



City of Lemon Grove
City Council Regular Meeting Agenda
Tuesday, September 20, 2022, 6:00 p.m.
Lemon Grove Community Center
3146 School Lane, Lemon Grove, CA 91945

For everyone's protection, all attendees must maintain a safe social distance. Face coverings are optional but strongly recommended during the meeting.

City Council

Racquel Vasquez, Mayor
Jerry Jones, Mayor Pro Tem
Jennifer Mendoza, Councilmember
Liana LeBaron, Councilmember
George Gastil, Councilmember

A complete agenda packet is available for review on the [City's website](#)

The City Council also sits as the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board, and Lemon Grove Successor Agency

Call to Order

Pledge of Allegiance

Changes to the Agenda

Presentaion

National Preparedness Month Proclamation, Steve Swaney, Fire Chief, Heartland Fire and Rescue

Public Comment

Digitally submitted public comments received by the City Clerk at amalone@lemongrove.ca.gov will not be read out-loud during the meeting. However, they will be provided to the City Council and remain part of the meeting's records. Per the Lemon Grove Municipal Code Section 2.14.150, live comments are allotted a maximum of three (3) minutes.

Consent Calendar

(Note: The items listed on the Consent Calendar will be enacted in one motion unless removed from the Consent Calendar by Council, staff, or the public.)

1.A Waive Full Text Reading of All Ordinances on the Agenda

Reference: Kristen Steinke, City Attorney

Recommendation: Waive the full text reading of all ordinances included in this agenda; Ordinances shall be introduced and adopted by title only.

1.B City of Lemon Grove Payment Demands

Reference: Joseph Ware, Finance Manager

Recommendation: Ratify Demands

1.C Approval of City Council Meeting Minutes

Reference: Audrey Malone, City Clerk

Recommendation: Approval of City Council Meeting Minutes, meetings of August 2, 2022, August 4, 2022 and September 6, 2022.

1.D Joint Emergency Response for Fire and Rescue

Reference: Steve Swaney, Fire Chief

Recommendation: Adopt a resolution approving the execution of the Memorandum of Understanding (MOU) for "Central Zone Joint Fire and Rescue Resources".

1.E Biennial Review and Adoption of the Amended Conflict of Interest Code

Reference: Audrey Malone, City Clerk

Recommendation: Adopt a resolution accepting the amendment to the Conflict of Interest Code, to add the new City positions established after the last Conflict of Interest Code review in 2020.

1.F City Council Manual

Reference: Lydia Romero, City Manager

Recommendation: Adopt a resolution adopting the City Council Manual.

Report(s) to Council:

2. Employee Equity Compensation Plan

Reference: Lydia Romero, City Manager

Recommendation: Discuss and direct the Proposed Employee Equity Compensation Plan.

City Council Reports on Meetings Attended at the Expense of the City

(GC 53232.3 (d)) (53232.3. (d) states that members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.)

City Manager Report

Adjournment

AFFIDAVIT OF NOTIFICATION AND POSTING

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO) SS
CITY OF LEMON GROVE)

I, Audrey Malone, City Clerk of the City of Lemon Grove, hereby declare under penalty of perjury that a copy of the above Agenda of the Regular Meeting of the City Council of the City of Lemon Grove, California, was delivered and/or notice by email not less than 72 hours, on or before the hour of 6:00 p.m. on September 16, 2022 to the members of the governing agency, and caused the agenda to be posted on the City's website at www.lemongrove.ca.gov and at Lemon Grove City Hall, 3232 Main Street Lemon Grove, CA 91945.

/s/: Audrey Malone
Audrey Malone, City Clerk

In compliance with the Americans with Disabilities Act (ADA), the City of Lemon Grove will provide special accommodations for persons who require assistance to access, attend and/or participate in meetings of the City Council. If you require such assistance, please contact the City Clerk at (619) 825-3800 or email amalone@lemongrove.ca.gov. A full agenda is available for public review at City Hall.

City Council Work Plan 2022 - 2023

Strategic Focus Area: Public Streets and Sidewalks

Repairs

Street Repairs: Improve streets in poor condition in neighborhoods and near schools and parks	Costs: Staff recommends allocating \$250,000 for streets 25 pci and below	Staff Time: 15-25 hrs – field street analysis; prepare repair plan; prepare bid plans; contract management.	On going
PMP: Implement a Pavement Management Program (PMP) in FY 23	Costs: \$75,000 (carry over from FY 21-22)	Staff Time: 25-30 hrs –prepare bid plans; city council reports and contract management.	Summer/Fall 22

Traffic Calming

Traffic Calming: Continue traffic control and calming strategies and projects	Costs: Unknown. City was awarded a CalTrans grant to create mobility plan to improve safety especially around schools	Staff Time: 15-25 hrs – grant management, contract preparation, city council reports and contract management.	Summer 22
Vision Zero Plan: Develop Vision Zero Plan for Council review/approval	Costs: Estimate of \$50,000 to \$75,000	Staff Time: 25-30 hrs –prepare bid plans; council reports and contract management.	Summer/Fall 22

Strategic Focus Area: Revenue, Economic Development, and Budget

Economic Development

Economic Development Plan: Seek a RFP for an Economic Development Plan	Costs: \$50,000, this is carry over from FY 21-22	Staff Time: 10-15 hrs – prepare bid proposal, contract preparation, city council reports and contract management	On going
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Budget Expenditures

Equipment, Technology and Resources: Develop a prioritized list of equipment (vehicles, etc.) and technology (computers, programs, etc.) needs for Council review and vote	Costs: Unknown	Staff Time: 15 -20 hrs – prepare report, council presentation	February 23 - Report to be completed for mid-year budget update
Improve Staff Pay and ok Nonmonetary Benefits.	Costs: Varies, depending on City Council's direction	Staff Time: 5 hrs – prepare report, council presentation	On-going

Strategic Focus Area: Public Safety/Law Enforcement & Homelessness

Public Safety

Traffic Enforcement: Increase traffic control deputy from half-time to fulltime	Costs: \$233,000. This items will increase the Sheriff's contract in FY 22-23. This item will be built into future budgets, unless directed to remove from City Council.	Staff Time: .5 hrs – notify contracts division of sheriff's department	Summer 22
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Strategic Focus Area: Community Life

Communications

Communication Specialist: Increase Communications Specialist from ½ to fulltime	Costs: approximately \$50,000 which includes salary, benefits and retirement costs.	Staff Time: 1 hrs – internal processes in HR and Finance	Summer 22
Council Meetings: A report will be prepared for City Council's consideration that would detail equipment and building costs to provide broadcasting of City Council meetings.	Costs: Will be determined on report to council.	Staff Time: 25-30hrs. The Staff will be dedicated to create the report with several alternatives.	Fall 2022

Parks/Park Space/Open Space

Rec. Center: Conduct Feasibility study for opening recreation center on Saturdays	Costs: Unknown, until report is completed.	Staff Time: 7 to 10 hrs – research, costs analysis and create report for City Council	Summer 22
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CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.A
Meeting Date: September 20, 2022
Submitted to: Honorable Mayor and Members of the City Council
Department: City Manager's Office
Staff Contact: Kristen Steinke, City Attorney
Item Title: **Waive the Full Text Reading of all Ordinances**

Summary: Waive the full text reading of all ordinances included in this agenda. Ordinances shall be introduced and adopted by title only.

Environmental Review:

- Not subject to review Negative Declaration
 Categorical Exemption, Section | Mitigated Negative Declaration

Fiscal Impact: None.

Public Notification: None.



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. **1.B**
Meeting Date: September 20, 2022
Submitted to: Honorable Mayor and Members of the City Council
Department: City Manager's Office
Staff Contact: Joseph Ware, Finance Manager
 jware@lemongrove.ca.gov
Item Title: **City of Lemon Grove Payment Demands**

Recommended Action: Ratify Demands.

Environmental Review:

- | | |
|---|---|
| <input checked="" type="checkbox"/> Not subject to review | <input type="checkbox"/> Negative Declaration |
| <input type="checkbox"/> Categorical Exemption, Section | <input type="checkbox"/> Mitigated Negative Declaration |

Fiscal Impact: None.

Public Notification: None.

City of Lemon Grove Demands Summary

Approved as Submitted:

Joseph Ware, Finance Manager

For Council Meeting: 09/20/22

ACH/AP Checks 08/27/22-09/13/22 407,134.16

Payroll - 09/06/22 145,902.44

Total Demands 553,036.60

CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
ACH	Aug30 22	US Treasury	08/30/2022	Federal Taxes 8/30/22	37,708.20	37,708.20
ACH	22-Aug	Wage Works	08/31/2022	FSA Reimbursement - Aug'22	2,429.73	2,429.73
ACH	Stmt 8/28/22	Home Depot Credit Services	08/31/2022	Home Depot Purchases - Aug'22	1,642.37	1,642.37
ACH	Sep22	Pers Health	09/01/2022	Pers Health Insurance - Sep'22	55,055.32	55,055.32
ACH	Aug22	Sedgwick Claims Management Services, Inc.	09/02/2022	CLG Workers Comp Claims - Aug'22	2,480.45	2,480.45
ACH	7/23/2022 82133533 82139287 7/1/2022 7/12/2022 7/9/2022 7/19/2022 7/1/2022 6/29/2022 7/18/2022 7/1/2022 6/26/2022 7/7/2022 7/15/2022 7/4/2022 8002067083 9910278866 9911018355 9911018356 9911579198	Wells Fargo	09/06/2022	AT&T - Backup City Hall Internet- 7/23/22-8/22/22 Corelogic - Realquest Graphics Package - May22 Corelogic - Realquest Graphics Package - Jun22 Cox - Calsense Modem Line: 7071 Mt Vernon/Berry St Pk 7/1-31/22 Cox - Calsense Modem Line: 2259 Washington 7/11/22-8/10/22 Cox - Calsense Modem Line: 8235 Mt Vernon/Berry St Pk 7/9/22-8/8/22 Cox - Phone/PW Yard/2873 Skyline- 7/19/22-8/18/22 Cox - Phone/City Hall 7/1/22-7/31/22 Cox - Internet/Comm Ctr- 6/30/22-7/29/22 Cox - City Manager Fax Line- 7/18/22-8/17/22 Cox - MainPhone/Fire 7/1/22-7/31/22 Cox - City Hall Fire Alarm 6/27/22-7/26/22 Cox - PEG Circuit Svc- 7/7/22-8/6/22 House of Automation - Maintenance/Fire Station Gate 7/11/22 Cox - Phone/Internet/Rec Ctr/3131 School Ln- 7/4/22-8/3/22 Shredit - Shredding Service 7/14/22 Verizon - Modems - Cardiac Monitors - 6/4/22-7/3/22 Verizon - City Phone Charges- 6/13/22-7/12/22 Verizon - PW Tablets- 6/13/22-7/12/22 Verizon - MDC Engine Tablets- 6/21/22-7/20/22	85.60 300.00 300.00 27.54 27.54 80.39 215.73 807.78 110.39 4.28 487.00 91.79 160.70 1,421.38 340.53 109.82 42.12 191.68 151.36 399.26	5,354.89
ACH	13620091	LEAF	09/07/2022	Ricoh C3502 Copier System-PW Yard - Aug'22	138.27	138.27
ACH	Sep6 22	Employment Development Department	09/08/2022	State Taxes 9/6/22	10,068.45	10,068.45
ACH	Refill 9/8/22	Pitney Bowes Global Financial Services LLC	09/08/2022	Postage Usage 9/8/22	250.00	250.00
ACH	Aug24-Sep6 22	Calpers Supplemental Income 457 Plan	09/09/2022	457 Plan 8/24/22-9/6/22	6,396.09	6,396.09
16189	L1784	Aztec Landscaping	08/31/2022	Landscape Mgmt Svc - Jul'22	9,759.72	9,759.72
16190	Cervantes, Mavi	Cervantes, Mavi	08/31/2022	Refund/Cervantes, Mavi/Deposit - Comm Ctr- 8/6/22	200.00	200.00
16191	1048	Chalfoux, Brast, Thompson, Potocki	08/31/2022	Prof Svcs: 10025--811 thru 7/31/22	1,759.11	1,759.11
16192	212 212 212 212	City of El Cajon	08/31/2022	Overtime Reimbursement - Cameron 8/7/22 Overtime Reimbursement - Erikson 8/19/22 Overtime Reimbursement - Kelsen 8/19/22 Overtime Reimbursement - Lucci 8/19/22	1,368.10 1,239.38 1,437.24 1,122.68	5,167.40
16193	24546 24546 24546 24546	City of La Mesa	08/31/2022	Overtime Reimbursement - Doig 7/28/22 Overtime Reimbursement - Kenyon 8/1/22 Overtime Reimbursement - Provence 7/26/22 Overtime Reimbursement - Provence 8/1/22	1,711.38 1,263.21 1,392.90 1,392.90	5,760.39
16194	3129 3130 3130 3135	Clark Telecom & Electric Inc.	08/31/2022	Meter Pedestal Knock-Down Replacement- 7761 Broadway - May'22 Street Light Dig-Alert Markouts - Jul'22 Street Light Dig-Alert Markouts - Jul'22 Street Light Knock-Down Repair-Kunkle Park - Jul'22	10,933.97 410.71 194.10 1,360.07	12,898.85
16195	22-Aug	Colonial Life	08/31/2022	Colonial Optional Insurance Aug-22	256.16	256.16
16196	17806	Custom Auto Wrap Inc	08/31/2022	2022 Bulk Item Banner Design Modifications	350.19	350.19
16197	823229905	Domestic Uniform Rental	08/31/2022	Shop Towels & Safety Mats 8/23/22	50.35	50.35
16198	1427	East County Transitional Living Center (ECTLC)	08/31/2022	Weed Abatement/9 Acres - Mt. Vernon & Lawton	5,000.00	5,000.00
16199	Aug-22 Retro	Fidelity Security Life Insurance Company	08/31/2022	Vision Insurance -Aug22 balance	7.52	7.52

CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
16200	119471024	Global Industrial	08/31/2022	10 New Picnic Tables - Replace Damaged Ones @ Berry St Pk & LG Pk	10,419.87	10,419.87
16201	6/22/22-8/22/22	Helix Water District	08/31/2022	Water Services- 6/22/22-8/22/22	37,517.16	37,517.16
16202	202207 202207	Lemon Grove Car Wash, Inc.	08/31/2022	Car Wash - '04 Ford Expedition - 7/25/22 Brake Fluid Flush/Wash - '14 Ford Escape- 7/21/22	17.99 322.67	340.66
16203	223323	Liebert Cassidy Whitmore	08/31/2022	Prof Svcs: LE050-00009 thru 7/31/22	396.50	396.50
16204	1243443	Life-Assist, Inc.	08/31/2022	Gloves	96.65	96.65
16205	INV621678	LN Curtis & Sons	08/31/2022	Yellow Cal Fire Sigma Wildland Coats	3,406.73	3,406.73
16206	Reimb 8/24/22	Malone, Audrey	08/31/2022	Reimb: Mileage/CalPERS Pathways Conf/Anaheim/Malone 8/22/22	121.88	121.88
16207	19588	Nationwide Medical/Surgical, Inc.	08/31/2022	Medical Supplies	28.06	28.06
16208	PD-51792	Plumbers Depot Inc	08/31/2022	Sewer Camera- Replace Camera Assembly	566.13	566.13
16209	170370	Public Agency Risk Management Association	08/31/2022	Annual Dues - Romero 7/1/22-6/30/23	150.00	150.00
16210	0089737	Rick Engineering Company	08/31/2022	Prof Svc: LG Housing Element Support - Jul'22	1,712.50	1,712.50
16211	Reimb 8/10/22	Romero, Lydia	08/31/2022	Reimb: Supplies/State of the City Address 8/10/22	395.00	395.00
16212	017487579	San Diego Union Tribune	08/31/2022	Notice of Public Hearing - PDP-210-0001 7/9/22	541.90	541.90
16213	155669PS	SCA of CA, LLC	08/31/2022	Street Sweeping/Parking Lot/Power Washing/Bus Shelters - Jul'22	6,428.55	6,428.55
16214	3225 Olive-7/23/22-8/22/22 3500 Main-8/24/22	SDG&E	08/31/2022	3225 Olive- 7/23/22-8/22/22 3500 1/2 Main- 7/23/22-8/22/22	251.40 117.65	369.05
16215	Semper Solaris	Semper Solaris	08/31/2022	Refund/Semper Solaris/Canceled Project B22-0571	187.43	187.43
16216	8348110010122 8348110020122 8348110030122 8348110040122 8348110050122 8348110060122 8348110070122 8348110090121 8348110100121 8348110110121 8348110120121	Sparkletts	08/31/2022	PW Yard - Water PW Yard - Water	10.34 16.81 11.34 33.94 18.13 15.95 29.34 0.69 26.10 21.00 16.81	200.45
16217	597009	State of California- Department of Justice	08/31/2022	Fingerprint Apps - Gonzales/Sakaida - Jul'22	64.00	64.00
16218	18026/18027	Statewide Stripes, Inc.	08/31/2022	CUPCCA 2022-04 West Side City Striping (Re-stripe): 119,780 LF	61,860.48	61,860.48
16219	Reimb 8/22/22	Torres, Marlene	08/31/2022	Reimb: Mileage/Comm Svc Conf/Indian Wells/Torres 2/7/22	160.63	160.63
16220	22-2300238	Underground Service Alert of SC	08/31/2022	State Fee/Regulatory Monthly Costs/Dig Alert 2021	35.10	35.10
16221	720220390	Underground Service Alert/SC	08/31/2022	90 New Ticket Charges - Jul'22	167.50	167.50
16222	Reimb 8/22/22	Wilson, Christopher	08/31/2022	Reimb: Mileage/C234 Firing Methods Class/Wilson 6/7/22-6/9/22	174.88	174.88
16223	1CNP-J3PW-7C4V	Amazon Capital Services, Inc.	09/07/2022	Office Supplies - City Hall	90.87	90.87
16224	63285	Boot World Inc	09/07/2022	Work Boots - Sakaida	233.78	233.78
16225	BSA Fees: Apr-Jun	California Building Standards Commission	09/07/2022	BSA Fees: Apr-Jun'22	200.70	200.70
16226	09022220560	DAR Contractors	09/07/2022	Animal Disposal- Aug'22	162.00	162.00
16227	Apr-Jun22	Department of Conservation	09/07/2022	Qtrly SMIP Fees - Apr-Jun22	843.00	843.00
16228	87241	El Latino Newspaper	09/07/2022	Election Notice in Spanish 7/14/22	600.00	600.00
16229	4/25/22-4/28/22 5/16/22-5/19/22 5/2/22-5/5/22 5/23/22-5/26/22 5/9/22-5/12/22 6/1/22-6/2/22 6/13/22-6/16/22 6/20/22-6/23/22 6/27/22-6/30/22 6/6/22-6/9/22	EsGil, LLC	09/07/2022	75% Building Fees- 4/25/22-4/28/22 75% Building Fees- 5/16/22-5/19/22 75% Building Fees- 5/2/22-5/5/22 75% Building Fees- 5/23/22-5/26/22 75% Building Fees- 5/9/22-5/12/22 75% Building Fees- 6/1/22-6/2/22 75% Building Fees- 6/13/22-6/16/22 75% Building Fees- 6/20/22-6/23/22 75% Building Fees- 6/27/22-6/30/22 75% Building Fees- 6/6/22-6/9/22	6,525.81 10,968.14 4,756.25 9,034.25 26,489.39 1,519.94 16,225.61 19,069.09 17,674.99 14,143.13	126,406.60
16230	Sep-22	Fidelity Security Life Insurance Company	09/07/2022	Vision Insurance -Sep22	289.70	289.70
16231	INV1023846	George Hills Company	09/07/2022	TPA Claims- Adjusting/Other Services - Aug'22	270.50	270.50

