



MINUTES

SPECIAL MEETING

CITY COUNCIL
CITY OF SOUTH SAN FRANCISCO

WEDNESDAY, JULY 28, 2021
6:00 p.m.

Hybrid In-Person/Virtual Meeting

City Council conducted this meeting in-person and remotely via the ZOOM virtual meeting platform in accordance with California Governor Newsom's Executive Orders N-29-20, N-63-20, and N-08-21 and COVID-19 pandemic protocols.

CALL TO ORDER

Mayor Addiego called the meeting to order at 6:51 p.m.

ROLL CALL

Councilmember Coleman, present in Council Chambers
Councilmember Flores, participated via Zoom
Councilmember Nicolas, present in Council Chambers
Vice Mayor Nagales, present in Council Chambers
Mayor Addiego, present in Council Chambers

AGENDA REVIEW

None.

PUBLIC COMMENTS

Members of the public were encouraged to submit public comments in writing in advance of the meeting via eComment or during the meeting via Zoom.

Deputy City Clerk Rodriguez read into the record 12 comments submitted from Guest Users and Dolores Piper.

The following individuals provided in-person public comments:

- Russell
- Keli Ana Hui
- Joseph Lopez
- Carmela Dizon
- Aristel de la Cruz

The following individuals provided virtual (Zoom) public comments:

- Katrina Ellis
- Liliana Rivera
- Marcela Rivera
- Andrea Sims
- Eddy Hollman
- Julissa Gomez
- Ethan Mizzi

ADMINISTRATIVE BUSINESS

1. Consideration of a Memorandum of Understanding (MOU) between the City of South San Francisco and the South San Francisco Unified School district concerning the use and duties of School Liaison Officers (SLOs) (*Sky Woodruff, City Attorney, and Jeff Azzopardi, Police Chief*)

Police Chief Azzopardi presented the report and indicated that Since 1983, the South San Francisco Police Department (SSFPD) and the South San Francisco Unified School District (SSFUSD) had worked together. The benefits of integrating School Liaison Officers (SLOs) into a school system go beyond reduced school violence. The officers form relationships with kids while also serving as a resource for students, teachers, and administrators to assist them in resolving issues. The SLO program assigns officers to schools so that school employees and students become acquainted with them as individuals who understand the special dynamics in a school context. These officers apply for the job and are chosen after a series of interviews and tests.

SSFPD's Community Relations Unit employs two full-time School Liaison Officers. On an annual basis, SLOs keep account of their events, hours spent, and students with whom they interact. SLOs connect with over 2,000 students in a school year and spend more than 200 hours in the classroom. SLOs frequently serve as mediators or counselors between school personnel, students, and parents. The SSFPD is not responsible for providing mental health services to the school system, and officers are not authorized. The SLOs, on the other hand, are trained and certified in Crisis Intervention and dealing with people who are having mental or emotional problems. SLOs can also make referrals to other agencies.

Mayor Addiego requested clarification on the incidents involving police presence at schools. Police Chief Azzopardi shared two incidents involving the Police Department: 1) arrest of a teacher; and 2) arrest of a student for an assault. He clarified the practice of responding to campus.

Councilmember Coleman requested clarification on the current situation. Police Chief Azzopardi confirmed that the South San Francisco Unified School District Board of Trustees suspended the program until a Memorandum of Understanding (MOU) was in place. He explained that officers would still respond in the case of an emergency. City Attorney Woodruff stated he was uncertain whether there was a provision in the Education Code when administrators were required to call emergency services and explained mandatory reporting requirements. Police Chief Azzopardi stated the provisions in the Education and Penal Codes requiring the administration to call 911 regardless of the MOU. City Attorney Woodruff explained that the MOU was not a binding contract and discussed the annual review process.

Police Chief Azzopardi discussed the process of filing complaints against officers, internal investigations, and changes of the law related to Miranda Rights and juvenile interviews. Councilmember Coleman expressed concern with testimony regarding inappropriate actions by the SLOs.

Councilmember Nicolas confirmed that Trustee Baker requested the MOU. She expressed support for the MOU and stated she was perplexed by the emotions invoked by the proposed MOU.

Vice Mayor Nagales confirmed that the cost was \$500,000 for both officers and that the Police Department paid for officer training. South San Francisco Unified School District Director of Student Services and Public Information Officer Sebers discussed the need for training and the benefits of working with SLO's. In response to Vice Mayor Nagales, Police Chief Azzopardi stated only egregious action would require removal in handcuffs. Mayor Addiego reiterated limited use of handcuffs.

