



CITY OF PITTSBURG AGENDA

March 27, 2017

**CITY HALL COUNCIL CHAMBERS
65 CIVIC AVENUE, PITTSBURG, CA**

WORKSHOP REGARDING COMMUNITY CONCERNS RELATED TO ENFORCEMENT OF FEDERAL IMMIGRATION LAW BY PITTSBURG POLICE DEPARTMENT 6:00 P.M.

CITY COUNCIL

PRESIDING

**Marilyn “Merl” Craft, Mayor/Chair
Dwayne “Pete” Longmire, Vice-Mayor/Chair
Sal Evola, Council Member/Board Member
Juan Antonio Banales, Council Member/Board Member
Jelani Killings, Council Member/Board Member**

FOR HOUSING AUTHORITY:

**Michelle King, Housing Authority Member
Annie Hill Herring, Housing Authority Member**

Pittsburg City Council meetings are held the first and third Mondays of each month at 7:00 p.m. The Housing Authority meets in conjunction with the City Council on the third Monday of each month. The Pittsburg City Council meets regularly in the Council Chamber at 65 Civic Avenue, unless otherwise noted above. The City Council also sits as the Board of Directors of several other City agencies. The stipends for all agency members conform to state statutes governing compensation amounts. All other Agencies meet on an as needed basis and will be listed above if applicable. Copies of the open session agenda packets, which are distributed to the City Council, are on file in the office of the City Clerk, 65 Civic Avenue, Pittsburg, California, and are available for public inspection, beginning 72 hours in advance, during normal business hours (8:00 a.m. – 5:00 p.m., Monday through Friday, except from noon to 1:00 p.m. and City holidays). The agenda and reports are also located on the City’s website at www.ci.pittsburg.ca.us. Additionally, if any reports or documents, which are public records, are distributed to the City Council less than 72 hours before the meeting, those reports and documents will also be available for public inspection in the City Clerk’s Office and on the day of the meeting in the Council Chamber at the public counter area below the dais.

6:00 P.M. - CONVENE IN OPEN SESSION FOR WORKSHOP

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

6:00 - 6:40 P.M. STAFF PRESENTATION AND COUNCIL COMMENTS/QUESTIONS

Sample Resolutions and Documents from Other Cities

Correspondence Received

6:40 - 7:30 P.M. PUBLIC INPUT

7:30 - 7:40 P.M. BREAK

7:40 - 8:30 P.M. PUBLIC INPUT

8:30 - 9:00 P.M. COUNCIL DISCUSSION

9:00 P.M. ADJOURNMENT



To: Mayor and City Council

From: Chief Manjit Sappal

Subject: Resolution Reinforcing the City's Commitment to Being an Inclusive, Tolerant, and Supportive Community for Everyone

Date: March 15, 2017

Recommendation

Motion adopting a resolution reinforcing that the City of Martinez is committed to being an inclusive, tolerant, and supportive community for everyone.

Background

In light of recent events and the national attention about immigration, on March 1, 2017, the City Council discussed their stance on the immigration and affirmed the commitment to treating people equally, embracing diversity, and providing services to all people, regardless of their immigration status. The discussion led to the review of a draft resolution reinforcing the commitment to being an inclusive, tolerant, and supportive community for everyone.

Discussion

During the City Council discussion of this agenda item, numerous public speakers commented on the draft resolution, which evolved into further discussion among the Mayor and City Council. The draft resolution was supported, however, several edits were recommended; most focused on minor edits, as well as direction to add the following language: The City of Martinez supports Immigration and Customs Enforcement Agents removing the word, "Police" on their uniforms and not displaying any insignia that would cause the public to believe they are local police officers, rather than Immigration and Customs Enforcement Federal Agents.

As the City Council discussed the resolution, one additional thought that emerged was to create an Ad Hoc committee to explore additional discussion on the resolution, as well as potentially explore adopting a Sanctuary City status. The outcome of the discussion was to pursue the draft resolution and consider additional action at a later time, as the City Council and the public wanted to address this important issue as quickly as possible. The City Council directed staff to make the changes to the resolution and return it for the City Council meeting on March 15th; the updated resolution is attached.

Fiscal Impact

There is no fiscal impact.

Attachment

Resolution

APPROVED BY:

Brad Kilger, City Manager

RESOLUTION NO. -17

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MARTINEZ DECLARING THE CITY OF MARTINEZ'S COMMITMENT TO BEING AN INCLUSIVE, TOLERANT, AND SUPPORTIVE COMMUNITY FOR EVERYONE

WHEREAS, the City of Martinez is committed to serving and protecting all of its residents with a high value placed on diversity, equality, and inclusivity; and

WHEREAS, the City of Martinez is a City that supports the protection of human rights, public safety, and social well-being for all residents, as well as those that conduct business, work, visit, or pass through the City of Martinez; and

WHEREAS, the City of Martinez promotes safety, a sense of security, and the equal protection of Constitutional rights of all people; and

WHEREAS, the City Council recognizes and affirms that the City of Martinez is a community that is committed to equality as well as a City which celebrates diversity and tolerance; and

WHEREAS, the City of Martinez values the contributions and traditions of all cultures; and

WHEREAS, the City of Martinez is a supportive community that treats all residents equally; and

WHEREAS, the City of Martinez Police Department is committed to protecting and maintaining a safe and secure environment that enhances the quality of life for everyone in our community; and

WHEREAS, the City of Martinez will not inquire upon a resident's immigration status in either provision of municipal services or in the course of law enforcement; and

WHEREAS, the City of Martinez seeks to continue to foster trust between City officials and residents to encourage cooperation between residents and City Officials, including law enforcement and employees, and to ensure public safety and due process for all; and

WHEREAS, the City of Martinez Police Department shall not arrest or detain any person solely for violations pertaining to immigration status; and

WHEREAS, the City of Martinez supports Immigration and Customs Enforcement Agents removing the word, "Police" on their uniforms and not displaying any insignia that would cause the public to believe they are local police officers, rather than Immigration and Customs Enforcement Federal Agents.

