

City of Chula Vista

Meeting Minutes - Final

Tuesday, June 6, 2017

5:00 PM

Council Chambers
276 4th Avenue, Building A
Chula Vista, CA 91910
Teleconferencing location:
Red Lion Hotel, Business Center
1929 Fourth Street, Eureka, CA 95501

SPECIAL MEETING OF THE HOUSING AUTHORITY MEETING JOINTLY WITH THE CITY COUNCIL, SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY, AND MUNICIPAL FINANCING AUTHORITY OF THE CITY OF CHULA VISTA

CALL TO ORDER

Regular meetings of the City Council, Successor Agency to the Redevelopment Agency, and Municipal Financing Authority, and a special meeting of the Housing Authority of the City of Chula Vista were called to order at 5:06 p.m. in the Council Chambers, located in City Hall, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

Present: Councilmember Aguilar, Councilmember Diaz, Deputy Mayor McCann, Councilmember Padilla and Mayor Casillas Salas

Also Present: City Manager Halbert, City Attorney Googins, City Clerk Norris, and Assistant City Clerk Bigelow

City Clerk Norris announced that Councilmember Padilla was participating via videoconference from the following location: Red Lion Hotel, Business Center, 1929 Fourth Street, Eureka, CA 95501; and that all votes would be taken by roll call.

Councilmember Padilla stated he complied with all requirements of the Brown Act, including posting the agenda and assuring public accessibility to the location. He stated no members of the public were present at his location.

Mayor Casillas Salas announced, pursuant to AB 23, that she and each Councilmember would receive \$50 for their attendance at that Housing Authority meeting, which was held simultaneously with the City Council meeting.

PLEDGE OF ALLEGIANCE TO THE FLAG AND MOMENT OF SILENCE

Councilmember Diaz led the Pledge of Allegiance.

SPECIAL ORDERS OF THE DAY

- A. [17-0207](#) PRESENTATION BY MARKETING AND COMMUNICATIONS
MANAGER ANNE STEINBERGER OF THIS IS CHULA
PHOTOGRAPHY CONTEST WINNERS

Marketing and Communications Manager Steinberger presented the This is Chula photography contest winners.

- B. [17-0212](#) PRESENTATION BY CULTURAL ARTS MANAGER LYNNETTE TESSITORE OF THE 2017 MCCANDLISS ARTS AWARDS RECIPIENTS AND THE 2017 RISING STAR SCHOLARSHIP WINNERS: ARTAYNE RAMSEY, AUBREE BLANCHARD, SOFIA PINEDO, LAURA SHIMASAKI, AND SAMUEL ARDEN

Cultural Arts Manager Tessitore presented the 2017 McCandliss Arts Awards recipients.

Deputy Mayor McCann read the names of the scholarship recipients, and Mayor Casillas Salas and Cultural Arts Manager Tessitore presented them with certificates.

- C. [17-0233](#) PRESENTATION BY COMMUNICATIONS COORDINATOR OLGA BERDIAL AND DEL MAR FAIRGROUND MARKETING REPRESENTATIVE REGARDING THE 2017 SAN DIEGO COUNTY FAIR STREETLIGHT BANNER PROGRAM WITHIN THE CITY OF CHULA VISTA AND THE 2017 SAN DIEGO COUNTY FAIR SEASON

Communications Coordinator Berdial and Luis Valdivia, representing the San Diego County Fair, gave a presentation on the San Diego County Fair Streetlight Banner program.

- D. [17-0239](#) PRESENTATION OF A PROCLAMATION TO ALLIANCE SAN DIEGO AND SAN DIEGO IMMIGRANT RIGHTS CONSORTIUM PROCLAIMING JUNE 2017 AS IMMIGRATION HERITAGE MONTH IN THE CITY OF CHULA VISTA

Mayor Casillas Salas read the proclamation and Councilmember Aguilar presented it to Laura Moreno, representing the San Diego Immigrant Rights Consortium, and Jesus Mendez and Eryn Wilson, representing Alliance San Diego.

- E. [17-0246](#) UPDATE ON CHULA VISTA BAYFRONT DESTINATION RV PARK BY PORT OF SAN DIEGO COMMISSIONER MOORE

Port Commissioner Ann Moore gave a presentation on the item.

CONSENT CALENDAR (Items 1 - 9)

1. [17-0243](#) APPROVAL OF MINUTES of May 4, 2017.

Recommended Action: Council approve the minutes.

2. [17-0228](#) WRITTEN COMMUNICATIONS

A. Memorandum from Councilmember Aguilar requesting excused absences from the April 27, 2017 workshop and the May 23, 2017 council meeting.