CHECK NO	INVOICE NO	VENDOR NAME	CHECK DATE	Description	INVOICE AMOUNT	CHECK AMOUNT
16232	IN316838	Geotab USA, Inc.	09/07/2022	Monthly ProPlus Plan	197.50	197.50
16233	74046301 SS420034953	Hawthorne Machinery Co	09/07/2022	Equip Rental - Compact Track Loader 7/22/22-7/27/22 Equip Repair - Backhoe 420E- Replace Filters & Fluids/Diagnose	2,283.05 1,463.74	3,746.79
16234	1763	Janazz, LLC SD	09/07/2022	IT Services- City Hall- Aug'22	2,500.00	2,500.00
16235	202208	Lemon Grove Car Wash, Inc.	09/07/2022	Car Wash - LGPW#14 Ford Fusion - 8/16/22	17.99	17.99
16236	PD-51683	Plumbers Depot Inc	09/07/2022	Sewer Camera- Couplers	112.69	112.69
16237	INV00057515	RapidScale Inc.	09/07/2022	Virtual Hosting/Back Up Svc/Cloud Storage/Svr 8/31/22-9/29/22	4,325.78	4,325.78
16238	92 93 98	RXR Plumbing, Inc.	09/07/2022	Plumbing Repair - Drinking Fountain/Rec Ctr 8/11/22 Plumbing Repair - Fire Stn 8/11/22 Plumbing Repair - Replace Flushometers - Fire Stn 8/17/22	534.00 175.00 1,518.00	2,227.00
16239	Jul-Dec22	San Diego County Sheriff's Department	09/07/2022	Cal-ID Program Costs 7/1/22-12/31/22	3,301.00	3,301.00
16240	5789 5790	Spring Valley Lawn Mower Shop	09/07/2022	Fuel Filter/Spark Plug/Carb Repair Kit - PW/Streets Motor Oil/Maintenance Kit/Carb Repair Kit - PW/Streets	105.76 114.74	220.50
16241	3516315945	Staples Advantage	09/07/2022	Office Supplies - City Hall	79.81	79.81
16242	01007840	Statewide Traffic Safety & Signs Inc.	09/07/2022	Message Board - 4 Way Stop/Washington & Plam	2,800.00	2,800.00
16243	128718222-0001	Sunbelt Rentals Inc.	09/07/2022	Equip Rental - 8' Street Broom - Cedral	717.87	717.87
16244	13706	T-Man Traffic Supply	09/07/2022	Sign Supplies/Striping/Re-Do Asphalt - Streets	116.69	116.69
16245	00061166 00062063 00084099 00084100 00095896 00095946 00102204	The East County Californian	09/07/2022	Notice of Public Hearing - Variance VVA1-700-0002 2/22/18 Notice of Public Hearing - General Plan Annual Prog Report3/8/18 Notice of Public Hearing - AA1-900-0002 7/4/19 Notice of Public Hearing - AA1-900-0001 7/4/19 Notice of Public Hearing - Master Fee Schedule 5/8/20 Notice of Public Hearing - AA2-000-0002 5/8/20 Notice of Decision- MUP-200-0007 1/1/21	147.00 150.50 199.50 203.00 150.50 189.00 227.50	1,267.00
16246	S501006399	Volvo Construction Equipment & Services	09/07/2022	Repair Fuel Line/Replace Fuel Filter - Asphalt Roller	1,343.42	1,343.42
16247	73379052 73387238	Vulcan Materials Company	09/07/2022	Asphalt/SS1 5 Gallon Bucket Asphalt/SS1 5 Gallon Bucket	195.01 757.57	952.58
16248	188932	West Coast Arborists, Inc.	09/07/2022	Tree Maintenance - 7/16/22-7/31/22	2,963.25	2,963.25
16249	9/6/22	ICMA	09/07/2022	ICMA Deferred Compensation Pay Period Ending 9/6/22	780.77	780.77
					407,134.16	407,134.16

**MINUTES OF THE REGULAR MEETING
OF THE LEMON GROVE CITY COUNCIL
Lemon Grove Community Center
3146 School Lane, Lemon Grove, CA 91945
TUESDAY, August 2, 2022 at 6 PM**

*The City Council also sits as the Lemon Grove Housing Authority,
Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board,
And Lemon Grove Successor Agency.*

Call To Order:

Mayor Vasquez called the Regular City Council Meeting to order at 6:08 pm.

Present:

Mayor Racquel Vasquez, Mayor Pro Tem Jerry Jones, Councilmember Jennifer Mendoza, Councilmember Liana LeBaron, and Councilmember George Gastil.

Absent: None.

Staff Members Present:

Lydia Romero, City Manager, Kristen Steinke, City Attorney, Steve Swaney, Fire Chief, Patrick McEvoy, San Diego Sheriff's Lieutenant, Audrey Malone, City Clerk, and Ed Walton, Contracted City Engineer.

Pledge of Allegiance:

Led by Councilmember Mendoza.

Changes to the Agenda:

Councilmember LeBaron request to pull Item 1.B City of Lemon Grove Payment Demands, Mayor Vasquez advises Item 1.B to be heard after Item 3 on the agenda.

Public Comment:

Email Submitted: None.

In-Person:

- John Wood
- Minola Manson

Consent Calendar:

- 1.A Waive Full Text Reading of All Ordinances on the Agenda
- 1.B City of Lemon Grove Payment Demands
- 1.C Authorization to Submit a Grant Application to the Department of Justice for the Justice Assistance Grant
- 1.D Biennial Review and Adoption of the Amended Conflict of Interest Code

Action: Motion by Mayor Pro Tem Jones, second by Councilmember Mendoza to approve the Consent Calendar minus Item 1.B, Payment Demands.

The motion passed by the following vote:

Ayes: Vasquez, Jones, Mendoza, Gastil, LeBaron.

Noes: None.

Report(s) to Council:

2. Authorization to Advertise a Request for Proposal for the Pavement Management Program Update

Mayor Vasquez introduces Ed Walton, City Contracted Engineer to present.

Public Comment:

Email Submitted: None.

In-Person: None.

After presentation Council provide questions for staff.

Action: Motion by Mayor Pro Tem Jones, second by Councilmember Mendoza to approve a resolution authorizing the City Manager or her designee to advertise the RFP.

After the motion Councilmember LeBaron request to ask another question of staff.

The motion passed by the following vote:

Ayes: Vasquez, Jones, Mendoza, Gastil, LeBaron.

Noes: None.

3. Connect Main Street Project Phase 1-3 Update

Mayor Vasquez introduces Lydia Romero, City Manager to present. After City Manager Romero's presentation she introduces Matt Capuzzi, contract engineer, CR Associates, to elaborate on the project.

Councilmember LeBaron leaves dais at 7:20pm and returns to dais at 7:22pm.

Public Comment:

Email Submitted: None.

In-Person: None.

Council ask questions of Mr. Capuzzi and staff.

PULLED ITEM

Item 1.B Payment Demands

Mayor Vasquez calls on Councilmember LeBaron, who pulled Item 1.B. Councilmember LeBaron has questions for staff.

Action: Motion by Mayor Pro Tem Jones, second by Councilmember Gastil to approve Item 1.B Payment Demands.

The motion passed by the following vote:

Ayes: Vasquez, Jones, Mendoza, Gastil.

Noes: LeBaron.

City Council Reports on Meetings Attended at the Expense of the City

Councilmember Mendoza

- Joint Powers Insurance Agency Annual Board Meeting
- MTS Board Meeting

- Planning Commission Workshop- Refresher on the Brown Act
- Heartland Joint Powers Authority Meeting
- Attended National Night Out

Councilmember Gastil

- Attended National Night Out
- East County Economic Development Council

Councilmember LeBaron

- Meeting with Mr. Ramsey, who has a recreational background, wants to partner with the City to bring programming to the Recreational Center
- Meeting with concerned community about communication and services levels at City Hall

Mayor Pro Tem Jones

- Metro Waste Water AHOC Meeting

Mayor Vasquez

- Planning Commission Workshop- Refresher on the Brown Act
- SANDAG Meeting
- Concerts at the Park
- Attended National Night Out

City Manager Report

City Manager Romero announces that Michael Fellows has started as the City's Community Development Manager.

Council shares their appreciation for the Interim Community Development Manager, Bill Chopyk.

Mayor Vasquez announces that the next City Council meeting scheduled for August 16, 2022 at 6pm has been cancelled due to the joint meeting with the Lemon Grove School Board at the Alvarez Auditorium on August 16th at 6pm.

Mayor Vasquez turns it over to City Attorney Kristen Steinke who adjourns the meeting into closed session at 7:52pm, to discuss the items below.

Closed Session:

- a. Public Employment
Public Employee Performance Evaluation: City Manager
Govt. Code section 54957
- b. Conference with Legal Counsel – Existing Litigation (Govt. Code section 54956.9(d)(1))
Christopher Williams and Pickaxe Holdings LLC v. City of Lemon Grove (SDSC Case No.: 37-2021-0030444-CU-CR-CTL)
- c. Conference with Legal Counsel – Existing Litigation (Govt Code section 54956.9(d)(1))
Shawn Farson and Rosalinda Legge v. City of Lemon Grove (SDSC Case No.: 37-2020-00029569-CU-OR-CTL)

Mayor Vasquez reconvenes meeting at 9:06pm

Attorney Steinke returns from closed session with nothing to report.

Mayor Vasquez adjourns the meeting at 8:06pm.

Audrey Malone, City Clerk

**MINUTES OF THE SPECIAL MEETING
OF THE LEMON GROVE CITY COUNCIL
Lemon Grove Community Center
3146 School Lane, Lemon Grove, CA 91945
THURSDAY, August 4, 2022 at 6:30 PM**

*The City Council also sits as the Lemon Grove Housing Authority,
Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board,
and Lemon Grove Successor Agency.*

Call To Order:

Mayor Vasquez called the Regular City Council Meeting to order at 6:30 pm.

Present:

Mayor Racquel Vasquez, Mayor Pro Tem Jerry Jones, Councilmember Jennifer Mendoza, and Councilmember George Gastil.

Absent: Councilmember Liana LeBaron.

Staff Members Present:

Lydia Romero, City Manager, Kristen Steinke, City Attorney.

Pledge of Allegiance:

Led by Councilmember Gastil.

Closed Session:

Conference with Legal Counsel – Existing Litigation (Govt. Code section 54956.9(d)(1))
Christopher Williams v. David Arambula; City of Lemon Grove (SDSC Case No.: 37-2018-
00023369- CU-PO-CTL)

Mayor Vasquez introduces City Attorney Kristen Steinke to adjourn meeting into Closed Session at 6:33pm.

Mayor Vasquez recused herself from Closed Session.

City Attorney Steinke reconvenes meeting at 7:05pm with nothing to report.

Mayor Vasquez adjourns the meeting at 7:05pm.

Audrey Malone, City Clerk

**MINUTES OF THE REGULAR MEETING
OF THE LEMON GROVE CITY COUNCIL
Lemon Grove Community Center
3146 School Lane, Lemon Grove, CA 91945
TUESDAY, September 6, 2022 at 6 PM**

*The City Council also sits as the Lemon Grove Housing Authority,
Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board,
And Lemon Grove Successor Agency.*

Call To Order:

Mayor Vasquez called the Regular City Council Meeting to order at 6:00 pm

Present:

Mayor Racquel Vasquez, Mayor Pro Tem Jerry Jones, Councilmember Jennifer Mendoza, Councilmember Liana LeBaron (arrived at 6:02pm), and Councilmember George Gastil.
Absent: None.

Staff Members Present:

Lydia Romero, City Manager, Kristen Steinke, City Attorney, Steve Swaney, Fire Chief, Patrick McEvoy, San Diego Sheriff's Lieutenant, Audrey Malone, City Clerk, Michael Fellows, Community Development Manager.

Pledge of Allegiance:

Led by Councilmember Gastil.

Changes to the Agenda:

None.

Public Comment:

Email Submitted: None.

In-Person:

- John Wood
- Paul Shanahan
- Rachel Peters
- Teresa Rosiak-Proffit
- Sergio Padilla

Consent Calendar:

- 1.A Waive Full Text Reading of All Ordinances on the Agenda
- 1.B City of Lemon Grove Payment Demands
- 1.C Acceptance of FY 2021 State Homeland Security Grant Program (SHSGP) Funds
- 1.D Approval of Final Map for Tentative Map TM0065 located at 8373 Broadway

Action: Motion by Mayor Pro Tem Jones, second by Councilmember Mendoza to approve the Consent Calendar.

The motion passed by the following vote:

Ayes: Vasquez, Jones, Mendoza, Gastil.

Noes: LeBaron.

Report(s) to Council:

2. Sage Project Presentation

Mayor Vasquez introduces Lydia Romero, City Manager who introduces Director, Dr. Jessica Barlow to present.

Dr. Barlow introduces Ethan Nickels and Amanda Harmon, San Diego State University (SDSU) Students to present on the SAGE Project.

Public Comment:

Email Submitted: None.

In-Person: None.

After presentation Council provide questions and feedback to SDSU presenters.

3. City Council Manual

Mayor Vasquez introduces Lydia Romero, City Manager to present.

Public Comment:

Email Submitted: None.

In-Person: None.

After presentation Council provides questions and feedback for revisions to the Council Manual.

City Council Reports on Meetings Attended at the Expense of the City

Councilmember Mendoza

- 79th Assembly District Backpack Give away
- Joint School District and City Collaboration Meeting
- Meeting with Institute of Public Strategies (IPS)

Councilmember LeBaron

- Meetings with concerned residents on Road Pavement Plan
- Meeting with constituents about abandoned/vacant buildings

Councilmember Gastil

- East County Economic Element Council Meeting

Mayor Pro Tem Jones

- Metro Waste Water Finance Meeting

Mayor Vasquez

- League of California Cities African America Caucus Board Meeting
- 79th Assembly District Backpack Give away
- Meeting with Interim President of Cuyamaca College, Jessica Robinson
- Meeting with President of Grossmont College, Denise Whisenhunt
- San Diego Airport Authority Update Meeting
- Food Distribution Event
- Unity Karate Federation – Presented Proclamation

City Manager Report

City Manager Romero thanked John Wood for donating the City Council Public Commenting Speaker slips.

Mayor Vasquez adjourns the meeting at 8:26pm to the next regularly scheduled City Council Meeting on September 20, 2022 at 6pm.

Audrey Malone, City Clerk



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.D
Meeting Date: September 20, 2022
Submitted to: Honorable Mayor and Members of the City Council
Department: Fire Department
Staff Contact: Steve Swaney, Fire Chief
sswaney@heartlandfire.net
Item Title: **Joint Emergency Response for Fire and Rescue**

Recommended Action: Adopt a resolution (**Attachment A**) approving the execution of the Memorandum of Understanding (MOU) for “Central Zone Joint Fire and Rescue Resources”.

Summary: The MOU for Central Zone joint emergency response for Fire and Rescue resources allows for a coordinated effort of the participating agencies to continue to enhance the public safety of our community.

Discussion: In 1984, the City of Lemon Grove approved the “Heartland Mutual Aid Agreement”. This agreement authorized the sharing of fire and rescue resources between the Cities and Fire Protection Districts within the San Diego County operational area referred to as Zone 4. In 2007, the agreement was updated to include Fire agencies from the South Bay along with the Tribal Nations of Viejas and Barona. San Diego County has since reorganized the Operational Areas, and Zone 4 is now referred to as Central Zone. The South Bay Fire agencies are not a part of Central Zone.

The updated MOU reflects the operational area name change from Zone 4 to Central Zone along with the removal of the South Bay agencies. The MOU authorizes the sharing of resources with the cities of El Cajon, La Mesa, Lemon Grove, Santee, the fire protection districts of Alpine, Bonita-Sunnyside, Lakeside, San Miguel, and the tribal nations of Barona, Sycuan and Viejas.

This updated MOU replaces the agreement of 2007 while authorizing the City Manager to continue the terms of sharing resources. The Fire Chief is authorized to coordinate the Cities participation in the operational area plan for fire and rescue resources. This coordinated effort will continue to enhance the public safety of our community.

RESOLUTION NO. 2022-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE,
CALIFORNIA, APPROVING THE MEMORANDUM OF UNDERSTANDING
FOR “CENTRAL ZONE JOINT FIRE AND RESCUE RESOURCES”**

WHEREAS, in 1984, the City of Lemon Grove approved the “Heartland Mutual Aid Agreement” authorizing the sharing of fire and rescue resources between the Cities and Fire Protection Districts within the San Diego County operational area referred to as Zone 4,

WHEREAS, in 2007, the agreement was updated to include Fire agencies from the South Bay along with the Tribal Nations of Viejas and Barona,

WHEREAS, San Diego County has since reorganized the Operational Areas, and Zone 4 is now referred to as Central Zone. The South Bay Fire agencies are no longer a part of Central Zone,

WHEREAS, the updated Memorandum of Understanding (MOU) includes changes for the updated Zone name; Central Zone, and the removal of the South Bay Fire agencies due to the reorganization of the zones within the County,

WHEREAS, the execution of this updated MOU will allow for the coordinated efforts to continue while enhancing the public safety of our community,

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California, hereby approves the “Central Zone Joint Fire and Rescue Resources” MOU, and authorizes the City Manager or designee to execute the MOU with such changes as may be approved by the City Manager,

PASSED AND ADOPTED on September 20, 2022, the City Council of the City of Lemon Grove, California, adopted Resolution No. 2022-_____, passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Racquel Vasquez, Mayor

Attest:

Audrey Malone, City Clerk

Approved as to Form:

Kristen Steinke, City Attorney



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.E
Meeting Date: July 7, 2020
Submitted to: Honorable Mayor and Members of the City Council
Department: City Manager's Office
Staff Contact: Audrey Malone, City Clerk
amalone@lemongrove.ca.gov
Item Title: **Biennial Review and Adoption of the Amended Conflict of Interest Code**

Recommended Action: Adopt a resolution (**Attachment A**) accepting the amendment to the Conflict of Interest Code (**Attachment B**), to add the new City positions established after the last Conflict of Interest Code review in 2020.

