

ORDINANCE NO. _____

ORDINANCE OF THE CITY OF CHULA VISTA ADDING
CHAPTER 2.19 (SAFE NEIGHBOR) RELATING TO LAW
ENFORCEMENT ACCESS TO CITY FACILITIES

WHEREAS, the City of Chula Vista values every resident and upholds United States and California constitutional protections of privacy, dignity, and due process; and

WHEREAS, federal enforcement actions targeting individuals for their immigration status or identity create fear and undermine local trust in public institutions; and

WHEREAS, on November 18, 2025, the Chula Vista City Council adopted Resolution No. 2025-191 affirming the City's commitment to due process, public safety, and neighborly responsibility through the Good Neighbor Policy; and

WHEREAS, the City of Chula Vista is further committed through its actions to ensure that no City facility, program, or partnership is used to facilitate discrimination, or to violate an individual's rights under federal or state law.

NOW, THEREFORE the City Council of the City of Chula Vista does ordain as follows:

Section I. All of the above statements are true and incorporated herein.

Section II. Chapter 2.19, Safe Neighbor, is hereby added to the Chula Vista Municipal Code and shall read as follows:

Chapter 2.19

SAFE NEIGHBOR

2.19.010 Title.

This chapter is known as the "Safe Neighbor Ordinance," and may be cited as such and will be referred to herein as "this chapter."

2.19.020 Purpose and intent.

The purpose of this chapter is to demonstrate the City's commitment, through its actions and training of City employees and contractors, to ensure that City facilities, programs, and partnerships are not used to facilitate discrimination of any kind, violations of Constitutional rights, or unauthorized enforcement against vulnerable communities. It is further the intent to provide clear direction to City employees and contractors to comply with state and local protections safeguarding the rights of all individuals regardless of their immigration status. These protections recognize fundamental rights to privacy, freedom of expression, and equal treatment under the law.

2.19.030 Definitions

For the purposes of this chapter, the following definitions apply:

“Agency” means federal and state agencies, counties, cities, districts, local agencies, joint power authorities, non-profit corporations wholly owned by a public agency, and any quasi-public entity that the City Council may designate by resolution.

“City” means the City of Chula Vista.

“City Agreement” means a contract for services, public works contract, a lease of City Property, or a grant advertised and awarded by the City after the effective date of this Chapter to any person that is not an Agency.

“City Facility” means City Property where the City exercises daily control over access to the real property, including offices, maintenance areas, operation yards, employee workplaces, restricted zones, construction sites, and administrative facilities.

“City Property” means real property that the City owns in fee or that is leased and occupied by the City.

“Federal Law Enforcement Agency Personnel” means any employee, contractor, or agent of a department or Agency of the United States government who is engaged in Law Enforcement Activity.

“ICE Access” has the same meaning as in California Government Code section 7283(d) as may be amended.

“Immigration Enforcement” has the same meaning as in California Government Code section 7284.4(f), as may be amended.

“Joint Law Enforcement Task Force” has the same meaning as in California Government Code 7284.4(g).

“Law Enforcement Activity” means any action conducted by government personnel or any individual acting under color of law for the purpose of enforcing criminal, civil, immigration, or regulatory laws, including federal laws and laws of other states. This includes surveillance, investigation, detention, questioning, arrest, execution of warrants, collection or sharing of personal data, or facilitation of legal process such as subpoenas or transfer requests.

“Non-Public Area” means any space on real property that is not generally accessible to the public.

“Out-of-State Law Enforcement Personnel” means any law enforcement agent, officer, employee, attorney, investigator, or contractor acting under the authority of another state or its subdivisions who is engaged in Law Enforcement Activity.

“Private Party Acting Under Color of Law Enforcement Authority” means any individual or group not employed by a government Agency who:

- a. Claims, implies, or presents themselves as having legal authority to conduct Law Enforcement Activity;
- b. Is contracted, deputized, or otherwise authorized by a federal Agency or out-of-state jurisdiction to engage in law enforcement activity within California; or
- c. Engages in surveillance, detention, questioning, or information gathering in a manner that imitates or substitutes for official Law Enforcement Activity.

2.19.040 Access to City Facilities

Federal Law Enforcement Agency Personnel, Out-of-State Law Enforcement Personnel, and private parties acting under the color of law enforcement authority shall not voluntarily be given access to any Non-Public Area of a City Facility for the purpose of carrying out law enforcement activities where the alleged criminal activity is based on immigration status unless access is required by law or by a judicially issued warrant or court order.