B. Memorandum from Mayor Salas requesting an excused absence from the May 23, 2017 council meeting.

Recommended Action: Council excuse the absences.

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3. [17-0085](#) RESOLUTION NO. 2017-081 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; AWARDING A CONTRACT FOR THE "SIGN REFLECTIVITY REPLACEMENT FY 2015/2016 (CIP# TF391)" PROJECT TO A GOOD SIGN & GRAPHICS CO. IN THE AMOUNT OF \$131,400; WAIVING CITY COUNCIL POLICY 574-01; AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL CHANGE ORDERS AND EXPEND ALL AVAILABLE FUNDS IN AN AMOUNT NOT TO EXCEED \$143,000

Recommended Action: Council adopt the resolution.

4. [17-0150](#) ORDINANCE OF THE CITY OF CHULA VISTA ESTABLISHING SPEED LIMITS AT THE FOLLOWING SEGMENTS: 1) 50 MPH SPEED LIMIT ON OLYMPIC PARKWAY BETWEEN HUNTE PARKWAY AND OLYMPIC VISTA ROAD; 2) 45 MPH SPEED LIMIT ON OLYMPIC PARKWAY BETWEEN OLYMPIC VISTA ROAD AND WUESTE ROAD, AND AMENDING SCHEDULE X OF THE REGISTER MAINTAINED IN THE OFFICE OF THE CITY ENGINEER TO REFLECT THE ESTABLISHED SPEED LIMIT (FIRST READING)

Recommended Action: Council place the ordinance on first reading.

5. [17-0194](#) RESOLUTION NO. 2017-082 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING SUBMITTAL OF APPLICATION FOR ADVANCED TRANSPORTATION AND CONGESTION MANAGEMENT TECHNOLOGIES DEPLOYMENT (ATCMTD) GRANT AND COMMITTING MATCHING FUNDS THEREFOR

Recommended Action: Council adopt the resolution.

6. [17-0187](#) RESOLUTION NO. 2017-083 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$6,450 FROM THE CALIFORNIA GOVERNOR'S OFFICE OF EMERGENCY SERVICES AND APPROPRIATING SAID FUNDS TO THE POLICE GRANT FUND FOR THE COVERDELL FORENSIC SCIENCE IMPROVEMENT PROGRAM

Recommended Action: Council adopt the resolution

7. [17-0209](#) RESOLUTION NO. 2017-084 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING \$52,426 FROM THE CALIFORNIA BOARD OF STATE AND COMMUNITY CORRECTIONS AND APPROPRIATING SAID FUNDS TO THE POLICE GRANT FUND FOR HOMELESS OUTREACH EFFORTS (4/5 VOTE REQUIRED)

Recommended Action: Council adopt the resolution.

8. [17-0211](#) RESOLUTION NO. 2017-085 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING CHAPTER 3 (ANIMAL CONTROL) OF THE MASTER FEE SCHEDULE

Recommended Action: Council adopt the resolution.

9. [17-0219](#) RESOLUTION NO. 2017-086 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE COMPETITIVE BIDDING REQUIREMENT, APPROVING A CONTRACT BETWEEN THE CITY OF CHULA VISTA AND DR. VANESSA FLORES, VMD FOR RELIEF VETERINARY SERVICES AT THE CHULA VISTA ANIMAL CARE FACILITY, AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENT AND UP TO THREE ONE-YEAR EXTENSIONS

Recommended Action: Council adopt the resolution.

Approval of the Consent Calendar

ACTION: A motion was made by Deputy Mayor McCann, seconded by Councilmember Aguilar, to approve staff's recommendations on the above Consent Calendar items, headings read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

ITEMS REMOVED FROM THE CONSENT CALENDAR

There were none.

PUBLIC COMMENTS

Nicole Hobson, representing Association of Chula Vista Employees (ACE), expressed concern regarding potential layoffs of some non-sworn City employees.

Stan O'Hoppe, Chula Vista resident, requested a written response to his questions related to funding for Memorial Park.

PUBLIC HEARINGS

10. [16-0466](#) CONSIDERATION OF WAIVING IRREGULARITIES IN THE BID RECEIVED FOR THE "MANHOLE REHABILITATION PROGRAM, FISCAL YEAR 2015/2016 (SW297)" PROJECT PER CITY CHARTER SECTION 1009 (This item was continued from 5/23/17.)