Summary: Government Code Title 9 Political Reform, Chapter 7 Conflict of Interest, Section 87306.5 requires that in each even-numbered year, the Council, as the code reviewing body for the Conflict of Interest Code (Code), must review the Code, list of designated reporting positions, and the respective disclosure categories. The purpose of this review is to provide reasonable assurance that potential conflict of interest situations involving City employees and members of listed boards, commissions and committees, and consultants are disclosed or prevented. State law also mandates that upon completion of reviewing the Code, an amended version reflecting any changes necessitated by the review, including new and/or different positions, duties and responsibilities be approved by the code reviewing body.

Discussion: Staff has completed a review of the Code and is requesting the Council adopt a resolution (**Attachment A**) which will amend the Conflict of Interest Code. The Code has been updated with the following positions which have been established since the last review in 2020.

- Deputy City Clerk
- Finance Manager/Treasurer
- Senior Management Analyst

No changes have been made to the lists of boards, commissions, and committee members who are subject to this Code. Additionally, all reportable categories for boards, commission and committee members have been maintained as previously approved by the Council.

It should be noted that Government Code Sections 87200-87210, and 87314 (2) (a,b,c) and (3); require that City Council Members, Planning Board Members, City Manager, City Attorney, City Treasurer and other public officials who manage public investments and candidates for

any of these offices at any election comply with the provisions of the Political Reform Act relating to the filing of Statements of Economic Interests. All such positions are deemed as 87200 Designated Positions and required full disclosure

Environmental Review:

- Not subject to review Negative Declaration
 Categorical Exemption, Section [] Mitigated Negative Declaration

Fiscal Impact: None.

Public Notification: None.

Staff Recommendation: Adopt a resolution (**Attachment A**) accepting the amendment to the Conflict of Interest Code (**Attachment B**) , to add the new City positions established after the last Conflict of Interest Code review in 2020.

Attachment(s):

Attachment A – Resolution

Attachment B – City of Lemon Grove Conflict of Interest Code

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA, AUTHORIZING THE AMENDMENTS TO THE CITY OF LEMON GROVE CONFLICT OF INTEREST CODE AS REQUIRED BY THE FAIR POLITICAL PRACTICES COMMISSION (FPPC) AND THE APPEAL OF RESOLUTION NO. 202-3743

WHEREAS, the Political Reform Act of 1974, Government Code Sections 81000, et seq., requires every governmental agency to adopt a Conflict of Interest Code that designates positions and financial interest that be disclosed by those positions; and

WHEREAS, the Fair Political Practices Commission (FPPC) has adopted a regulation, Title 2 California Code of Regulations Section 18730, which contains the terms of a standard Conflict of Interest Code, which can be incorporated by reference and may be amended by the FPPC after public notice and hearings to conform to amendments in the Political Reform Act; and

WHEREAS, the City Council has heretofore adopted, as the Conflict of Interest Code of the City of Lemon Grove, the model conflict of interest code set forth in the California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission; and

WHEREAS, the Appendix to the City Code includes Exhibit A (in which officials and employees are designated and in which disclosure categories are set forth), which may be modified by City Council from time to time, and all of which together does constitute the Conflict of Interest Code of the City of Lemon Grove; and

WHEREAS, designated employees shall file Statements of Economic Interests with the City Clerk who will make the statements available for public inspection and reproduction per Government Code Section 81008. Upon receipt of the statements of the Mayor, Councilmembers, City Manager, Finance Director/City Treasurer and the City Attorney, the City Clerk shall make and retain a copy and forward the original of these statements to the Fair Political Practices Commission. Statements for all other designated position will be retained by the City Clerk; and

WHEREAS, the Conflict of Interest Code differentiates between designated positions with different powers and responsibilities and requires disclosure of all foreseeable potential Conflict of Interest; and

WHEREAS, it is necessary to amend the City's Conflict of Interest Code to reflect the deletion and addition of certain City positions; and

WHEREAS, the Political Reform Act requires the City to review its Conflict of Interest Code biennially to determine if it is accurate or, alternatively that the code must be amended; and

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lemon Grove, California hereby approves the attached City of Lemon Grove Conflict of Interest Code (Exhibit A) and agrees to Section 1-5 listed below.

Section 1: That the above recitals are true and correct.

Section 2: That the standard FPPC Conflict of Interest Code, as set forth in Title 2 California Code of Regulations Section 18730, and as may be amended from time to time by the FPPC, is incorporated by reference and constitutes the Conflict of Interest Code for the City of Lemon Grove.

Section 3: That the list of designated positions subject to the requirements of the Conflict of Interest Code are amended, including their respective disclosure categories are set forth in Exhibit A.

Section 4: That the City of Lemon Grove has conducted the 2020 biennial review of its Conflict of Interest Code, as required by the Political Reform Act, and as a result of the biennial review determined the need for an amended Conflict of Interest Code as presented in this resolution.

Section 5: That Resolution No. 2020-3743 is hereby repealed.

PASSED AND ADOPTED on September 20, 2022, the City Council of the City of Lemon Grove, California, adopted Resolution No. 2022-_____, passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Racquel Vasquez, Mayor

Attest:

Audrey Malone, City Clerk

Approved as to Form:

Kristen Steinke, City Attorney

CITY OF LEMON GROVE
CONFLICT OF INTEREST CODE DESIGNATED POSITIONS

GENERAL PROVISIONS

When a designated employee or individual is required to disclose investments, business positions and sources of income, he or she need only disclose investments in business entities and sources of income which do business in the City, plan to do business in the City or have done business in the City within the past two (2) years. In addition to other activities, a business entity is doing business within the City if it owns real property within the City. When a designated employee or individual is required to disclose real property he or she need only disclose that which is located in whole or in part, within or not more than two (2) miles outside the boundaries of the City or within two (2) miles of any land owned or used by the City.

Designated employees or individuals shall disclose their financial interest pursuant to the appropriate disclosure category as indicated in Exhibit "A".

- All designated employees required to submit an initial Statement of Interest Form 700 shall file with the City Clerk within thirty (30) days after the effective date of this resolution. Initial filings shall cover the period of the twelve (12) months prior to the date of the adoption of this Conflict of Interest Code.

- All individuals appointed, promoted, or transferred to a designated position shall file statements within thirty (30) days of assuming office. These "assuming office" statements cover the period of the twelve (12) months prior to the date of assuming office statement.

- When an individual is in an "interim or acting" capacity, they are subject to the same disclosure requirements of the position in which they are filling. An assuming office would be filed.

- Annual statements shall be filed with the City Clerk by April 1 of each year by all designated employees, elected officials, committee/board/commission members or individuals. Such statements shall cover the period of the preceding calendar year.

- Every designated employee who leaves office shall file, within thirty (30) days of leaving office, a statement disclosing financial interests held or received at any time during the period between the closing date of the last statement required to be filed and the date of leaving office.

- Any individual serving in dual roles may file a combined statement by reporting according to their broadest range of disclosure.

- Failure to file the required statement in a timely fashion may result in the imposition of administrative, criminal, and civil sanctions as provided in Government Code Sections 81000-91014.

Resource: Title 2, California Code of Regulations, Section 18730 Provisions of Conflict of Interest Codes.

DESCRIPTION OF DISCLOSURE CATEGORIES

Category 1: Disclose all business entities and non-profit organizations in which investments, business positions (e.g. director, officer, partner, trustee, employee or hold any position of management) and sources of income including gifts, loans and travel payments located in Lemon Grove, including property located within a two-mile radius of any property owned or used by the City of Lemon Grove.

Category 2: All interests in real property within the jurisdiction of the City.

Category 3: All investments, business positions in business entities, non-profit organizations and sources of income, including gifts, loans and travel payments, interest in real property and sources of income subject to the regulatory, permit or licensing authority of the specific City department.

Category 4: All investments in business entities, non-profit organizations and sources of income, including gifts, loans and travel payments, and sources of income which engage in land development, construction or the acquisition of real property, and interests in real property located in Lemon Grove, including property located within a two-mile radius of any property owned or used by the City of Lemon Grove.

Category 5: All investments in business entities, non-profit organizations in which investments, business positions (e.g. director, officer, partner, trustee, employee or hold any position of management) and sources of income including gifts, loans and travel payments, and of the type which contracts with the City to provide services, supplies, materials, machinery or equipment to any City department.

Category 6: All investments in business entities and sources of income of the type which contracts with the City to provide to the designated employee's department services, supplies, materials, machinery or equipment to any City department.

Category 7: All investments, positions in business entities, income including gifts, loans and travel payments, and income from non-profit organizations, if the sources is the type that receives grants or other monies from or through the City.

Unlimited Disclosures: 87200 Category are required to file full disclosure of all categories pursuant to Article 2 of Chapter 7 of the Political Reform Act, Government Code sections 87200, et. seq. Lemon Grove Local Conflict of Interest Code August 22, 2017.

CONSULTANTS

The staff person most knowledgeable of the work that a Consultant will be performing shall designate whether or not the Consultant must file a Statement of Economic Interest by marking the appropriate box on the Agreement or Contract cover sheet. When determined that a Consultant is designated and is responsible for disclosure, they shall be required to file a Statement of Economic Interest disclosing reportable interests subject to all disclosure categories.

Consultants who make (not just recommend) governmental decisions, such as whether to approve a rate, rule, or regulation, whether to issue, deny, suspend, or revoke any permit, license, application, certificate or similar authorization, adopt or grant City approval to a plan, design, report, study, or adopt or grant City approval of policies, standards, or guidelines for the City or any subdivision thereof shall be required to disclose. Consultants who act in a staff capacity with the City, and in that capacity perform the same or substantially all the same duties for the City that would otherwise be performed by an individual holding a designated position in the City's Conflict of Interest Code, shall disclose at the same level as the comparable designated position identified.

EXHIBIT A

CURRENT POSITIONS	DISCLOSURE CATEGORIES 2022
Assistant City Manager	1, 2, 4
Assistant Civil Engineer	3, 4
Assistant Planner	3, 4
Associate Civil Engineer	3, 4
Associate Planner	3, 4
Associate Senior Planner	3, 4
Building Official (Esgil)	2, 3
Building Technician (Esgil)	2, 3
City Clerk	1, 2, 6
City Engineer	1, 2, 5
Code Enforcement /Storm Water Technician	2, 3
Community Advisory Commission	1
Community Development Manager	1, 2, 3, 4, 5, 7
Community Services Specialist	2, 3, 5, 6
Community Services Superintendent	2, 3, 5, 6
Consultants	1
Deputy Building Official/Inspector (Esgil)	2, 3
Deputy City Attorney	1, 2
Deputy City Clerk	1, 2, 6
Deputy Fire Chief	3, 4, 6
Deputy Fire Marshal	3, 4
Development Services Director	Unlimited Disclosure
Development Technician II	2, 3
Engineer Inspector	4
Engineering Technician III	4
Finance Director/Treasurer	Unlimited Disclosure
Finance Manager/Treasurer	Unlimited Disclosure
Fire Battalion Chief	1, 2, 3
Fire Chief	1, 2, 3
Fire Division Chief	2, 3, 5
Fire Inspector	3, 4, 6
Fire Marshal	1, 2, 3
Fire Public Educator	3
Human Resources Manager	3, 5, 7
Management Analyst	3, 5
Principal Planner	1, 2, 3, 4, 7
Public Works Director	1, 2, 3, 4, 6, 7
Public Works Operations/Administration Manager	2, 3, 4, 6
Public Works Superintendent	2, 3, 4, 6
Sanitation Supervisor	4
Senior Management Analyst	3, 5

Senior Planner	1, 2, 3, 4, 7
Special Projects Supervisor	1, 2, 7
Street Supervisor	2, 4, 6

UNLIMITED DISCLOSURE POSITIONS
City Attorney**
City Council**
City Manager**
Administrative Services Director/Finance Director (If City does not have Treasurer) **
Mayor**
Planning Commission**
 **City Council also sit as Members of the Successor Agency of the Lemon Grove Redevelopment Agency - Includes Chair, Members, Executive Director, Counsel, Secretary
 **City Council also sit as Members of the Public Finance Authority - Includes Chair, Members, Executive Director, Counsel, Secretary, and Treasurer

UNLIMITED DISCLOSURE 87200

****Statements are file directly with the Fair Political Practice Commission (FPPC).
If filed with the City Clerk originals will be mailed to the FPPC within 5 days of
receipt.**



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. 1.F
Meeting Date: September 20, 2022
Submitted to: Honorable Mayor and Members of the City Council
Department: City Manager's Office
Staff Contact: Lydia Romero, City Manager
lromero@lemongrove.ca.gov
Item Title: **City Council Manual**

Recommended Action: Adopt a resolution (**Attachment A**) adopting the City Council Manual (**Attachment C**).

Background and Discussion: One of the Priorities the City Council had on their Fiscal Year 21-22 work plan was to engage and participate in a facilitated City Council Leadership Development and Team Building Training. These multi-meeting and individual coaching trainings were intended to build mutual understanding, communication, trust, equity and respect among City Council Members. One of the team building tasks was to create a City Council Manual that documents accepted practices and clarifies the roles of the elected officials.

The City Council reviewed and made changes to the initial draft of the Council Manual in January of 2022. Further changes were made to the Manual at the final team building meeting in April 2022. At the September 6, 2022 City Council meeting final changes were made to the draft manual.

The final draft of the City Council manual (**Attachment B**) in strike out version that shows the changes discussed at the last City Council meeting; a clean version (**Attachment C**) is also attached for review and adoption.

Environmental Review:

- Not subject to review Negative Declaration
 Categorical Exemption, Section | Mitigated Negative Declaration

Fiscal Impact: None

Public Notification: None

Staff Recommendation: Adopt a resolution (Attachment A) adopting the City Council Manual (Attachment C).

Attachment(s):

Attachment A - Resolution

Attachment B - City Council Manual – Strike through version

Attachment C - City Council Manual - Clean version

RESOLUTION NO. 2022-

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LEMON GROVE, CALIFORNIA ADOPTING THE LEMON CITY COUNCIL GOVERNANCE MANUAL

WHEREAS, the Lemon Grove City Council participated in several team building sessions where they collaborated on a City Council Governance Manual; and

WHEREAS, the Governance Manual was reviewed and changed in January 2022, and further revised in April 2022; and

WHEREAS, the Lemon Grove City Council reviewed and revised the Governance Manual at the September 6, 2022 City Council Meeting.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lemon Grove, California, hereby adopts the Lemon Grove Governance Manual.

PASSED AND ADOPTED on September 20, 2022, the City Council of the City of Lemon Grove, California, adopted Resolution No. 2022-_____, passed by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Racquel Vasquez, Mayor

Attest:

Audrey Malone, City Clerk

Approved as to Form:

Kristen Steinke, City Attorney

City Of Lemon Grove City Council Manual

INITIAL DRAFT: January 2022

SECOND DRAFT: APRIL 2022

COUNCIL DRAFT: SEPTEMBER 2022

FINAL: SEPTEMBER 20, 2022

Produced by City of Lemon Grove staff (led by Lydia Romero, City Manager) in collaboration with the City of Lemon Grove City Council (Mayor Racquel Vazquez and Councilmembers: Jerry Jones, Jennifer Mendoza, Liana LeBaron, and George Gastil).

Production facilitated by Drs. Makesha Spence, Heike Mitchell, and John Fennig, DRI Consulting.

The format and content of this manual is informed by a review of several southern California City Council manuals, including...

TABLE OF CONTENTS

CHAPTER 1 INTRODUCTION AND OVERVIEW

PURPOSE OF MANUAL

OVERVIEW OF CITY DOCUMENTS

ORIENTATION OF NEW COUNCILMEMBERS.....

CHAPTER 2 CITY COUNCIL – GENERAL POWERS AND RESPONSIBILITIES

MAYOR AND CITY COUNCIL GENERALLY

**CITY COUNCIL-MANAGER FORM OF GOVERNMENT AND THE ROLE OF
 THE CITY MANAGER**

**ROLES AND RESPONSIBILITIES – MAYOR, MAYOR PRO TEM
 AND COUNCILMEMBERS**

APPOINTMENT OF CITY MANAGER AND CITY ATTORNEY.....

CONCURRENT ROLES.....

FINANCIAL MATTERS.....

CHAPTER 3 COMMUNICATIONS.....

WRITTEN CORRESPONDENCE

SPEAKING FOR “THE CITY”

SPEAKING AS AN INDIVIDUAL.....

COUNCIL CONDUCT WITH THE MEDIA.....

CHAPTER 4 INTERACTION WITH CITY STAFF

AGREED UPON NORMS FOR CITY COUNCIL – CITY STAFF INTERACTIONS

TIMELY RESPONSE TO CITY COUNCIL REQUESTS

ACCESS TO INFORMATION

DISSEMINATION OF INFORMATION

RESTRICTION OF POLITICAL INVOLVEMENT BY STAFF

CHAPTER 5 SUPPORT PROVIDED TO CITY COUNCIL

STAFF SUPPORT
USE OF THE CITY CONFERENCE ROOM.....
MAIL AND DELIVERIES.....
CHAPTER 6 CONFLICTS AND LIABILITY.....
CONFLICT OF INTEREST
CONFLICT OF INTEREST RELATED TO REAL PROPERTY HOLDINGS.....
CITY ATTORNEY ADVICE
CONFLICT OF INTEREST FORMS
HARASSMENT AND WORKPLACE STANDARDS.....
LIABILITY
CHAPTER 7 CITY COUNCIL MEETINGS.....
CITY COUNCIL MEETINGS
AGENDA
GENERAL MEETING PROCEDURES
PUBLIC COMMENT
COUNCIL DISCUSSIONS
ADDITIONAL PROTOCOL AND DECORUM
CHAPTER 8 CITY COUNCIL COMMITTEES.....
CITY COUNCIL REPRESENTATION ON OTHER AGENCIES
CHAPTER 9 MISCELLANEOUS REQUIREMENTS
ETHICS TRAINING.....
HARASSMENT TRAINING.....
FRAUD REPORTING.....

CHAPTER 1

INTRODUCTION AND OVERVIEW

Purpose of Governance Manual

The City Council has prepared this City Council Governance Manual (“Manual”) to document accepted practices and clarify expectations. The Manual is intended to assist Councilmembers in carrying out their roles, as well as to provide useful information to prospective Councilmembers and other interested citizens. Through agreement of the City Council and staff to adhere to these practices, the effective administration of City Council affairs is greatly enhanced. While attempting to not be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide Councilmembers in their actions.