NOW, THEREFORE, BE IT RESOLVED by the City Council that we are firm in our commitment to ensure that all people residing in, working, visiting, and passing through the City of Martinez be safe, treated with dignity, and treated equally.

BE IT FURTHER RESOLVED that due to the complexity of Federal civil immigration laws and the laws of the State of California, the need to promote trust and cooperation from the public, including immigrants, and to attain the City's objectives, the City Council seeks to clarify through this resolution the alignment with State Law including, the TRUST Act, that the communication and the enforcement relationship between the City and the Federal government shall fall within the following guidelines:

- A. The City shall not request or maintain information on the citizenship or immigration status of any person unless such inquiry is required by state law, federal law, or judicial decision.
- B. The City shall not expend resources to conduct sweeps or other concentrated efforts for the purpose of locating and/or detaining persons who are solely suspected of being illegally present in the United States.

* * * * *

I HEREBY CERTIFY the foregoing is a true and correct copy of a resolution duly adopted by the City Council of the City of Martinez at a Regular Meeting of said Council held on the 15th day of March, 2017, by the following vote:

AYES:

NOES:

ABSENT:

RICHARD G. HERNANDEZ, CITY CLERK
CITY OF MARTINEZ

CITY COUNCIL
Sue Higgins, Mayor
Randy Pope, Vice Mayor
Claire Alaura
Doug Hardcastle
Kevin Romick



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January 11, 2016

An Open Letter to the Oakley Community:

The City of Oakley is a vibrant and diverse community, and has been recognized as a model of how people from different cultural, ethnic and religious backgrounds can live and work together in peace and harmony. The embodiment of this community mindset is found in the "Welcoming Pledge" of the You, Me, We = Oakley! Program.

You, Me, We = Oakley! Program (YMWO) is a grant-funded collaborative effort of the City, church congregations, local non-profits, the school districts and youth representatives. YMWO aims to create opportunities for Oakley's diverse residents to come together and better understand one another, appreciate each other's stories and recognize their common desire to build a stronger, safer and more vibrant community.

As a matter of official public policy, the City of Oakley has zero tolerance of prejudice, racism, bigotry, hatred and violence. We strongly encourage anyone who has experienced an act of hate to report the incident immediately to the Oakley Police Department at 925-625-8060. We commit that all incidents will be thoroughly investigated and addressed. Additionally, we encourage all residents to adhere to the YMWO Welcoming Pledge:

1. I have a shared responsibility to treat ALL our neighbors with dignity and respect that they deserve as a member of our community.
2. I reject the use of exclusionary or de-humanizing language; this includes recognizing and understanding how stereotypes harm our community.
3. I will challenge common myths and stereotypes that only serve to divide our community.
4. I will treat others the way I would like to be treated.
5. I will try to put myself in someone else's shoes in order to understand their point of view.
6. I will develop an understanding of cultures other than my own.
7. I will not judge, nor discriminate, others without first attempting to get to know them and their story.

8. I, as a member of the Oakley community, will acknowledge that everyone has unique qualities which can contribute to our community and make this the beautiful City it is today.
9. I commit to ensuring that any community activities that I am involved in will be inclusive and inviting to all community members.
10. I will make sure to keep an open mind and an open heart in order to be accepting of all who visit, live, work and play in the great City of Oakley.

Now more than ever, we must all commit to the universal "golden rule," to treat others as you would like to be treated; and, we call on our Oakley community to continue the long tradition of tolerance and respect for people of all religious and cultural backgrounds, so that all Oakley residents feel accepted and safe in our community.

Respectfully,



Sue Higgins, Mayor



Randy Pope, Vice Mayor



Claire Alaura, Councilmember



Doug Hardcastle, Councilmember



Kevin Romick, Councilmember

RESOLUTION NO. 106-16

**A RESOLUTION OF THE RICHMOND CITY COUNCIL IN RESPONSE TO THE 2016
U.S. PRESIDENTIAL ELECTION: REAFFIRMING SUPPORT FOR OUR
SANCTUARY POLICIES; CONDEMNING VIOLENCE, HATE CRIMES AND HATE
SPEECH AGAINST ALL THOSE TARGETED FOR THEIR ETHNICITY, RACE,
RELIGION, DISABILITY, GENDER, SEX AND/OR SEXUAL ORIENTATION; AND
REEMPHASIZING OUR COMMITMENT TO COMBAT CLIMATE CHANGE**

WHEREAS, The City of Richmond welcomes and values all of its residents and supports them to live and work free from discrimination, hostility, abuse, violence, exploitation and fear of local, state and federal law enforcement; and

WHEREAS, more than one third of the residents of Richmond are persons who were born in foreign countries and who have come to the U.S. in search of better lives for themselves and their families; and

WHEREAS, The City of Richmond currently holds dear our sanctuary policies as stated in Resolution 35-06 (April 18, 2006), Resolution 11-07 (February 6, 2007) and Ordinance 29-90 (August 20, 1990); and

WHEREAS, City positions and policies adopted in these resolutions and ordinance include: Declaring and reaffirming the City's non-cooperation policy with ICE (U.S. Immigration and Customs Enforcement); recognizing all immigrants for their contributions to our economic and social life; calling for a comprehensive immigration reform bill that is fair, just and humane, calling for a moratorium on ICE raids; and fostering an atmosphere of trust and cooperation between the Richmond Police Department and all our residents; and

WHEREAS, Richmond's immigrant community is made up of residents who have come from Latin America, Africa, Asia, the Middle East, and other places around the globe, who all add to the multi-culturalism and diversity that makes Richmond great; and

WHEREAS, Arab and Muslim Americans, and those perceived as Muslims, are frequently the targets of abusive and discriminatory police practices sanctioned by government bodies including surveillance in their neighborhoods and places of worship; and

WHEREAS, The City of Richmond adopted Resolution 7-16 on January 19, 2016 in opposition to Islamophobia; and