RESOLUTION NO. 2017-087 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING BIDS; WAIVING MINOR BID IRREGULARITIES; AWARDING A CONTRACT FOR THE "MANHOLE REHABILITATION PROGRAM, FISCAL YEAR 2015/2016 (CIP# SW297)" PROJECT TO SANCON ENGINEERING, INC. IN THE AMOUNT OF \$226,067.07; APPROPRIATING \$130,000 FROM THE AVAILABLE BALANCE OF THE SEWER FACILITY REPLACEMENT FUND TO CAPITAL IMPROVEMENT PROJECT SW297; WAIVING CITY COUNCIL POLICY NO. 574-01; AND AUTHORIZING THE DIRECTOR OF PUBLIC WORKS TO EXECUTE ALL CHANGE ORDERS (4/5 VOTE REQUIRED)

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the time specified in the notice.

Mayor Casillas Salas opened the public hearing.

There being no members of the public who wished to speak, Mayor Casillas Salas closed the public hearing.

ACTION: A motion was made by Deputy Mayor McCann, seconded by Councilmember Aguilar, that Resolution No. 2017-087 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

11. [17-0195](#) CONSIDERATION OF AN AMENDMENT TO CHULA VISTA'S PORTION OF THE 2016 REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM

RESOLUTION NO. 2017-088 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ADOPTING AN AMENDMENT TO THE TRANSNET LOCAL STREET IMPROVEMENT PROGRAM OF PROJECTS FOR FISCAL YEARS 2016/2017 THROUGH 2020/2021, AND PROVIDING THE CERTIFICATION AND INDEMNITY STATEMENTS NECESSARY TO OBTAIN TRANSNET FUNDS

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the time specified in the notice.

Mayor Casillas Salas opened the public hearing.

There being no members of the public who wished to speak, Mayor Casillas Salas closed the public hearing.

ACTION: A motion was made by Deputy Mayor McCann, seconded by Councilmember Aguilar, that Resolution No. 2017-088 be adopted, heading read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

12. [17-0242](#)**CONSIDERATION OF APPROVAL TO FINANCE INFRASTRUCTURE, FACILITIES AND EQUIPMENT RELATING TO MEASURE P**

A. RESOLUTION NO. 2017-089 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AUTHORIZING THE EXECUTION AND DELIVERY BY THE CITY OF A SITE LEASE, LEASE AGREEMENT, INDENTURE, CONTINUING DISCLOSURE AGREEMENT AND BOND PURCHASE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF THE CHULA VISTA MUNICIPAL FINANCING AUTHORITY 2017 LEASE REVENUE BONDS, APPROVING THE ISSUANCE OF SUCH BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$72,000,000, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH BONDS AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

B. RESOLUTION NO. 2017-001 OF BOARD OF DIRECTORS OF THE CHULA VISTA MUNICIPAL FINANCING AUTHORITY AUTHORIZING THE EXECUTION AND DELIVERY BY THE AUTHORITY OF A SITE LEASE, LEASE AGREEMENT, INDENTURE, ASSIGNMENT AGREEMENT AND BOND PURCHASE AGREEMENT IN CONNECTION WITH THE ISSUANCE OF CHULA VISTA MUNICIPAL FINANCING AUTHORITY 2017 LEASE REVENUE BONDS, AUTHORIZING THE ISSUANCE OF SUCH BONDS IN AN AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$72,000,000, AUTHORIZING THE DISTRIBUTION OF AN OFFICIAL STATEMENT IN CONNECTION WITH THE OFFERING AND SALE OF SUCH BONDS AND AUTHORIZING THE EXECUTION OF NECESSARY DOCUMENTS AND CERTIFICATES AND RELATED ACTIONS

Notice of the hearing was given in accordance with legal requirements, and the hearing was held on the date and no earlier than the time specified in the notice.

Mayor Casillas Salas opened the public hearing.

There being no members of the public who wished to speak, Mayor Casillas Salas closed the public hearing.

ACTION: A motion was made by Deputy Mayor McCann, seconded by Councilmember Diaz, that Council Resolution No. 2017-089 and Municipal Financing Authority Resolution No. 2017-001 be adopted, headings read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

ACTION ITEMS

13. [17-0249](#) PRESENTATION OF THE CITY MANAGER'S PROPOSED BUDGET FOR FISCAL YEAR 2017-18 WITH POTENTIAL OPTION TO PROVIDE ADDITIONAL FIRE ENGINE COMPANY PER CITY COUNCIL DIRECTION INCLUDING PROPOSED BUDGET REDUCTIONS FOR COUNCIL CONSIDERATION (This item was continued from 5/23/17.)

