEMBER LOTHIAN**
 - 1.2 **PLEDGE OF ALLEGIANCE**
2. **CITY MANAGER COMMENTS**
3. **COMMUNITY BULLETIN REPORTS**
4. **ADDITIONS AND/OR DELETIONS TO THE AGENDA**
5. **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.

6. **CONFLICT DISCLOSURES**
7. **BOARD AND COMMISSION INTERVIEWS**
 - 7.1 **ANNUAL INTERVIEW OF APPLICANTS FOR OPENINGS ON THE YOUTH ADVISORY COMMISSION**

1

Staff Reference: Ms. Wiegelman

8. **PUBLIC COMMENTS ON CONSENT CALENDAR**

This is the time in which members of the Council or audience may pull items from the CONSENT CALENDAR for discussion. Public Comments are also invited on Consent Calendar items.

9. CONSENT CALENDAR

(Items 9.1 through 9.7)

The Consent Calendar includes items considered to be routine. Unless discussion is requested by members of the Council or audience, all Consent Calendar items may be approved by one motion.

Recommended Motion:

Approve Consent Calendar Items 9.1 through 9.7.

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

Recommended Motion:

Approve.

9.2 APPROVAL OF THE MINUTES FOR THE CITY COUNCIL REGULAR MEETINGS HELD TUESDAY, AUGUST 13, AND TUESDAY, SEPTEMBER 10, 2024

4

Recommended Motion:

Approve.

9.3 NEIGHBORHOOD REINVESTMENT PROGRAM GRANT APPLICATION RESOLUTION

23

RESOLUTION AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE COUNTY OF SAN DIEGO NEIGHBORHOOD REINVESTMENT PROGRAM TO FUND LA MESITA PARK FITNESS PLAZA IMPROVEMENTS, AND IF AWARDED, ACCEPTING AND APPROPRIATING FUNDS, AND APPOINTING THE DIRECTOR OF COMMUNITY SERVICES, OR DESIGNEE, TO EXECUTE ALL AGREEMENTS AND ANY AMENDMENTS

Staff Reference: Ms. Richardson

Recommended Motion:

Adopt Resolution.

9.4 RESOLUTION TO AWARD THE PURCHASE OF FOUR FORD VEHICLES FOR THE FIRE, POLICE, AND PUBLIC WORKS DEPARTMENTS TO SEDANO FORD AND KEARNY MESA FORD

27

Staff Reference: Ms. Royales

Recommended Motion:

Adopt Resolution.

- 9.5 RESOLUTION AUTHORIZING THE ACCEPTANCE AND APPROPRIATION OF A GRANT FROM THE CALIFORNIA HIGHWAY PATROL TO CONDUCT A LOCAL TRAFFIC SAFETY PROGRAM FOR DUI ENFORCEMENT BY APPROVING THE ADDITION OF THE GRANT FUNDS TO THE FISCAL YEAR 2025 BUDGET 34

Staff Reference: Chief Sweeney

Recommended Motion:

Adopt Resolution.

- 9.6 RESOLUTION TO AWARD BID 25-06 FOR TRUNARC SOLUTION KIT (TYPE H) NARCOTICS TESTING DEVICES WITH FOUR-YEAR UNLIMITED WARRANTY TO FISHER SCIENTIFIC COMPANY LLC 57

Staff Reference: Chief Sweeney

Recommended Motion:

Adopt Resolution.

- 9.7 RESOLUTION AUTHORIZING WAIVER OF COMPETITIVE BIDDING REQUIREMENTS PURSUANT TO LA MESA MUNICIPAL CODE SECTION 2.40.070a (7) AND THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$75,200 TO MACINTOSH AND CO., INC. FOR LAKE HELIX DRIVE STORM DRAIN REPLACEMENT 64

Staff Reference: Mr. Throne

Recommended Motion:

Adopt Resolution.

10. ORDINANCE: FIRST READING

- 10.1 MOBILEHOME PARKS ACT AND SPECIAL OCCUPANCY PARKS ACT ORDINANCE 71

CONSIDERATION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA, CALIFORNIA, RELINQUISHING ENFORCEMENT AUTHORITY OF THE MOBILEHOME PARKS ACT AND SPECIAL OCCUPANCY PARKS ACT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Staff Reference: Ms. Santos

Recommended Motion:

Approve the introduction and first reading of the Ordinance.

11. COUNCIL COMMITTEE REPORTS (3 MINUTE LIMIT)

12. AB 1234 REPORTS (GC 53232.3 (d))

13. CITY ATTORNEY REMARKS

14. ADJOURNMENT



DATE: September 24, 2024

TO: Mayor and Members of the City Council

FROM: Megan Wiegelman, CMC, City Clerk *MW*

VIA: Greg Humora, City Manager *GH*

SUBJECT: ANNUAL INTERVIEW OF APPLICANTS FOR OPENINGS ON THE
YOUTH ADVISORY COMMISSION

Attached are applications from citizens who wish to be considered for appointment or reappointment to the Youth Advisory Commission. The applicants have been invited to attend the meeting and make a brief three-minute presentation describing their qualifications and interest in serving on the Commission.

The applicants will be called forward for their interviews by the City Clerk. After each presentation you may ask questions of the applicants, if you wish.

The appointments will be made at the City Council meeting on October 8th.

Attachments

Youth Advisory Commission: 8 positions – two-year terms

Two (2) member positions: one position with term expiring September 30, 2025 and one position with term expiring September 30, 2026.

Six (6) alternate positions: three alternate positions with terms expiring September 30, 2025; three alternate positions with terms expiring September 30, 2026

Members must be between the ages of 13 and 20 years and reside within the City of La Mesa <u>or</u> attend school in the City of La Mesa.

	First Appointed	Number of Terms
Firdous Ali		
Janee Anderson		
Kelsey Avalos-Reid		
Lauren Farace – incumbent	05/23/23	partial
Colin Lansang		
Kallan Rossiter		
Anthony Salameh		
Sophia Saucedo		
Aidan Sweeney		

APPLICATIONS ARE AVAILABLE FOR REVIEW IN THE CITY CLERK'S OFFICE



La Mesa City Council

Minutes of a Regular Meeting

Date: August 13, 2024, 6:00 pm
Location: City Council Chambers, 8130 Allison Avenue
La Mesa, California

Present: Mayor Mark Arapostathis
Vice Mayor Patricia N. Dillard
Councilmember Laura Lothian
Councilmember Colin Parent
Councilmember Jack Shu

Staff: City Manager Greg Humora
Assistant City Manager Amanda Lee
City Attorney Glenn Sabine
City Clerk Megan Wiegelman

1. **CALL TO ORDER**

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.

1.1 **INVOCATION - MAYOR ARAPOSTATHIS**

1.2 **PLEDGE OF ALLEGIANCE**

2. **ANNUAL ROTATION OF VICE MAYOR**

Mayor Arapostathis thanked Councilmember Lothian for her service as Vice Mayor and announced Councilmember Dillard would be the next Vice Mayor.

3. **CITY MANAGER COMMENTS**

City Manager Humora announced that street resurfacing would be taking place throughout the city, with daily updates on social media platforms to inform

residents about which streets were scheduled for work next, including the major project on Jackson Drive between Murray Drive and La Mesa Boulevard, which was scheduled for August 28th.

4. COMMUNITY BULLETIN REPORTS

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

5. ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

6. PRESENTATIONS

6.1 BUDGET MONITORING REPORT

Finance Director Royales reported on the national, state and local economic outlook, sales tax revenues, and the performance of the City's General Fund for the quarter ending June 30, 2024.

Following Council questions and comments, no action was taken.

6.2 CITY TREASURER'S QUARTERLY REPORT

City Treasurer Strabone made a presentation regarding the investment earnings and the status of the investment portfolio for the quarter ending June 30, 2024.

6.3 POLICE CHIEF'S QUARTERLY OPERATIONS REPORT

Captain Runge presented the crime statistics for the quarter ending June 30, 2024, explained the statistics in the various crime categories and highlighted recently solved cases. Captain Runge briefly discussed the Department's proactive operations and strategic enforcement to help reduce crime and also reviewed various community outreach activities that took place. Captain Runge announced the recent graduations and recognitions of service of Police Department team members and provided an update on the Police Department's staffing vacancies.

Following Council questions and comments, no action was taken.

7. PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

Billy Beltz voiced his concerns about a house on Bellflower Drive and discussed implementing traffic calming measures on the street.

Janet Castanos spoke on remote public comment.

William Pruitt addressed the issue of nonworking street lights.

Barbie Wheeler voiced her concerns about a house on Bellflower Drive and discussed implementing traffic calming measures on the street.

Brenda Hammond emphasized the importance of the "see something, say something" approach.

Alice Wang spoke on the enforcement of parking and lot size standards.

Dianne Osterling spoke and submitted a comment regarding remote public comment.

Mairs Ryan submitted a comment regarding remote public comment.

8. CONFLICT DISCLOSURES

There were no conflict of interest disclosures.

9. BOARD AND COMMISSION INTERVIEWS

9.1 INTERVIEW OF APPLICANT FOR A VACANCY ON THE MOBILITY COMMISSION

City Clerk Wiegelman stated Alex Mueller was not able to attend the City Council meeting due to a prior commitment. City Clerk Wiegelman said the appointment would be made at the September 10, 2024, City Council meeting.

10. BOARD AND COMMISSION APPOINTMENTS

10.1 RESOLUTION APPOINTING MEMBERS TO THE CITY'S COMMUNITY POLICE OVERSIGHT BOARD

Mayor Arapostathis nominated Denise Carlson as the Police Beat 4 representative on the Community Police Oversight Board.

Council questions and comments ensued.

Councilmember Shu stated he would be voting no on the motion because an effective Community Police Oversight Board should be made up of individuals with differing opinions and backgrounds and not only those that support the police department.

Resolution No. 2024-095

Moved By Mayor Arapostathis

Seconded By Vice Mayor Dillard

Appoint Denise Carlson as the Police Beat 4 representative on the Community Police Oversight Board and adopt the Resolution.

For (4): Mayor Arapostathis, Vice Mayor Dillard, Councilmember Lothian, and Councilmember Parent

Against (1): Councilmember Shu

Approved (4 to 1)

11. PUBLIC COMMENTS ON CONSENT CALENDAR

Dianne Osterling spoke on Items 12.11, 12.14, and 12.16.

Dianne Osterling submitted a comment on 12.11.

12. CONSENT CALENDAR

(Items 12.1 through 12.17)

*If a public hearing item is part of the Consent Calendar, the public hearing shall be deemed held if the item is not removed from the Consent Calendar for discussion and possible action (Item 12.11).

Moved By Councilmember Parent

Seconded By Councilmember Shu

Approve Consent Calendar Items 12.1 through 12.17.

For (5): Mayor Arapostathis, Vice Mayor Dillard, Councilmember Lothian, Councilmember Parent, and Councilmember Shu

Approved (5 to 0)

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

Approve.

12.2 APPROVAL OF THE MINUTES FOR THE CITY COUNCIL REGULAR MEETINGS HELD TUESDAY, JULY 9, AND TUESDAY, JULY 23, 2024

Approve.

12.3 APPROVAL OF THE MINUTES FOR THE CITY COUNCIL SPECIAL MEETING HELD TUESDAY, JULY 23, 2024

Approve.

12.4 INTRODUCTION AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA CORRECTING SCRIVENER'S ERROR IN AN ORDINANCE RELATING TO EXTENDING THE EXISTING TRANSACTION AND USE TAX (LA MESA MUNICIPAL CODE CHAPTER 5.28: PROPOSITION "L") ADOPTED ON

JULY 9, 2024 (THE "ORDINANCE")

Ordinance No. 2024-2910

Approve the introduction and adoption of the Ordinance.

12.5 ACCEPTANCE OF INVESTMENT POLICY FOR THE CITY OF LA MESA FOR FISCAL YEAR 2024-2025

Receive and file.

12.6 RESOLUTION ESTABLISHING THE PROPERTY TAX RATE FOR BONDED INDEBTEDNESS FOR FISCAL YEAR 2024-2025

Resolution No. 2024-096

Adopt Resolution.

12.7 RESOLUTION APPROVING SALARY ADJUSTMENTS TO THE FISCAL YEAR 2024-25 COMPENSATION PLAN FOR FIRE MANAGEMENT STAFF AND THE PROFESSIONAL STANDARDS UNIT ASSISTANT CLASSIFICATION

Resolution No. 2024-097

Adopt Resolution.

12.8 RESOLUTION AUTHORIZING THE CHIEF OF POLICE TO ENTER INTO A MEMORANDUM OF AGREEMENT BETWEEN THE POLICE DEPARTMENT AND THE SAN DIEGO COUNTY SHERRIF'S DEPARTMENT FOR THE OPERATION STONEGARDEN GRANT

Resolution No. 2024-098

Adopt Resolution.

12.9 HOMELESS OUTREACH AND MOBILE ENGAGEMENT (HOME) PROGRAM QUARTERLY REPORT (APRIL 2024 - JUNE 2024)

Receive and file.

12.10 APPROVAL OF SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA,

CALIFORNIA, RELINQUISHING ENFORCEMENT AUTHORITY OF THE MOBILEHOME PARKS ACT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Ordinance No. 2024-2911

Approve the second reading and adoption of the Ordinance.

12.11 *APPROVAL OF SECOND READING AND ADOPTION OF AN ORDINANCE AMENDING TITLE 24 (ZONING) OF THE LA MESA MUNICIPAL CODE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA AMENDING THE LA MESA MUNICIPAL CODE TO ADD A NEW SECTION 24.05.020(A)(6) TO AUTHORIZE BY-RIGHT APPROVAL FOR PROJECTS WITH 20% AFFORDABLE UNITS ON REUSE SITES AS DEFINED PURSUANT TO GOVERNMENT CODE SECTION 65583.2 AND IN COMPLIANCE WITH THE 6TH CYCLE HOUSING ELEMENT, IMPLEMENTATION PROGRAM 8

Ordinance No. 2024-2912

Approve the second reading and adoption of the Ordinance.