WHEREAS, The City of Richmond is a Human Rights City and condemns all hate crimes, especially relevant in light of the November 12, 2016 murder (in El Sobrante) of Richmond resident William Sims, an African-American young man, who according to police was killed by three white men because of his race; and

WHEREAS, It is the duty of the agencies of the City of Richmond to protect the inhabitants of this City and their civil rights; and

WHEREAS, President-elect Donald Trump ran a campaign on a message of hate and bigotry which has caused numerous communities to express deep concerns about their safety and the direction of our country; and

WHEREAS, If President-elect Trump enacts policies or Presidential Orders to execute any of his hateful messages, millions throughout America will face unprecedented persecution, particularly people of Arabic decent, those of Muslim faith, Latinos, African-Americans, Asian-Americans, Native Americans, women, immigrants, persons with disabilities, and the LGBTQ community; and

WHEREAS, across the U.S. we saw hundreds of demonstrations condemning the hate messages that Donald Trump expressed during his run for Presidency; and

WHEREAS, hundreds of Richmond high students walked out of their classes, in conjunction with hundreds of students from across the region, to protest against the prospects of the new Trump administration; so

THEREFORE BE IT RESOLVED, That no matter the threats made by President-elect Trump, Richmond will continue our sanctuary policies and will not turn our back on the men and women born in other countries who help make our diverse city great; and

BE IT FURTHER RESOLVED, That the Richmond City Council strongly urges the Contra Costa Sheriff's Office to eliminate cooperation between County law enforcement and ICE; and

BE IT FURTHER RESOLVED, That we will never back down on women's rights, whether in healthcare, the workplace, or any other area threatened by a man who treats women as obstacles to be demeaned or objects to be assaulted. And just as important, we will ensure our young girls grow up with role models who show them they can be or do anything; and

BE IT FURTHER RESOLVED, That we commit to continue to promote, protect and ensure the full enjoyment of all human rights and fundamental freedoms by all persons with disabilities; and

BE IT FURTHER RESOLVED, That there will be no withdrawal of rights in Richmond for our LGBTQ community. And to all the LGBTQ people all over the country who feel scared, bullied, or alone: You matter. You are seen; you are loved; and Richmond will never stop fighting for you; and

BE IT FURTHER RESOLVED, That we still believe in this nation's founding principle of religious freedom and do not ban people for their faith; and

BE IT FURTHER RESOLVED, That Black Lives Matter in Richmond and we will continue using our community-involved policing model to strengthen trust between police and communities of color so all residents feel safe in their neighborhoods; and

BE IT FURTHER RESOLVED, That climate change is not a hoax nor a plot by the Chinese. And we will continue our work on implementing our Climate Action Plan, our General Plan's Energy and Climate Change Element, and all our environmental health and justice policies to protect current and future generations; and

BE IT FURTHER RESOLVED, That the City of Richmond will continue to promote public transit in our multi-modal transit city working with transit agencies to provide systems we can all rely upon, whether the national administration follows through on its platform to eliminate federal transit funding or not; and

BE IT FURTHER RESOLVED, That the City of Richmond will continue to work to assure every resident has adequate healthcare; and

BE IT FURTHER RESOLVED, That California is the sixth largest economy in the world. The Bay Area is the innovation capital of the country. We will join with other Bay Area cities and make it clear that we will not be bullied by threats to revoke our federal funding, nor will we sacrifice our values or members of our community for the almighty dollar; and

BE IT FURTHER RESOLVED, That we condemn all hate crimes and hate speech perpetrated in this election's wake. That although the United States will soon have a President who has demonstrated a lack of respect for the values we hold in the highest regard in Richmond, it cannot change who we are, and it will never change our values. We argue, we campaign, we debate vigorously within Richmond, but on these points we are 100 percent united. We will fight discrimination and recklessness in all its forms. We are ONE Richmond. And we will move forward together.

BE IT FINALLY RESOLVED, That the Richmond City Council directs the Clerk of the Richmond City Council to send copies of this resolution to our Federal representatives including Senator Dianne Feinstein, Senator Barbara Boxer, Senator-elect Kamala Harris and Congressman Mark DeSaulnier, as well as to Contra Costa County Sheriff David Livingston and Supervisor John Gioia.

I certify that the foregoing resolution was passed and adopted by the City Council of the City of Richmond at a regular meeting held on December 6, 2016 by the following vote:

AYES: Councilmembers Beckles, McLaughlin, Myrick, Pimplé, Vice Mayor Martinez, and Mayor Butt.

NOES: None.

ABSTENTIONS: None.

ABSENT: Councilmember Bates.

PAMELA CHRISTIAN
CLERK OF THE CITY OF RICHMOND
(SEAL)

Approved:
TOM BUTT
Mayor

Approved as to form:
BRUCE GOODMILLER
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of **Resolution No. 106-16**, finally passed and adopted by the City Council of the City of Richmond at a regular meeting held on December 6, 2016.


Pamela Christian, Clerk of the City of Richmond



AGENDA BILL

Agenda Item No. 7(A)

Date: March 21, 2017
To: El Cerrito City Council
From: Human Relations Commission
Karen Pinkos, Assistant City Manager, Staff Liaison
Subject: Affirming the City of El Cerrito's Values and Declaring El Cerrito a Sanctuary City and Support for SB 54, the California Values Act

ACTION REQUESTED

1. Adopt a resolution of the City Council of the City of El Cerrito affirming the City's commitment to the values of dignity, inclusivity, and respect for all individuals regardless of ethnic or national origin, gender identity, race, religious affiliation, sexual orientation, age, disability, or immigration status and declaring El Cerrito a Sanctuary City.
2. Adopt a resolution of the City Council of the City of El Cerrito supporting Senate Bill 54, "The California Values Act" (de León)

BACKGROUND

The City of El Cerrito has a long history of policies and legislation that promotes inclusivity, respect, and dignity. In 1989, after having participated in the Contra Costa County Human Relations Commission for over a decade and at the request of a resident task force, the City Council created the City's own Human Relations Commission with such powers and duties the City Council specifies by ordinance, including the intent to educate, initiate, and encourage the community in eliminating all forms of prejudice and discrimination, and promote tolerance and understanding. Since its creation, the Human Relations Commission (HRC) has endeavored to lead the community in supporting positive human relations and contributing to the City's diversity and inclusion, including hosting events such as the annual Martin Luther King, Jr. Day celebration, diversity forums, and Loving Day; and promoting City Council legislation to honor various cultures, the LGBT community, and Human Rights. In 2016, the HRC initiated the "Stop Hate" and "Not In Our Town" campaigns in response to a hate crime in El Cerrito, pledging to challenge hate and prejudice in all its forms, whenever we encounter it, whether at home, at school, at work, or in the community, and to stand with others who are treated unfairly.