This section does not prohibit access to City facilities by Federal Law Enforcement Agency Personnel or Out-of-State Law Enforcement Personnel in response to an imminent threat to life or public safety pursuant to a narrowly tailored policy adopted by the City Manager.

2.19.050 Guidelines for Upholding Civil Rights in City Operations

A. Unless otherwise required by law, the City should not:

1. Transmit or share data related to immigration status unless such transmission or sharing is necessary for Law Enforcement Activity where the alleged criminal activity is not based on immigration status.
2. Participate in a joint operation, task force, or patrol that involves, in whole or in part, an Immigration Enforcement action.

B. Subsection (A), above, does not prohibit:

1. The City's participation in a Joint Law Enforcement Task Force, if the task force is not related to Immigration Enforcement activity; or
2. Cooperation with Federal Law Enforcement Agency Personnel or Out-of-State Law Enforcement Personnel in response to an imminent threat to life or public safety. The City's cooperation shall be narrowly tailored to respond to the imminent threat to life or public safety.

2.19.060 Contractor and Vendor Compliance

For all City Agreements advertised and executed on or after the effective date of this Ordinance, contractors, lessees, and grantees must comply with the following requirements, where applicable:

- A. Compliance with all applicable State laws relating to cooperation with law enforcement;

- B. Maintaining any information relating to immigration status received or obtained as part of its performance of the City Agreement confidential, and prohibiting the sharing or transmitting of such information to any third party unless required to do so under federal, State or local law, or to perform the City Agreement;
- C. The provisions of subsections A and B to be included in any subcontracts entered into related to the performance of the City Agreement;
- D. For agreements to provide services to City residents or handle personal information of City residents, notice to the City within five business days of any request from federal law enforcement personnel, Out-of-State Law Enforcement Personnel, or a private party acting under the color of law enforcement authority for assistance with any Immigration Enforcement activity.

2.19.070 Notice Requirements

A. Signage

The following requirements shall apply to any City Facility providing services to the public which contain Non-Public Areas:

- 1. The City Manager shall post signage at Non-Public Areas of City facilities stating that access is restricted to authorized personnel only or as required by a judicial warrant or court order.
- 2. Signage shall contain a QR code directing the public to information regarding individual rights related to this Chapter, available in multiple languages, on City website.

2.19.080 Reporting Requirements

A. The City Manager shall provide a written report to the City Council on a semiannual basis and no later than six months following the conclusion of the applicable six-month reporting period. The written report shall include the following information:

- 1. A summary of the City's participation in Joint Law Enforcement Task Forces as described in California Government Code section 7284.6(c)(1) and as required by state law.
 - a. The City Manager shall not include information in the report that would endanger the safety of a person involved in an investigation or the successful completion of the investigation or a related investigation, or the disclosure of which is prohibited or exempt under federal or state law.
- 2. A summary of any changes to federal or state law that affect the Chula Vista Police Department's ability to participate in a Joint Law Enforcement Task Force.

3. A summary of any known Law Enforcement Activity by Federal Law Enforcement Agency Personnel, Out-of-State Law Enforcement Personnel, or a Private Party Acting Under Color of Law Enforcement Authority involving any person for Immigration Enforcement purposes within the jurisdiction of the City.
 4. A summary of the Transparent Review of Unjust Transfers and Holds (TRUTH) Act forum held by the City under California Government Code section 7283.1(d), including the place and time that the forum was held, and a general description of the information that was presented by the City, if during the reporting period, the City provided ICE Access to a person in the custody of the Chula Vista Police Department.
- B. If the Chula Vista Police Department responds to a call for service related to Law Enforcement Activity by Federal Law Enforcement Agency Personnel, Out-of-State Law Enforcement Personnel, or a Private Party Acting Under Color of Law Enforcement Authority, the Chief of Police shall issue a publicly available incident report within three business days of the response.
- a. The report shall include:
 - i. The names of all agencies present;
 - ii. Whether a judicial warrant was presented by any Agency to the Chula Vista Police Department; and
 - iii. Any available identifying information of the law enforcement personnel involved, such as badge numbers, and Agency designations, or the Private Party Acting Under Color of Law Enforcement Authority.

Section III. Severability

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

Section IV. Construction

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

Section V. Effective Date

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

Section VI. Publication

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by

Approved as to form by

Tiffany Allen
City Manager

Marco A. Verdugo
City Attorney