12.12 RESOLUTION APPROVING THE FIRST AMENDMENT TO THE STANDARD SERVICES AGREEMENT FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF LA MESA AND SOLANA CENTER FOR ENVIRONMENTAL INNOVATION FOR EDIBLE FOOD RECOVERY EDUCATION AND COMPLIANCE CONSULTANT SERVICES

Resolution No. 2024-099

Adopt Resolution.

12.13 RESOLUTION APPROVING AN AGREEMENT WITH PUBLIC HEALTH INSTITUTE FOR CLIMATE ACTION PLAN IMPLEMENTATION SERVICES FOR THE 2024-2025 CIVICSPARK PROGRAM

Resolution No. 2024-100

Adopt Resolution.

12.14 RESOLUTION AWARDING A TASK ORDER TO HARRIS AND ASSOCIATES FOR WASTEWATER UTILITY BILLING, ANNUAL ADMINISTRATION, AND RELATED SERVICES

Resolution No. 2024-101

Adopt Resolution.

12.15 RESOLUTION AUTHORIZING CONTRACT CHANGE ORDER NO.1 FOR THE BOULEVARD DRIVE STORM DRAIN IMPROVEMENT PROJECT, BID NO. 24-16, TO SC VALLEY ENGINEERING, INC.

Resolution No. 2024-102

Adopt Resolution.

12.16 RESOLUTION RENEWING THE AGREEMENT FOR PLAN REVIEW SERVICES FOR BUILDING AND FIRE PERMITS TO BPR CONSULTING GROUP, LLC

Resolution No. 2024-103

Adopt Resolution.

12.17 RESOLUTION APPROVING A RIGHT-OF-WAY AGREEMENT BETWEEN THE CITY OF LA MESA AND PACIFIC WYERD LLC FOR THE INSTALLATION, OPERATIONS AND MAINTENANCE OF FIBER OPTIC COMMUNICATION LINES IN CITY STREETS

Resolution No. 2024-104

Adopt Resolution.

13. STAFF REPORT

13.1 CONSIDERATION AND POSSIBLE APPROVAL OF CONCEPT DESIGNS FOR PUBLIC ART FOR THE WALKWAY OF THE STARS MURAL PROJECT

Director of Community Services Richardson provided a PowerPoint presentation on the five proposed mural designs for the Walkway of the Stars. The presentation covered the proposed mural locations, the City's public art policy, and the design and theme of the murals.

Council questions and comments ensued.

Moved By Mayor Arapostathis

Seconded By Councilmember Parent

Approve the five concept designs for the Walkway of the Stars public mural project.

For (5): Mayor Arapostathis, Vice Mayor Dillard, Councilmember Lothian, Councilmember Parent, and Councilmember Shu

Approved (5 to 0)

14. ORDINANCE: SECOND READING

14.1 CONSIDERATION OF SECOND READING AND ADOPTION OF AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA ADDING LA MESA MUNICIPAL CODE CHAPTER 10.30, REGULATING THE RESIDENTIAL STORAGE OF FIREARMS

Council Ad Hoc Subcommittee: Vice Mayor Dillard and Councilmember Shu

City Attorney Sabine read the title of the Ordinance.

The following members of the public spoke or submitted a comment in support of the Ordinance regulating the residential storage of firearms:

Dianne Osterling

Ron Marcus

Sandy Housley

Lori Van Orden

John White

Cindi Phallen

Victoria Koenitzer

Therese Hymer

Carol Landale

Ordinance No. 2024-2913

Moved By Councilmember Shu

Seconded By Vice Mayor Dillard

Approve the second reading and adoption of the Ordinance.

For (3): Vice Mayor Dillard, Councilmember Parent, and Councilmember Shu

Against (2): Mayor Arapostathis, and Councilmember Lothian

Approved (3 to 2)

15. **COUNCIL INITIATED**

15.1 **CONSIDERATION OF DIRECTING STAFF TO ADD A STAFF POSITION DEDICATED TO LITTER COLLECTION THROUGHOUT THE CITY - MAYOR ARAPOSTATHIS AND VICE MAYOR LOTHIAN**

Councilmember Lothian and Mayor Arapostathis explained the purpose for requesting the Council consider directing staff to add a staff position dedicated to litter collection throughout the City.

Council questions and comments ensued.

Mairs Ryan submitted a comment suggesting that businesses adopt sustainable food packaging and that the City invest in butt cans as a solution to the litter problem, instead of creating a new staff position focused on litter collection.

Moved By Councilmember Lothian

Seconded By Mayor Arapostathis

Direct staff to create a new position to address litter removal in the city and return to the City Council within 60 days with a detailed report on the fiscal impacts and any necessary resolutions for formal approval.

For (5): Mayor Arapostathis, Vice Mayor Dillard, Councilmember Lothian, Councilmember Parent, and Councilmember Shu

Approved (5 to 0)

16. **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.

16.1 **CONSIDERATION AND POSSIBLE ACTION REGARDING THE ADJUSTMENT TO THE RESPECTIVE CONTRACTS FOR THE CITY MANAGER AND CITY ATTORNEY**

Council Ad Hoc Subcommittee: Mayor Arapostathis and Vice Mayor Dillard

Mayor Arapostathis and Vice Mayor Dillard explained what was considered when determining the proposed adjustments to the contracts for the City Manager and City Attorney.

a. RESOLUTION AUTHORIZING EXECUTION OF THE FOURTH AMENDMENT TO THE CITY MANAGER EMPLOYMENT AGREEMENT

Mayor Arapostathis read the following statement in to the record: "In compliance with the Government Code this action specifically does the following:

- Authorizes a 3.5% Cost-of-Living Adjustment ("COLA") increase and 5% market increase in salary; and
- Authorizes a near retirement leave bank conversion up to fifty percent (50%)."

Resolution No. 2024-105
Moved By Mayor Arapostathis
Seconded By Councilmember Parent

Adopt Resolution.

For (5): Mayor Arapostathis, Vice Mayor Dillard, Councilmember Lothian, Councilmember Parent, and Councilmember Shu

Approved (5 to 0)

b. RESOLUTION AUTHORIZING EXECUTION OF THE FOURTH AMENDMENT TO THE CITY ATTORNEY EMPLOYMENT AGREEMENT

Mayor Arapostathis read the following statement into the record: "In compliance with the Government Code this action specifically does the following:

- Authorizes a 3.5% COLA increase and 5% market increase in salary; and
- Authorizes a near retirement leave bank conversion up to fifty percent (50%)."

Resolution No. 2024-106
Moved By Mayor Arapostathis
Seconded By Vice Mayor Dillard

Adopt Resolution.

For (5): Mayor Arapostathis, Vice Mayor Dillard, Councilmember Lothian, Councilmember Parent, and Councilmember Shu

Approved (5 to 0)

c. RESOLUTION APPROVING THE AMENDED CITY OF LA MESA COMPENSATION PLAN FOR FISCAL YEAR 2024-2025 LISTING POSITIONS, SALARY RANGES/BANDS, AND PAY STEPS

This Item was not required and was deleted from the agenda.

17. AB 1234 REPORTS (GC 53232.3 (d))

There were no reports.

18. CITY ATTORNEY REMARKS

There were no remarks.

19. ADJOURNMENT

Mayor Arapostathis adjourned the meeting at 7:24 p.m.

City Clerk



La Mesa City Council Minutes of a Regular Meeting

Date: September 10, 2024, 6:00 pm
Location: City Council Chambers, 8130 Allison Avenue
La Mesa, California

Present: Mayor Mark Arapostathis
Vice Mayor Patricia N. Dillard
Councilmember Colin Parent
Councilmember Jack Shu

Absent: Councilmember Laura Lothian

Staff: City Manager Greg Humora
Assistant City Manager Amanda Lee
City Attorney Glenn Sabine
City Clerk Megan Wiegelman

1. **CALL TO ORDER**

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.

Councilmember Parent announced he was attending virtually under the just cause provision of AB 2449 and there were no individuals over the age of 18 present in the room with him.

1.1 **INVOCATION - COUNCILMEMBER LOTHIAN**

1.2 **PLEDGE OF ALLEGIANCE**

2. **CITY MANAGER COMMENTS**

There were no comments.

3. COMMUNITY BULLETIN REPORTS

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

4. ADDITIONS AND/OR DELETIONS TO THE AGENDA

There were no additions or deletions to the agenda.

5. PRESENTATIONS

5.1 PROCLAIMING SEPTEMBER AS NATIONAL PREPAREDNESS MONTH

Mayor Arapostathis presented the proclamation proclaiming September as National Preparedness Month to Fire Chief Koch, Police Chief Sweeney, and Emergency Preparedness Coordinator McKellar.

5.2 PRESENTATION BY EMERGENCY SERVICES CONSULTING INC. ON THE FIRE DEPARTMENT'S COMMUNITY RISK ASSESSMENT AND STANDARDS OF COVER REPORT

Fire Chief Koch provided opening comments and introduced Jeff Stone, Project Manager, Emergency Services Consulting International, who presented a PowerPoint presentation on the Fire Department's Community Risk Assessment ("CRA") and Standard of Cover ("SOC"). The presentation covered the SOC summary score, provided statistics on the Fire Department's calls for service, and outlined the incident percentages. It identified a significant increase in calls for service as the primary risk and analyzed its potential impact on the Fire Department's operations. The presentation concluded with operational, service delivery, and administrative recommendations.

Fire Chief Koch provided an overview of the steps that have been taken to begin implementing these recommendations.

Council questions and comments ensued.

Christopher Glenn submitted a comment on whether the CRA aligns with the City's Strategic Plan, specifically in regards to the strategies aimed at achieving the goal of a safe community.

6. PUBLIC COMMENTS – (TOTAL TIME – 15 MINUTES)

Karly Robinson spoke on her concerns about a house on Bellflower Drive.

Barbie Wheeler spoke on her concerns about a house on Bellflower Drive.

Dianne Osterling spoke on remote public comment and fire safety.

Wendy Mihalic submitted a comment regarding remote public comment.

Mairs Ryan submitted a comment regarding remote public comment.

7. **CONFLICT DISCLOSURES**

There were no conflict of interest disclosures.

8. **BOARD AND COMMISSION APPOINTMENTS**

8.1 **RESOLUTION APPOINTING A MEMBER TO FILL A VACANCY ON THE MOBILITY COMMISSION**

Mayor Arapostathis nominated Alex Mueller for reappointment to the Mobility Commission.

Resolution No. 2024-107

Moved By Mayor Arapostathis

Seconded By Councilmember Shu

Approve the reappointment of Alex Mueller to the Mobility Commission as the general population representative and adopt Resolution confirming the reappointment.

For (4): Mayor Arapostathis, Vice Mayor Dillard, Councilmember Parent, and Councilmember Shu

Absent (1): Councilmember Lothian

Approved (4 to 0)

9. **PUBLIC COMMENTS ON CONSENT CALENDAR**

Dianne Osterling spoke on Items 10.3, 10.5, 10.7, and 10.9.

10. **CONSENT CALENDAR**

(Items 10.1 through 10.12)

*If a public hearing item is part of the Consent Calendar, the public hearing shall be deemed held if the item is not removed from the Consent Calendar for discussion and possible action (Item 10.10).

Councilmember Shu commented on Item 10.6.

Moved By Mayor Arapostathis

Seconded By Vice Mayor Dillard

Approve Consent Calendar Items 10.1 through 10.12.

For (4): Mayor Arapostathis, Vice Mayor Dillard, Councilmember Parent, and Councilmember Shu

Absent (1): Councilmember Lothian

Approved (4 to 0)

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

Approve.

10.2 RESOLUTION APPROVING THE FISCAL YEAR 2024-2025 COMPENSATION PLAN TO REFLECT SALARY RANGE ADJUSTMENTS TO THE SAFETY VOLUNTEER COORDINATOR, CLINICAL HOMELESS OUTREACH SPECIALIST, AND PROFESSIONAL STANDARDS UNIT ASSISTANT CLASSIFICATIONS

Resolution No. 2024-108

Adopt Resolution.

10.3 RESOLUTION APPROVING TASK ORDERS TO COMPASS ROSE GIS FOR AS-NEEDED MAPPING AND GEOGRAPHICAL INFORMATION SYSTEM SERVICES FOR FISCAL YEAR 2025

Resolution No. 2024-109

Adopt Resolution.

10.4 RESOLUTION ACCEPTING BID 25-03, 2024 PIPE REHABILITATION PROJECT AND AWARDED A CONSTRUCTION CONTRACT TO INSITUFORM TECH, INC.

Resolution No. 2024-110

Adopt Resolution.

10.5 RESOLUTION AUTHORIZING A TASK ORDER FOR ENCROACHMENT PERMIT INSPECTION SERVICES TO ARDURRA GROUP, INC.

Resolution No. 2024-111

Adopt Resolution.

10.6 RESOLUTION AUTHORIZING A PURCHASE AGREEMENT WITH BEAM GLOBAL FOR SOLAR POWERED ELECTRIC VEHICLE CHARGING STATIONS

Resolution No. 2024-112

Adopt Resolution.

10.7 STATE REVOLVING FUND LOAN (NO. 8723-110)

Adopt Resolutions.

a. RESOLUTION AUTHORIZING EXECUTION OF AN INSTALLMENT SALE AGREEMENT (NO. 8723-110) WITH THE STATE OF CALIFORNIA FOR A STATE REVOLVING FUND LOAN

Resolution No. 2024-113

Adopt Resolution.

b. RESOLUTION ACCEPTING THE FUNDS FROM THE STATE REVOLVING FUND LOAN (NO. 8723-110) AND APPROPRIATING THE EXPENDITURE IN THE CAPITAL IMPROVEMENT PROGRAM PROJECT ACCOUNT

Resolution No. 2024-114

Adopt Resolution.