At the Human Relations Commission (HRC) meeting of February 1, 2017, the HRC considered an agenda item regarding developing a recommendation to the El Cerrito City Council to take action to protect immigrants in El Cerrito, including but not limited to consideration of elements of sanctuary cities and supporting state legislation to protect the immigrant population. The meeting was attended by almost 70 members of the public, who showed strong support for such a recommendation. The HRC appointed a

subcommittee of Commissioners Aga and Glueck to work with Staff Liaison Pinkos to draft a proposed resolution for the City Council to consider.

The subcommittee met twice with staff and developed the attached draft resolution for the City Council's consideration. The resolution is based on research of similar legislation passed by other local cities, and considered the public input received at both the February 1 meeting of the HRC as well as other public comment and feedback received by staff over the past several weeks.

At the HRC meeting on March 1, 2017, the subcommittee presented the draft resolution to the full Commission and heard public comment from over 20 people on the various elements included within the resolution. The public feedback continued to show strong support for the HRC to move forward with the recommendation. The HRC unanimously approved two motions: 1. The HRC recommends that the El Cerrito City Council declare the City of El Cerrito a Sanctuary City and that the City Council adopt a proposed resolution drafted by the HRC subcommittee and City staff; 2. The HRC recommends that the El Cerrito City Council support Senate Bill 54, "The California Values Act" (de León).

ANALYSIS

The term "sanctuary city" is not defined by Federal or State law, but it is often used to refer to those local entities that have policies in place that limit assistance for local enforcement of Federal immigration laws and the expenditure of local resources on cooperation with U.S. Immigration and Customs Enforcement Agency (ICE) enforcement programs. Supporters of such policies argue that cities have local obligations, and that diverting local resources to support the enforcement of Federal programs designed to deter or discourage unauthorized immigration would undermine community relations, disrupt municipal services, interfere with local law enforcement, or violate humanitarian principles. Opponents argue that local jurisdictions which refuse to support Federal immigration policy are encouraging illegal immigration and are undermining Federal enforcement efforts.

The Federal government has the exclusive authority to enforce the civil provisions of Federal immigration law relating to issues such as admission, exclusion, and deportation. Existing law generally allows the Federal government to permit, but not require, the assistance of local officials in such efforts. In 1996, the Federal government enacted two pieces of legislation that prohibit state or local governments from restricting voluntary communication with the Federal government regarding the immigration status of any individual: § 434 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA, 8 U.S.C. § 1644) and § 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA, 8 U.S.C. § 1373). Both pieces of legislation were designed to facilitate communication between state and local law enforcement agencies with Federal immigration authorities regarding undocumented immigrants. While neither of these statutes requires local cooperation or information sharing with Federal immigration authorities, both prohibit a policy, statute or ordinance that directly prohibits the voluntary sharing of information once it is acquired. When conducting its work, ICE generally relies upon cooperation or notification from local law enforcement to the extent practicable and allowed by state

and local laws and practices. Refusing to provide such notice or cooperation limits, but does not prevent, the Federal government's ability to enforce Federal immigration laws.

President Trump issued Executive Order 13768, *"Enhancing Public Safety in the Interior of the United States"*, on January 25, 2017: The Executive Order states that "...jurisdictions that willfully refuse to comply with 8 U.S.C. 1373 (sanctuary jurisdictions) are not eligible to receive Federal grants, except as deemed necessary for law enforcement purposes by the Attorney General or the Secretary." The Executive Order defines a sanctuary city as "jurisdictions that willfully refuse to comply with statute 1373" and the Secretary of Homeland Security has the independent discretion to designate any such jurisdictions. Section 8 U.S.C. § 1373 provides that "Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual."

According to the Order, a city is also subject to enforcement actions at the discretion of the Attorney General if: 1) they violate Section 1373, or 2) they have policies or practices that prevent or hinder the enforcement of the Federal law. In addition, the order directs the Secretary of Homeland Security to develop a weekly list of jurisdictions that have failed to honor detainers and all resulting criminal acts. Finally, the OMB Director is directed to provide information on all Federal grant money that is currently received by a sanctuary city.

Following the November election and in advance of President Trump's inauguration, local officials in more than ten major cities, including San Francisco, Oakland, Los Angeles, New York, Chicago, and Washington, D.C., reaffirmed their commitment to upholding their status as "sanctuary cities". Other cities in the Bay Area have also adopted various resolutions or other policy statements declaring their intention to remain places of refuge or sanctuary, including the Cities of Richmond, Alameda, Berkeley, Emeryville, and San Leandro. On January 31, 2017, the City and County of San Francisco filed a lawsuit in U.S. District Court in the Northern District of California, alleging that President Trump's order violates the 10th Amendment.

At the State level, The Trust Act went into effect January 1, 2014; one of eight bills signed at the same time in the State's effort to take action on immigration reform and create a standard for response to the Federal "Secure Communities" program. It requires local law enforcement agencies to release people who have been arrested once their bond is posted or their sentence is up, so long as they have no serious convictions and even if ICE officials have issued a detainer. The replacement "Priority Enforcement Program" focused on those who pose a danger to society, although "Secure Communities" has now been re-established by Executive Order from President Trump. On September 28, 2016, the Governor also signed into law AB 2792, otherwise known as the TRUTH Act, which states that if ICE notifies a California jail that they plan to deport someone, they have to also serve a copy to the person in jail. This gives the person the "right to know" when ICE wants to deport him/her so they can seek counsel.