Vice Mayor Nagales inquired about the process for searching a student locker. Police Chief Azzopardi stated that the school administration conducts those searches and clarified SLOs action. City Manager Futrell explained the staff's consideration of including specific laws in the MOU. City Attorney Woodruff explained issues with including specific laws or a summary of the law in the MOU. In response to Vice Mayor Nagales, Police Chief Azzopardi discussed an annual review of the MOU and monthly updates of laws. City Attorney Woodruff suggested reference to a third-party document that would accurately reflect the current law.

Vice Mayor Nagales inquired about transparency and accountability regarding complaints. Police Chief Azzopardi stated he would not have an officer on campus if the administration did not approve. He discussed the investigation process.

Councilmember Flores requested clarification on training. Police Chief Azzopardi discussed the training topics, including de-escalation, racial bias, crisis intervention, and classroom etiquette. Councilmember Flores suggested training officers deal with special needs students involving IEP and mental health needs. Councilmember Flores requested clarification on the definition of a disciplinary matter (minor offense) and suggested providing a reference to administrators and teachers on when to utilize the SLOs. Mr. Sebers indicated the introductory paragraph referenced the Expectations of Student Success Handbook. He stated the district was reviewing processes and protocols for managing non-mandatory situations. Councilmember Flores inquired about the yearly review. Police Chief Azzopardi explained the oversight process. Mr. Sebers anticipated an annual collaborative process. Councilmember Flores discussed the School Board's annual review of contracts. He asked if the district notified parents about the change in the law regarding Miranda Rights. Mr. Sebers stated the officer would be compelled to ensure the student was aware of the law.

Mayor Addiego supported approving an MOU that he considered a living document that staff could update as needed.

Trustee Murray stated the School District Subcommittee endorsed the MOU, and the collaboration between the City and School District was positive.

Councilmember Coleman reminded the Council that Police services were still available without the MOU and encouraged thorough consideration of the MOU. He expressed concern with disparities at the various schools. He stated he did not believe Police should be on school campuses. He encouraged a clear delineation between the roles of officers and administration. He suggested removing Section 1.4.D.

Vice Mayor Nagales suggested approving the MOU with the proposed framework and having the School District review the proposed amendments. Councilmember Flores concurred.

The following individuals provided virtual (Zoom) public comments:

- Cesar Rodriguez
- Liliana Rivera

Mayor Addiego ended public comment at 9:13 p.m.

Councilmember Coleman stated officers should wear plain clothes and be unarmed at school-only events, non-community facing. Police Chief Azzopardi clarified the rights of off-duty officers to carry weapons onto school premises. He also explained cyberbullying investigations by the department and encouraged the Council to retain the right to discuss cyberbullying. Councilmember Coleman expressed his desire to have cyberbullying training conducted by teachers rather than armed, uniformed officers. Councilmember Flores shared that the district had hired professional individuals to provide mental health training to the district's students.

The Council reiterated the proposed Amendments - Create an Appendix with the following:

- Specific state language regarding investigations and interviews with minors (rights of students/search and seizure).
- Insert a reference to the MOU regarding the appendix, citing that the City Attorney would add verbiage that allowed the city to update as needed dependent on local, state, and federal law without amending the MOU.
- Provide a clear delineation of the roles and responsibilities of officers and administrators, i.e., when to call and when not to call the SLO, to be drafted by the district.
- MOU subject to annual review with amendments, as needed, and a yearly report to City Council and School Board.
- Clarification on the definition of what constitutes a disciplinary matter (minor offense) and suggested providing a reference to administrations and teachers. (Section 6)
- Include language to reflect complaints about misconduct can be filed anonymously by students, staff, and parents.
- School administration to approve and disapprove SLO assignments. (Superintendent or designee).

Motion —Councilmember Nicolas/Second – Councilmember Coleman: To approve the MOU as amended, by roll call vote: AYES: Councilmembers Coleman, Flores, and Nicolas, Vice Mayor Nagales and Mayor Addiego; NAYS: None; ABSENT: None; ABSTAIN: None.

ADJOURNMENT

Being no further business Mayor Addiego adjourned the meeting at 9:30 p.m.

Respectfully submitted by:

Approved by:

Rosa Govea Acosta, CMC, CPMC
City Clerk

Mark Addiego
Mayor

Approved by the City Council: ____ / ____ / ____