10.8 RESOLUTION AUTHORIZING CONTRACT CHANGE ORDER NO. 2 FOR THE BOULEVARD DRIVE STORM DRAIN IMPROVEMENT PROJECT, BID NO. 24-16, TO SC VALLEY ENGINEERING, INC.

Resolution No. 2024-115

Adopt Resolution.

10.9 RESOLUTION RE-ADOPTING THE 2013 CITY OF LA MESA TREE POLICY MANUAL

Resolution No. 2024-116

Adopt Resolution.

10.10 *HISTORIC LANDMARK DESIGNATION

Adopt Resolutions.

- a. **RESOLUTION DESIGNATING THE PALMER "DARRELL" DIAMOND RESIDENCE AT 9353 LEMON AVENUE, APN 495-175-04-00 AS A HISTORIC LANDMARK**

Resolution No. 2024-117

Adopt Resolution.

- b. **RESOLUTION AUTHORIZING EXECUTION OF A HISTORIC LANDMARK PROPERTY PRESERVATION AGREEMENT WITH THE OWNER OF THE HISTORIC LANDMARK KNOWN AS THE PALMER "DARRELL" DIAMOND RESIDENCE AT 9353 LEMON AVENUE, APN 495-175-04-00**

Resolution No. 2024-118

Adopt Resolution.

10.11 APPROVAL OF CONCEPT DESIGNS FOR PUBLIC ART FOR THE WALKWAY OF THE STARS AND LEMON AVENUE PARKING LOT MURAL PROJECTS

Approve.

10.12 SAN DIEGO ART MATTERS GRANT APPLICATION FOR A LOCAL ARTS AGENCY NETWORK CAPACITY BUILDING GRANT

RESOLUTION AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO SAN DIEGO ART MATTERS FOR A LOCAL ARTS AGENCY NETWORK CAPACITY BUILDING GRANT; ACCEPTING AND APPROPRIATING FUNDS IF AWARDED AND APPOINTING THE DIRECTOR OF COMMUNITY SERVICES, OR DESIGNEE, TO DESIGNATE PARTICIPANTS, EXECUTE ALL AGREEMENTS AND ANY AMENDMENTS

Resolution No. 2024-119

Adopt Resolution.

11. STAFF REPORT

11.1 LA MESA DOWNTOWN VILLAGE ENHANCEMENT FUND PROGRAM

CONSIDERATION AND POSSIBLE APPROVAL OF THE LA MESA COMMUNITY PARKING COMMISSION'S RECOMMENDATION FOR THE LA MESA VILLAGE ENHANCEMENT FUND PROGRAM AND ADOPTION OF RESOLUTION APPROPRIATING \$76,180 FROM THE

**DOWNTOWN PARKING FUND TO THE FISCAL YEAR 2024-2025
DOWNTOWN VILLAGE ENHANCEMENT FUND BUDGET**

Assistant to the City Manager Dedmon provided a PowerPoint presentation on the La Mesa Village Enhancement Fund Program (“Program”). The presentation covered key aspects of the Program guidelines, the annual application timeline, and the funding history. Assistant to the City Manager Dedmon noted that six applications were received, all for special events, including the 2024 Oktoberfest, 2024 Holiday in the Village, 2025 Classic Car Show, 2025 Taste of the Village, the San Diego Made Spring Market, and a 2025 One-Day Dance event. Assistant to the City Manager Dedmon summarized the La Mesa Community Parking Commission’s recommendation for the allocation of the La Mesa Village Enhancement Fund Program funding.

Council questions and comments ensued.

Resolution No. 2024-120

Moved By Councilmember Shu

Seconded By Vice Mayor Dillard

(1) Approve the following allocation of the La Mesa Village Enhancement Fund Program funding as recommended by the La Mesa Community Parking Commission: \$17,920 for the 2024 Holiday in the Village, \$23,260 for the 2025 Taste of the Village, and \$35,000 for the San Diego Made Spring Market; and (2) Adopt the Resolution appropriating \$76,180 from the Downtown Parking Fund to the Fiscal Year 2024-2025 Downtown Village Enhancement Fund budget.

For (4): Mayor Arapostathis, Vice Mayor Dillard, Councilmember Parent, and Councilmember Shu

Absent (1): Councilmember Lothian

Approved (4 to 0)

12. 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.

Wendy Mihalic submitted a comment regarding remote public comment.

13. AB 1234 REPORTS (GC 53232.3 (d))

There were no reports.

14. **CITY ATTORNEY REMARKS**

There were no remarks.

15. **ADJOURNMENT**

Mayor Arapostathis adjourned the meeting at 7:23 p.m.

City Clerk



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: September 24, 2024

SUBJECT: RESOLUTION AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE COUNTY OF SAN DIEGO NEIGHBORHOOD REINVESTMENT PROGRAM FOR LA MESITA PARK FITNESS PLAZA IMPROVEMENTS, AND IF AWARDED, ACCEPTING AND APPROPRIATING FUNDS, AND APPOINTING THE DIRECTOR OF COMMUNITY SERVICES, OR DESIGNEE, TO EXECUTE ALL AGREEMENTS AND ANY AMENDMENTS

ISSUING DEPARTMENT: Community Services

SUMMARY:

Issues:

Should the City Council adopt a resolution authorizing submittal of a grant application to the County of San Diego Neighborhood Reinvestment Program for La Mesita Park Fitness Plaza Improvements for an amount up to \$200,000, and if awarded, accepting and appropriating funds, and appointing the Director of Community Services, or designee, to execute all agreements and any amendments.

Recommendation:

That the City Council adopt a resolution authorizing submittal of a grant application to the County of San Diego Neighborhood Reinvestment Program for La Mesita Park Fitness Plaza Improvements for an amount up to \$200,000, and if awarded, accepting and appropriating funds, and appointing the Director of Community Services, or designee, to execute all agreements and any amendments.

Fiscal Impact:

The grant has no local fund match requirement; therefore, no City funds will be needed.

City's Strategic Goals:

- Maintain a community where residents and visitors feel safe.
- Invest in infrastructure to serve the needs of the community.

BACKGROUND:

The 2012 City of La Mesa Park Master Plan recommended that outdoor fitness equipment be added to La Mesita Park to enhance recreational opportunities, based on community input and space available.

In 2022, the City was awarded a California Park and Recreation Society 75th Anniversary Fitness Grant in the amount of \$10,000 and a \$40,000 Age Friendly Community Grant from the San Diego Foundation for Phase I of the La Mesita Park Fitness Plaza. Phase I included the installation of a seven-piece outdoor fitness system to a portion of the existing concrete pad adjacent to the playground, providing inclusive fitness opportunities to those with disabilities, engaging our senior demographic, facilitating training for all fitness levels, activating an unused area in the park, and creating exercise activities for parents while children are at sports practices and/or on the playground. In December 2023, rubberized fall surfacing was installed.

Phase II of the project, with an estimated cost of \$200,000, includes a shade structure, additional site furnishings, and landscaping. This phase is currently unfunded and applying for the grant provides the City the opportunity to complete the La Mesita Park Fitness Plaza project.

DISCUSSION:

The Neighborhood Reinvestment Program presents an opportunity to fund and complete the La Mesita Park Fitness Plaza Improvements. If the application is successful, construction can begin upon appropriation of the funds and execution of a grant contract. The funds must be used within 12 months.

CONCLUSION:

Staff recommends the City Council adopt a resolution authorizing submittal of a grant application to the County of San Diego Neighborhood Reinvestment Program for La

Mesita Park Fitness Plaza Improvements for an amount up to \$200,000, and if awarded, accepting and appropriating funds, and appointing the Director of Community Services, or designee, to execute all agreements and any amendments.

Reviewed by:



Greg Humora
City Manager

Respectfully submitted by:



Susan Richardson
Director of Community Services

Attachments: A. Resolution Authorizing Submittal of Grant Application

RESOLUTION NO. 2024-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA AUTHORIZING SUBMITTAL OF A GRANT APPLICATION TO THE COUNTY OF SAN DIEGO NEIGHBORHOOD REINVESTMENT PROGRAM TO FUND LA MESITA PARK FITNESS PLAZA IMPROVEMENTS, AND IF AWARDED, ACCEPTING AND APPROPRIATING FUNDS, AND APPOINTING THE DIRECTOR OF COMMUNITY SERVICES, OR DESIGNEE, TO EXECUTE ALL AGREEMENTS AND ANY AMENDMENTS

WHEREAS, the County of San Diego Neighborhood Reinvestment Program provides funding for non-profit corporations and public agencies for certain specified purposes; and

WHEREAS, the City of La Mesa wishes to file an application with the County of San Diego for Neighborhood Reinvestment Program funding.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED that the City Council of the City of La Mesa approves submittal of a grant application to the County of San Diego Neighborhood Reinvestment Program for La Mesita Park Fitness Plaza Improvements for an amount up to \$200,000, and if awarded, accepting and appropriating funds, and appointing the Director of Community Services, or designee, to execute all agreements and any amendments.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 24th day of September 2024, 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. 2024-, 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)



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: September 24, 2024

SUBJECT: RESOLUTION TO AWARD THE PURCHASE OF FOUR VEHICLES FOR THE FIRE, POLICE, AND PUBLIC WORKS DEPARTMENTS TO SEDANO FORD AND KEARNY MESA FORD

ISSUING DEPARTMENT: Finance

SUMMARY:

Issues:

1. Should the City Council adopt the resolution to award the purchase of one Ford vehicle for the Public Works Department to Sedano Ford?
2. Should the City Council adopt the resolution to award the purchase of three Ford vehicles for the Fire and Police Departments to Kearny Mesa Ford?

Recommendation:

1. That the City Council adopt the resolution to award the purchase of one Ford vehicle for the Public Works Department to Sedano Ford.
2. That the City Council adopt the resolution to award the purchase of three Ford vehicles for the Fire and Police Departments to Kearny Mesa Ford.

Fiscal Impact:

The quoted cost for the purchase of the four vehicles is \$234,034.65 and funds are budgeted and available in Equipment Replacement Fund account 603-65850-143-000000 and Public Safety Grant Fund account 213-65850-000-213088. Outfitting for each vehicle will be performed individually by vendors selected based on their past performance on similar vehicles.

City's Strategic Goals:

- Maintain a community where residents and visitors feel safe.
- Invest in infrastructure to serve the needs of the community.

Climate Action Plan Reduction Strategy:

- T-6 Municipal Fleet – Promote efforts that transition municipal vehicle fleet from gasoline- and diesel-powered vehicles to alternative-fuel or low-emissions vehicles.

BACKGROUND:

The City's fleet includes vehicles in multiple departments with various functions to protect the public's safety and maintain the public infrastructure. In 2018, the City adopted the Climate Action Plan (CAP) which includes a greenhouse gas reduction goal of 53% by 2035. The CAP provides a list of measures and actions to explore in order to achieve this goal, including transitioning municipal vehicle fleet from gasoline and diesel-powered vehicles to alternative-fuel or other low-emissions vehicles.

The FY19-22 CAP Implementation Plan Measure T-6, Municipal Fleet, includes exploring opportunities to integrate alternative fuel options and more efficient vehicles, including hybrid, into the City's fleet as older vehicles become eligible for replacement. In 2019, the City's fleet was analyzed as part of technical assistance provided by the San Diego Clean Cities Coalition and future opportunities continue to be explored.

The Public Works Fleet Maintenance Division is budgeted to purchase a Ford F-150 Lightning electric vehicle (EV) to both reduce the division's emissions and as a pilot program to examine the feasibility of transitioning other Public Works divisions to EV trucks for City use. The Division currently operates a 2014 Ford F-150 for staff to respond to vehicle issues and preventative maintenance work. This truck would likely be repurposed to replace an older, less-efficient truck in another division.

The Police Department Investigations Division is budgeted to purchase a new pickup truck to replace a 2016 Chevrolet Colorado. Unit 56 is eight years old and has close to 100,000 miles of service. The age and miles are resulting in higher maintenance costs and the possibility of extensive repairs to be performed at offsite repair facilities. As a public safety vehicle, the F-150 Lightning is not yet suitable for this purpose. The recommended F-150 STX comes standard with a 2.7L EcoBoost V6 engine.

The Police Department was awarded grant funding to purchase a pursuit-rated marked Ford F-150 Responder for DUI enforcement operations. It will be able to tow message

trailers as well as the DUI operations trailer. The F-150 is preferential to a standard Police Interceptor in this role because it provides better storage for traffic investigation callout equipment as well as movement and maintenance of traffic signs and equipment. It also provides the department a dedicated vehicle during special events or enforcement details. The F-150 Responder is currently only available with a 3.5L EcoBoost V6 engine.

The Fire Department currently has a 2005 Ford F-250 utility two-door pickup truck with jump seats in the back. This vehicle does not work well to transport a full fire department crew of three to four personnel to and from emergency scenes, or locations throughout the state for deployment crew swaps. The new vehicle will have four doors and seating for up to six passengers and their personal protective equipment. The replacement vehicle will be better-suited for multitude of uses and situations and also keeping up with the vehicle replacement schedule. As a public safety vehicle that must travel across the state it is not practical as an EV, however the vehicle does come with a standard 6.8L flex-fuel capable V8 engine.

DISCUSSION:

The City received quotes from the two Ford dealerships in San Diego County that work with government fleets and have supplied the City in previous years, Kearny Mesa Ford and Sedano Ford. A third source for quotes for comparison is the cooperative purchasing contract Sourcewell but quotes for most of the vehicles were not yet available and the only quote provided was a factory order with a potentially lengthy lead time before delivery. The quotes were requested in lieu of conducting a formal bid process that may have required purchasing the vehicles from an unfamiliar dealer outside of our region.