In December 2016, Senate Pro Tem Kevin de León introduced SB 54, which would prohibit local law enforcement officials from performing the functions of a federal immigration officer. If enacted into law, it would create “safe zones” throughout the state by prohibiting immigration enforcement on public schools, hospitals, and courthouse premises. To ensure eligible immigrants are not deterred from seeking services and engaging with state agencies, the bill would also require state agencies to review and update confidentiality policies.

On a local level, the West Contra Costa Unified School District passed Resolution 54-1617 on December 7, 2016, committing to the protection of all traditionally marginalized students, including students of Arabic descent, those of Muslim, Sikh and other faiths, Latinos, African Americans, Asian Americans, Pacific Islanders, Native Americans, women, immigrants, persons with disabilities, and the LGBTQ community; and declares that every school site or office of West Contra Costa Unified School District is a safe place for all its students and their families.

El Cerrito Practices

El Cerrito has a strong tradition of embracing diversity and inclusion and respecting the civil and human rights of our residents regardless of their ethnic or national origin, gender identity, race, religious affiliation, sexual orientation, disability, or immigration status. The City participated in the Contra Costa County Human Relations Commission since the 1970s and in 1989, at the request of a resident task force, the City Council created the City’s own Human Relations Commission as an advisory body to the City Council. The HRC has such powers and duties the City Council specifies by ordinance, including the intent to educate, initiate, and encourage the community in eliminating all forms of prejudice and discrimination, and promote tolerance and understanding. To this day, the HRC fosters mutual understanding, respect, equality, and goodwill among those in our community.

The City of El Cerrito Police Department (ECPD) equally enforces the law and serves the public without consideration of immigration status. The lack of immigration documentation, alone, has no bearing on the manner in which police officers execute their duties. The Department does not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant, and individuals who are otherwise ready to be released are not detained solely for notification to immigration authorities. Consistent with adopted protocols and relevant laws and statutes, contacts with members of the public, detentions, and arrests must be based on reasonable suspicion or probable cause, and police officers do not initiate law enforcement action based solely on observations related to a subject’s actual or perceived immigration status. ECPD also does not participate with Federal agents seeking to enforce Federal immigration law or to target individuals for detention or forced relocation based upon their actual or perceived religious affiliation, race, sex, ethnic or national origin, gender identity, age, disability, or other status. Nevertheless, any individual who is arrested for committing a crime will continue to be charged and/or referred to the District Attorney’s Office for prosecution irrespective of his/her immigration status.

Proposed Resolution

The proposed resolution for the City Council's consideration developed by the Human Relations Commission and City staff is intended to reflect the values of the City of El Cerrito, and to affirm that El Cerrito welcomes, honors, and respects the contributions of all residents, regardless of their religious affiliation, race, national or ethnic origin, gender identity, sexual orientation, disability, or immigration status. The resolution commits that all officials and employees of the City of El Cerrito, including law enforcement officers, will continue to serve the public and equally enforce laws without consideration of immigration status, and explains that fostering a relationship of trust, respect, and open communication between City officials and residents is essential to the City's mission. The resolution also confirms the City of El Cerrito's commitment to protect the rights guaranteed by the Federal and State Constitutions, including the freedom of religion, speech, assembly, privacy, as well as equal protection. The proposed resolution explicitly declares El Cerrito a Sanctuary City.

Potential Impacts

If the President or Congress ultimately carries through on the Executive Order to limit the amount of Federal funds allocated to jurisdictions that support "sanctuary" policies, the City of El Cerrito may be at risk of future defunding and lost access to current and anticipated federal funding if the City Council adopts the proposed resolution. The City currently receives Federal grant funding primarily for transportation and public safety related projects. Table 1 outlines the Federal grants received by the City since 2013. Table 2 depicts potential Federal grant awards for projects that are part of pending grant applications that were submitted in December 2016.

Table 1
Federal Grant Awards 2013-present

Grant Name	Source of Funds	Project(s)	Total Amount
MTC PDA Planning Grant	Surface Transportation (STP); Federal Hwy Admin (FHWA)	Sanitary Capacity, Affordable Housing Strategy, Del Norte Area parking, Transportation Impact	\$302,500
CCTA PDA Planning Grant	Surface Transportation (STP); Federal Hwy Admin (FHWA)	On Street Parking Study, Sanitary Capacity, Economics of PDA	317,000
One BayArea Grant (OBAG)	FHWA	Ohlone Greenway Access, Safety & Placemaking Project	3,468,000
Land and Water Conservation Fund	National Park Service/ Department of Interior	Hillside Natural Area Acquisition	251,525
One BayArea Grant (OBAG)	FHWA	2014 Pavement Rehab Program	630,000
Assistance to Firefighters Grant (AFG)	FEMA	Ladder Truck	855,956
Assistance to Firefighters Grant (AFG)	FEMA	Breathing Apparatus	160,000
Assistance to Firefighters Grant (AFG)	FEMA	Automated Chest Compression Devices	65,338
Total Federal Grant Awards (2013-present)			\$6,050,319

Table 2
Potential Federal Grant Awards

Grant Name	Source of Funds	Project(s)	Total Amount
One BayArea Grant (OBAG)	FHWA	El Cerrito del Norte TOD Complete Street Improvements	\$4,500,000
One BayArea Grant (OBAG)	FHWA	Carlson Blvd and Central Ave Pavement Rehab	544,000
One BayArea Grant (OBAG)	FHWA	Arlington Blvd Ped Safety Improvements	345,300
Total Potential Federal Grant Awards			\$5,389,300

STRATEGIC PLAN CONSIDERATIONS

The proposed resolution is in harmony with the City's Strategic Plan mission, vision, and values, particularly the values of Ethics and Integrity and Inclusiveness and Respect for Diversity; and will help fulfill Goal A: Deliver Exemplary Government Services, Goal C: Deepen a Sense of Place and Community Identity, and Goal E: Ensure the Public's Health and Safety.