The City Clerk shall be responsible for the maintenance of the Manual and for making it available to the public. It is anticipated that this Manual will be reviewed at least every two years, in odd years, in order to reflect changes in the law or City Council procedure or policy.

Failure to observe any of the listed rules or procedures does not serve as an independent source to challenge any decision or action of the City Council, nor does it serve as evidence of improper conduct in any challenge to any action by a City Councilmember or by the City Council as a whole. This Manual is not intended to be a legal statement, and is not written in legal terms.

Overview of City Documents

This Manual provides a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary to undertake the business of a City Council. Many other laws, policies, plans and documents exist that bind the City Council to certain courses of action and practices. A summary of some of the most notable documents that provide guidance to the City Council is provided below.

- *California Constitution and Codes*

The California Constitution and Codes contain many requirements for the operation of city government. Many of these requirements are also replicated within the Lemon Grove Municipal Code to ensure there is broad awareness of such requirements. Lemon Grove is a “general law” city, which means it is organized in accordance with provisions of the California Government Code.

Also described within the California Government Code and the Lemon Grove Municipal Code is the City Council – City Manager form of government, which is practiced in Lemon Grove. Basically, this form of government prescribes that a City Council’s role is to establish policies and priorities, while the role of the City Manager is to oversee the operations of City government.

- *Lemon Grove Municipal Code*
The Lemon Grove Municipal Code contains local laws and regulations adopted by ordinance. It contains a variety of laws including, but not limited to, planning and zoning standards, election laws, local tax standards, and park and open space regulations. The Lemon Grove Municipal Code is available on the City's website or from the City Clerk.
- *General Plan (Adopted October, 1996)*
Lemon Grove's General Plan is comprised of a number of elements, such as land use, transportation, open space, mobility and housing, in accordance with State requirements, and provides a policy framework for various matters that fall within these areas.

Orientation of New Councilmembers

Members of the City Council should have an understanding of the full range of services, facilities and programs provided by the City. As new members join the City Council, the City Manager coordinates an orientation, allowing an opportunity for new Councilmembers to meet key staff.

CHAPTER 2

CITY COUNCIL – GENERAL POWERS AND RESPONSIBILITIES

The City of Lemon Grove is governed by a directly elected Mayor and four-member City Council elected at-large to four-year terms on a staggered biennial basis. Councilmember terms are staggered to ensure a measure of continuity is maintained in the transition from one City Council to the next.

City Councilmembers also serve as members of other entities operating on behalf of the City of Lemon Grove, including the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board and the Lemon Grove Successor Agency Board.

Mayor and City Council Generally

The powers of a City Council in California to establish policy are quite broad. Essentially, councils may undertake any action related to city affairs other than those forbidden or preempted by state or federal law. Specifically, the City Council shall have the power, in the name of the city, to do and perform all acts and things appropriate to a municipal corporation and the general welfare of its inhabitants, which are not specifically forbidden by the Constitution and laws of the State of California.

The Lemon Grove City Council acts as a body. While the Mayor has some additional ceremonial and administrative responsibilities, no Councilmember has any power beyond those of the other members. In the establishment of policy, voting and in all areas except those identified below, all members are equal. Except where the law requires a certain number of affirmative votes, a majority vote of the City Council establishes policy and

makes decisions for the City. While an individual member may disagree with a decision of the City Council, a decision of the majority will bind the City Council to a course of action. In turn, it is staff's responsibility to ensure that the policy of the City Council is implemented. Actions by staff to implement a decision of the City Council do not reflect any bias against a Councilmember who held a minority view on that issue.

City Council-Manager Form of Government and the Role of the City Manager

The employment relationship between the City Council and the City Manager honors the fact that the City Manager is the chief executive officer of the City who works for five independently elected officials. The City Council and City Manager should be a participatory team.

Councilmembers should avoid situations that can result in City staff being directed by one or two members of the Council. Regular communication between the City Council and the City Manager is important in managing open communications. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters.

The City Council is to evaluate the City Manager on a regular basis to ensure that both the City Council and the City Manager are in agreement about performance and goals.

As in any professional relationship, it is important that the City Manager keep the City Council informed. The City Manager respects and is sensitive to the political responsibility of the City Council and acknowledges that the final responsibility for establishing the policy direction of the City is held by the City Council.

The City Manager's power and authority include the ability to:

- Review all agenda documents before preparing the agenda for any regular or special meeting of the City Council.
- Direct the work of all City departments, except those that are directly appointed by or report directly to the City Council.
- Recommend to the City Council adoption of measures that the City Manager may deem necessary for the health, safety or welfare of the community.
- Consolidate or combine offices, positions, departments or units under the City Manager's jurisdiction.
- Conduct research in administrative practices in order to bring about greater efficiency in City government.
- Provide management and leadership training to City departments.

Roles and Responsibilities – Mayor, Mayor Pro Tem and Councilmembers

1. Mayor

- Is directly elected to a 4 year term.
- Serves as the presiding officer of the City Council, preserving strict order and decorum at all meetings of the City Council; announces City Council decisions on all subjects; and decides all questions of order, subject to modification by the City Council.
- Leads the City Council into an effective, cohesive working team.
- Is recognized as the ceremonial spokesperson for the City.
- Selects a substitute for City representation when unable to attend.
- Approves of any agenda prepared by the City Clerk at the direction of the City Manager.
- May call for special meetings as necessary in response to the scope and timing of the City Council's workload and schedule.
- Recommends City Council appointments to various public bodies, which are then confirmed by a majority vote of the City Council.
- Signs minutes or other required documents on behalf of the City when Mayor's signature is required.
- Responds to correspondence submitted to the full City Council on non-agenda items.
- Charged with the administration of proclamations. The issuance of proclamations is at the Mayor's discretion, without formal action by City Council.
- Coordinates the annual evaluation of the City Manager and City Attorney.
- Serves as the City Council's spokesperson in the media.
- Is entitled to vote on all matters, but does not have veto power.

2. Mayor Pro Tem

- Serves as the presiding officer when the Mayor is absent.
- Performs the duties of the Mayor in the Mayor's absence or at the request of the Mayor.
- Represents the City at ceremonial functions at the request of the Mayor.
- Serves as the protocol official in city council procedures, similar to a parliamentarian.

3. Councilmembers (including Mayor and Mayor Pro Tem)

- Participate in City Council meetings and in other public forums while demonstrating respect, consideration and courtesy to others.
- Serve as a model of leadership and civility to the community.
- Inspire public confidence in City government.
- Demonstrate honesty and integrity in every action and statement.
- Are familiar with the City Council Manual.
- Prepare in advance of City Council meetings and be familiar with issues on the agenda. Advise the City Manager and City Clerk as soon as possible of an impending absence.
- Seek authorization from the City Manager if any request of staff will require more than one hour of staff time to complete. This provision does not apply to City Council questions related to agenda reports.
- ~~Shall not take action on any matter that has no direct effect on the local affairs of the City and over which the City has no jurisdiction.~~
- Shall be respectful of other people's time, stay focused and act efficiently during public meetings.
- Commit to spending time each year outside of regular City Council meetings to work with the City Manager and staff on setting goals and priorities for the City government and to work on issues that may be inhibiting the maximal achievement of City goals.

- May represent the City at ceremonial functions at the request of the Mayor.
- Represent the City Council on County, regional, district or state boards, committees or commissions, and other public agencies, or quasi-public agencies, as appointed by the Mayor with City Council confirmation.
- May join two other Councilmembers to call a special meeting of the City Council.
- Complete all required training in a timely manner, including State-mandated AB 1234 Ethics Training and legally mandated harassment training.
- File in a timely manner all required Fair Political Practices Commission documentation, including the annual Statement of Economic Interests and campaign statements.

Appointment of City Manager and City Attorney

The City Council appoints two positions within the city organization: the City Manager and the City Attorney (currently a contract attorney). Both positions serve at the will of the City Council. The City Manager is an employee of the City and has an employment agreement that specifies certain terms of employment including an annual evaluation by the City Council. The City Manager is responsible for all other personnel appointments within the City.

The City Attorney has such duties as prescribed by the general laws of the State and the regulations of the City.

Concurrent Roles - Successor Agency, Public Facilities Financing Authority and Parking Authority

The Mayor and City Councilmembers serve as members of other entities operating on behalf of the City Council of the City of Lemon Grove:

Lemon Grove Housing Authority

Lemon Grove Sanitation District Board

Lemon Grove Roadway Lighting District Board

Successor Agency to the Former Lemon Grove Redevelopment Agency

FINANCIAL MATTERS

Council Compensation

State law and the Municipal Code provide for modest compensation to members of the City

Council. State law limits an increase in City Council salaries to 5% per year, effective only following the next election after adoption. Currently, the Mayor receives a stipend of \$1,405 per month; Councilmembers receive a stipend of \$803 per month. Councilmembers are also eligible for participation in group insurance benefits including retirement, health, dental, vision, and life insurance plans.

Councilmembers are not compensated by Lemon Grove for attendance at standing committees, joint power authorities, or other agencies or organizations, but may be compensated by those external organizations for attending meetings.

Expenditure Allowance

The annual City budget includes limited funding for Councilmembers to undertake official City business. Eligible expenses include travel, meals and lodging and other actual and necessary expenses approved in advance by the City Manager for attending meetings and events organized by the League of California Cities, meetings with representatives of local, regional, state and the federal government on adopted City policy positions; educational seminars designed to improve officials' skill and information levels; and meetings of regional, state and national organizations whose activities affect the City's interests.

Expenditure Guidelines

Any expense must be related to the conduct of City business, such as the actual and necessary expenses incurred in the performance of a Councilmember's official duties. Public property and public funds may not be used for any private or personal purpose, including personal political purposes. For example, reimbursement could not be allowed to pay for meals at a meeting designed to discuss political or campaign strategies. It is also inappropriate for City funds to pay for a meal or other expenses of a private citizen at such meetings.

City budgetary practices and accounting controls apply to expenditures within the City Council budget. Reimbursement requests should be made through the City Manager's office with receipts. Expenditure records are public information. Questions arising as to the proper application or interpretation of the adopted policy will result in the City Manager conferring with the Mayor and City Attorney.

CHAPTER 3 **COMMUNICATIONS**

An important role of each Councilmember is communication with the public to assess community opinions and to communicate information about the City. Because the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the City Council. Equally important, when members are expressing personal views and not those of City Council, the public should be so advised.

Written Correspondence

The City Manager is authorized to receive and take administrative action on all

correspondence directed to the City Council. Generally, correspondence relating to a specific City Council agenda item shall be distributed with the agenda report; correspondence received after the publication of agenda packets, is to be compiled and distributed to the City Council prior to the City Council meeting. The City Manager is also authorized to respond to correspondence submitted to the full City Council on non-agenda items or authorize a staff member to respond to the extent possible.

After the City Council has taken a position on an issue, official correspondence should reflect this position. While Councilmembers who may disagree with a position are free to prepare correspondence on such issues; City letterhead and staff support should not be utilized.

Speaking for “the City”

Similar to written correspondence, when Councilmembers are requested to speak to groups or are asked the City Council’s position on an issue, the response should reflect the position of the City Council as a whole. Of course, a member may clarify their vote on a matter by stating, for example, “While I voted against X, the City Council voted in support of it.” When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the City Council’s position rather than that of an individual member.

When dealing with members of the media, it is usually the Mayor who represents the position and interest of the City Council. The Mayor may delegate this responsibility to the Mayor Pro Tem or a fellow Councilmember.

Speaking as an Individual

On occasion, Councilmembers may wish to transmit correspondence on an issue upon which the City Council has yet to take a position or about an issue for which the City Council has no position. In these circumstances, members should clearly indicate in their communications that they are not speaking for the City Council as a whole, but for themselves as one member of the Council. As discussed above, in spoken conversations, Councilmembers should clarify when they are speaking as an individual and not on behalf of the City Council.

Council Conduct with the Media

Councilmembers are frequently contacted by the media for quotes and background information. The following provides helpful tips for communication with the media:

- **The Mayor is the official spokesperson for the City Council on City policy.** Because the Mayor is the designated representative of the Council to present and speak on the official City position, Councilmembers must be clear about whether comments represent the official City position or a personal viewpoint.
- **Assume you are always “on the record.”** Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. However, one bad experience could be catastrophic.

- **Choose words carefully and cautiously.** Comments taken out of context can cause problems. Therefore, be cautious about use of humor, sarcasm, or word play.

CHAPTER 4

INTERACTION WITH CITY STAFF

Agreed Upon Norms for City Council – City Staff Interactions

Whenever possible, it is suggested that City Councilmembers work through the City Manager or their designee.

Timely Response to City Council Requests

City staff will make every effort to respond in a timely and professional manner to all requests made by individual Councilmembers for information or assistance; except that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff.

Access to Information

Individual Councilmembers as well as the City Council as a whole shall receive the full cooperation and candor of staff in being provided with any requested information. The City Manager or appropriate staff will inform City Council when a critical or unusual event occurs about which the public would be concerned.

To assist the City Manager in his/her ability to monitor the flow of information, requests for information are best tracked if submitted in writing. And to ensure proper responsiveness, questions and requests for information are to go to the City Manager.

There are limited restrictions when information cannot be provided. Draft documents (e.g., staff reports in progress, administrative draft EIRs, etc.) under review are not available for release until complete and after review by City management. In addition, there are legal restrictions on the City's ability to release certain personnel information even to members of the City Council.

Dissemination of Information

In cases where a staff response to an individual Councilmember request involves written materials, the City Manager will provide copies of the material to all other Councilmembers.

Restriction of Political Involvement by Staff

Local governments are non-partisan entities. Professional staff, as reflected within the principles of the City Council-City Manager form of government, formulate recommendations consistent with City Council policy and for the good of the community and should not be influenced by political factors.

CHAPTER 5 **SUPPORT PROVIDED TO CITY COUNCIL**

Staff Support

General administrative support to members of the City Council is provided through the City Manager's office. Administrative support includes coordinating the Mayor's calendar, correspondence, and coordinating responses to inquiries which require City staff input.

Administrative support to members of the City Council includes handling City Council mail, phone calls, correspondence and travel arrangements for City Council business. Emails received directly by Councilmembers are handled individually by the recipient with the exception of the Mayor, whose emails are handled by the City Manager's Office. If a Councilmember forwards an email request to staff for action, then that email is handled in the same manner as any written correspondence received by mail. In addition to supporting the five City Councilmembers, the administrative support staff members also assist the City Manager and handle requests, inquiries and complaints submitted to the City. Sensitivity to the workload of support staff members in the City Manager's office is appreciated. Prior consultation with the City Manager is requested if a Councilmember seeks administrative support for a task that requires a significant time commitment.

Use of City Hall Conference Room

Councilmembers can only use the city hall conference room for official City business. Councilmembers must contact the City Manager's office for assistance in reserving a meeting room.

Mail and Deliveries

Members of the City Council receive mail and other materials from the public, private interests and staff. The City Manager's office staff maintains a mailbox for each Councilmember.

CHAPTER 6 **CONFLICTS AND LIABILITY**

Conflict of Interest

State laws are in place to prevent an action by a Councilmember that would constitute a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest. At any time a Councilmember believes a potential for conflict of interest exists, he/she is encouraged to consult with the City Attorney. Staff may also request an opinion from the City Attorney or the California Fair Political Practices Commission ("FPPC") regarding a Councilmember's potential conflict. Laws that regulate conflicts are very complicated. Violations may result in significant penalties including criminal prosecution or the inability to serve in public office.

There are two primary laws that govern conflicts of interest for public officials in California -

the Political Reform Act and Cal. Government Code §§1090, et seq. In general terms, the Political Reform Act prohibits a public official from having a financial interest in a decision before the official; Cal. Government Code §§1090, et seq. relates to government contracting law and prohibits a public official from having an interest in government contracts.

The Political Reform Act prohibits public officials from making, participating in, or in any way attempting to use their official position to influence a governmental decision in which they know, or have reason to know, that they have a financial interest. Therefore, if a public official has a conflict of interest, the official must disqualify himself or herself from acting on or participating in the decision before the City. Once a year Councilmembers and certain staff are required to file statements of economic interests with the FPPC.

Cal. Government Code §§1090, et seq. is similar to the Political Reform Act, but applies only to City contracts in which a public official has a financial interest. The financial interests covered by Cal. Government Code §§1090, et seq. are different from those in the Political Reform Act. A Councilmember having an interest in a City contract may preclude the City from entering into the contract at all. In addition, the penalties for violating §§1090 can be severe. If a Councilmember believes that he/she may have any financial interest in a contract that will be before the City Council, the Councilmember should immediately seek advice from the City Attorney.

Conflict of Interest Related to Real Property Holdings

Certain conflicts may arise due to Councilmember property holdings, and the law requires that a Councilmember disqualify him or herself in certain situations. The threshold question is whether or not a Councilmember's decision would have a reasonably foreseeable financial effect on his or her real property interest, giving rise to a legal conflict of interest. As a general rule, a governmental decision is considered to have a reasonably foreseeable financial effect if it "would cause a reasonably prudent person, using due care and consideration under the circumstances, to believe that the governmental decision was of such a nature that its reasonably foreseeable effect would influence the market value of the official's property." (2 Cal. Code Regs. § 18702.2.)

Common examples of conflicts include (but are not limited to) when the governmental decision involves the adoption or amendment to a general or specific plan, and the parcel is located within the proposed boundaries, where the decision determines a parcel's zoning or rezoning, where the decision would impose, repeal, or modify taxes or fees, etc., and when a decision affecting real property value is located within 500 feet of the property line of the official's real property.

It is recommended that any concerns or questions regarding real property conflict of interests are directed to the City Attorney's office.

City Attorney Advice

The City Attorney has an affirmative duty to protect the City and City Council from conflicts of interest wherever possible. It is critical to note that while the City Attorney can render

advice on the interpretation of State laws and regulations on conflict matters, such advice is solely an interpretation of the law. The only entity that can provide binding interpretations and immunity on such matters is the FPPC. Members or the full City Council may also solicit opinions on such matters directly from the FPPC, however, such opinions often take time to develop and may not readily respond to urgent matters. It is important to note that the City Attorney does not represent individual members of City Council, but the City Council as a whole.

Conflict of Interest Forms

Annual disclosure statements are required of all Councilmembers, designated commissioners and senior staff, which indicate potential conflicts of interest including sources of income, real property interests and receipt of loans and gifts. Councilmembers and the City Manager often serve on the governing board of other agencies as a result of their positions. These agencies also require submittal of disclosure forms.

Harassment and Workplace Standards

State law prohibits, and the City has policies and procedures which prohibit, discrimination and harassment.