Sedano Ford had the lowest quote for the F-150 Lightning for Public Works at \$63,709.46. Kearny Mesa Ford had the lowest quotes for the F-150 Responder (\$59,405.33) and F-150 STX (\$50,600.13) for Police, and the F-250 for Fire (\$60,319.73).

The City's Purchasing Officer may waive competitive bidding when the City Council by resolution determines that, due to special circumstances, it is in the city's best interest to purchase a commodity without compliance with the bidding procedure, per La Mesa Municipal Code Section 2.40.070(a)(7). Purchasing a Ford F-150 Lightning will help the City meet its Climate Action Plan goals while purchasing Ford F-150 and F-250 trucks will maintain consistency with the current fleet. By purchasing from local dealers instead of using a formal bid process, the City can support the local economy while securing the vehicle more quickly and from experienced and reliable vendors in government/commercial sales. Under these facts, the circumstances are that Sedano Ford and Kearny Mesa Ford can provide the needed vehicles quickly and at a reasonable cost while keeping the purchase within the local economy; and, as such, staff recommends that it is in the best interests of the City to enter into contracts for the

purchase of a Ford F-150 Lightning, Ford F-150 Responder, Ford F-150 STX and Ford F-250 without a formal bidding process.

CONCLUSION:

Staff recommends that the City Council adopt a resolution to award the purchase of one Ford vehicle for the Public Works Department to Sedano Ford. Additionally, staff also recommends that the City Council adopt a resolution to award the purchase of three Ford vehicles for the Fire and Police Departments to Kearny Mesa Ford.

Reviewed by:



Greg Humora
City Manager

Respectfully submitted by:



Tammi Royales
Director of Finance



Scott Munzenmaier
Purchasing Officer

Attachments: A. Resolution
 B. Vehicle Pricing

RESOLUTION NO. 2024-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA TO AWARD THE PURCHASE OF FOUR FORD VEHICLES FOR THE FIRE, POLICE, AND PUBLIC WORKS DEPARTMENTS TO SEDANO FORD AND KEARNY MESA FORD

WHEREAS, the City's fleet includes vehicles in multiple departments with various functions to protect the public's safety and maintain the public infrastructure;

WHEREAS, quotes were received for four vehicles from the two Ford dealerships in San Diego County that work with government fleets and have supplied the City in previous years;

WHEREAS, the City's Purchasing Officer may waive competitive bidding when the City Council by resolution determines that, due to special circumstances, it is in the city's best interest to purchase a commodity without compliance with the bidding procedure, per La Mesa Municipal Code Section 2.40.070(a)(7); and

WHEREAS, Sedano Ford and Kearny Mesa Ford can provide the needed vehicles quickly and at a reasonable cost while keeping the purchase within the local economy; and, as such, staff recommends that it is in the best interests of the City to enter into contracts for the purchase of a Ford F-150 Lightning, Ford F-150 Responder, Ford F-150 STX and Ford F-250 without a formal bidding process.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa, California, that the City Council intends to award the purchase of an F-150 Lightning for the Public Works Department at \$63,709.46 to Sedano Ford and the purchase of an F-150 Responder at \$59,405.33 and F-150 STX at \$50,600.13 for the Police Department, and an F-250 at \$60,319.73 for the Fire Department to Kearny Mesa Ford.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 24th day of September 2024, 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. 2024-, 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)

Vehicle	Kearny Mesa Ford	Sedano Ford
F-150 Lightning (EV)	\$ 67,526.13	\$ 63,709.46
F-150 Responder	\$ 59,405.33	\$ 61,539.55
F-150 STX	\$ 50,600.13	\$ 53,509.47
F-250	\$ 60,319.73	\$ 63,063.97

CERTIFICATE OF CITY/DIRECTOR OF FINANCE

Certification of Unappropriated Reserves

I HEREBY CERTIFY that the money required for the appropriation of funds for the purpose as docketed is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unappropriated.

Amount \$ _____ Fund _____

Purpose _____

Director of Finance
City of La Mesa


Date _____ By _____

Unappropriated Reserves Available Balance \$ _____

Certification of Unencumbered Balance

I HEREBY CERTIFY that the indebtedness and obligation as docketed can be incurred; that sufficient monies to meet the obligations are actually in the Treasury, or are anticipated to come into the Treasury to the credit of the appropriation from which the same are to be drawn; and that said monies now actually in the treasury, together with the monies anticipated to come into the Treasury, to the credit of said appropriation are otherwise unencumbered.

Amount Not to Exceed \$234,034.65



Director of Finance
City of La Mesa

Date: 09/17/2024 By: Tammi Royales

Fund:	Dept. Account:	Activity:
<u>603</u>	<u>65850-143-000000</u>	<u>\$174,629.32 from Account 603-65850-143-000000 (Amount Available \$557,971.71)</u>
<u>213</u>	<u>65850-000-213088</u>	<u>\$59,405.33 from Account 213-65850-000-213088 (Amount Available \$103,830.00)</u>

Purpose: RESOLUTION TO AWARD THE PURCHASE OF FOUR VEHICLES FOR THE FIRE, POLICE, AND PUBLIC WORKS DEPARTMENTS TO SEDANO FORD AND KEARNY MESA FORD

CERTIFICATE NO. 1899



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: September 24, 2024

SUBJECT: ACCEPTANCE AND APPROPRIATION OF THE OFFICE OF
TRAFFIC SAFETY SELECTIVE TRAFFIC ENFORCEMENT
PROGRAM FOR FY- 25

ISSUING DEPARTMENT: POLICE

SUMMARY:

Issues:

Should the City Council accept and appropriate funds from the Office of Traffic Safety FY-25, in the amount of \$115,000, for the education, prevention, and enforcement of traffic laws related to primary collision factors and driving under the influence of alcohol and drugs, for overtime, equipment and training expenses incurred during the 12- month program?

Recommendation:

In line with Vision Zero, staff recommends that the City Council accept and appropriate funds from the Office of Traffic Safety FY-25, in the amount of \$115,000, for the education, prevention, and enforcement of traffic laws related to primary collision factors and driving under the influence of alcohol and drugs, for overtime, equipment and training expenses incurred during the 12- month program as outlined in this staff report. The funds will be appropriated in Fund 213, Public Safety Grants.

Fiscal Impact:

Participation by the La Mesa Police Department will be limited to paid overtime for Police Sergeant(s), Police Officer(s), Community Service Officer(s), Downtown Operations Assistant(s), Communication Supervisor(s), and Police Dispatcher(s) for selected traffic enforcement operations during the twelve-month period of October 1, 2024, thru September 30, 2025. Monies will also be used for specified equipment purchases and training in drug and alcohol-impaired driving enforcement.

Report to Mayor and Councilmembers

Date: September 24, 2024

Page: 2 of 3

Total costs are not to exceed the final grant award of \$115,000 and will be reimbursed by billing the Office of Traffic Safety. With City Council approval, the maximum amount that the Office of Traffic Safety would reimburse the City of La Mesa would be \$115,000. The funds will be appropriated and expended from the Public Safety Grant (213) Fund.

City's Strategic Goals:

- Maintain a community where residents and visitors feel safe.

BACKGROUND:

On September 25, 2018, the La Mesa City Council approved a resolution to adopt a Vision Zero Plan to reduce traffic fatalities in the City to zero by 2025.

In January 2024, the La Mesa Police Department applied for this grant through the Office of Traffic Safety. This is a competitive grant that many cities apply for. It was awarded to the City of La Mesa for enforcement related to driving under the influence, speed, distracted driving, and pedestrian/bicycle safety. The goal is to improve public safety in the above areas by using selective enforcement techniques to address problems.

The Selective Traffic Enforcement Program aims to reduce the number of persons killed or injured in collisions related to the listed enforcement areas. This grant is designed to use local police resources within their primary jurisdictions on an overtime basis to conduct "best practice" strategies, including community education, DUI checkpoints, speed enforcement, distracted driver enforcement, and pedestrian safety enforcement. These operations will occur at various times during a twelve-month period from October 1, 2024, through September 30, 2025.

The La Mesa Police Department has 70 sworn Officers, and the La Mesa Traffic Unit is fully staffed with one Sergeant and five Officers. Over the last two years, La Mesa has experienced a slight decrease in fatal collisions, from six to four, three of which involved alcohol and/or drugs.

In 2022, the City of La Mesa experienced 25 crashes involving alcohol and/or drugs, resulting in 31 injuries and two deaths. In 2023, the City of La Mesa experienced 32 crashes involving alcohol and/or drugs, resulting in 39 injuries. During the grant period of 2022 to 2023, we have had 32 alcohol or drug-related collisions resulting in 37 injuries. We have had only one fatality involving speed and alcohol/drugs as factors. In 2022 and 2023, speed was the leading primary collision factor, while Driving Under the Influence/ Driving Under the Influence of Drugs (DUI/DUID) was second. DUI/DUID impairment was one of the primary factors in numerous cases, which have been forwarded to the District Attorney for prosecution.

During this grant's twelve-month enforcement program, the La Mesa Police Department will be scheduling approximately three (3) DUI checkpoints, eleven (11) Driving Under the Influence saturation patrols, four (4) "Know Your Limit" DUI education campaigns, eight (8) enforcement operations focused on, but not limited to, primary collision factor "PCF" violations, two (2) enforcement operations focused on bicyclists and pedestrian violations, one (1) enforcement

operation focused on motorcycle safety and two (2) enforcement operations focusing on violations of “distracted driving.” All of these operations will be conducted in the City of La Mesa on an overtime basis, where the officers will work above and beyond the normal patrol staffing levels. In addition, we will participate in a county-wide law enforcement collaborative focused on impaired drivers all over the County of San Diego. In doing so, La Mesa police officers will partner with allied agencies to staff DUI checkpoints and driving under the influence saturation patrols in various cities at least once a month. The grant will also fund two radar speed feedback signs, which will be deployed in high-complaint areas in the city.

CONCLUSION:

Staff recommends that the City Council approve the acceptance of this grant and appropriation of the related funds.

Reviewed by:



Greg Humora
City Manager

Respectfully submitted by:



Ray Sweeney
Chief Of Police

1. GRANT TITLE
Selective Traffic Enforcement Program (STEP)

2. NAME OF AGENCY
La Mesa

3. Grant Period
 From: 10/01/2024
 To: 09/30/2025

4. AGENCY UNIT TO ADMINISTER GRANT
La Mesa Police Department

5. GRANT DESCRIPTION
 Best practice strategies will be conducted to reduce the number of persons killed and injured in crashes involving alcohol and other primary crash factors. The funded strategies may include impaired driving enforcement, enforcement operations focusing on primary crash factors, distracted driving, night-time seat belt enforcement, special enforcement operations encouraging motorcycle safety, enforcement and public awareness in areas with a high number of bicycle and pedestrian crashes, and educational programs. These strategies are designed to earn media attention thus enhancing the overall deterrent effect.

6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$115,000.00

7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement:

- Schedule A – Problem Statement, Goals and Objectives and Method of Procedure
- Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable)
- Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable)
- Exhibit A – Certifications and Assurances
- Exhibit B* – OTS Grant Program Manual
- Exhibit C – Grant Electronic Management System (GEMS) Access

Items shown with an asterisk (), are hereby incorporated by reference and made a part of this agreement as if attached hereto.

These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov.

We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions.
 IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.

8. Approval Signatures

A. GRANT DIRECTOR
 NAME: William Wilson
 TITLE: Sergeant
 EMAIL: wwilson@cityoflamesa.us
 PHONE: (619) 667-7551
 ADDRESS: 8085 University Avenue
 La Mesa, CA 91942

B. AUTHORIZING OFFICIAL
 NAME: Raymond Sweeney
 TITLE: Chief of Police
 EMAIL: rsweeney@cityoflamesa.us
 PHONE: 619-667-7514
 ADDRESS: 8085 University Avenue
 La Mesa, CA 91942

 (Signature) (Date)

 (Signature) (Date)

C. FISCAL OFFICIAL
 NAME: Tammi Royales
 TITLE: Director of Finance
 EMAIL: troyales@cityoflamesa.us
 PHONE: (619) 667-1122
 ADDRESS: 8085 University Avenue
 La Mesa, CA 91942

D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY
 NAME: Barbara Rooney
 TITLE: Director
 EMAIL: barbara.rooney@ots.ca.gov
 PHONE: (916) 509-3030
 ADDRESS: 2208 Kausen Drive, Suite 300
 Elk Grove, CA 95758

 (Signature) (Date)

 (Signature) (Date)

<p>E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY</p> <p>NAME: Carolyn Vu</p> <p>ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758</p>	<p>9. SAM INFORMATION</p> <p>SAM #: YZG4GLD1LTA1</p> <p>REGISTERED</p> <p>ADDRESS: 8130 Allison Avenue</p> <p>CITY: La Mesa</p> <p>ZIP+4: 91942-5502</p>
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10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
402PT-25.1	20.600	0521-0890-101	2023	12/23	BA/23	\$10,765.00
164AL-25.1	20.608	0521-0890-101	2023	12/23	BA/23	\$13,994.00
402PT-25	20.600	0521-0890-101	2024	22/24	BA/24	\$39,235.00
164AL-25	20.608	0521-0890-101	2024	22/24	BA/24	\$51,006.00
					AGREEMENT TOTAL	\$115,000.00
					AMOUNT ENCUMBERED BY THIS DOCUMENT	
					\$115,000.00	
<p><i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i></p>					PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT	
					\$ 0.00	
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED		TOTAL AMOUNT ENCUMBERED TO DATE	
					\$115,000.00	

1. PROBLEM STATEMENT

The City of La Mesa is nine square miles with an updated population of 65,000 people. The City has increased its population density around transit centers, and has increased the amount of pedestrian dense areas. The City of La Mesa is expanding programs to increase and encourage more bicycle traffic and pedestrian traffic. The City has also expanded its cannabis licensing to include 14 cannabis retail dispensaries. The La Mesa Police department is operated with 70 sworn Police Officers. The La Mesa Traffic Unit is fully staffed with 5 Officers and 1 Sergeant. Over the last 2 years we have experienced a slight decrease in fatal crashes from 6 to 4 fatalities, 3 of those had Alcohol or Drugs as a factor.