FINANCIAL CONSIDERATIONS

Since Federal efforts to deter sanctuary policies are an evolving issue that will inevitably be subject to future litigation, the precise fiscal effects associated with adopting this resolution are not yet fully known. Nevertheless, the City is at risk of losing access to millions of dollars in funding that would otherwise be used towards various projects and programs designed to benefit the health, welfare, and safety of the public.

LEGAL CONSIDERATIONS

Organizations that specialize in immigration law, such as the National Immigration Law Center, have opined that typical sanctuary city policies such as the one proposed in the proposed resolution do not violate Section 1373, and that Executive Order 13768 is unconstitutional both on its face and as it would be applied to a city following a typical sanctuary city policy, including the one proposed. The City Attorney concurs with that assessment. It is important to bear in mind two additional considerations: on one hand, this area of law is not well developed, and the issues are highly politicized. It is therefore difficult to assess in advance how any particular judge would rule on the issue. On the other hand, local government agencies, such as San Francisco, are already challenging the Executive Order. It is therefore unlikely that El Cerrito would be the test case.

Section 1373 prohibits local and state governments from enacting laws or policies that limit communication with the Department of Homeland Security (DHS) about information regarding the immigration or citizenship status of individuals or maintaining such information. It does not mandate any affirmative action on the part of law enforcement. The City's proposed resolution does not specifically limit communicating with DHS about individuals' citizenship or immigration status, or prohibit the maintaining (but not collecting) of such information. Further, the resolution's limits on action by City employees are to be implemented in accordance with Federal law. To the extent that Federal law legitimately requires communication or coordination with DHS, City

employees will do so. Section 1373 does not require that the City collect, maintain, or communicate information about an individual's immigration status or to detain individuals solely on the basis of their immigration status. The Executive Order purports to deny Federal grant funding to local government agencies that violate Section 1373. The City's policy is in compliance with the plain terms of Section 1373 and therefore also complies with the Executive Order.

Although the level of discretion and ambiguity afforded the Attorney General and Secretary of Homeland Security to enforce the Executive Order make it difficult to know exactly which practices, statutes, or policies might be treated as violations of section 1373 in the future, there are good arguments that the denial of "all Federal grant money" would be an unconstitutional penalty. It also seems likely that if this issue is resolved by the courts, it will be done by parties other than El Cerrito, and that the City would have an opportunity to review its policy prior to any penalty actually being imposed.

Reviewed by:

A handwritten signature in blue ink, appearing to read 'Scott Hanin', is written over a horizontal line.

Scott Hanin
City Manager

Attachments:

1. Resolution affirming the City's commitment to the values of dignity, inclusivity, and respect for all individuals regardless of ethnic or national origin, gender identity, race, religious affiliation, sexual orientation, age, disability, or immigration status and declaring El Cerrito a Sanctuary City.
2. Resolution supporting Senate Bill 54 , "The California Values Act" (de León)
3. Fact Sheet on SB 54
4. Bill Text and Status

RESOLUTION NO. 2017-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO AFFIRMING THE CITY OF EL CERRITO'S COMMITMENT TO THE VALUES OF DIGNITY, INCLUSIVITY, AND RESPECT FOR ALL INDIVIDUALS REGARDLESS OF ETHNIC OR NATIONAL ORIGIN, GENDER IDENTITY, RACE, RELIGIOUS AFFILIATION, SEXUAL ORIENTATION, AGE, DISABILITY, OR IMMIGRATION STATUS AND DECLARING EL CERRITO A SANCTUARY CITY

WHEREAS the City of El Cerrito recognizes that the Constitution of the United States and Constitution of the State of California enshrine the fundamental and inalienable rights of Americans, including the freedoms of religion, speech, assembly, privacy, and the equal protection of all the City's residents, regardless of religious affiliation, race, national or ethnic origin, gender identity, sexual orientation, age, disability, or immigration status; and

WHEREAS each of the City of El Cerrito's duly elected or appointed public servants have sworn to defend and uphold the United States Constitution and the Constitution of the State of California; and

WHEREAS, the City of El Cerrito has long embraced and welcomed individuals of diverse religious, racial, national or ethnic origin, gender identity, age, ability, and sexual orientation backgrounds, including a large immigrant population; and

WHEREAS, immigration has been the cornerstone of the City of El Cerrito, the region, the state, and the nation's development throughout our history; and

WHEREAS, the City of El Cerrito welcomes, honors and respects the contribution of all its residents, regardless of their religious affiliation, race, national or ethnic origin, gender identity, sexual orientation, age, disability, or immigration status; and

WHEREAS, the City of El Cerrito has a long history of policies and legislation that promotes inclusivity, respect, and dignity; and

WHEREAS, in 1989, after having participated in the Contra Costa County Human Relations Commission for over a decade and at the request of a resident task force, the City Council created the City's own Human Relations Commission with such powers and duties the City Council specifies by ordinance, including the intent to educate, initiate, and encourage the community in eliminating all forms of prejudice and discrimination, and promote tolerance and understanding; and

WHEREAS, since its creation the Human Relations Commission has endeavored to lead the community in supporting positive human relations and contributing to the City's diversity and inclusion, including hosting events such as the annual Martin Luther King, Jr. Day celebration, diversity forums, and Loving Day; and promoting City Council legislation to honor various cultures, the LGBTQ community, and Human Rights; and

WHEREAS, in 2016 the City's Human Relations Commission initiated the "Stop Hate" and "Not In Our Town" campaigns in response to a hate crime in El Cerrito, pledging to challenge hate and prejudice in all its forms, whenever we encounter it, whether at home, at school, at work, or in the community, and to stand with others who are treated unfairly; and

Agenda Item No. 7(A)

WHEREAS, on December 7, 2016 the West Contra Costa Unified School District passed Resolution 54-1617, committing to the protection of all traditionally marginalized students, including students of Arabic descent, those of Muslim, Sikh and other faiths, Latinos, African Americans, Asian Americans, Pacific Islanders, Native Americans, women, immigrants, persons with disabilities, and the LGBTQ community; and declares that every school site or office of West Contra Costa Unified School District is a safe place for all its students and their families; and