Liability

The City offers a variety of services and may occasionally find itself subject to legal actions through lawsuits. For example, those involved in automobile accidents sometimes choose to take actions against a City since the accident occurred on a City roadway. The City must always approach its responsibilities in a manner that reduces risk to all involved; however, with such a wide variety of high-profile services all risk cannot be eliminated.

It is important to note that violations of certain laws and regulations by individual members of the City Council may result in that Councilmember being personally liable for damages which would not be covered by the City's insurance. Examples include, but are not limited to, discrimination, harassment or fraud.

CHAPTER 7 **CITY COUNCIL MEETINGS**

City Council Meetings

All regular and special meetings of the City Council shall be open to the public; however, closed sessions may be held for the purposes permitted by law, from which the public may be excluded.

Regular Meetings

The first and third Tuesdays of each month, at 6:00 p.m., are designated by Municipal Code Section 2.14.040 as the regular meetings of the City Council.

The Mayor or a majority of the members of the City Council may call additional meetings as necessary in response to the scope and timing of the City Council's workload and schedule. The Mayor or majority of the City Council may cancel a regular meeting.

Special Meetings

Upon giving notice in the manner required by law, the Mayor or a majority of the members of the City Council may call a special meeting of the City Council. Topics of discussion at special meetings must be limited to those noticed to the public.

Types of Sessions: Open or Closed

Open Sessions:

The City Council may hold an open session (i.e. study session, retreat or workshop) to meet with various people, City Commissions and ad hoc committees; to receive briefings and background information; and to hold general discussions on major issues before formal City Council action is required. Open sessions may be scheduled as regular, adjourned regular or special meetings. The Mayor and City Manager shall collaborate on scheduling of items. Presentations to the City Council may be made by staff members, consultants, representatives of other public agencies and/or any other persons expressly invited for that purpose.

Closed Sessions:

It is the policy of the City Council to conduct its business in public to the greatest extent possible. However, State law recognizes that public discussion of certain items could jeopardize the public interest, compromise the City's position, or cost the citizens of Lemon Grove financially, and, therefore, generally allows the City Council to hold closed session meetings for the consideration of certain personnel matters, labor negotiations, real property negotiations, matters of public security and the discussion of litigation, among other things, as allowed by State law. Therefore, these rules provide for strict confidentiality of City Council discussion under certain circumstances and as required by state law. The procedures for the conduct of the closed sessions shall be the same as those for open session meetings, except that the public, after allowance for public comment, will be excluded.

Confidential Information in Closed Sessions

Cal. Government Code §54963 states that no person may disclose confidential information that has been acquired by being present in a closed session, unless authorized by the body holding the closed session. Disclosure of closed session discussions need only occur when required by law or when there is a majority vote of the City Council. In the event someone violates this provision, the statute and interpreting case law gives the legislative body options to address the violation, including: (1) the body may ask a court to issue an injunction preventing the further disclosure of confidential information; (2) if the person disclosing the information is an employee, the public entity may take disciplinary action against that employee; and/or (3) if the person disclosing the information is a member of the legislative body, the public entity may refer the matter to the grand jury.

Agenda

Agenda Preparation and Distribution

The agenda for each meeting of the City Council shall be prepared by the City Clerk at the direction of the City Manager and with the concurrence of the Mayor.

The City Clerk will make the agenda and staff reports available to the public in accordance with the Brown Act.

Action on Items Not on Agenda

The City Council shall not take action on any item not appearing on the posted agenda, except as such action is permitted by law and under the following circumstances: (1) upon a determination that an emergency exists, as defined by state law; and (2) upon a determination by the City Council that the need to take action immediately arose after the agenda was posted.

When an issue arises during a meeting that requires City Council action, is not listed on the agenda, and does not qualify under an exception that allows immediate action, the City Council may refer the issue to staff for review and possible placement of the item on a subsequent City Council agenda. At least two members of the City Council must agree in order required to get an item agendized.

~~Councilmembers may briefly respond to a question posed or comment made by a member of the public. In addition, on their own initiative, or in response to questions posed by the public, as permitted by the Mayor, Councilmembers may ask a clarifying question, provide a reference to staff or other resources for factual information, or ask staff to report back to the City Council.~~

General Meeting Procedures

Presiding Officer

The Mayor is the presiding officer of the City Council. The presiding officer shall preserve strict order and decorum at all meetings of the City Council, announce City Council decisions on all subjects and decide all questions of order.

In the absence of the Mayor for any reason, the Mayor Pro Tem shall be the presiding officer of the Council.

Seating Arrangements

The Mayor Pro Tem is seated immediately next to the Mayor. The Mayor shall establish the seating arrangement for regular City Council meetings.

Quorum

A majority of the Council shall constitute a quorum for any City Council meeting. No business may be transacted by the City Council at a regular or special meeting unless a quorum of the membership is present.

Except where otherwise required by law, actions by the City Council shall be by a majority of the City Council.

Roll Call

Before proceeding with the business of the City Council, the City Clerk shall call the roll of the Councilmembers; the names of those present and those absent shall be entered in the minutes. If a Councilmember should arrive late to the meeting, it shall be noted in the minutes.

Order of Business for Adjourned Meetings and Continued Items

When a meeting is adjourned or an item is continued to another date, generally the continued item will be placed first on that portion of the agenda at that meeting; however, where deemed necessary, the City Clerk, with the concurrence of the City Manager and Mayor, may place a continued item in a different order on the agenda.

Public Comment

Opportunity to Speak

Members of the public will be afforded the opportunity to speak, upon request, regarding all items under the subject matter jurisdiction of the City Council. The Mayor has the authority to modify the time limits set forth below based on the size of the agenda and the likely number of speakers. During special or study session meetings, the public may address the City Council only on items on the agenda. Therefore, public testimony on agenda items will occur during City Council consideration of the item.

When to Speak

During Public Communications, the Mayor or presiding officer will recognize persons who wish to speak on matters that are not on the agenda and are within the subject matter jurisdiction of the City Council. Public comment on agenda items will be taken when the City Council considers the item.

All remarks shall be addressed to the City Council as a legislative body and not to any individual Councilmember. When recognized by the Mayor, Councilmembers may ask questions of a speaker at the close of a speaker's testimony. Staff may be given the opportunity to clarify public comments on matters of fact before closing for City Council deliberations.

Failure to Speak

Any failure of a member of the public to request to speak on an item, or any failure by the City Council to afford an opportunity to speak on an item, shall not affect the City Council's right to act on that item or the validity of any action subsequently taken by the City Council.

Staff

Staff may be provided the opportunity to present a summary of each staff report and will be available to answer questions of Councilmembers.

Addressing the Council during Council Deliberations

No person may address the City Council following the time for public testimony and during City Council deliberations, unless a majority of the City Council agrees or in answer to a specific question directed to the individual by a member of the City Council.

Speaker Cards and Other Protocol.

A member of the public who wishes to address the City Council will be asked to complete a speaker card for the record; the speaker card includes the speaker's name, address and other contact information, and the number of the agenda item. The completion of a public comment card is not necessary to address the City Council but will aid the City Clerk in maintaining an accurate record. The completed cards should be presented to the City Clerk.

To ensure accuracy of the record, members of the public addressing City Council should speak in an audible tone of voice into the microphone at the lectern. Each speaker is encouraged, but not required, to give his or her name and city of residence.

Council Discussions

To assist the City Council in the development of a structure for orderly discussion of items, rules have been prepared which represent accepted practices for the management of City Council meetings.

Obtaining the floor. A member of the City Council or staff shall first address the Mayor to gain recognition. Comments and questions should be limited to the issue before Council. Cross-exchange between Councilmembers and public should be avoided.

Questions to Staff. A Councilmember shall, after recognition by the Mayor, address questions to the Department Director or designated staff member. If a Councilmember has questions on an agenda item, that member should contact staff prior to the meeting in order to allow staff time to research a response/answer for the meeting.

Interruptions. Once a Councilmember has the floor, other Councilmembers may not interrupt except to make a point of order.

Additional Protocol and Decorum

To assist the City Council in working with a wide variety of backgrounds, personalities, opinion, values, and goals, additional protocols are outlined below:

Use Formal Titles. Councilmembers should refer to one another and City staff

formally during public meetings as “Mayor,” “Mayor Pro Tem,” or “Councilmember,” followed by the individual’s last name.

Technology. Cellular telephones or any other telecommunications devices should be in the silent mode or turned off during the City Council Meeting. Councilmembers should avoid sending text messages, emails or posting on social media during Council Meetings.

Practice civility and decorum in discussions and debates.

Honor the role of the Mayor in maintaining order.

Disturbances. Any person who willfully disturbs or breaks up a City Council meeting may be arrested and charged with a misdemeanor, pursuant to California Penal Code Section 403.

Rules of Decorum. The City Council adopted Rules for the Conduct of City Council Meetings on May 4, 2021; these rules are still in effect until repealed or changed by the City Council.

CHAPTER 8 **CITY COUNCIL COMMITTEES**

City Council Representation on Other Agencies

Councilmembers may be assigned to represent the City on county, regional, district or state boards, committees or commissions, and other public agencies or quasi-public agencies. The Mayor recommends the appointments, which are then confirmed by a majority vote of the City Council. The City Clerk shall maintain a list of all such appointments.

An appointed representative or representatives shall be the duly authorized representatives and spokespersons for the City Council on or before such bodies; no other Councilmember shall speak as the City Council's representative or on behalf of the City Council before such bodies. A Councilmember may appear before such body as a private citizen.

CHAPTER 9 **MISCELLANEOUS REQUIREMENTS**

Ethics Training

State Assembly Bill 1234 (AB 1234) requires Councilmembers to take Ethics Training on a bi-annual basis. Councilmembers are required to take training no later than one year from the first day of service. A refresher training is required every two years thereafter (City Clerk will send reminder notices).

Upon completion of the training, Proof of Participation Certificate is issued, which must be

signed and the original Certificate filed with the City Clerk.

Harassment Training

State Assembly Bill 1661 (AB 1661) requires all local agency legislative body members and any elected local agency officials who receive any kind of compensation, salary, or stipend in the performance of their duties to receive sexual harassment prevention and education training.

As such, Councilmembers must participate in a minimum of two hours of sexual harassment prevention training and education within the first six months of taking office or commencing employment, and every two years thereafter.

Contents of the training required for elected officials must include: (1) information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against, and the prevention and correction of, sexual harassment and the remedies available to the victims of such harassment in the employment context; and (2) practical examples aimed at instructing the official in the prevention of sexual harassment, discrimination and retaliation.

Upon completion of a training course provided by the City or other providers consistent with the requirements above, a proof of participation/certificate of completion should be filed with the City Clerk to be maintained as a part of the City's records.

Fraud Reporting

A Council Member who discovers or suspects fraudulent activity can report such activity to the Mayor and/or City Manager.

Reporting can be accomplished in one or more of the following ways:

- A written statement delivered to a supervisor, a director or the City Manager;
- A phone call to a supervisor, a director or the City Manager;
- A personal conversation with a supervisor, a director or the City Manager; or
- Report the complaint directly to the District Attorney, FPPC, San Diego Grand Jury or State Attorney General.

The City Manager or his or her designee has the authority to investigate and proceed with further action.

Great care will be taken when investigating suspected improprieties or wrongdoings so as to avoid mistaken accusations or alerting suspected individuals that an investigation is underway.

City Of Lemon Grove City Council Manual

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Produced by City of Lemon Grove staff (led by Lydia Romero, City Manager) in collaboration with the City of Lemon Grove City Council (Mayor Racquel Vazquez and Councilmembers: Jerry Jones, Jennifer Mendoza, Liana LeBaron, and George Gastil).

Production facilitated by Drs. Makesha Spence, Heike Mitchell, and John Fennig, DRI Consulting.

The format and content of this manual is informed by a review of several southern California City Council manuals, including...

TABLE OF CONTENTS

CHAPTER 1 INTRODUCTION AND OVERVIEW

PURPOSE OF MANUAL

OVERVIEW OF CITY DOCUMENTS

ORIENTATION OF NEW COUNCILMEMBERS.....

CHAPTER 2 CITY COUNCIL – GENERAL POWERS AND RESPONSIBILITIES

MAYOR AND CITY COUNCIL GENERALLY

**CITY COUNCIL-MANAGER FORM OF GOVERNMENT AND THE ROLE OF
 THE CITY MANAGER**

**ROLES AND RESPONSIBILITIES – MAYOR, MAYOR PRO TEM
 AND COUNCILMEMBERS**

APPOINTMENT OF CITY MANAGER AND CITY ATTORNEY.....

CONCURRENT ROLES.....

FINANCIAL MATTERS.....

CHAPTER 3 COMMUNICATIONS.....

WRITTEN CORRESPONDENCE

SPEAKING FOR “THE CITY”

SPEAKING AS AN INDIVIDUAL.....

COUNCIL CONDUCT WITH THE MEDIA.....

CHAPTER 4 INTERACTION WITH CITY STAFF

AGREED UPON NORMS FOR CITY COUNCIL – CITY STAFF INTERACTIONS

TIMELY RESPONSE TO CITY COUNCIL REQUESTS

ACCESS TO INFORMATION

DISSEMINATION OF INFORMATION

RESTRICTION OF POLITICAL INVOLVEMENT BY STAFF

CHAPTER 5 SUPPORT PROVIDED TO CITY COUNCIL

STAFF SUPPORT
USE OF THE CITY CONFERENCE ROOM.....
MAIL AND DELIVERIES.....
CHAPTER 6 CONFLICTS AND LIABILITY.....
CONFLICT OF INTEREST
CONFLICT OF INTEREST RELATED TO REAL PROPERTY HOLDINGS.....
CITY ATTORNEY ADVICE
CONFLICT OF INTEREST FORMS
HARASSMENT AND WORKPLACE STANDARDS.....
LIABILITY
CHAPTER 7 CITY COUNCIL MEETINGS.....
CITY COUNCIL MEETINGS
AGENDA
GENERAL MEETING PROCEDURES
PUBLIC COMMENT
COUNCIL DISCUSSIONS
ADDITIONAL PROTOCOL AND DECORUM
CHAPTER 8 CITY COUNCIL COMMITTEES.....
CITY COUNCIL REPRESENTATION ON OTHER AGENCIES
CHAPTER 9 MISCELLANEOUS REQUIREMENTS
ETHICS TRAINING.....
HARASSMENT TRAINING.....
FRAUD REPORTING.....

CHAPTER 1

INTRODUCTION AND OVERVIEW

Purpose of Governance Manual

The City Council has prepared this City Council Governance Manual (“Manual”) to document accepted practices and clarify expectations. The Manual is intended to assist Councilmembers in carrying out their roles, as well as to provide useful information to prospective Councilmembers and other interested citizens. Through agreement of the City Council and staff to adhere to these practices, the effective administration of City Council affairs is greatly enhanced. While attempting to not be overly restrictive, procedures are established so that expectations and practices can be clearly articulated to guide Councilmembers in their actions.

The City Clerk shall be responsible for the maintenance of the Manual and for making it available to the public. It is anticipated that this Manual will be reviewed at least every two years, in odd years, in order to reflect changes in the law or City Council procedure or policy.

Failure to observe any of the listed rules or procedures does not serve as an independent source to challenge any decision or action of the City Council, nor does it serve as evidence of improper conduct in any challenge to any action by a City Councilmember or by the City Council as a whole. This Manual is not intended to be a legal statement, and is not written in legal terms.

Overview of City Documents

This Manual provides a summary of important aspects of City Council activities. However, it cannot incorporate all material and information necessary to undertake the business of a City Council. Many other laws, policies, plans and documents exist that bind the City Council to certain courses of action and practices. A summary of some of the most notable documents that provide guidance to the City Council is provided below.

- *California Constitution and Codes*

The California Constitution and Codes contain many requirements for the operation of city government. Many of these requirements are also replicated within the Lemon Grove Municipal Code to ensure there is broad awareness of such requirements. Lemon Grove is a “general law” city, which means it is organized in accordance with provisions of the California Government Code.

Also described within the California Government Code and the Lemon Grove Municipal Code is the City Council – City Manager form of government, which is practiced in Lemon Grove. Basically, this form of government prescribes that a City Council’s role is to establish policies and priorities, while the role of the City Manager is to oversee the operations of City government.

- *Lemon Grove Municipal Code*
The Lemon Grove Municipal Code contains local laws and regulations adopted by ordinance. It contains a variety of laws including, but not limited to, planning and zoning standards, election laws, local tax standards, and park and open space regulations. The Lemon Grove Municipal Code is available on the City's website or from the City Clerk.
- *General Plan (Adopted October, 1996)*
Lemon Grove's General Plan is comprised of a number of elements, such as land use, transportation, open space, mobility and housing, in accordance with State requirements, and provides a policy framework for various matters that fall within these areas.

Orientation of New Councilmembers

Members of the City Council should have an understanding of the full range of services, facilities and programs provided by the City. As new members join the City Council, the City Manager coordinates an orientation, allowing an opportunity for new Councilmembers to meet key staff.

CHAPTER 2

CITY COUNCIL – GENERAL POWERS AND RESPONSIBILITIES

The City of Lemon Grove is governed by a directly elected Mayor and four-member City Council elected at-large to four- year terms on a staggered biennial basis. Councilmember terms are staggered to ensure a measure of continuity is maintained in the transition from one City Council to the next.

City Councilmembers also serve as members of other entities operating on behalf of the City of Lemon Grove, including the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board and the Lemon Grove Successor Agency Board.

Mayor and City Council Generally

The powers of a City Council in California to establish policy are quite broad. Essentially, councils may undertake any action related to city affairs other than those forbidden or preempted by state or federal law. Specifically, the City Council shall have the power, in the name of the city, to do and perform all acts and things appropriate to a municipal corporation and the general welfare of its inhabitants, which are not specifically forbidden by the Constitution and laws of the State of California.

The Lemon Grove City Council acts as a body. While the Mayor has some additional ceremonial and administrative responsibilities, no Councilmember has any power beyond those of the other members. In the establishment of policy, voting and in all areas except those identified below, all members are equal. Except where the law requires a certain number of affirmative votes, a majority vote of the City Council establishes policy and

makes decisions for the City. While an individual member may disagree with a decision of the City Council, a decision of the majority will bind the City Council to a course of action. In turn, it is staff's responsibility to ensure that the policy of the City Council is implemented. Actions by staff to implement a decision of the City Council do not reflect any bias against a Councilmember who held a minority view on that issue.

City Council-Manager Form of Government and the Role of the City Manager

The employment relationship between the City Council and the City Manager honors the fact that the City Manager is the chief executive officer of the City who works for five independently elected officials. The City Council and City Manager should be a participatory team.

Councilmembers should avoid situations that can result in City staff being directed by one or two members of the Council. Regular communication between the City Council and the City Manager is important in managing open communications. All dealings with the City Manager, whether in public or private, should respect the authority of the City Manager in administrative matters.