In 2022, the City of La Mesa experienced 25 crashes involving alcohol, resulting in 31 injuries and 2 fatalities. In 2023, the City of La Mesa experienced 32 crashes involving alcohol, resulting in 39 injuries. During the grant period of 2022 thru 2023 we have had 32 alcohol or drug related crashes resulting in 37 injuries. We had one fatality involving speed and alcohol as factors.

Speeding has been found to be directly related to the severity of vehicle crashes. As speed increases, the potential for injury also increases. Higher speeds also contribute to the severity of crashes. There is a greater chance of death and/or disabling injuries when speed increases. In the City of La Mesa, there were 58 injury crashes during the grant year of 2022-2023 where speed was the Primary Crash Factor (PCF), resulting in 40 injuries. Speed ranked first (#1) as the City's most reported PCF during that time period. Speed still ranks first as the City's most reported PCF followed closely by DUI.

Although it is difficult to determine when the PCF of a crash is distracted driving, cell phone use and/or texting while driving has certainly caused an alarming public health threat. Since January 2012, there have been one hundred and fifty-four (154) crashes involving inattention in the City of La Mesa, resulting in one hundred and thirty-nine (139) injuries and one (1) fatality. The actual numbers are likely much higher, as drivers are typically reluctant to admit that they were using a cell phone when involved in a crash.

According to the most recent available statistics, the City of La Mesa ranks #27 out of 106 agencies with the most vehicle vs. pedestrian crashes. The City of La Mesa ranks #29 out of 105 when the pedestrian involved is 65 years of age or older. In an alarming trend, there have been 98 injury crashes involving pedestrians in the City of La Mesa between 2020-2023 this resulted in 98 injuries and 3 fatalities. This is a significant increase in serious pedestrian-related crashes.

2. PERFORMANCE MEASURES

A. Goals:

1. Reduce the number of persons killed in traffic crashes.
2. Reduce the number of persons injured in traffic crashes.
3. Reduce the number of pedestrians killed in traffic crashes.
4. Reduce the number of pedestrians injured in traffic crashes.
5. Reduce the number of bicyclists killed in traffic crashes.
6. Reduce the number of bicyclists injured in traffic crashes.
7. Reduce the number of persons killed in alcohol-involved crashes.
8. Reduce the number of persons injured in alcohol-involved crashes.
9. Reduce the number of persons killed in drug-involved crashes.
10. Reduce the number of persons injured in drug-involved crashes.
11. Reduce the number of persons killed in alcohol/drug combo-involved crashes.
12. Reduce the number of persons injured in alcohol/drug combo-involved crashes.
13. Reduce the number of motorcyclists killed in traffic crashes.
14. Reduce the number of motorcyclists injured in traffic crashes.
15. Reduce hit & run fatal crashes.
16. Reduce hit & run injury crashes.
17. Reduce nighttime (2100 - 0259 hours) fatal crashes.
18. Reduce nighttime (2100 - 0259 hours) injury crashes.

B. Objectives:	Target Number
1. Issue a press release announcing the kick-off of the grant by November 15. The kick-off press releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov , and copied to your OTS Coordinator, for approval 7 days prior to the issuance date of the release.	1
2. Participate and report data (as required) in the following campaigns; Quarter 1: National Pedestrian Safety Month, National Walk to School Day, National Teen Driver Safety Week, NHTSA Winter Mobilization; Quarter 3: National Distracted Driving Awareness Month, National Motorcycle Safety Month, National Bicycle Safety Month, National Click it or Ticket Mobilization; Quarter 4: National Speed Prevention Campaigns, NHTSA Summer Mobilization, National Child Passenger Safety Week, and California's Pedestrian Safety Month.	12
3. Develop (by December 31) and/or maintain a "DUI BOLO" program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. Updated DUI BOLOs should be distributed to patrol and traffic officers monthly.	12
4. Send law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) (minimum 16 hours) POST-certified training.	2
5. Send law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) 16 hour POST-certified training.	2
6. Send law enforcement personnel to the Drug Recognition Expert (DRE) training (classroom and field training must be completed).	1
7. Send law enforcement personnel to the DRE Recertification training.	1
8. Send law enforcement personnel to SFST Instructor training.	1
9. Conduct DUI/DL Checkpoints. A minimum of 1 checkpoint should be conducted during the NHTSA Winter Mobilization and 1 during the Summer Mobilization. To enhance the overall deterrent effect and promote high visibility, it is recommended the grantee issue an advance press release and conduct social media activity for each checkpoint. For combination DUI/DL checkpoints, departments should issue press releases that mention DL's will be checked at the DUI/DL checkpoint. Signs for DUI/DL checkpoints should read "DUI/Driver's License Checkpoint Ahead." OTS does not fund or support independent DL checkpoints. Only on an exception basis and with OTS pre-approval will OTS fund checkpoints that begin prior to 1800 hours. When possible, DUI/DL Checkpoint screeners should be DRE- or ARIDE-trained.	3
10. Conduct DUI Saturation Patrol operation(s).	12
11. Conduct Traffic Enforcement operation(s), including but not limited to, primary crash factor violations.	8
12. Conduct highly publicized Distracted Driving enforcement operation(s) targeting drivers using hand held cell phones and texting.	2
13. Conduct highly publicized Motorcycle Safety enforcement operation(s) in areas or during events with a high number of motorcycle incidents or crashes resulting from unsafe speed, DUI, following too closely, unsafe lane changes, improper turning, and other primary crash factor violations by motorcyclists and other drivers.	1
14. Conduct highly publicized pedestrian and/or bicycle enforcement operation(s) in areas or during events with a high number of pedestrian and/or bicycle crashes resulting from violations made by pedestrians, bicyclists, and drivers.	3
15. Conduct Traffic Safety educational presentation(s) with an effort to reach community members. Note: Presentation(s) may include topics such as distracted driving, DUI, speed, bicycle and pedestrian safety, seat belts and child passenger safety.	2
16. Conduct Know Your Limit campaigns with an effort to reach members of the community.	2
17. Participate in highly visible collaborative DUI Enforcement operations.	2
18. Participate in highly visible collaborative Traffic Enforcement operations.	2

3. METHOD OF PROCEDURE

A. Phase 1 – Program Preparation (1st Quarter of Grant Year)

- The department will develop operational plans to implement the “best practice” strategies outlined in the objectives section.
- All training needed to implement the program should be conducted in the first quarter.
- All grant related purchases needed to implement the program should be made in the first quarter.
- In order to develop/maintain the “DUI BOLOs,” research will be conducted to identify the “worst of the worst” repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. The DUI BOLO may include the driver’s name, last known address, DOB, description, current license status, and the number of times suspended or revoked for DUI. DUI BOLOs should be updated and distributed to traffic and patrol officers at least monthly.
- Implementation of the STEP grant activities will be accomplished by deploying personnel at high crash locations.

Media Requirements:

Issue a press release approved by the OTS PIO announcing the kick-off of the grant by November 15, but no sooner than October 1. The kick-off release must be approved by the OTS PIO and only distributed after the grant is fully signed and executed. If you are unable to meet the November 15 deadline to issue a kick-off press release, communicate reasons to your OTS grant coordinator and OTS PIO.

B. Phase 2 – Program Operations (Throughout Grant Year)

- The department will work to create media opportunities throughout the grant period to call attention to the innovative program strategies and outcomes.

Media Requirements

The following requirements are for all grant-related activities:

- Send all media advisories, alerts, videos, graphics, artwork, posters, radio/PSA/video scripts, storyboards, digital and/or print educational materials for grant-related activities to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS grant coordinator. Optimum lead time would be 7 days before the scheduled release but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- Send all Powerpoint presentations, online presentations and trainings for grant-related activities to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS grant coordinator. Certified training courses are EXEMPT from the approval process.
- The OTS PIO is responsible for the approval of the design and content of materials. The agency understands OTS PIO approval is not authorizing approval of budget expenditure or cost. Any cost approvals must come from the OTS grant coordinator.
- Pre-approval is not required when using any OTS-supplied template for media advisories, press releases, social media graphics, videos or posts, or any other OTS-supplied educational material. However, copy the OTS PIO at pio@ots.ca.gov and your OTS grant coordinator when any material is distributed to the media and public, such as a press release, educational material, or link to social media post. The OTS-supplied kick-off press release templates and any kickoff press releases are an exception to this policy and require prior approval before distribution to the media and public.
- If an OTS-supplied template, educational material, social media graphic, post or video is substantially changed, the changes shall be sent to the OTS PIO at pio@ots.ca.gov for approval and copy to your OTS grant coordinator. Optimum lead time would be 7 days prior to the scheduled release date, but at least 3 business days prior to the scheduled release date for review and approval is appreciated.
- Press releases, social media posts and alerts on platforms such as NextDoor and Nixle reporting immediate and time-sensitive grant activities (e.g. enforcement operations, day of event highlights or announcements, event invites) are exempt from the OTS PIO approval process. The OTS PIO and your OTS grant coordinator should still be notified when the grant-related activity is

happening (e.g. car seat checks, bicycle rodeos, community presentations, DUI checkpoints, etc.).

- Enforcement activities such as warrant and probation sweeps, court stings, etc. that are embargoed or could impact operations by publicizing in advance are exempt from the PIO approval process. However, announcements and results of activities should still be copied to the OTS PIO at pio@ots.ca.gov and your OTS grant coordinator with embargoed date and time or with “INTERNAL ONLY: DO NOT RELEASE” message in subject line of email.
- Any earned or paid media campaigns for TV, radio, digital or social media that are part of a specific grant objective, using OTS grant funds, or designed and developed using contractual services by a subgrantee, requires prior approval. Please send to the OTS PIO at pio@ots.ca.gov for approval and copy your grant coordinator at least 3 business days prior to the scheduled release date.
- Social media posts highlighting state or national traffic safety campaigns (Distracted Driving Month, Motorcycle Safety Awareness Month, etc.), enforcement operations (DUI checkpoints, etc.), or any other grant-related activity such as Bicycle rodeos, presentations, or events, are highly encouraged but do not require prior approval.
- Submit a draft or rough-cut of all digital, printed, recorded or video material (brochures, posters, scripts, artwork, trailer graphics, digital graphics, social posts connected to an earned or paid media campaign grant objective) to the OTS PIO at pio@ots.ca.gov and copy your OTS grant coordinator for approval prior to the production or duplication.
- Use the following standard language in all press, media, and printed materials, space permitting: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Space permitting, include the OTS logo on all grant-funded print materials, graphics and paid or earned social media campaign grant objective; consult your OTS grant coordinator for specifics, format-appropriate logos, or if space does not permit the use of the OTS logo.
- Email the OTS PIO at pio@ots.ca.gov and copy your OTS grant coordinator at least 21 days in advance, or when first confirmed, a short description of any significant grant-related traffic safety event or program, particularly events that are highly publicized beforehand with anticipated media coverage so OTS has sufficient notice to arrange for attendance and/or participation in the event. If unable to attend, email the OTS PIO and coordinator brief highlights and/or results, including any media coverage (broadcast, digital, print) of event within 7 days following significant grant-related event or program. Media and program highlights are to be reflected in QPRs.
- Any press releases, work plans, scripts, storyboards, artwork, graphics, videos or any educational or informational materials that received OTS PIO approval in a prior grant year needs to be resubmitted for approval in the current grant year.
- For additional guidance, refer to the [OTS Grants Materials Approval Process Guidelines](#) and [OTS Grants Media Approval Process FAQs](#) on the OTS website.
- Contact the OTS PIO or your OTS grant coordinator for consultation when changes from any of the above requirements might be warranted.

C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)

1. Prepare and submit grant claim invoices (due January 30, April 30, July 30, and October 30)
2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)
 - Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
 - Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
 - Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
 - Collect, analyze and report statistical data relating to the grant goals and objectives.

4. METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will complete the “Final Evaluation” section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary

of the grant's accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
402PT-25	20.600	State and Community Highway Safety	\$50,000.00
164AL-25	20.608	Minimum Penalties for Repeat Offenders for Driving While Intoxicated	\$65,000.00

COST CATEGORY	FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT
A. PERSONNEL COSTS				
<u>Straight Time</u>				\$0.00
<u>Overtime</u>				
DUI/DL Checkpoints	164AL-25	\$6,500.00	3	\$19,500.00
DUI Saturation Patrols	164AL-25	\$2,500.00	12	\$30,000.00
Collaborative DUI Enforcement	164AL-25	\$2,200.00	2	\$4,400.00
Know Your Limit	164AL-25	\$1,500.00	2	\$3,000.00
SFST/ARIDE/DRE Instruction	164AL-25	\$1,200.00	2	\$2,400.00
Benefits- 164OT @ 6.15%	164AL-25	\$59,300.00	1	\$3,647.00
Traffic Enforcement	402PT-25	\$2,400.00	8	\$19,200.00
Distracted Driving	402PT-25	\$2,200.00	2	\$4,400.00
Motorcycle Safety	402PT-25	\$2,200.00	1	\$2,200.00
Pedestrian and Bicycle Enforcement	402PT-25	\$2,000.00	3	\$6,000.00
Collaborative Traffic Enforcement	402PT-25	\$2,000.00	2	\$4,000.00
Traffic Safety Educational Presentations	402PT-25	\$1,000.00	2	\$2,000.00
Benefits- 402OT @ 6.15%	402PT-25	\$35,800.00	1	\$2,202.00
Category Sub-Total				\$102,949.00
B. TRAVEL EXPENSES				
In State Travel	402PT-25	\$3,998.00	1	\$3,998.00
				\$0.00
Category Sub-Total				\$3,998.00
C. CONTRACTUAL SERVICES				
				\$0.00
Category Sub-Total				\$0.00
D. EQUIPMENT				
				\$0.00
Category Sub-Total				\$0.00
E. OTHER DIRECT COSTS				
Vehicle Speed Feedback Sign	402PT-25	\$3,000.00	2	\$6,000.00
DUI Checkpoint Supplies	164AL-25	\$2,053.00	1	\$2,053.00
Category Sub-Total				\$8,053.00
F. INDIRECT COSTS				
				\$0.00
Category Sub-Total				\$0.00

GRANT TOTAL

\$115,000.00

BUDGET NARRATIVE
PERSONNEL COSTS
DUI/DL Checkpoints - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
DUI Saturation Patrols - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
Collaborative DUI Enforcement - Overtime for grant funded Collaborative DUI Enforcement operations conducted by appropriate department personnel
Know Your Limit - Overtime for grant funded traffic safety presentations or campaigns conducted by appropriate department personnel.
SFST/ARIDE/DRE Instruction - Overtime for grant funded instructor training conducted by appropriate department personnel.
Benefits- 164OT @ 6.15% - Benefit Breakdown Medicare 1.45% Workers Comp 4.45% Unemployment .25% Total 6.15%
Claimed amounts must reflect actual benefit costs for overtime hours charged to the grant.
Traffic Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
Distracted Driving - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
Motorcycle Safety - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
Pedestrian and Bicycle Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.
Collaborative Traffic Enforcement - Overtime for grant funded Collaborative Traffic Enforcement operations conducted by appropriate department personnel
Traffic Safety Educational Presentations - Overtime for grant funded traffic safety educational presentations conducted by appropriate department personnel.
Benefits- 402OT @ 6.15% - Benefit Breakdown Medicare 1.45% Workers Comp 4.45% Unemployment .25% Total 6.15%
Claimed amounts must reflect actual benefit costs for overtime hours charged to the grant.
TRAVEL EXPENSES
In State Travel - Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include Lifesavers in Long Beach and the OTS Traffic Safety Law Enforcement Forum. All conferences, seminars or training not specifically identified in the Budget Narrative must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.
CONTRACTUAL SERVICES
-
EQUIPMENT
-
OTHER DIRECT COSTS

Vehicle Speed Feedback Sign - Solar, battery powered or hardwired pole-mounted sign to display the speed of vehicles. Costs may include modifications and accessories. Installation is at the expense of the grantee.

DUI Checkpoint Supplies - On-scene supplies needed to conduct sobriety checkpoints. Costs may include 28" traffic cones, MUTCD compliant traffic signs, MUTCD compliant high visibility vests (maximum of 10), traffic counters (maximum of 2), generator, gas for generators, lighting, reflective banners, electronic flares, PAS Device/Calibration Supplies, heater, propane for heaters, fan, anti-fatigue mats, and canopies. Additional items may be purchased if approved by OTS. The cost of food and beverages will not be reimbursed. Each item must have a unit cost of less than \$5,000 (including tax and shipping).

INDIRECT COSTS

-

STATEMENTS/DISCLAIMERS

There will be no program income generated from this grant.

Nothing in this "agreement" shall be interpreted as a requirement, formal or informal, that a particular law enforcement officer issue a specified or predetermined number of citations in pursuance of the goals and objectives here under.

The OTS grant funded activities must be separate from the CHP Cannabis Tax Fund Grant Program activities and maintained under separate accounting/tracking/other codes (example: the same DUI checkpoint may not be funded by both the CHP and the OTS).

Benefits for personnel costs can only be applied to straight time or overtime hours charged to the grant.

Certifications and Assurances for Fiscal Year 2024 Highway Safety Grants (23 U.S.C. Chapter 4 or Section 1906, Public Law 109-59, as amended by Section 25024, Public Law 117-58)

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies, and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

GENERAL REQUIREMENTS

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended;
- Sec. 1906, [Public Law 109-59](#), as amended by Sec. 25024, [Public Law 117-58](#);
- [23 CFR part 1300](#)—Uniform Procedures for State Highway Safety Grant Programs;
- [2 CFR part 200](#)—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- [2 CFR part 1201](#)—Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

NONDISCRIMINATION

(applies to all subrecipients as well as States)

The State highway safety agency [and its subrecipients] will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- *Title VI of the Civil Rights Act of 1964* ([42 U.S.C. 2000d](#) et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- [49 CFR part 21](#) (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- [28 CFR 50.3](#) (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- *The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, ([42 U.S.C. 4601](#)), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- *Federal-Aid Highway Act of 1973*, ([23 U.S.C. 324 et seq.](#)), and *Title IX of the Education Amendments of 1972*, as amended ([20 U.S.C. 1681-1683](#) and [1685-1686](#)) (prohibit discrimination on the basis of sex);
- *Section 504 of the Rehabilitation Act of 1973*, ([29 U.S.C. 794 et seq.](#)), as amended, (prohibits discrimination on the basis of disability) and [49 CFR part 27](#);
- *The Age Discrimination Act of 1975*, as amended, ([42 U.S.C. 6101 et seq.](#)), (prohibits discrimination on the basis of age);
- *The Civil Rights Restoration Act of 1987*, (Pub. L. 100-209), (broadens scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- *Titles II and III of the Americans with Disabilities Act* ([42 U.S.C. 12131-12189](#)) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and [49 CFR parts 37](#) and [38](#);
- [Executive Order 12898](#), *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (preventing discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations);
- [Executive Order 13166](#), *Improving Access to Services for Persons with Limited English Proficiency* (requiring that recipients of Federal financial assistance provide meaningful access for applicants and beneficiaries who have limited English proficiency (LEP));
- [Executive Order 13985](#), *Advancing Racial Equity and Support for Underserved Communities through the Federal Government* (advancing equity across the Federal Government); and
- [Executive Order 13988](#), *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation* (clarifying that sex discrimination includes discrimination on the grounds of gender identity or sexual orientation).

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

GENERAL ASSURANCES

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA.”

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

SPECIFIC ASSURANCES

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in § 21.23(b) and (c) of [49 CFR part 21](#) will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source: *“The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”*
3. The Recipient will insert the clauses of appendix A and E of this Assurance (also referred to as DOT Order 1050.2A) in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in appendix C and appendix D of this DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the State highway safety agency also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing NHTSA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by NHTSA. You must keep records, reports, and submit the material for review upon request to NHTSA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The State highway safety agency gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Highway Safety Grant Program. This ASSURANCE is binding on the State highway safety agency, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Highway Safety Grant Program. The person(s) signing below is/are authorized to sign this ASSURANCE on behalf of the Recipient.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The Subgrantee will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace, and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace;
 2. The grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs;
 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
 1. Abide by the terms of the statement;
 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted—
 1. Taking appropriate personnel action against such an employee, up to and including termination;
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

POLITICAL ACTIVITY (HATCH ACT)

(applies to all subrecipients as well as States)

The State will comply with provisions of the Hatch Act (5 U.S.C. 1501-1508), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

(applies to all subrecipients as well as States)

CERTIFICATION FOR CONTRACTS, GRANTS, LOANS, AND COOPERATIVE AGREEMENTS

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions;
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grant, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

RESTRICTION ON STATE LOBBYING (applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION (applies to all subrecipients as well as States)

INSTRUCTIONS FOR PRIMARY TIER PARTICIPANT CERTIFICATION (STATES)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of [2 CFR parts 180](#) and [1200](#).
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms **covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded**, as used in this clause, are defined in [2 CFR parts 180](#) and [1200](#). You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with [2 CFR parts 180](#) and [1200](#).
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or

otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).

9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate the transaction for cause or default.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS— PRIMARY TIER COVERED TRANSACTIONS

1. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and its principals:
 - a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 - b. Have not within a three-year period preceding this proposal been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, or local) transaction or contract under a public transaction; violation of Federal or State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
 - c. Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

INSTRUCTIONS FOR LOWER TIER PARTICIPANT CERTIFICATION

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of [2 CFR parts 180](#) and [1200](#).
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms **covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded**, as used in this clause, are defined in [2 CFR parts 180](#) and [1200](#). You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with [2 CFR parts 180](#) and [1200](#).
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or

otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov>).

8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION— LOWER TIER COVERED TRANSACTIONS

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

BUY AMERICA (applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement (23 U.S.C. 313) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

CERTIFICATION ON CONFLICT OF INTEREST (applies to subrecipients as well as States)

GENERAL REQUIREMENTS

No employee, officer, or agent of a State or its subrecipient who is authorized in an official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting, or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

1. The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.
 - a. The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
 - b. The code or standards shall establish penalties, sanctions, or other disciplinary actions for violations, as permitted by State or local law or regulations.
2. The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

DISCLOSURE REQUIREMENTS

No State or its subrecipient, including its officers, employees, or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

1. The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
2. NHTSA will review the disclosure and may require additional relevant information from the recipient. If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict.
3. Conflicts of interest that require disclosure include all past, present, or currently planned organizational, financial, contractual, or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor, and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE (applies to all subrecipients as well as States)

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with Executive Order 13043, Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with Executive Order 13513, Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.

RESOLUTION NO. 2024-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA
AUTHORIZING THE ACCEPTANCE AND APPROPRIATION OF A GRANT
FROM THE CALIFORNIA HIGHWAY PATROL TO CONDUCT A LOCAL
TRAFFIC SAFETY PROGRAM FOR DUI ENFORCEMENT BY APPROVING
THE ADDITION OF THE GRANT FUNDS TO THE FISCAL YEAR 2025
BUDGET

WHEREAS, on September 25, 2018, the La Mesa City Council approved a resolution to adopt a Vision Zero Plan to reduce traffic fatalities to zero in the City of La Mesa by the year 2025;

WHEREAS, intoxicated, distracted, and speeding drivers create significant traffic safety problems;

WHEREAS, the California Office of Traffic Safety has awarded to the City of La Mesa grant funds for a Selective Traffic Enforcement Program for Local Law Enforcement Agencies;

WHEREAS, the participating law enforcement agency is the La Mesa Police Department; and

WHEREAS, the City Council of the City of La Mesa has agreed that increasing selective traffic enforcement is an important element in improving public safety.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa, that the City Council authorizes the acceptance and appropriation of a grant from the Office of Traffic Safety, in the amount of \$115,000 to conduct a twelve-month Selective Traffic Enforcement Program; provided, however, that if the actual revenue received from the source specified should be more or less than the amount set forth herein, that the appropriations shall be adjusted to equal the amount actually received. The appropriation will be in fund 213, Public Safety Grants.

BE IT FURTHER RESOLVED that the City Council approves the addition of the grant funds to FY 25 budget in fund 213, Public Safety Grants.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 24th day of September 2024, 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. 2024-, 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)



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: September 24, 2024

SUBJECT: RESOLUTION TO AWARD BID 25-06 FOR TRUNARC
SOLUTION KIT (TYPE H) NARCOTICS TESTING
DEVICES WITH FOUR-YEAR UNLIMITED WARRANTY
TO FISHER SCIENTIFIC COMPANY LLC

ISSUING DEPARTMENT: Police

SUMMARY:

Issues:

Should the City Council adopt the resolution to award bid 25-06 for TruNarc Solution Kit (Type H) narcotics testing devices with four-year unlimited warranty to Fisher Scientific Company LLC?

Recommendation:

It is the recommendation of staff that the City Council adopt the resolution to award bid 25-06 for TruNarc Solution Kit (Type H) narcotics testing devices with four-year unlimited warranty to Fisher Scientific Company LLC.

Fiscal Impact:

This award is for \$73,747.86 including sales taxes and is funded FY 2022 Operation Stonegarden Grant (Grant ID 213084), account 213-65840-000-213084.

City's Strategic Goals:

- Maintain a community where residents and visitors feel safe.

BACKGROUND:

The City received FY 2022 Operation Stonegarden Grant funding for the purchase of two new TruNarc devices. The City's current TruNarc device is failing to charge and to sync with the software system. The device is over five years old and the only repair option is to send the device back to the manufacturer to have it repaired, which will take several months during which time it would not be available for use.

The device is crucial because officers can no longer use other narcotics testing devices due to the ever-present threat to their safety posed by fentanyl. Additionally, new legislation has made other testing devices no longer acceptable for court purposes. TruNarc is the only analyzer used in criminal court cases in San Diego County.

DISCUSSION:

Bid 25-06 for TruNarc Solution Kit (Type H) narcotics testing devices with four-year unlimited warranty was published on the City's online bid system and 355 firms were notified by email. Five prospective bidders accessed the bid documents and three submitted bids. Two bids were for the requested TruNarc kit and the third was for another device. The third is considered non-responsive since the bid required the TruNarc device. Fisher Scientific Company, LLC had the lowest responsive bid at \$73,747.86 including sales tax. Staff recommends entering into an agreement with Fisher Scientific Company, LLC to supply the two TruNarc devices as well as a four-year unlimited warranty.

CONCLUSION:

It is the recommendation of staff that the City Council adopt the resolution to award bid 25-06 for TruNarc Solution Kit (Type H) narcotics testing devices with four-year unlimited warranty to Fisher Scientific Company LLC.