WHEREAS, in the State of California, the Trust Act went into effect January 1, 2014; requiring that local law enforcement agencies to release people who have been arrested once their bond is posted or their sentence is up, so long as they have no serious convictions and even if ICE officials have issued a detainer; and the TRUTH Act was signed into law on September 28, 2016 and provides "Know Your Rights" to every individual, ensures fair notice to every individual, and shines a light on and increases transparency around local engagement with the Federal Immigration and Customs Enforcement Service; and

WHEREAS, the City of El Cerrito was impacted in 1942 when President Franklin D. Roosevelt signed Executive Order 9066 resulting in the relocation and incarceration of more than 120,000 Japanese-Americans in the western United States, including many residents of El Cerrito, individuals who were vital to the growth and economy of El Cerrito, who were leaders in the nursery community, and who were among the earliest residents of El Cerrito; and

WHEREAS, the City of El Cerrito's diverse population of residents of different religious affiliations, races, national or ethnic origin, gender identity, sexual orientation, ages, abilities, or immigration status contribute to the economic and social fabric of the City by establishing and patronizing businesses, contributing to arts and culture, and achieving significant educational accomplishments; and

WHEREAS, fostering a relationship of trust, respect, and open communication between City officials and residents is essential to the City's mission of delivering efficient public services in partnership with our community which ensures public safety, a prosperous economic environment, opportunities for our youth, and a high quality of life for residents; and

WHEREAS, the City of El Cerrito seeks to continue to foster trust between City officials and residents, to protect limited local resources, to encourage cooperation between residents and City officials including law enforcement officers and employees, to protect vulnerable populations, and to ensure public safety and due process for all; and

WHEREAS, the conflation of Federal civil immigration law enforcement and local criminal law enforcement experienced in other communities has resulted in considerable erosion of public safety by creating social distance between law enforcement officers and the community; and

WHEREAS, the City of El Cerrito desires to address the fears and concerns of its residents in relation to an individual's religious affiliation, race, national or ethnic origin, gender identity, sexual orientation, age, disability, or immigration status; while at the same time being mindful that it must maintain positions on Federal policy that do not affect the financial stability of the City of El Cerrito in ways that are detrimental to the health and safety of its residents; and

Agenda Item No. 7(A)

WHEREAS, the City of El Cerrito desires to demonstrate its commitment to its residents by unequivocally stating that it will safeguard the values enshrined in our Federal and State Constitutions by providing a safe community to all residents who are fearful by assuring them that the City will not expend any funds, nor use its resources, including staff, to administer Federal immigration laws which are under the exclusive jurisdiction of the Federal government.

NOW THEREFORE, the City of El Cerrito City Council does hereby declare that it is a Sanctuary City, and resolves as follows:

Section 1. In accordance with State and Federal law, City of El Cerrito officials and employees, including its law enforcement officers, shall not:

- a) actively participate with Federal agents seeking to enforce Federal immigration law or to target individuals for detention or forced relocation based upon their actual or perceived religious affiliation, race, sex, ethnic or national origin, gender identity, age, disability, immigration status, or other historically disadvantaged category;
- b) use City monies, resources, or personnel to investigate, question, detect, apprehend, or register persons suspected or determined by proper adjudicatory authorities (after the exhaustion of all applicable appeals) only to have committed a civil violation of Federal immigration law or persons targeted by a Federal agency for detention or forced relocation based upon their actual or perceived religious affiliation, race, sex, ethnic or national origin, gender identity, sexual orientation, age, disability, immigration status, or other historically disadvantaged category;
- c) enter into a 287(g) memorandum of agreement with Department of Homeland Security to partner with U.S. Immigration and Customs Enforcement (ICE) in order to receive delegated authority for immigration enforcement within the City's jurisdiction.

Section 2. In accordance with State and Federal law, City of El Cerrito officials and employees, including its law enforcement officers, may continue to cooperate with Federal immigration agencies in matters involving criminal activity and the protection of public safety. For the purposes of this resolution only, "criminal activity" means a violation of criminal law and not an actual or suspected civil violation of Federal immigration law. For the purposes of this resolution only, a person is not involved in criminal activity if a Federal agency seeks to detain or forcibly relocate them because of the person's actual or perceived religious affiliation, race, sex, ethnic or national origin, gender identity, sexual orientation, age, disability, immigration status, or other historically disadvantaged category.

Section 3. City of El Cerrito officials and employees, including its law enforcement officers, shall not take any direct action against any individual based solely on their actual or perceived immigration status, religious affiliation, race, sex, ethnic or national origin, gender identity, sexual orientation, age, disability, or other historically disadvantaged category. City of El Cerrito officials and employees, including its law enforcement officers, shall not detain any individual in local custody solely for a civil immigration hold unless the individual has been convicted of or charged with criminal activity and the City would normally detain an individual on the basis of that charge or conviction.

Section 4. City of El Cerrito officials and employees will not use any public resources or honor any Federal program requiring the registration of individuals on the basis of an individual's actual or perceived immigration status, religious affiliation, race, national or ethnic

Agenda Item No. 7(A)

origin, gender identity, sexual orientation, age, disability, or other historically disadvantaged category.

Section 5: City staff shall monitor any efforts by the Federal government to withhold or withdraw Federal funding as a result of the City's policies to protect and defend its diverse community and shall take all actions necessary to protect such funding.

I CERTIFY that at a regular meeting on March XX, 2017 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on March XX, 2017.

Cheryl Morse, City Clerk

APPROVED:

Janet Abelson, Mayor

RESOLUTION NO. 2017-XX

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL CERRITO SUPPORTING SB 54 (DE LEÓN), THE CALIFORNIA VALUES ACT.