The City Council is to evaluate the City Manager on a regular basis to ensure that both the City Council and the City Manager are in agreement about performance and goals.

As in any professional relationship, it is important that the City Manager keep the City Council informed. The City Manager respects and is sensitive to the political responsibility of the City Council and acknowledges that the final responsibility for establishing the policy direction of the City is held by the City Council.

The City Manager's power and authority include the ability to:

- Review all agenda documents before preparing the agenda for any regular or special meeting of the City Council.
- Direct the work of all City departments, except those that are directly appointed by or report directly to the City Council.
- Recommend to the City Council adoption of measures that the City Manager may deem necessary for the health, safety or welfare of the community.
- Consolidate or combine offices, positions, departments or units under the City Manager's jurisdiction.
- Conduct research in administrative practices in order to bring about greater efficiency in City government.
- Provide management and leadership training to City departments.

Roles and Responsibilities – Mayor, Mayor Pro Tem and Councilmembers

1. Mayor

- Is directly elected to a 4 year term.
- Serves as the presiding officer of the City Council, preserving strict order and decorum at all meetings of the City Council; announces City Council decisions on all subjects; and decides all questions of order, subject to modification by the City Council.
- Leads the City Council into an effective, cohesive working team.
- Is recognized as the ceremonial spokesperson for the City.
- Selects a substitute for City representation when unable to attend.
- Approves of any agenda prepared by the City Clerk at the direction of the City Manager.
- May call for special meetings as necessary in response to the scope and timing of the City Council’s workload and schedule.
- Recommends City Council appointments to various public bodies, which are then confirmed by a majority vote of the City Council.
- Signs minutes or other required documents on behalf of the City when Mayor’s signature is required.
- Responds to correspondence submitted to the full City Council on non-agenda items.
- Charged with the administration of proclamations. The issuance of proclamations is at the Mayor’s discretion, without formal action by City Council.
- Coordinates the annual evaluation of the City Manager and City Attorney.
- Serves as the City Council’s spokesperson in the media.
- Is entitled to vote on all matters, but does not have veto power.

2. **Mayor Pro Tem**

- Serves as the presiding officer when the Mayor is absent.
- Performs the duties of the Mayor in the Mayor's absence or at the request of the Mayor.
- Represents the City at ceremonial functions at the request of the Mayor.
- Serves as the protocol official in city council procedures, similar to a parliamentarian.

3. **Councilmembers (including Mayor and Mayor Pro Tem)**

- Participate in City Council meetings and in other public forums while demonstrating respect, consideration and courtesy to others.
- Serve as a model of leadership and civility to the community.
- Inspire public confidence in City government.
- Demonstrate honesty and integrity in every action and statement.
- Are familiar with the City Council Manual.
- Prepare in advance of City Council meetings and be familiar with issues on the agenda. Advise the City Manager and City Clerk as soon as possible of an impending absence.
- Seek authorization from the City Manager if any request of staff will require more than one hour of staff time to complete. This provision does not apply to City Council questions related to agenda reports.
- Shall be respectful of other people's time, stay focused and act efficiently during public meetings.
- Commit to spending time each year outside of regular City Council meetings to work with the City Manager and staff on setting goals and priorities for the City government and to work on issues that may be inhibiting the maximal achievement of City goals.
- May represent the City at ceremonial functions at the request of the Mayor.
- Represent the City Council on County, regional, district or state boards,

committees or commissions, and other public agencies, or quasi-public agencies, as appointed by the Mayor with City Council confirmation.

- May join two other Councilmembers to call a special meeting of the City Council.
- Complete all required training in a timely manner, including State-mandated AB 1234 Ethics Training and legally mandated harassment training.
- File in a timely manner all required Fair Political Practices Commission documentation, including the annual Statement of Economic Interests and campaign statements.

Appointment of City Manager and City Attorney

The City Council appoints two positions within the city organization: the City Manager and the City Attorney (currently a contract attorney). Both positions serve at the will of the City Council. The City Manager is an employee of the City and has an employment agreement that specifies certain terms of employment including an annual evaluation by the City Council. The City Manager is responsible for all other personnel appointments within the City.

The City Attorney has such duties as prescribed by the general laws of the State and the regulations of the City.

Concurrent Roles - Successor Agency, Public Facilities Financing Authority and Parking Authority

The Mayor and City Councilmembers serve as members of other entities operating on behalf of the City Council of the City of Lemon Grove:

Lemon Grove Housing Authority

Lemon Grove Sanitation District Board

Lemon Grove Roadway Lighting District Board

Successor Agency to the Former Lemon Grove Redevelopment Agency

FINANCIAL MATTERS

Council Compensation

State law and the Municipal Code provide for modest compensation to members of the City Council. State law limits an increase in City Council salaries to 5% per year, effective only following the next election after adoption. Currently, the Mayor receives a stipend of \$1,405 per month; Councilmembers receive a stipend of \$803 per month. Councilmembers

are also eligible for participation in group insurance benefits including retirement, health, dental, vision, and life insurance plans.

Councilmembers are not compensated by Lemon Grove for attendance at standing committees, joint power authorities, or other agencies or organizations, but may be compensated by those external organizations for attending meetings.

Expenditure Allowance

The annual City budget includes limited funding for Councilmembers to undertake official City business. Eligible expenses include travel, meals and lodging and other actual and necessary expenses approved in advance by the City Manager for attending meetings and events organized by the League of California Cities, meetings with representatives of local, regional, state and the federal government on adopted City policy positions; educational seminars designed to improve officials' skill and information levels; and meetings of regional, state and national organizations whose activities affect the City's interests.

Expenditure Guidelines

Any expense must be related to the conduct of City business, such as the actual and necessary expenses incurred in the performance of a Councilmember's official duties. Public property and public funds may not be used for any private or personal purpose, including personal political purposes. For example, reimbursement could not be allowed to pay for meals at a meeting designed to discuss political or campaign strategies. It is also inappropriate for City funds to pay for a meal or other expenses of a private citizen at such meetings.

City budgetary practices and accounting controls apply to expenditures within the City Council budget. Reimbursement requests should be made through the City Manager's office with receipts. Expenditure records are public information. Questions arising as to the proper application or interpretation of the adopted policy will result in the City Manager conferring with the Mayor and City Attorney.

CHAPTER 3 **COMMUNICATIONS**

An important role of each Councilmember is communication with the public to assess community opinions and to communicate information about the City. Because the City Council performs as a body (that is, acting based on the will of the majority as opposed to individuals), it is important that general guidelines be understood when speaking for the City Council. Equally important, when members are expressing personal views and not those of City Council, the public should be so advised.

Written Correspondence

The City Manager is authorized to receive and take administrative action on all correspondence directed to the City Council. Generally, correspondence relating to a specific City Council agenda item shall be distributed with the agenda report; correspondence received after the publication of agenda packets, is to be compiled and

distributed to the City Council prior to the City Council meeting. The City Manager is also authorized to respond to correspondence submitted to the full City Council on non-agenda items or authorize a staff member to respond to the extent possible.

After the City Council has taken a position on an issue, official correspondence should reflect this position. While Councilmembers who may disagree with a position are free to prepare correspondence on such issues; City letterhead and staff support should not be utilized.

Speaking for “the City”

Similar to written correspondence, when Councilmembers are requested to speak to groups or are asked the City Council’s position on an issue, the response should reflect the position of the City Council as a whole. Of course, a member may clarify their vote on a matter by stating, for example, “While I voted against X, the City Council voted in support of it.” When representing the City at meetings or other venues, it is important that those in attendance gain an understanding of the City Council’s position rather than that of an individual member.

When dealing with members of the media, it is usually the Mayor who represents the position and interest of the City Council. The Mayor may delegate this responsibility to the Mayor Pro Tem or a fellow Councilmember.

Speaking as an Individual

On occasion, Councilmembers may wish to transmit correspondence on an issue upon which the City Council has yet to take a position or about an issue for which the City Council has no position. In these circumstances, members should clearly indicate in their communications that they are not speaking for the City Council as a whole, but for themselves as one member of the Council. As discussed above, in spoken conversations, Councilmembers should clarify when they are speaking as an individual and not on behalf of the City Council.

Council Conduct with the Media

Councilmembers are frequently contacted by the media for quotes and background information. The following provides helpful tips for communication with the media:

- **The Mayor is the official spokesperson for the City Council on City policy.** Because the Mayor is the designated representative of the Council to present and speak on the official City position, Councilmembers must be clear about whether comments represent the official City position or a personal viewpoint.
- **Assume you are always “on the record.”** Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. However, one bad experience could be catastrophic.
- **Choose words carefully and cautiously.** Comments taken out of context can cause problems. Therefore, be cautious about use of humor, sarcasm, or word play.

CHAPTER 4

INTERACTION WITH CITY STAFF

Agreed Upon Norms for City Council – City Staff Interactions

Whenever possible, it is suggested that City Councilmembers work through the City Manager or their designee.

Timely Response to City Council Requests

City staff will make every effort to respond in a timely and professional manner to all requests made by individual Councilmembers for information or assistance; except that, in the judgment of the City Manager, the request is not of a magnitude, either in terms of workload or policy, which would require that it would be more appropriately assigned to staff.

Access to Information

Individual Councilmembers as well as the City Council as a whole shall receive the full cooperation and candor of staff in being provided with any requested information. The City Manager or appropriate staff will inform City Council when a critical or unusual event occurs about which the public would be concerned.

To assist the City Manager in his/her ability to monitor the flow of information, requests for information are best tracked if submitted in writing. And to ensure proper responsiveness, questions and requests for information are to go to the City Manager.

There are limited restrictions when information cannot be provided. Draft documents (e.g., staff reports in progress, administrative draft EIRs, etc.) under review are not available for release until complete and after review by City management. In addition, there are legal restrictions on the City's ability to release certain personnel information even to members of the City Council.

Dissemination of Information

In cases where a staff response to an individual Councilmember request involves written materials, the City Manager will provide copies of the material to all other Councilmembers.

Restriction of Political Involvement by Staff

Local governments are non-partisan entities. Professional staff, as reflected within the principles of the City Council-City Manager form of government, formulate recommendations consistent with City Council policy and for the good of the community and should not be influenced by political factors.

CHAPTER 5 **SUPPORT PROVIDED TO CITY COUNCIL**

Staff Support

General administrative support to members of the City Council is provided through the City Manager's office. Administrative support includes coordinating the Mayor's calendar, correspondence, and coordinating responses to inquiries which require City staff input.

Administrative support to members of the City Council includes handling City Council mail, phone calls, correspondence and travel arrangements for City Council business. Emails received directly by Councilmembers are handled individually by the recipient with the exception of the Mayor, whose emails are handled by the City Manager's Office. If a Councilmember forwards an email request to staff for action, then that email is handled in the same manner as any written correspondence received by mail. In addition to supporting the five City Councilmembers, the administrative support staff members also assist the City Manager and handle requests, inquiries and complaints submitted to the City. Sensitivity to the workload of support staff members in the City Manager's office is appreciated. Prior consultation with the City Manager is requested if a Councilmember seeks administrative support for a task that requires a significant time commitment.

Use of City Hall Conference Room

Councilmembers can only use the city hall conference room for official City business. Councilmembers must contact the City Manager's office for assistance in reserving a meeting room.

Mail and Deliveries

Members of the City Council receive mail and other materials from the public, private interests and staff. The City Manager's office staff maintains a mailbox for each Councilmember.

CHAPTER 6 **CONFLICTS AND LIABILITY**

Conflict of Interest

State laws are in place to prevent an action by a Councilmember that would constitute a conflict of interest. The purpose of such laws and regulations is to ensure that all actions are taken in the public interest. At any time a Councilmember believes a potential for conflict of interest exists, he/she is encouraged to consult with the City Attorney. Staff may also request an opinion from the City Attorney or the California Fair Political Practices Commission ("FPPC") regarding a Councilmember's potential conflict. Laws that regulate conflicts are very complicated. Violations may result in significant penalties including criminal prosecution or the inability to serve in public office.

There are two primary laws that govern conflicts of interest for public officials in California -

the Political Reform Act and Cal. Government Code §§1090, et seq. In general terms, the Political Reform Act prohibits a public official from having a financial interest in a decision before the official; Cal. Government Code §§1090, et seq. relates to government contracting law and prohibits a public official from having an interest in government contracts.

The Political Reform Act prohibits public officials from making, participating in, or in any way attempting to use their official position to influence a governmental decision in which they know, or have reason to know, that they have a financial interest. Therefore, if a public official has a conflict of interest, the official must disqualify himself or herself from acting on or participating in the decision before the City. Once a year Councilmembers and certain staff are required to file statements of economic interests with the FPPC.

Cal. Government Code §§1090, et seq. is similar to the Political Reform Act, but applies only to City contracts in which a public official has a financial interest. The financial interests covered by Cal. Government Code §§1090, et seq. are different from those in the Political Reform Act. A Councilmember having an interest in a City contract may preclude the City from entering into the contract at all. In addition, the penalties for violating §§1090 can be severe. If a Councilmember believes that he/she may have any financial interest in a contract that will be before the City Council, the Councilmember should immediately seek advice from the City Attorney.

Conflict of Interest Related to Real Property Holdings

Certain conflicts may arise due to Councilmember property holdings, and the law requires that a Councilmember disqualify him or herself in certain situations. The threshold question is whether or not a Councilmember's decision would have a reasonably foreseeable financial effect on his or her real property interest, giving rise to a legal conflict of interest. As a general rule, a governmental decision is considered to have a reasonably foreseeable financial effect if it "would cause a reasonably prudent person, using due care and consideration under the circumstances, to believe that the governmental decision was of such a nature that its reasonably foreseeable effect would influence the market value of the official's property." (2 Cal. Code Regs. § 18702.2.)

Common examples of conflicts include (but are not limited to) when the governmental decision involves the adoption or amendment to a general or specific plan, and the parcel is located within the proposed boundaries, where the decision determines a parcel's zoning or rezoning, where the decision would impose, repeal, or modify taxes or fees, etc., and when a decision affecting real property value is located within 500 feet of the property line of the official's real property.

It is recommended that any concerns or questions regarding real property conflict of interests are directed to the City Attorney's office.

City Attorney Advice

The City Attorney has an affirmative duty to protect the City and City Council from conflicts of interest wherever possible. It is critical to note that while the City Attorney can render

advice on the interpretation of State laws and regulations on conflict matters, such advice is solely an interpretation of the law. The only entity that can provide binding interpretations and immunity on such matters is the FPPC. Members or the full City Council may also solicit opinions on such matters directly from the FPPC, however, such opinions often take time to develop and may not readily respond to urgent matters. It is important to note that the City Attorney does not represent individual members of City Council, but the City Council as a whole.

Conflict of Interest Forms

Annual disclosure statements are required of all Councilmembers, designated commissioners and senior staff, which indicate potential conflicts of interest including sources of income, real property interests and receipt of loans and gifts. Councilmembers and the City Manager often serve on the governing board of other agencies as a result of their positions. These agencies also require submittal of disclosure forms.

Harassment and Workplace Standards

State law prohibits, and the City has policies and procedures which prohibit, discrimination and harassment.

Liability

The City offers a variety of services and may occasionally find itself subject to legal actions through lawsuits. For example, those involved in automobile accidents sometimes choose to take actions against a City since the accident occurred on a City roadway. The City must always approach its responsibilities in a manner that reduces risk to all involved; however, with such a wide variety of high-profile services all risk cannot be eliminated.

It is important to note that violations of certain laws and regulations by individual members of the City Council may result in that Councilmember being personally liable for damages which would not be covered by the City's insurance. Examples include, but are not limited to, discrimination, harassment or fraud.

CHAPTER 7 **CITY COUNCIL MEETINGS**

City Council Meetings

All regular and special meetings of the City Council shall be open to the public; however, closed sessions may be held for the purposes permitted by law, from which the public may be excluded.

Regular Meetings

The first and third Tuesdays of each month, at 6:00 p.m., are designated by Municipal Code Section 2.14.040 as the regular meetings of the City Council.

The Mayor or a majority of the members of the City Council may call additional meetings as necessary in response to the scope and timing of the City Council's workload and schedule. The Mayor or majority of the City Council may cancel a regular meeting.

Special Meetings

Upon giving notice in the manner required by law, the Mayor or a majority of the members of the City Council may call a special meeting of the City Council. Topics of discussion at special meetings must be limited to those noticed to the public.

Types of Sessions: Open or Closed

Open Sessions:

The City Council may hold an open session (i.e. study session, retreat or workshop) to meet with various people, City Commissions and ad hoc committees; to receive briefings and background information; and to hold general discussions on major issues before formal City Council action is required. Open sessions may be scheduled as regular, adjourned regular or special meetings. The Mayor and City Manager shall collaborate on scheduling of items. Presentations to the City Council may be made by staff members, consultants, representatives of other public agencies and/or any other persons expressly invited for that purpose.

Closed Sessions:

It is the policy of the City Council to conduct its business in public to the greatest extent possible. However, State law recognizes that public discussion of certain items could jeopardize the public interest, compromise the City's position, or cost the citizens of Lemon Grove financially, and, therefore, generally allows the City Council to hold closed session meetings for the consideration of certain personnel matters, labor negotiations, real property negotiations, matters of public security and the discussion of litigation, among other things, as allowed by State law. Therefore, these rules provide for strict confidentiality of City Council discussion under certain circumstances and as required by state law. The procedures for the conduct of the closed sessions shall be the same as those for open session meetings, except that the public, after allowance for public comment, will be excluded.

Confidential Information in Closed Sessions

Cal. Government Code §54963 states that no person may disclose confidential information that has been acquired by being present in a closed session, unless authorized by the body holding the closed session. Disclosure of closed session discussions need only occur when required by law or when there is a majority vote of the City Council. In the event someone violates this provision, the statute and interpreting case law gives the legislative body options to address the violation, including: (1) the body may ask a court to issue an injunction preventing the further disclosure of confidential information; (2) if the person disclosing the information is an employee, the public entity may take disciplinary action against that employee; and/or (3) if the person disclosing the information is a member of the legislative body, the public entity may refer the matter to the grand jury.

Agenda

Agenda Preparation and Distribution

The agenda for each meeting of the City Council shall be prepared by the City Clerk at the direction of the City Manager and with the concurrence of the Mayor.

The City Clerk will make the agenda and staff reports available to the public in accordance with the Brown Act.

Action on Items Not on Agenda

The City Council shall not take action on any item not appearing on the posted agenda, except as such action is permitted by law and under the following circumstances: (1) upon a determination that an emergency exists, as defined by state law; and (2) upon a determination by the City Council that the need to take action immediately arose after the agenda was posted.