Reviewed by:



Greg Humora
City Manager

Respectfully submitted by:



Ray Sweeney
Chief of Police

Report to Mayor and Councilmembers
Date: September 24, 2024
Page: 3 of 3



Scott Munzenmaier
Purchasing Officer

Attachments: Resolution
Bid Results

RESOLUTION NO. 2024-_____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA TO AWARD
BID 25-06 FOR TRUNARC SOLUTION KIT (TYPE H) NARCOTICS TESTING
DEVICES WITH FOUR-YEAR UNLIMITED WARRANTY TO FISHER
SCIENTIFIC COMPANY LLC

WHEREAS, the City received FY 2022 Operation Stonegarden Grant funding (Grant ID 213084) for the purchase of two new TruNarc devices;

WHEREAS, Bid 25-06 for TruNarc Solution Kit (Type H) narcotics testing devices with four-year unlimited warranty was published on the City's online bid system and three firms submitted bids; and

WHEREAS, Fisher Scientific Company, LLC had the lowest responsive bid at \$73,747.86 including sales tax.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa, California, that the City Council intends to award bid 25-06 for TruNarc Solution Kit (Type H) with four-year unlimited warranty to Fisher Scientific Company LLC in the amount of \$73,747.86.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 24th day of September 2024, 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. 2024-_____, 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)

City of La Mesa

Bid Results for Project TruNarc Solution Kit (Type H) with 4-yr Unlimited Warranty (Bid 25-06)

Issued on 07/25/2024

Bid Due on August 19, 2024 4:35 PM (PDT)

Exported on 08/20/2024

Line Totals (Unit Price * Quantity)

Item Num	Section	Item Code	Description	Reference	Unit of Measure	Quantity	JAECO Fire & Safety - Unit Price	JAECO Fire & Safety - Line Total	JAECO Fire & Safety - Response	JAECO Fire & Safety - Comment
1	Device		TruNarc Solution Kit (Type H)		Unit	2	\$29,500.00	\$59,000.00	Yes	
							Subtotal	\$59,000.00		
2	Warranty		TruNarc, Unlimited, Warranty - 4 Years		4 years	2	\$4,000.00	\$8,000.00	Yes	
							Subtotal	\$8,000.00		
							Total	\$67,000.00		

Fisher Scientific Company L.L.C. - Unit Price	Fisher Scientific Company L.L.C. - Line Total	Fisher Scientific Company L.L.C. - Response	Fisher Scientific Company L.L.C. - Comment	Aptos Logistics, Inc. - Unit Price	Aptos Logistics, Inc. - Line Total	Aptos Logistics, Inc. - Response	Aptos Logistics, Inc. - Comment
\$684.67	\$1,369.34	Yes		\$41,293.00	\$82,586.00	Yes	Bid does include state sales tax of 7.25 county tax of .25 and city tax of .75 Warranty is the actual cost from Thermo Fisher and is not marked-up.
	\$1,369.34				\$82,586.00		
\$33,517.05	\$67,034.10	Yes		\$733.00	\$1,466.00	Yes	
	\$67,034.10				\$1,466.00		
	\$68,403.44				\$84,052.00		

CERTIFICATE OF CITY/DIRECTOR OF FINANCE

Certification of Unappropriated Reserves

I HEREBY CERTIFY that the money required for the appropriation of funds for the purpose as docketed is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unappropriated.

Amount \$ _____ Fund _____

Purpose _____

Director of Finance
City of La Mesa


Date _____ By _____

Unappropriated Reserves Available Balance \$ _____

Certification of Unencumbered Balance

I HEREBY CERTIFY that the indebtedness and obligation as docketed can be incurred; that sufficient monies to meet the obligations are actually in the Treasury, or are anticipated to come into the Treasury to the credit of the appropriation from which the same are to be drawn; and that said monies now actually in the treasury, together with the monies anticipated to come into the Treasury, to the credit of said appropriation are otherwise unencumbered.

Amount Not to Exceed \$73,747.86



Director of Finance
City of La Mesa

Date: 09/18/2024 By: Ray Sweeney

Fund:	Dept. Account:	Activity:
<u>213</u>	<u>65840-000-213084</u>	<u>\$73,747.86 from Account 603-65850-143-000000 (Amount Available \$73,747.86)</u>

Purpose: RESOLUTION TO AWARD BID 25-06 FOR TRUNARC SOLUTION CIT (TYPE H) WITH FOUR-YEAR UNLIMITED WARRANTY TO FISHER SCIENTIFIC COMPANY LLC

CERTIFICATE NO. 1900



REPORT to the MAYOR and MEMBERS of the CITY COUNCIL
From the CITY MANAGER

DATE: September 24, 2024

SUBJECT: RESOLUTION AUTHORIZING WAIVER OF
COMPETITIVE BIDDING REQUIREMENTS PURSUANT
TO LA MESA MUNICIPAL CODE SECTION 2.40.070a
(7) AND THE EXPENDITURE OF FUNDS IN THE
AMOUNT OF \$75,200 TO MACINTOSH AND CO. INC.
FOR LAKE HELIX DRIVE STORM DRAIN
REPLACEMENT

ISSUING DEPARTMENT: PUBLIC WORKS

SUMMARY:

Issues:

Should the City Council approve a resolution waiving competitive bidding requirements pursuant to City of La Mesa Municipal Code Section 2.40.070a (7) and authorizing the expenditure of funds in the amount of \$75,200 to MacIntosh & Co., Inc. for Lake Helix Drive Storm Drain replacement?

Recommendation:

Staff recommends that the City Council approve the attached resolution waiving competitive bidding requirements pursuant to City of La Mesa Municipal Code Section 2.40.070a (7) and authorizing the expenditure of funds in the amount of \$75,200 to MacIntosh & Co., Inc. for Lake Helix Drive Storm Drain replacement.

Fiscal Impact:

Funding for the project is currently available in the TransNet Roadway Drainage Improvement 25 CIP Account 304-68300-000-4251TR.

City's Strategic Goals:

- Invest in infrastructure to serve the needs of the community.

BACKGROUND:

On approximately September 2nd 2024, City crews were notified by Helix Water District of a sinkhole in a storm drain easement located near Lake Helix Drive, in La Mesa. The sinkhole was caused by the deterioration of a 36-inch corrugated metal storm drain pipe. The pipe is in very close proximity to 30-inch and 8-inch water mains near Helix Water District's Lake Helix Pump Station. Staff determined immediate attention is necessary to avoid further collapse and damage to nearby infrastructure. The City received a quote from MacIntosh Co., Inc. to perform the replacement work and intends to mobilize at the end of September.

DISCUSSION:

Due to the urgent nature of the work, the City proposes to waive the formal bidding process. In accordance with City of La Mesa Municipal Code Section 2.40.070a (7), in the case of special circumstances, the City Council can determine that it is in the City's best interest to enter into a contract without compliance with the bidding procedure. The storm drain pipe is anticipated to be replaced at the beginning of October 2024.

CONCLUSION:

Staff recommends that the City Council approve the attached resolution waiving competitive bidding requirements pursuant to City of La Mesa Municipal Code Section 2.40.070a (7) and authorizing the expenditure of funds in the amount of \$75,200 to MacIntosh & Co., Inc. for Lake Helix Drive Storm Drain replacement.

Reviewed by:



Greg Humora
City Manager

Respectfully submitted by:



Michael Throne, PE
Director of Public Works

Attachments: A. Resolution
B. Scope of Work Proposal

RESOLUTION NO. 2024-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MESA
AUTHORIZING WAIVER OF COMPETITIVE BIDDING REQUIREMENTS
PURSUANT TO LA MESA MUNICIPAL CODE SECTION 2.40.070a (7) AND THE
EXPENDITURE OF FUNDS IN THE AMOUNT OF \$75,200 TO MACINTOSH & CO.,
INC. FOR LAKE HELIX DRIVE STORM DRAIN REPLACEMENT

WHEREAS, around September 2, 2024, a void was discovered around the public storm drain pipe located west of Lake Helix Drive;

WHEREAS, the situation poses a serious infrastructure concern to nearby Helix Water District water mains and action by the City of La Mesa is necessary;

WHEREAS, La Mesa solicited a proposal from MacIntosh & Co. Inc. to construct the storm drain repairs on a lump sum basis;

WHEREAS, City of La Mesa Municipal Code Section 2.40.070a (7) allows the City Council to waive bidding requirements in the case of special circumstances where it is in the City's best interest due to the urgent nature of the construction work to enter into a contract without compliance with the bidding procedure;

WHEREAS, the total cost for the storm drain repairs payable to MacIntosh & Co. Inc. is \$75,200; and

WHEREAS, funding for the work is currently available in the Storm Drain Capital Improvement Fund.

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED by the City Council of the City of La Mesa, California, that the City Council does hereby authorize waiver of bidding requirements pursuant to La Mesa Municipal Code Section 2.40.070a (7) and the expenditure of \$75,200 to MacIntosh & Co. Inc. from the Storm Drain Capital Improvement Fund for storm drain repairs at Lake Helix Drive.

PASSED AND ADOPTED at a Regular meeting of the City Council of the City of La Mesa, California, held the 24th day of September 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

CERTIFICATE OF THE CITY CLERK

I, MEGAN WIEGELMAN, CMC, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Resolution No. 2024-___, 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)

MacIntosh & Co. Inc.

Gen Engineering Contractor

CA. Contractors Lic # 951640

sam@macinc.biz

15871 Sequan Truck Trail

Alpine, California 91901

Ph 619- 249-4129

September 9, 2024

City of La Mesa
8152 Commercial
La Mesa Ca 91942
Attn: Matt Bell

RE: Collapsed 36" CMP Replacement at Lake Helix

Matt,

We propose to furnish all materials, equipment, labor, and supervision as necessary to complete the work as stated below.

Mobilize site, remove existing fencing to allow access, pot hole existing utilities, remove existing tree stumps thru out work zone and stockpile for disposal, shoot in elevation and slope % from headwall to existing A-5 C/O, excavate down to top of pipe at the outlet headwall and remove section of piping from headwall underneath the existing 8" water line and beyond, clean up excavation, install bedding and grade out for new piping, chip headwall to accept new HDPE piping, install new 36" HDPE pipe into headwall and past the existing 8" water line, sack and patch concrete headwall, place pipe zone bedding up and over new pipe, continue excavation from end of pipe to the existing A-5 C/O, expose existing 30" water line crossing over the SD pipe, remove damaged CMP pipe out from under the water line and out of the A-5 C/O, clean up excavation, install bedding and grade out for new piping, chip existing A-5 C/O to accept new HDPE piping, install new 36" HDPE pipe into the existing A-5 C/O, sack and patch A-5 C/O, place pipe zone bedding up and over new pipe, backfill entire footprint back up to match existing grade, repair existing chain link fence to original and stretch barb wire, load, transport and dispose of demo materials, load, transport and dispose of excess root filled soil, clean up entire site and dress up slopes, demobilize the project

Our total lump sum cost to complete the above stated work is \$75,200.00 including all applicable taxes.

Inclusions

1. Equipment necessary to complete the above mentioned scope
2. Pothole existing utilities as necessary
3. Excavation to expose and replace 36" storm drain piping
4. Backfill and compaction
5. Sack and patch existing headwall and A-5 C/O Storm Drain Box
6. Fuel and consumables
7. Remove and replace chain link fence if applicable
8. Load, transport and dispose of existing root filled soil and demo marterials
9. Final clean entire site
10. Mobilization and Demobilization
11. Prevailing wage
12. Bonds

Exclusions

1. SWPPP Plan, Implementation of SWPPP's and or development
2. Imported soil to balance the site for backfill if necessary
3. Pipe bedding or pipe zone bedding
4. 36" HDPE pipe, fittings or couplings
5. Silt fencing
6. Hydro seed
7. Encroachment permit and fees
8. Traffic control plan or permit fees
9. Flaggers or flagging operation
10. Shoring / trench plates
11. Temp Fencing to secure the site nightly
12. Overtime, nights, or weekend work
13. Specialty Insurance requirements / GSA / Gaf Con Etc.
14. Labor agreements or PLA's
15. Dewatering or any work associated with dewatering
16. 3rd Party locate
17. Unforeseen / Unknowns
18. Hazardous material handling, hauling, or encapsulation
19. Engineering, engineering calcs
20. Survey / staking
21. As builds / Cad drawings
22. Soils testing
23. Concrete cylinder testing

If contracted MCI request this quote to be included in the subcontract.

We sincerely appreciate the opportunity to bid and perform work on your projects.

Sincerely,

Sam MacIntosh
MacIntosh & Co. Inc.
(619) 249-4129
sam@macinc.biz

CERTIFICATE OF CITY/DIRECTOR OF FINANCE

Certification of Unappropriated Reserves

I HEREBY CERTIFY that the money required for the appropriation of funds for the purpose as docketed is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unappropriated.

Amount \$ _____ Fund _____

Purpose _____

Director of Finance
City of La Mesa

Date _____ By _____

Unappropriated Reserves Available Balance \$ _____

Certification of Unencumbered Balance

I HEREBY CERTIFY that the indebtedness and obligation as docketed can be incurred; that sufficient monies to meet the obligations are actually in the Treasury, or are anticipated to come into the Treasury to the credit of the appropriation from which the same are to be drawn; and that said monies now actually in the treasury, together with the monies anticipated to come into the Treasury, to the credit of said appropriation are otherwise unencumbered.