OPTION A: RESOLUTION OF THE CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/ HOUSING AUTHORITY OF THE CITY OF CHULA VISTA ACCEPTING THE CITY MANAGER'S PROPOSED OPERATING AND CAPITAL IMPROVEMENT BUDGETS AS AMENDED TO INCLUDE AN ADDITIONAL FIRE CREW AND BUDGET REDUCTIONS FOR FISCAL YEAR 2017-18 AS THEIR PROPOSED BUDGETS, RESPECTIVELY, AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING FOR FINAL CONSIDERATION AND ADOPTION OF SAME

OPTION B: RESOLUTION NO. 2017-090 OF THE CITY COUNCIL/SUCCESSOR AGENCY TO THE REDEVELOPMENT AGENCY/ HOUSING AUTHORITY OF THE CITY OF CHULA VISTA ACCEPTING THE CITY MANAGER'S PROPOSED OPERATING AND CAPITAL IMPROVEMENT BUDGETS FOR FISCAL YEAR 2017-18 AS PRESENTED ON MAY 23, 2017, AS THEIR PROPOSED BUDGETS, RESPECTIVELY, AND SETTING THE TIME AND PLACE FOR A PUBLIC HEARING FOR FINAL CONSIDERATION AND ADOPTION OF SAME, WITH DIRECTION THAT IF THE SAFER GRANT IS NOT APPROVED THE CITY MANAGER WILL RETURN MID-YEAR WITH THE ADDITIONAL FIRE CREW AND RESPECTIVE BUDGET AMENDMENTS AS WELL AS DIRECT THE CITY MANAGER TO UPDATE THE CITY COUNCIL ON A QUARTERLY BASIS THE FISCAL YEAR 2018-19 BUDGET FORECAST AND FUNDING OPTIONS AS WELL AS PROVIDE A LONG-TERM PLAN TO ADDRESS STAFFING SHORTFALLS IN PUBLIC SAFETY

City Manager Halbert gave a presentation on the item. Fire Chief Geering and Darrell Roberts, representing the International Association of Fire Fighters, spoke regarding the item.

The following members of the public expressed support for the City's cultural arts program:

- Susan Walter, Chula Vista resident*
- Leticia Cazares, Chula Vista resident, and she also spoke in support of improving communication to the public on the budget*
- Silvia Lugo, Chula Vista resident, representing Southwestern College School of Arts and Communications, and she expressed concern regarding the impact of laying off employees*
- Sandy Scheller, Chula Vista resident*
- Carol Nottley, representing the Chula Vista Art Guild*
- Steven Goldkrantz, Chula Vista resident, and he spoke regarding increasing revenues*
- Cynthia Alvarado, Chula Vista resident*
- Ric Todd, San Diego resident*

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- Susan Johnson, Chula Vista resident
 - Matt Carney, San Diego resident, representing San Diego Dance Theater
 - Alexandra Knitchevsky, San Diego resident, representing La Jolla Playhouse and Rising Arts Leaders San Diego
 - Lauren Shelton, representing the Chula Vista Elementary School District
 - John Bosselman, Chula Vista resident
 - Zoe Kumagai, Bonita resident, representing the San Diego Youth Symphony
 - Al Gore, Chula Vista resident
 - Ellen Schauer, Chula Vista resident
 - William Virchis, Chula Vista resident
 - Henry Maxfield, representing High Tech High Chula Vista
 - Marie Zhivago, Chula Vista resident
 - William Taylor Ward, Chula Vista resident, representing Rising Arts Leaders
 - Rick Trujillo, Chula Vista resident
 - Jill Galvez, Chula Vista resident

Lynne Jennings, Chula Vista resident, representing the San Diego Guild of Puppetry, submitted written documentation expressing support for the City's cultural arts program.

Luanne Hulsizer, San Marcos resident, expressed support for the Economic Development Department and spoke regarding the services provided by City departments.

Francisco Rivera, representing SEIU 221, requested that City unions work with staff on public safety transition and revenue plans.

Mark Bastedo, San Diego resident, expressed concern regarding police department staffing.

Jennifer Bustamante, Chula Vista resident, spoke in support of a balanced approach to addressing funding needs.

Steven Pavka, Chula Vista resident, spoke in support of increasing revenues.

Karen Crabtree, Chula Vista resident, withdrew her request to speak.