When an issue arises during a meeting that requires City Council action, is not listed on the agenda, and does not qualify under an exception that allows immediate action, the City Council may refer the issue to staff for review and possible placement of the item on a subsequent City Council agenda. At least two members of the City Council must agree in order to get an item agendized.

General Meeting Procedures

Presiding Officer

The Mayor is the presiding officer of the City Council. The presiding officer shall preserve strict order and decorum at all meetings of the City Council, announce City Council decisions on all subjects and decide all questions of order.

In the absence of the Mayor for any reason, the Mayor Pro Tem shall be the presiding officer of the Council.

Seating Arrangements

The Mayor Pro Tem is seated immediately next to the Mayor. The Mayor shall establish the seating arrangement for regular City Council meetings.

Quorum

A majority of the Council shall constitute a quorum for any City Council meeting. No business may be transacted by the City Council at a regular or special meeting unless a quorum of the membership is present.

Except where otherwise required by law, actions by the City Council shall be by a majority of the City Council.

Roll Call

Before proceeding with the business of the City Council, the City Clerk shall call the roll of the Councilmembers; the names of those present and those absent shall be

entered in the minutes. If a Councilmember should arrive late to the meeting, it shall be noted in the minutes.

Order of Business for Adjourned Meetings and Continued Items

When a meeting is adjourned or an item is continued to another date, generally the continued item will be placed first on that portion of the agenda at that meeting; however, where deemed necessary, the City Clerk, with the concurrence of the City Manager and Mayor, may place a continued item in a different order on the agenda.

Public Comment

Opportunity to Speak

Members of the public will be afforded the opportunity to speak, upon request, regarding all items under the subject matter jurisdiction of the City Council. The Mayor has the authority to modify the time limits set forth below based on the size of the agenda and the likely number of speakers. During special or study session meetings, the public may address the City Council only on items on the agenda. Therefore, public testimony on agenda items will occur during City Council consideration of the item.

When to Speak

During Public Communications, the Mayor or presiding officer will recognize persons who wish to speak on matters that are not on the agenda and are within the subject matter jurisdiction of the City Council. Public comment on agenda items will be taken when the City Council considers the item.

All remarks shall be addressed to the City Council as a legislative body and not to any individual Councilmember. When recognized by the Mayor, Councilmembers may ask questions of a speaker at the close of a speaker's testimony. Staff may be given the opportunity to clarify public comments on matters of fact before closing for City Council deliberations.

Failure to Speak

Any failure of a member of the public to request to speak on an item, or any failure by the City Council to afford an opportunity to speak on an item, shall not affect the City Council's right to act on that item or the validity of any action subsequently taken by the City Council.

Staff

Staff may be provided the opportunity to present a summary of each staff report and will be available to answer questions of Councilmembers.

Addressing the Council during Council Deliberations

No person may address the City Council following the time for public testimony and during City Council deliberations, unless a majority of the City Council agrees or in

answer to a specific question directed to the individual by a member of the City Council.

Speaker Cards and Other Protocol.

A member of the public who wishes to address the City Council will be asked to complete a speaker card for the record; the speaker card includes the speaker's name, address and other contact information, and the number of the agenda item. The completion of a public comment card is not necessary to address the City Council but will aid the City Clerk in maintaining an accurate record. The completed cards should be presented to the City Clerk.

To ensure accuracy of the record, members of the public addressing City Council should speak in an audible tone of voice into the microphone at the lectern. Each speaker is encouraged, but not required, to give his or her name and city of residence.

Council Discussions

To assist the City Council in the development of a structure for orderly discussion of items, rules have been prepared which represent accepted practices for the management of City Council meetings.

Obtaining the floor. A member of the City Council or staff shall first address the Mayor to gain recognition. Comments and questions should be limited to the issue before Council. Cross-exchange between Councilmembers and public should be avoided.

Questions to Staff. A Councilmember shall, after recognition by the Mayor, address questions to the Department Director or designated staff member. If a Councilmember has questions on an agenda item, that member should contact staff prior to the meeting in order to allow staff time to research a response/answer for the meeting.

Interruptions. Once a Councilmember has the floor, other Councilmembers may not interrupt except to make a point of order.

Additional Protocol and Decorum

To assist the City Council in working with a wide variety of backgrounds, personalities, opinion, values, and goals, additional protocols are outlined below:

Use Formal Titles. Councilmembers should refer to one another and City staff formally during public meetings as "Mayor," "Mayor Pro Tem," or "Councilmember," followed by the individual's last name.

Technology. Cellular telephones or any other telecommunications devices should be in the silent mode or turned off during the City Council Meeting. Councilmembers should avoid sending text messages, emails or posting on social

media during Council Meetings.

Practice civility and decorum in discussions and debates.

Honor the role of the Mayor in maintaining order.

Disturbances. Any person who willfully disturbs or breaks up a City Council meeting may be arrested and charged with a misdemeanor, pursuant to California Penal Code Section 403.

Rules of Decorum. The City Council adopted Rules for the Conduct of City Council Meetings on May 4, 2021; these rules are still in effect until repealed or changed by the City Council.

CHAPTER 8 **CITY COUNCIL COMMITTEES**

City Council Representation on Other Agencies

Councilmembers may be assigned to represent the City on county, regional, district or state boards, committees or commissions, and other public agencies or quasi-public agencies. The Mayor recommends the appointments, which are then confirmed by a majority vote of the City Council. The City Clerk shall maintain a list of all such appointments.

An appointed representative or representatives shall be the duly authorized representatives and spokespersons for the City Council on or before such bodies; no other Councilmember shall speak as the City Council's representative or on behalf of the City Council before such bodies. A Councilmember may appear before such body as a private citizen.

CHAPTER 9 **MISCELLANEOUS REQUIREMENTS**

Ethics Training

State Assembly Bill 1234 (AB 1234) requires Councilmembers to take Ethics Training on a bi-annual basis. Councilmembers are required to take training no later than one year from the first day of service. A refresher training is required every two years thereafter (City Clerk will send reminder notices).

Upon completion of the training, Proof of Participation Certificate is issued, which must be signed and the original Certificate filed with the City Clerk.

Harassment Training

State Assembly Bill 1661 (AB 1661) requires all local agency legislative body members and any elected local agency officials who receive any kind of compensation, salary, or stipend in the performance of their duties to receive sexual harassment prevention

and education training.

As such, Councilmembers must participate in a minimum of two hours of sexual harassment prevention training and education within the first six months of taking office or commencing employment, and every two years thereafter.

Contents of the training required for elected officials must include: (1) information and practical guidance regarding the federal and state statutory provisions concerning the prohibition against, and the prevention and correction of, sexual harassment and the remedies available to the victims of such harassment in the employment context; and (2) practical examples aimed at instructing the official in the prevention of sexual harassment, discrimination and retaliation.

Upon completion of a training course provided by the City or other providers consistent with the requirements above, a proof of participation/certificate of completion should be filed with the City Clerk to be maintained as a part of the City's records.

Fraud Reporting

A Council Member who discovers or suspects fraudulent activity can report such activity to the Mayor and/or City Manager.

Reporting can be accomplished in one or more of the following ways:

- A written statement delivered to a supervisor, a director or the City Manager;
- A phone call to a supervisor, a director or the City Manager;
- A personal conversation with a supervisor, a director or the City Manager; or
- Report the complaint directly to the District Attorney, FPPC, San Diego Grand Jury or State Attorney General.

The City Manager or his or her designee has the authority to investigate and proceed with further action.

Great care will be taken when investigating suspected improprieties or wrongdoings so as to avoid mistaken accusations or alerting suspected individuals that an investigation is underway.



CITY OF LEMON GROVE

CITY COUNCIL STAFF REPORT

Item No. **2.**
Meeting Date: September 20, 2022
Submitted to: Honorable Mayor and Members of the City Council
Department: City Manager's Office
Staff Contact: Lydia Romero, City Manager
 lromero@lemongrove.ca.gov
Item Title: **Employee Equity Compensation Plan**

Recommended Action: Discuss and direct the Proposed Employee Equity Compensation Plan.

Background: A City Council priority this fiscal year is to improve compensation for city employees. City employees are made of two groups, Fire and Miscellaneous. Fire group is comprised of fire fighters, engineers, captains, and battalion chief classifications. The Miscellaneous group is comprised clerical, technical, public works, sanitation, administrative and professional classifications. In each classification of the employee groups, a salary survey was conducted and nearly all the classifications are below the median salary of the surveyed jurisdictions. When salaries lose market viability, it makes recruitment and retention problematic.

Fire Group

As part of the Fire Association contract that was approved by the City Council in 2019 a provision was included that conducted a total class and compensation survey. A committee made up of finance and human resources personnel on the City side and two fire personnel worked on completing a compensation survey which included agreed upon data points, as defined by the current MOU. The cities used in this survey are the same cities that make up the Heartland Fire JPA, cities of La Mesa and El Cajon. The results of that survey is attached to this report (**Attachment A**). This survey shows that each classification is below the median, with one classification 15% below.

Miscellaneous Group

Human Resources surveyed the cities of Imperial Beach, El Cajon, La Mesa and Santee, solely using salaries of each of the classifications to benchmark compensation. Survey results, (**Attachment B**) shows over two-thirds of the classifications are below median. Of the 45 job classifications surveyed, 11 are between 30% to 54% below market median. The next band of job classifications are between 3% to 29% below market median; and

only 8 job classifications are within median of market. Only one classification had not market comparisons within the 4 surveyed cities.

Previous City Council Action

During budget adoption this fiscal year, the City Council approved bringing the job classification of Battalion Chief up to median; approved the MOU cost of living adjustment (COLA) for the fire group at 3%, raised the health benefit for the miscellaneous group by \$250 and approved a 3% COLA salary increase, effective 07/01/22. These efforts have helped to prevent further slippage in employee compensation in the market, however as previously stated, employee compensation was far below market viability for several years.

Discussion:

Equity Compensation Plan

Staff is proposing the adoption of an Equity Compensation Plan that works towards addressing the inequity of our current compensation plan. The plan would consist of adopting a salary philosophy for the City, changing from a seven (7) step system to an eleven (11) step system and yearly compensation surveys for continued adjustment to stay in-line with the City Council salary philosophy and remain competitive in the marketplace. The additional 4 steps would provide a monetary incentive to those employees already at top step, dependent upon merit/job performance. Further, the Equity Compensation Plan would address vertical compaction between job classifications. Of note, that some of the proposed changes, if supported by the City Council will need to be discussed in the upcoming fire contract negotiations.

It should be noted that a Cost of Living Adjustment (COLA) and Equity Adjustments are not synonymous. Equity adjustments are intended to bring the job classification within the adopted salary philosophy for market viability. A COLA increase is intended to provide across the board salary increases to all job classifications.

Salary Philosophy and Plan

It is a sound management practice to have an adopted salary philosophy, this allows prospective employees to understand how the organization values its employees, it is a morale and motivation boost for current employees, helps with retention of trained employees and it is a tool for recruitment. Factors to include in developing a salary philosophy is our financial position, our organization size, our strategic objectives, and market salary information. Taking these objectives into consideration, staff proposes:

- *The City of Lemon Grove endeavors to have an equity compensation plan for its employees. It is the goal to set salary bands within five (5) percent of the market median.*

Each year, a salary survey will be conducted to ensure movement towards this goal for all employee groups, with the exception of contracted positions, such as the City Manager and elected positions.

The City's salary system for the Miscellaneous group is set up with a merit increases available during an employee's annual evaluation, our current merit based plan is a seven (7) step plan. This merit based step plan is included in the City's annual budget. In steps A through E the differential is five (5) percent between each step; in the final 2 steps (F and G) the differential between each step is two and one-half (2.5) percent.

The equity compensation plan would add an additional 4 steps to the merit system to an eleven (11) step system, or H to K band. The proposed differential between each step is still two and one-half (2.5) percent. By creating these additional steps it works as an incentive during the annual evaluation and it allows for longer retention of trained employees.

The salary plan for the Fire group will remain the same five (5) step system, however, if adopted, the Council's salary philosophy will move the salary bands closer to market median. Any extension of the Fire group's salary bands will be dependent on contract negotiations that will take place later this fiscal year.

The final aspect of the plan is to create separation between line, mid-management and management classifications. Using the Fire group as an example, it is best practice to have at least seven to ten (7 to 10) percent salary separation between firefighter/paramedic and fire engineer; between fire engineer and fire captain and between fire captain and battalion chief. The salary separation is needed to encourage growth in a career and most importantly succession planning for the organization. If there is salary compaction between job classifications, there is no incentive to take the next promotion or consider a leadership position. The same can be said for the Miscellaneous group.

Conclusion

To remain competitive in the market it is imperative that the salary inequity be addressed. Should Council support the concept of the Equity Compensation Plan, staff will prepare the new salary plan for both groups, recommend movement towards the Council salary philosophy based on the City's current financial position. Staff will also recommend a phased in plan to help cover some of the high market adjustments in the Miscellaneous group.

Environmental Review:

- Not subject to review Negative Declaration
 Categorical Exemption, Section | Mitigated Negative Declaration

Fiscal Impact: None.

Public Notification: None.

Staff Recommendation: Discuss and direct the Proposed Employee Equity Compensation Plan.

Attachment(s):

Attachment A – Fire Total Compensation Survey

Attachment B – Miscellaneous Group Compensation Survey

Lemon Grove Firefighters' Association, Local 2728

2020 Class Comp Study

Data as of August 9, 2021

Firefighter/Paramedic										
City	Top Step	SchOT	Medical	EE PERS P/U	Paramedic Pay	Educ. Incentive	Uniform Allow.	MOU Expiration	Total	Comments
El Cajon	8,280	222	1,350	0	217	425	65	6/30/2023	10,558	
La Mesa	8,522	228	1,595	276	170	426	67	6/30/2023	10,733	
Lemon Grove PEPRA	7,158	608	1,350	0	236	10	83	6/30/2023	9,446	
Lemon Grove Classic	7,158	608	1,350	229	236	143	83	6/30/2023	9,350	
MEDIAN, CLASSIC	8,280	228	1,350	229	217	425	67	N/A	10,558	12.92%
MEDIAN, PEPRA	8,280	228	1,350	0	217	425	67	N/A	10,558	11.78%
Fire Engineer										
El Cajon	8,795	236	1,350	0	233	452	65	6/30/2023	11,130	
La Mesa	8,644	232	1,595	286	622	421	67	6/30/2023	11,295	
Lemon Grove	7,442	632	1,350	237	236	143	83	6/30/2023	9,650	
MEDIAN	8,644	236	1,350	237	236	421	67	N/A	11,130	15.35%
Fire Captain										
El Cajon	9,843	264	1,350	0	258	505	65	6/30/2023	12,285	
La Mesa	9,830	263	1,595	322	622	478	67	6/30/2023	12,533	
Lemon Grove	9,133	775	1,350	288	236	143	83	6/30/2023	11,434	
MEDIAN	9,830	264	1,350	288	258	478	67	N/A	12,285	7.45%
Battalion Chief										
El Cajon	12,789	343	1,350	0	300	657	65	6/30/2023	15,503	
La Mesa	12,138	325	1,595	380	207	591	67	6/30/2023	14,542	
Lemon Grove	9,640	818	1,350	303	236	143	83	6/30/2023	11,968	
MEDIAN	12,138	343	1,350	303	236	591	67	N/A	14,542	21.51%

Comments:

Job Classifications
Salary Survey - August 2022

Cities	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High	Low	High
Classification Series	Lemon Grove		Median* (Does not include Lemon Grove)		Median +/-	Median +/-	El Cajon		Imperial Beach		La Mesa		Santee	
CITY CLERK	\$6,204.02	\$7,922.85	\$8,972	\$12,128	-44.62%	-53.08%	\$10,313	\$12,565	\$7,111	\$12,799	\$9,618	\$11,691	\$8,326	\$11,658
EXECUTIVE ASSISTANT	\$3,628.27	\$4,631.06	\$5,618	\$6,924	-54.84%	-49.50%	\$5,576	\$6,795	N/A	N/A	\$5,660	\$7,052	N/A	N/A
ACCOUNTING CLERK	\$2,577.41	\$3,291.80	\$4,006	\$4,881	-55.43%	-48.28%	\$4,006	\$4,881	\$3,569	\$4,555	N/A	N/A	\$4,078	\$4,956
PUBLIC WORKS DIRECTOR	\$8,728.40	\$11,148.35	\$13,468	\$16,408	-54.30%	-47.18%	\$13,468	\$16,408	\$9,761	\$16,721	\$13,670	\$15,400	N/A	N/A
FINANCE MANAGER	\$6,480.83	\$8,277.56	\$9,136	\$11,908	-40.96%	-43.86%	\$10,111	\$12,321	\$8,702	\$11,495	\$9,067	\$11,021	\$9,204	\$12,426
DEVELOPMENT SERVICES DIRECTOR	\$8,728.40	\$11,148.35	\$11,798	\$15,906	-35.17%	-42.68%	N/A	N/A	N/A	N/A	N/A	N/A	\$11,798	\$15,906
ADMINISTRATIVE SERVICES DIRECTOR	\$8,567.62	\$10,941.16	\$12,670	\$15,400	-47.88%	-40.75%	N/A	N/A	N/A	N/A	\$12,670	\$15,400	N/A	N/A
COMMUNICATIONS SPECIALIST	\$3,628.27	\$4,631.06	\$5,179	\$6,309	-42.74%	-36.23%	\$5,179	\$6,309	N/A	N/A	N/A	N/A	N/A	N/A
HUMAN RESOURCES MANAGER	\$6,480.83	\$8,277.56	\$9,281	\$11,090	-43.21%	-33.97%	N/A	N/A	\$9,495	\$11,158	\$9,067	\$11,021	N/A	N/A
PRINCIPAL PLANNER	\$6,480.83	\$8,277.56	\$8,195	\$11,064	-26.45%	-33.66%	N/A	N/A	N/A	N/A	N/A	N/A	\$8,195	\$11,064
ENGINEERING INSPECTOR	\$4,742.11	\$6,061.48	\$6,514	\$7,924	-37.37%	-30.73%	N/A	N/A	N/A	N/A	N/A	N/A	\$6,514	\$7,924
FACILITY TECH I	\$2,680.18	\$3,421.08	\$3,666	\$4,425	-36.78%	-29.33%	\$4,085	\$4,978	\$3,416	\$4,359	\$3,638	\$4,317	\$3,694	\$4,490
STREET SUPERVISOR	\$4,261.43	\$5,443.23	\$5,618	\$6,996	-31.83%	-28.53%	\$5,618	\$6,845	\$5,481	\$6,996	\$5,682	\$7,079	N/A	N/A
FIRE INSPECTOR	\$4,019.44	\$5,136.59	\$5,401	\$6,580	-34.37%	-28.10%	\$5,401	\$6,580	N/A	N/A	\$5,171	\$6,443	\$5,905	\$7,178
SANITATION SUPERVISOR	\$4,261.43	\$5,443.23	\$5,550	\$6,921	-30.23%	-27.14%	\$5,618	\$6,845	\$5,481	\$6,996	N/A	N/A	N/A	N/A
STREET TECH I (Maintenance Worker I-Streets)	\$2,680.18	\$3,421.08	\$3,527	\$4,338	-31.60%	-26.80%	\$3,231	\$3,937	\$3,416	\$4,359	\$3,638	\$4,317	\$4,078	\$4,956
TECHNICIAN I (Maintenance Worker-I)	\$2,680.18	\$3,421.08	\$3,527	\$4,338	-31.60%	-26.80%	\$3,231	\$3,937	\$3,416	\$4,359	\$3,638	\$4,317	\$4,078	\$4,956
SENIOR PLANNER	\$5,968.66	\$7,621.19	\$7,255	\$9,447	-21.55%	-23.96%	\$7,245	\$8,828	\$7,265	\$9,273	\$8,837	\$10,742	\$7,126	\$9,621
ASSISTANT CITY MANAGER	\$11,143.37	\$14,226.32	\$14,339	\$17,406	-28.68%	-22.35%	\$17,538	\$21,369	\$14,339	\$17,383	\$14,320	\$17,406	N/A	N/A
ASSISTANT ENGINEER	\$5,492.96	\$7,014.54	\$6,744	\$8,218	-22.78%	-17.16%	\$6,744	\$8,218	N/A	N/A	\$6,467	\$8,058	\$7,099	\$8,325
SENIOR MANAGEMENT ANALYST	\$6,048.22	\$7,727.27	\$7,335	\$9,018	-21.28%	-16.70%	\$7,335	\$8,937	N/A	N/A	\$7,419	\$9,018	\$7,152	\$9,656
ADMINISTRATIVE ASSIST	\$3,628.27	\$4,631.06	\$4,328	\$5,391	-19.29%	-16.40%	\$4,611	\$5,618	\$4,045	\$5,163	\$3,513	\$4,377	\$4,729	\$5,748
ENGINEERING TECH III	\$4,742.11	\$6,061.48	\$5,838	\$7,026	-23.11%	-15.90%	\$6,202	\$7,556	N/A	N/A	\$5,474	\$6,495	N/A	N/A
ASSOCIATE CIVIL ENGINEER	\$6,480.83	\$8,277.56	\$7,823	\$9,532	-20.71%	-15.15%	\$7,823	\$9,532	N/A	N/A	\$7,453	\$9,059	\$8,345	\$10,143
TECHNICIAN II (Maintenance Worker-II)	\$3,256.99	\$4,160.33	\$3,769	\$4,775	-15.72%	-14.77%	\$3,567	\$4,345	\$3,769	\$4,810	\$3,833	\$4,775	N/A	N/A
FACILITY TECH II	\$3,256.99	\$4,160.33	\$3,897	\$4,735	-19.65%	-13.80%	N/A	N/A	\$3,769	\$4,810	\$4,025	\$4,659	N/A	N/A
ASSOCIATE ACCOUNTANT	\$4,604.54	\$5,884.13	\$5,428	\$6,683	-17.87%	-13.58%	\$5,717	\$6,965	N/A	N/A	\$5,138	\$6,401	N/A	N/A

