



# City of Chula Vista

## Legislation Details (With Text)

<b>File #:</b>	16-0385	<b>Name:</b>	Grand Jury Reports: Citizen Oversight Boards of Police Behavior and Chula Vista Jail
<b>Type:</b>	Consent Item	<b>Status:</b>	Passed
		<b>In control:</b>	City Council
<b>On agenda:</b>	8/16/2016	<b>Final action:</b>	8/16/2016
<b>Title:</b>	A. RESOLUTION NO. 2016-174 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2015/2016 SAN DIEGO COUNTY GRAND JURY REPORT ON CITIZEN OVERSIGHT BOARDS OF POLICE BEHAVIOR AND AUTHORIZING THE MAYOR TO SIGN THE RESPONSE ON BEHALF OF THE MAYOR AND CITY COUNCIL  B. RESOLUTION NO. 2016-175 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2015/2016 SAN DIEGO COUNTY GRAND JURY REPORT ON THE CHULA VISTA JAIL AND AUTHORIZING THE MAYOR TO SIGN THE RESPONSE ON BEHALF OF THE MAYOR AND CITY COUNCIL		

### Sponsors:

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### Code sections:

**Attachments:** 1. Item 7 - RESOLUTION A, 2. Item 7 - RESOLUTION B, 3. Item 7 - ATTACHMENT A, 4. Item 7 - ATTACHMENT B, 5. Item 7 - ATTACHMENT C, 6. Item 7 - ATTACHMENT D

Date	Ver.	Action By	Action	Result
8/16/2016	1	City Council	approve	Pass

A. RESOLUTION NO. 2016-174 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2015/2016 SAN DIEGO COUNTY GRAND JURY REPORT ON CITIZEN OVERSIGHT BOARDS OF POLICE BEHAVIOR AND AUTHORIZING THE MAYOR TO SIGN THE RESPONSE ON BEHALF OF THE MAYOR AND CITY COUNCIL

B. RESOLUTION NO. 2016-175 OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ACCEPTING THE 2015/2016 SAN DIEGO COUNTY GRAND JURY REPORT ON THE CHULA VISTA JAIL AND AUTHORIZING THE MAYOR TO SIGN THE RESPONSE ON BEHALF OF THE MAYOR AND CITY COUNCIL

### RECOMMENDED ACTION

Council adopt the resolutions.

### SUMMARY

On May 25, 2016, the San Diego County Grand Jury filed a report entitled "Citizen Oversight Boards of Police Behavior" with the Clerk of the Court. The Grand Jury's report contained two (2) recommendations directed to the Mayors and City Councils of seven cities in the county, including Chula Vista.

On May 31, 2016 the Grand Jury filed another report entitled "Chula Vista Jail" with the Clerk of the Court. The Grand Jury's report contained seven (7) findings and made seven (7) recommendations directed to the Chula Vista Mayor and City Council.

Under state law, the City of Chula Vista must respond within 90 days to the findings and recommendations in the Grand Jury's report.

## **ENVIRONMENTAL REVIEW**

### **Environmental Notice**

The activity is not a "Project" as defined under Section 15378 of the California Environmental Quality Act State Guidelines; therefore, pursuant to State Guidelines Section 15060(c)(3) no environmental review is required.

## **BOARD/COMMISSION RECOMMENDATION**

Not Applicable

## **DISCUSSION**

On May 25, 2016, the San Diego County Grand Jury filed a report entitled "Citizen Oversight Boards of Police Behavior" (Attachment "A") with the Clerk of the Court. The Grand Jury's report contained two (2) recommendations directed to the Mayors and City Councils of seven cities in the county, including Chula Vista.

On May 31, 2016 the Grand Jury filed another report entitled "Chula Vista Jail" (Attachment "C") with the Clerk of the Court. The Grand Jury's report contained seven (7) findings and made seven (7) recommendations directed to the Chula Vista Mayor and City Council.

Under state law, the City of Chula Vista must respond within 90 days to the findings and recommendations in the Grand Jury's report.

California Penal Code Section 933(c) states in part that, *"No later than 90 days after the grand jury submits a final report on the operations of any public agency subject to its reviewing authority, the governing body of the public agency shall comment to the presiding judge of the superior court on the findings and recommendations pertaining to matters under the control of the governing body."*

Staff has carefully reviewed both Grand Jury reports and prepared responses (Attachments "B" and "D") to the Honorable Jeffrey B. Barton, Presiding Judge of the San Diego Superior Court, addressing the findings and recommendations listed on the Grand Jury reports.

It is requested that the Mayor and Council review the Grand Jury's reports and the prepared responses. It is further requested that the Mayor and City Council accept the responses and authorize the Mayor to sign the letters as completed responses from the City of Chula Vista.

## **DECISION-MAKER CONFLICT**

Staff has reviewed the decision contemplated by this action and has determined that it is not site-specific and consequently, the 500-foot rule found in California Code of Regulations Title 2, section 18702.2(a)(11), is not applicable to this decision for purposes of determining a disqualifying real property-related financial conflict of interest under the Political Reform Act (Cal. Gov't Code § 87100, et seq.).

Staff is not independently aware, and has not been informed by any City Council member, of any other fact that may constitute a basis for a decision maker conflict of interest in this matter.

### **LINK TO STRATEGIC GOALS**

The City's Strategic Plan has five major goals: Operational Excellence, Economic Vitality, Healthy Community, Strong and Secure Neighborhoods and a Connected Community. The response to the Grand Jury's report is mandated by statute. However, the topics addressed by the Grand Jury's report and answered by the City's responses impact the goals of Operational Excellence, Economic Vitality, Healthy Community, and Strong and Secure Neighborhoods. The responses to the Grand Jury's reports highlight the Police Department's history and ongoing efforts to promote these goals of the City's Strategic Plan.

### **CURRENT YEAR FISCAL IMPACT**

There is no fiscal impact accepting the Grand Jury reports.

### **ONGOING FISCAL IMPACT**

There is no ongoing fiscal impact accepting the Grand Jury reports.

### **ATTACHMENTS**

- A. Grand Jury Report: "Citizen Oversight Boards of Police Behavior"
- B. Mayor response letter to the "Citizen Oversight Boards of Police Behavior" Grand Jury Report
- C. Grand Jury Report: "Chula Vista Jail"
- D. Mayor response letter to the "Chula Vista Jail" Grand Jury Report

*Staff Contact: Captain Vern Sallee and Lieutenant Phil Collum, Police Department*