The following individuals submitted a request to speak but were not present at the times their names were called:

- Andy Lawler
- Yessenia Hulsey

ACTION: A motion was made by Mayor Casillas Salas, seconded by Councilmember Diaz, that City Council Resolution No. 2017-090, Successor Agency Resolution No. 2017-001, and Housing Authority Resolution No. 2017-001 be adopted as amended to add the following:

"approval of the City Manager's proposed budgets to be published for the requisite 10-day public review period is based on the following conditions:

1. that there be a moratorium on hiring new employees, except for the five police officers in the City Manager's proposed budget, until the results of the SAFER grant are known, to ensure that some funding is available for additional fire fighters; and

2. that the City Manager report back to the City Council within 120 days with a plan to address the chronic understaffing of the police and fire departments, with such plan considering all options, including: (i) alternative service models that may improve effectiveness and reduce costs; and (ii) potential funding sources."

The heading was read, text waived. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

14. [17-0236](#) SELECTION OF A DATE AND TIME FOR A MEETING OR MEETINGS TO CONDUCT INTERVIEWS TO FILL ONE VACANCY ON THE CULTURAL ARTS COMMISSION (ARTS PROFESSIONAL SEAT) AND ONE VACANCY ON THE CIVIL SERVICE COMMISSION

Individuals to be interviewed for the Cultural Arts Commission: Rosie Duran, Omar Firestone, Lorise Maynard, Lisa Moctezuma, and Rosalba Ponce

Individuals to be interviewed for the Civil Service Commission: Guy Chambers, Alberto Leos, and Julio Estrada.

There was consensus of the Council to schedule the open meeting to conduct the interviews to fill the vacancies on the Cultural Arts and Civil Service Commissions for June 22, 2017 at 5:00 p.m.

CITY MANAGER'S REPORTS

There were none.

MAYOR'S REPORTS

15. [17-0198](#) Consideration of appointment of a voting delegate and alternates for the 2017 League of California Cities Annual Conference, to be held in Sacramento, September 13 through 15. (This item was continued from 5/23/17.)

ACTION: A motion was made by Councilmember Diaz, seconded by Councilmember Aguilar, that Deputy Mayor McCann be appointed as the primary voting delegate and Mayor Casillas Salas be appointed as the alternate voting delegate for the 2017 League of California Cities Annual Conference. The motion carried by the following vote:

Yes: 5 - Aguilar, Diaz, McCann, Padilla and Casillas Salas

No: 0

Abstain: 0

At the request of Mayor Casillas Salas, there was consensus of the Council to add an item to the June 13, 2017 agenda for consideration of a resolution in support of AB805 "County of San Diego: transportation agencies."

Mayor Casillas Salas reported on the following recent events: opening of Glam Powder Room, Memorial Day services, opening of Infinite Yoga, and the Chula Vista Police Foundation's Evening with Heroes event.

She congratulated Deputy Mayor McCann on the recent street-naming dedication ceremony to honor fallen veterans from Chula Vista.

COUNCILMEMBERS' COMMENTS

Deputy Mayor McCann congratulated recent high school and college graduates, and children who promoted. He thanked Chief Kennedy for the Evening with Heroes event.

Deputy Mayor McCann spoke regarding the recent street-naming dedication ceremony to honor fallen veterans from Chula Vista: Salem Bachar, Michael Idanan, Kristofferson Lorenzo, Michael Martinez, Joshua Mattero, Curtis Spivey, and Charles Wyckoff, Jr.

Councilmember Aguilar thanked Deputy Mayor McCann for organizing the street-naming dedication ceremony.

Mayor Casillas Salas congratulated Councilmember Padilla on his appointment to the California Coastal Commission.

Councilmember Padilla congratulated Deputy Mayor McCann for his leadership in recognizing veterans and organizing the recent ceremony.

City Attorney Googins announced that the Council would convene in closed session to discuss the item listed below.

Mayor Casillas Salas paid tribute to Edmond "Pat" LaPierre and stated the meeting would be adjourned in his memory.

Mayor Casillas Salas recessed the meeting at 8:29 p.m. The Council reconvened in closed session at 8:35 p.m., with all members present.

CLOSED SESSION

Pursuant to Resolution No. 13706 and Council Policy No. 346-03, Official Minutes and records of action taken during Closed Sessions are maintained by the City Attorney.

16. [17-0244](#) CONFERENCE WITH LABOR NEGOTIATORS PURSUANT TO GOVERNMENT CODE SECTION 54957.6

Agency designated representatives: Gary Halbert, Glen Googins, Kelley Bacon, Simon Silva, David Bilby, Maria Kachadoorian, Courtney Chase

Employee organization: Police Officers Association (POA)

ACTION: No reportable action.

ADJOURNMENT

At 8:38 p.m., the meeting was adjourned in memory of Edmund "Pat" LaPierre to the Regular City Council Meeting on June 13, 2017, at 5:00 p.m., in the Council Chambers.

Kerry K. Bigelow, Assistant City Clerk