**Job Classifications
Salary Survey - August 2022**

COMMUNITY SERVICES SPECIALIST	\$2,968.58	\$3,794.02	\$3,251	\$4,149	-9.51%	-9.36%	N/A	N/A	\$3,251	\$4,149	\$2,867	\$3,486	\$3,978	\$4,836
FACILITIES SUPERVISOR	\$4,261.43	\$5,443.23	\$4,826	\$5,935	-13.24%	-9.03%	N/A	N/A	N/A	N/A	\$4,558	\$5,679	\$5,093	\$6,190
PUBLIC WORKS SUPERINENDENT (MANAGER)	\$6,480.83	\$8,277.56	\$6,994	\$8,954	-7.92%	-8.17%	N/A	N/A	\$5,690	\$7,822	\$8,298	\$10,086	N/A	N/A
DEPUTY CITY CLERK	\$4,286.30	\$5,610.64	\$4,988	\$6,063	-16.37%	-8.06%	\$5,633	\$6,862	\$4,876	\$5,934	\$4,988	\$6,063	N/A	N/A
COMMUNITY DEVELOPMENT MANAGER	\$8,169.82	\$10,433.96	\$9,071	\$11,053	-11.03%	-5.93%	\$9,071	\$11,053	N/A	N/A	N/A	N/A	N/A	N/A
ASSOCIATE PLANNER	\$5,683.57	\$7,258.19	\$6,193	\$7,667	-8.96%	-5.63%	\$6,126	\$7,464	\$5,903	\$7,535	\$6,260	\$7,799	\$6,682	\$8,122
STREET TECH II (Maintenance Worker II-Streets)	\$3,256.99	\$4,160.33	\$3,567	\$4,345	-9.52%	-4.44%	\$3,567	\$4,345	\$3,769	\$4,810	\$3,465	\$4,317	N/A	N/A
ADMINISTRATIVE ANALYST	\$4,742.11	\$6,061.48	\$5,115	\$6,302	-7.85%	-3.96%	\$5,091	\$6,202	N/A	N/A	\$5,138	\$6,401	N/A	N/A
MANAGEMENT ANALYST	\$5,628.87	\$7,186.92	\$5,975	\$7,462	-6.14%	-3.83%	\$5,744	\$6,999	\$5,634	\$7,382	\$6,450	\$7,841	\$6,205	\$7,542
PUBLIC WORKS SECRETARY	\$3,013.34	\$3,848.72	\$3,061	\$3,818	-1.58%	0.80%	\$3,075	\$3,747	\$3,047	\$3,889	N/A	N/A	N/A	N/A
ACCOUNTING ANALYST	\$5,492.96	\$7,014.54	\$5,809	\$6,953	-5.74%	0.88%	N/A	N/A	\$5,678	\$6,858	\$5,939	\$7,047	N/A	N/A
CODE ENFORCEMENT/WATER QUALITY INSPECTOR	\$4,742.11	\$6,061.48	\$4,849	\$5,974	-2.25%	1.45%	\$4,966	\$6,051	\$4,381	\$5,591	\$4,732	\$5,896	\$5,906	\$7,178
LICENSE CLERK	\$3,013.34	\$3,848.72	\$3,022	\$3,764	-0.27%	2.20%	\$3,169	\$3,860	\$2,874	\$3,668	N/A	N/A	N/A	N/A
ASSISTANT PLANNER	\$5,492.96	\$7,014.54	\$5,295	\$6,658	3.60%	5.08%	\$5,295	\$6,451	\$5,217	\$6,658	\$5,690	\$7,090	N/A	N/A
DEVELOPMENT SERVICES TECHNICIAN II	\$4,742.11	\$6,061.48	\$4,729	\$5,748	0.28%	5.17%	N/A	N/A	\$3,815	\$4,870	\$4,846	\$5,749	\$4,729	\$5,748
COMMUNITY SERVICES ASSISTANT	\$2,744.82	\$3,505.61	\$2,608	\$3,316	4.98%	5.42%	N/A	N/A	\$2,524	\$3,222	N/A	N/A	\$2,692	\$3,409
PUBLIC WORS OPERATIONS & ADMIN MANAGER	\$8,415.13	\$10,747.23	\$7,419	\$10,135	11.84%	5.70%	\$8,634	\$10,521	\$7,370	\$10,135	\$7,419	\$9,018	N/A	N/A
COMMUNITY SERVICES SUPERINTENDENT (Manager)	\$6,291.87	\$8,037.22	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Work Schedule:

36.25 hr. work week

9/80

5/40, 9/80, & 4/10

9/80

9/80

This study was based on title and salary comparison.

Based on August 2022 Data

* Median low and median high looks at only bottom step and top step of each classification.

	Signifies no comparable position
	Between 30% - 54% below median
	Between 3% - 29% below median
	within range

Vacant Positions



City of Lemon Grove

REGULAR CITY COUNCIL MEETING

SEPTEMBER 20, 2022

PLEASE SILENCE ALL DEVICES

CALL TO ORDER

PLEDGE OF ALLEGIANCE

CHANGES TO THE AGENDA

PRESENTATION

NATIONAL PREPARDNESS MONTH— Proclamation

Staff Contact: Steve Swaney, Fire Chief

A solid green horizontal bar at the bottom of the slide.

PUBLIC COMMENT

- Please fill out and submit a speaker slip to the City Clerk **BEFORE** the item on the agenda has been heard at the City Council Meeting to address the Council.
- Speaker slips are located at the entrance of the Chambers.

ALL SPEAKERS UNDER GENERAL PUBLIC COMMENT WILL HAVE 3 MINUTES TO ADDRESS COUNCIL.

CONSENT CALENDAR

2. REPORT TO COUNCIL

EMPLOYEE EQUITY COMPENSATION PLAN

Staff Contact: Lydia Romero, City Manager



BACKGROUND:

Council Priority – part of FY 22-23 Work Plan

Market Competitiveness

- Retention Issues
- Recruitment Issues
- Employee Morale Issues

Equity Plan Covers

- Fire Group
- Miscellaneous Group

Council Approved

3% Cost of Living increase (COLA) for both employee groups

FIRE GROUP:

Firefighters, Fire Engineers, Captains and Battalion Chiefs

7 individuals left over 4 years

MOU

- Total Compensation Survey (Attachment A)
- Heartland Fire Cities (El Cajon and La Mesa)
- Categories were agreed to by Fire Association and City
 - Top Step
 - Scheduled Overtime
 - Medical
 - EE PERS Pick-up
 - Paramedic
 - Education Incentive
 - Uniform Allowance

FIRE GROUP:

Survey Results:

Firefighter paramedic (12.92%-classic; 11.78% PEPRA)

MEDIAN, CLASSIC	8,280	228	1,350	229	217	425	67	N/A	10,558	12.92%
MEDIAN, PEPRA	8,280	228	1,350	0	217	425	67	N/A	10,558	11.78%

Fire Engineer (15.35%)

MEDIAN	8,644	236	1,350	237	236	421	67	N/A	11,130	15.35%
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Fire Captain (7.45%)

MEDIAN	9,830	264	1,350	288	258	478	67	N/A	12,285	7.45%
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Battalion Chief

Council Approved increase to bring this classification close to median

Miscellaneous Group

Clerical, Technical, Public Works, Sanitation, Administrative,
Professional

30 individuals left over 4 years

Survey (Attachment B)

Compensation only

Cities of Imperial Beach, La Mesa, El Cajon and Santee

Surveyed 45 job classification

11 classifications – 54%-30% below median

25 classifications – 29%-3%

8 classifications - at or near median

Equity Compensation Plan Components

- Salary Philosophy
- Yearly Market Compensation Surveys
- Increase Merit Steps
- Differential between line employees, mid-management and management
- Equity Adjustments January 1, each year
- COLA Adjustments July 1, each year

Staff Recommends:

Proposed Salary Philosophy (All Groups)

- *The City of Lemon Grove endeavors to have an equity compensation plan for its employees. It is the goal to set salary bands within five (5) percent of the market median*

Increase Merit Bands (Miscellaneous Group)

Current 7 steps; add 4 steps to 11 step system

- Incentive to current employees; increase job performance
- Built-in longevity incentive

Fire would stay a 5 step system, still meet salary philosophy

Equity Compensation Plan Components

Staff Recommends:

Equity Adjustments (All Groups)

Move towards salary philosophy

Phased in approach for high market adjustments

Yearly Compensation Surveys (All Groups)

As part of the budget discussions

- Keep in-line with adopted salary philosophy
- Keep pace with market conditions

Create a sustainable separations among classification

7% to 10% Differential between line employees, mid-managers and managers

- Succession planning
- Career growth

Conclusion

RECOMMENDATION:

Discuss and direct the Proposed Employee Equity Compensation Plan.

CITY COUNCIL REPORTS ON MEETINGS ATTENDED AT THE EXPENSE OF THE CITY

CITY MANAGER REPORT

AJOURNMENT

From: [Barbara Gordon](#)
To: [George Gastil](#); [Jennifer Mendoza](#); [Jerry Jones](#); lianalebaron@gmail.com; [Raquel Vasquez](#); [Audrey Malone](#)
Subject: Non-agenda Public Comment
Date: Monday, September 19, 2022 3:15:13 PM

Dear City Council Members,

I want to share with you an article that came out Sunday 9/18 in the LA Times titled How Legal Weed Become Riddled With Corruption.

This investigative reporting found corruption or other questionable conduct with public officials demanding cash from cannabis businesses and elected officials accepting money from cannabis businesses even as they regulated them up and down the CA.

The article goes on to say the industry has donated a torrent of campaign cash to local government officials as cannabis became a new and powerful special interest.

Lobbyists, pot entrepreneurs and public officials say bribery and shakedowns have become so commonplace in cannabis licensing that it feels like a normal part of doing business.

The link between bribery and cannabis grew so quickly that FBI agents issued a public warning in 2019, saying the corruption threat was especially acute in Western states like California

As I have followed the marijuana industry foothold in San Diego it's concerning to watch as the industry always gets what they want.

Public health risk or concerns need to be addressed when determining where a pot shop can locate or the impact it will have on the community. I urge this council to be responsible to the public and not this industry.

Thank you,

Barbara Gordon

From: [Jennifer Ellis](#)
To: [Audrey Malone](#)
Cc: [Jim Ellis](#)
Subject: For Tuesday's City Council Meeting
Date: Saturday, September 17, 2022 9:10:42 PM

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Good Day! I am writing to share of a mass murdering that took place at Berry Street Park in June. The city took to hiring a company called Knott's Pest Control to use carbon monoxide to kill all of the gophers at Berry St Park.

First of all, the size of the pieces of paper to warn the public of this were printer paper sized and posted on tiny sticks close to the ground. When the wind blew so did the little pieces of paper. Knott's Pest Control told me when I called them that it was the client's duty to properly make the public aware through signage that this extermination was going to take place.

The signs shared precautions, warning signs of poison, and poison control numbers. Since sadly our residents pay no attention to any signage - especially those posted in a practically invisible manner - I witnessed dogs catching balls, people picnicking, as well as children rolling down that hill at the park less than an hour after said "pest control" service was administered.

Public endangerment...

Secondly, did you know that gophers, as well as most other animals that are considered "pests," can easily be deterred using natural means? Natural means that there is no harm to the "pest" as well as no harm done to humans or the environment. Whomever made these decisions, do you feel OK going to bed at night knowing not only that you helped kill innocent animals, but you also endangered residents of our city with your pest control choices?

In the future, I suggest looking into natural ways to live in harmony with nature. And if you need suggestions, I am a 30-year member of PETA (People for the Ethical Treatment of Animals) – please have someone from the city reach out to me. I am happy to collaborate on ethical, humane pest control that will not kill animals or poison our residents.

It is very disturbing that one of our Lemon Grove city workers would choose to be so thoughtless and uncaring in scheduling and proceeding with that mass murder in June.

Aside from being more conscious in decisions in the future, I invite the individual(s) who took these actions to do something to honor those animals that were killed (perhaps donate to an animal related charity) and do something to make up for risking the wellbeing of the humans, children, and domestic pets that frequent the park. As a suggestion, you can post a giant sign at the park with a public apology for these actions.

Thank you for taking the time to read this statement – it is very important to me, the animals, and those who live in our city.

- Jennifer Ellis

With Much Gratitude,

Jennifer Ellis

Owner, Life Enlightenment

ACE Certified Group Fitness Instructor

Registered and Certified Yoga Teacher

Certified Meditation and Mindfulness Teacher

[REDACTED]

Young Living Essential Oils Independent Distributor

[REDACTED]

Facebook:

[REDACTED]

LinkedIn:

[REDACTED]

[REDACTED]

Instagram:

[REDACTED]

From: [Rebecca Rapp](#)
To: [Audrey Malone](#); [George Gastil](#); [Jerry Jones](#); [Jennifer Mendoza](#); llebaron@lemongrove.ca.gov; [Raquel Vasquez](#); [Executive Assistant](#)
Subject: How Weed Became the New OxyContin - Public Comment
Date: Tuesday, September 20, 2022 3:00:50 PM

Good evening, Mayor Vasquez and council members. My name is Becky Rapp. I'm a parent and public health educator concerned with marijuana in our city. More data is coming forward regarding the detrimental effects high potency THC products can have on people, especially young people.

A recent article titled 'How weed Became the New OxyContin' quotes Dr. Libby Stuyt, a 30-year recently retired addiction psychiatrist, treating patients with severe drug dependency. She typically treats those addicted to alcohol, heroin, and methamphetamines.

About 5 years ago, she began to see something new. I quote, "I started seeing people with the worst psychosis systems that I have ever seen and the worst delusions I have ever seen." These cases were even more acute than what she's seen from psychotic patients on meth. Some of the delusions were accompanied by severe violence. These patients were coming up positive only for cannabis.

The article goes on to say, as billions of dollars have flowed into the new above-ground industry of smokable, edible, and drinkable cannabis-based products, the drug has transformed into something unrecognizable to anyone who grew up around marijuana pre-legalization. Addiction medicine doctors and relatives of addicts say it has become a hardcore drug, like cocaine or methamphetamines. Chronic use leads to the same outcomes commonly associated with those harder substances: overdose, psychosis, and suicidology. And yet it's been marketed as a kind of elixir and sold like candy for grown-ups.

As community leaders, I urge you to send this message to the residents of Lemon Grove. The message is that marijuana is detrimental to the health and safety of our city.

Thank you

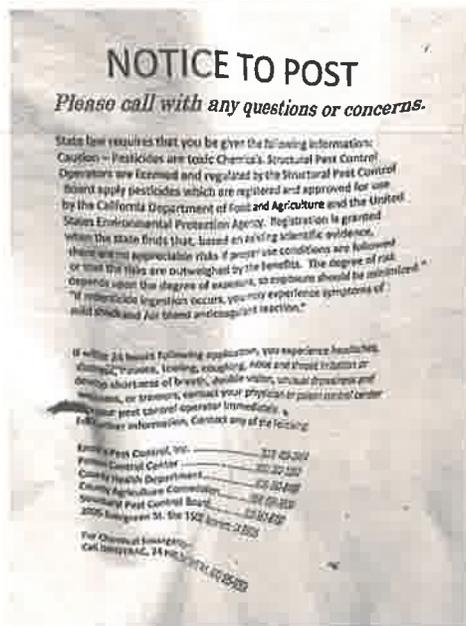
Public comment 9/20
Jim Ellis

Jim Ellis

Warning Sign June 14, 2022



NOTICE TO POST DETAILS



Picnic-goers June 16