Amount Not to Exceed \$75,200.00



Director of Finance
City of La Mesa

Date: 09/17/2024 By: Michael Throne

Fund:	Dept. Account:	Activity:
<u>304</u>	<u>68300-000-4251TR</u>	<u>\$75,200.00 from Account 304-68300-000-4251TR (Amount Available \$500,000.00)</u>

Purpose: RESOLUTION AUTHORIZING EXPENDITURE OF FUNDS IN THE AMOUNT OF \$75,200.00 TO MACINTOSH AND CO., INC. FOR EMERGENCY LAKE HELIX DRIVE STORM DRAIN REPLACEMENT PURSUANT TO THE STATE OF CALIFORNIA PUBLIC CONTRACT CODE SECTIONS 20168 AND 22050

CERTIFICATE NO. 1898



DATE: September 24, 2024

TO: Mayor and Members of the City Council

FROM: Lynnette Santos, Director of Community Development

VIA: Greg Humora, City Manager *GH*

SUBJECT: Relinquishing enforcement authority of the Mobilehome Parks Act and the Special Occupancy Parks Act to the California Department of Housing and Community Development

As part of the agenda for the City Council meeting that took place on July 23, 2024, staff introduced an ordinance intending to relinquish authority of the Mobilehome Parks Act (MPA) to the California Department of Housing and Community Development (HCD). City Council approved the first reading of the ordinance. The City Council adopted the ordinance on August 13, 2024.

A copy of the adopted ordinance and a letter stating the City's desire to relinquish enforcement was sent to HCD on August 29, 2024. HCD responded to the letter and requested that additional language regarding the Special Occupancy Parks Act (SOPA) be added to the ordinance. Pursuant to Title 25, Section 1004 (a) (1) of the California Code of Regulations, the assumption of responsibility includes both the MPA and SOPA.

The attached draft ordinance would replace and supersede Ordinance No. 2024-2911 to revise technical deficiencies (as discussed above) in order to relinquish the authority of both the MPA and SOPA, and related responsibilities for the enforcement of Division 13, Part 2.1 and 2.3, of the Health and Safety Code. Therefore, the adoption of the attached draft ordinance complies with HCD's request.

Staff recommends that the City Council introduce the draft ordinance for first reading.

Attachments:

- A. Draft ordinance to relinquish enforcement authority of the Mobilehome Parks Act and the Special Occupancy Parks Act to HCD
- B. Ordinance 2024-2911
- C. Ordinance 1977-2103

ORDINANCE NO. 2024-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA, CALIFORNIA, RELINQUISHING ENFORCEMENT AUTHORITY OF THE MOBILEHOME PARKS ACT AND SPECIAL OCCUPANCY PARKS ACT TO THE CALIFORNIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

WHEREAS, this Ordinance replaces and supersedes Ordinance No. 2024-2911 to revise technical deficiencies in order to relinquish authority of the Mobilehome Parks Act (MPA) and Special Occupancy Parks Act (SOPA), and related responsibilities for the enforcement of Division 13, Parts 2.1 and 2.3 of the Health and Safety Code;

WHEREAS, pursuant to Division 13, Part 2.1, commencing with section 18200, the Mobilehome Parks Act, and Part 2.3, commencing with section 18860, Special Occupancy Parks Act, require the Department of Housing and Community Development (HCD) to develop and enforce both the regulations and the laws as defined in the MPA and SOPA;

WHEREAS, pursuant to City Council Ordinance No. 2103, the City of La Mesa assumed responsibility for the enforcement of the MPA on May 10, 1977;

WHEREAS, pursuant to Title 25 of the California Code of Regulations (25 CCR), Section 1005, the City of La Mesa desires to repeal Ordinance No. 2103 and relinquish enforcement authority of the MPA and SOPA to the HCD; and

WHEREAS, HCD has the staff and expertise to further implement the MPA and SOPA, not currently provided or anticipated in the City's current or future fiscal year budgets.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of La Mesa, California as follows:

SECTION 1: Findings. The City Council hereby finds and declares all of the following:

A. The City of La Mesa desires to relinquish enforcement authority of the Mobilehome Parks Act (MPA), Special Occupancy Parks Act (SOPA) and related responsibilities for the enforcement of Division 13, Part 2.1, commencing with section 18200, and Part 2.3, commencing with section 18860, of the California Health and Safety Code and their implementing regulations set forth in Title 25, California Code of Regulations Division 1, Chapters 2 and 2.2, the building standards published in the California State Building Standards Code relating to mobilehome parks and the related administration regulations to the California Department of Housing and Community Development (HCD).

B. Pursuant to 25 CCR Section 1005(b)(1), the City must send written notice to HCD not less than ninety days prior to the proposed effective date of the relinquishment, along with a copy of the adopted ordinance relinquishing enforcement authority.

C. Pursuant to 25 CCR Section 1005(b)(2) and (3), the City must, on or before the effective date of transfer of enforcement responsibility: (i) remit the appropriate fees to HCD, as identified in 25 CCR Section 1006; and (ii) transfer all park records to HCD.

SECTION 2: Relinquishment of Enforcement Responsibility. The City of La Mesa hereby relinquishes its enforcement responsibility under the Mobilehome Parks Act, Special Occupancy Parks Act and all related enforcement provisions cited in City Council Ordinance No. 2103.

SECTION 3: Designation of Authority.

A. The City Manager, or his/her designee, is authorized and directed to provide written notification to HCD, along with a copy of this ordinance, not less than ninety days prior to a proposed effective date of transfer of enforcement responsibility (“effective transfer date”). The City Manager, or their designee, is authorized to identify the effective transfer date in the written notification to HCD.

B. The City Manager, or their designee, is authorized and directed to transfer the appropriate fees to HCD, as identified in 25 CCR Section 1006, on or before the effective transfer date.

C. The City Manager, or their designee, is authorized and directed to transfer all park records to HCD, on or before the effective transfer date.

INTRODUCED AND READ at a Regular meeting of the City Council of the City of La Mesa, California, held the 24th day of September 2024, and thereafter PASSED AND ADOPTED at a Regular meeting of said City Council held the ____th day of _____ 2024, by the following vote, to wit:

AYES:

NOES:

ABSENT:

APPROVED:

MARK ARAPOSTATHIS, Mayor

ATTEST:

MEGAN WIEGELMAN, CMC, City Clerk

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 correct copy of Ordinance No. 2024-_____, duly passed and adopted by the City Council of said City on the date and by the vote therein recited and that the same has been duly published according to law.

MEGAN WIEGELMAN, CMC, City Clerk

(SEAL OF CITY)

ORDINANCE NO. 2024-2911

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MESA,
CALIFORNIA, RELINQUISHING ENFORCEMENT AUTHORITY OF THE
MOBILEHOME PARKS ACT TO THE CALIFORNIA DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT

WHEREAS, pursuant to Division 13, Part 2.1, commencing with section 18200, the Mobilehome Parks Act (MPA) requires the Department of Housing and Community Development (HCD) to develop and enforce both the regulations and the laws as defined in the MPA;

WHEREAS, pursuant to City Council Ordinance No. 2103, the City of La Mesa assumed responsibility for the enforcement of the MPA on May 10, 1977;

WHEREAS, pursuant to Title 25 of the California Code of Regulations (25 CCR), Section 1005, the City of La Mesa desires to repeal Ordinance No. 2103 and relinquish enforcement authority of the MPA to the HCD; and

WHEREAS, HCD has the staff and expertise to further implement the MPA, not currently provided or anticipated in the City's current or future fiscal year budgets.

NOW, THEREFORE, BE IT AND IT IS HEREBY ORDAINED by the City Council of the City of La Mesa, California as follows:

SECTION 1: Findings. The City Council hereby finds and declares all of the following:

A. The City of La Mesa desires to relinquish enforcement authority of the Mobilehome Parks Act (MPA) and associated responsibilities for the enforcement of Division 13, Part 2.1, commencing with section 18200 of the California Health and Safety Code and their implementing regulations set forth in Title 25, California Code of Regulations Division 1, Chapters 2 and 2.2, the building standards published in the California State Building Standards Code relating to mobilehome parks and the related administration regulations to the California Department of Housing and Community Development (HCD).

B. Pursuant to 25 CCR Section 1005(b)(1), the City must send written notice to HCD not less than ninety days prior to the proposed effective date of the relinquishment, along with a copy of the adopted ordinance relinquishing enforcement authority.

C. Pursuant to 25 CCR Section 1005(b)(2) and (3), the City must, on or before the effective date of transfer of enforcement responsibility: (i) remit the appropriate fees to HCD, as identified in 25 CCR Section 1006; and (ii) transfer all park records to HCD.

SECTION 2: Relinquishment of Enforcement Responsibility. The City of La Mesa hereby relinquishes its enforcement responsibility under the Mobilehome Parks Act and all related enforcement provisions cited in City Council Ordinance No. 2103.

SECTION 3: Designation of Authority.

A. The City Manager, or his/her designee, is authorized and directed to provide written notification to HCD, along with a copy of this ordinance, not less than ninety days prior to a proposed effective date of transfer of enforcement responsibility ("effective transfer date"). The City Manager, or their designee, is authorized to identify the effective transfer date in the written notification to HCD.

B. The City Manager, or their designee, is authorized and directed to transfer the appropriate fees to HCD, as identified in 25 CCR Section 1006, on or before the effective transfer date.

C. The City Manager, or their designee, is authorized and directed to transfer all park records to HCD, on or before the effective transfer date.

SECTION 4: This Ordinance shall be effective 30 days after its adoption and the City Clerk shall certify to the adoption of this Ordinance. The City Clerk is hereby authorized to use summary publication procedures pursuant to Government Code Section 36933 utilizing a newspaper of general circulation published in the City of La Mesa.

INTRODUCED AND FIRST READ at a Regular meeting of the City Council of the City of La Mesa, California, held the 23rd day of July 2024, and thereafter PASSED AND ADOPTED at a Regular meeting of said City Council held the 13^h day of August 2024, by the following vote, to wit:

AYES: Councilmembers Dillard, Lothian, Parent, Shu, and Mayor Arapostathis


NOES: None

ABSENT: None

APPROVED:


MARK ARAPOSTATHIS, Mayor

ATTEST:


MEGAN WIEGELMAN, CMC, City Clerk

CERTIFICATE OF CITY CLERK

I, MEGAN WIEGELMAN, CMC, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and correct copy of Ordinance No. 2024-2911, duly passed and adopted by the City Council of said City on the date and by the vote therein recited and that the same has been duly published according to law.



MEGAN WIEGELMAN, CMC, City Clerk



(SEAL OF CITY)

ORDINANCE NO. 2103

AN ORDINANCE ADOPTING BY REFERENCE THE CALIFORNIA HEALTH AND SAFETY CODE, DIVISION 13, PART 2.1 (MOBILEHOME PARKS ACT) AND RELATED REGULATIONS OF THE CALIFORNIA ADMINISTRATIVE CODE, TITLE 25, CHAPTER 5, IN THE CITY OF LA MESA FOR THE ENFORCEMENT OF THE MOBILEHOME PARKS ACT AND RELATED REGULATIONS OF THE CALIFORNIA ADMINISTRATIVE CODE, AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND INCORPORATING AS CHAPTER 19.02 OF THE LA MESA MUNICIPAL CODE

The City Council of the City of La Mesa, California, DOES ORDAIN as follows:

SECTION 1. ADOPTION OF CALIFORNIA HEALTH AND SAFETY CODE, DIVISION 13, PART 2.1 AND RELATED REGULATIONS OF THE CALIFORNIA ADMINISTRATIVE CODE, TITLE 25, CHAPTER 5. (Chapter 19.02 of the La Mesa Municipal Code)

There is hereby adopted by the City of La Mesa for the purpose of enforcing the Mobilehome Parks Act and providing for the inspection thereof, the California Health and Safety Code, Division 13, Part 2.1 (Mobilehome Parks Act) and related regulations of the California Administrative Code, Title 25, Chapter 5, of which codes not less than (3) copies have been and now are on file in the office of the City Clerk and are available for public inspection as required by law.

SECTION 2. DUTIES OF THE DIRECTOR OF BUILDING INSPECTION AND HOUSING.

It shall be the duty of the Director of Building Inspection and Housing to enforce the provisions of the referenced code and regulations. Whenever the term "enforcement agency" is used, it shall mean, unless the context indicates clearly otherwise, the City of La Mesa, acting by and through the Director of Building Inspection and Housing.

SECTION 3. PERMIT FEES.

Each application for a required permit shall be made to the Director of Building Inspection and Housing. At the time of making such an application, fees shall be paid as provided in Section 18502 of said California Administrative Code.

SECTION 4. PENALTY.

Any person violating any of the provisions of Chapter 5, Title 25 of the California Administrative Code (or Part 2.1, Division 13 of the Health and Safety Code) is guilty of a misdemeanor, and upon conviction thereof may be punished by a fine not exceeding \$500, or by imprisonment for a term not exceeding six months, or by both such fine and imprisonment.

SECTION 5. CONSTITUTIONALITY. If for any reason any section, subsection, sentence, clause, or phrase of this Ordinance shall be held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The Council of the City of La Mesa hereby declares that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

If any provision of this Ordinance or application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or application of this Ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

SECTION 6. EFFECTIVE DATE. This Ordinance shall be effective 30 days after its adoption and the City Clerk shall certify to the adoption of this Ordinance and cause it to be published at least once in the La Mesa Scout within fifteen days after its adoption.

INTRODUCED AND FIRST READ at a regular meeting of the City Council of the City of La Mesa, California, held the 12th day of April, 1977, and thereafter PASSED AND ADOPTED at a regular meeting of said City Council held the 10th day of May, 1977, by the following vote, to wit:

AYES: Councilmen Slater, Kuykendall, Bailey, Uselton, Fordem

NOES: None

ABSENT: None

APPROVED:

Paul W. Fordem

PAUL W. FORDEM, Mayor of the City of La Mesa, California

ATTEST:

Marie G. Mangan
MARIE G. MANGAN, City Clerk

CERTIFICATE OF CITY CLERK

I, MARIE G. MANGAN, City Clerk of the City of La Mesa, California, do hereby certify the foregoing to be a true and exact copy of Ordinance No. 2103, duly passed and adopted by the City Council of said City on the date and by the vote therein recited.

Marie G. Mangan
MARIE G. MANGAN, City Clerk

(SEAL OF CITY)