WHEREAS the City of El Cerrito recognizes that the Constitution of the United States and Constitution of the State of California enshrine the fundamental and inalienable rights of Americans, including the freedoms of religion, speech, assembly, privacy, and the equal protection of all the City's residents, regardless of religious affiliation, race, national or ethnic origin, gender identity, sexual orientation, or immigration status; and

WHEREAS, the City of El Cerrito has long embraced and welcomed individuals of diverse religious, racial, national or ethnic origin, gender identity, and sexual orientation backgrounds, including a large immigrant population; and

WHEREAS, immigration has been the cornerstone of the City of El Cerrito, the region, the state, and the nation's development throughout our history; and

WHEREAS, the conflation of federal civil immigration law enforcement and local criminal law enforcement experienced in other communities has resulted in considerable erosion of public safety by creating social distance between law enforcement officers and the community; and

WHEREAS, SB 54 (de León), the California Values Act, seeks to protect the safety and well-being of all Californians by ensuring that state and local resources are not used to fuel mass deportations, separate families, or divide Californians on the basis of race, gender, sexual orientation, religion, immigration status, or national or ethnic origins; and

WHEREAS, SB 54 upholds California's core values of equal treatment, community, family unity, and common humanity by ensuring that California's police departments, schools, hospitals, and courts remain accessible to Californians from all walks of life; and

WHEREAS, at this time of rising national division and scapegoating of immigrant communities, the California Values Act reaffirms the state's commitment to valuing and protecting its immigrant communities and sends a powerful message of inclusion across the nation.

NOW THEREFORE BE IT RESOLVED, that the City of El Cerrito City Council supports SB 54 (de León), the California Values Act, and urges the California Legislature and the Governor to pass this legislation.

I CERTIFY that at a regular meeting on March X, 2017 the City Council of the City of El Cerrito passed this Resolution by the following vote:

AYES:	COUNCILMEMBERS:
NOES:	COUNCILMEMBERS:
ABSTAIN:	COUNCILMEMBERS:
ABSENT:	COUNCILMEMBERS:

Agenda Item No. 7(A)
Attachment 2

IN WITNESS of this action, I sign this document and affix the corporate seal of the City of El Cerrito on March XX, 2017.

Cheryl Morse, City Clerk

APPROVED:

Janet Abelson, Mayor



City of Alameda

Staff Report

File Number:2017-3770 (60 minutes)

City Council

Agenda Date: 1/17/2017

File Type: Regular Agenda Item

Agenda Number: 6-D

Adoption of Resolution Affirming the City of Alameda's Commitment to the Values of Dignity, Inclusivity, and Respect for All Individuals, Regardless of Ethnic or National Origin, Gender, Race, Religious Affiliation, Sexual Orientation, or Immigration Status. (City Manager)

To: Honorable Mayor and Members of the City Council

From: Jill Keimach, City Manager

Re: Adoption of Resolution Affirming the City of Alameda's Commitment to the Values of Dignity, Inclusivity, and Respect for All Individuals, Regardless of Ethnic or National Origin, Gender, Race, Religious Affiliation, Sexual Orientation, or Immigration Status

BACKGROUND

On December 20, 2016 Councilmember Jim Oddie brought a referral to City Council that passed unanimously and directed staff to draft and return to Council with the following:

- 1) An analysis of the potential and realistic financial impacts of declaring Alameda a Sanctuary City, and draft legislation supporting such a declaration;
- 2) A policy instructing the Alameda Police Department to refuse to honor any request by the incoming administration to use any of its resources to participate in any mass arrests or internments mandated by the incoming Administration;
- 3) A policy instructing all city departments to refuse to honor any request by the incoming administration to register individuals based on their religious beliefs; and
- 4) A resolution, similar to the one recently passed by the San Francisco Board of Supervisors, reaffirming the City of Alameda's commitment to LGBTQ rights, religious freedoms, and racial, social, and economic justice, and our commitment to the values of inclusivity, respect, and dignity.

DISCUSSION

Sanctuary Cities Generally

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File Type: Regular Agenda Item

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The term “sanctuary city” is not defined by federal law, but it is often used to refer to those local entities which place limits on their assistance to federal immigration authorities seeking to apprehend and remove unauthorized immigrants. Supporters of such policies argue that cities have local obligations, and that diverting local resources to support the enforcement of federal programs designed to deter or discourage unauthorized immigration would undermine community relations, disrupt municipal services, interfere with local law enforcement, or violate humanitarian principles. Opponents argue that local jurisdictions which refuse to support federal immigration policy are encouraging illegal immigration and are undermining federal enforcement efforts.

The federal government has the exclusive authority to enforce the civil provisions of federal immigration law relating to issues such as admission, exclusion, and deportation. The federal government can permit but not require the assistance of local officials. In 1996, the federal government enacted two pieces of legislation which prohibit state or local governments from restricting voluntary communication with the federal government regarding the immigration status of any individual: § 434 of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA, 8 U.S.C. § 1644) and § 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA, 8 U.S.C. § 1373). Both pieces of legislation were designed to authorize communication by state and local law enforcement agencies with federal immigration authorities regarding the status and presence of undocumented immigrants. While neither of these statutes requires local cooperation or information sharing with federal immigration authorities, both prohibit a policy which directly prohibits the voluntary sharing of information once it is acquired.

These federal statutes have been used to both challenge and support state and local involvement in federal immigration law enforcement. Proponents of state and local involvement have argued that these provisions were intended to maximize cooperation among federal, state, and local law enforcement agencies in enforcing federal immigration laws. Opponents of local involvement in federal immigration policy have argued that these provisions prohibit state and local enforcement and interference.

While many state and local jurisdictions throughout the United States have adopted laws or policies that limit their own jurisdictions' federal civil immigration law enforcement efforts, the federal government has not made a formal legal determination as to whether those state and local laws or policies violate these provisions. Some jurisdictions with “sanctuary” policies do restrict staff from making inquiries about a person’s immigration status in certain circumstances. Though commentators have suggested that this method does not directly conflict with federal requirements that states and localities permit the free exchange of information regarding persons’ immigration status, the practice results in specified agencies or officers lacking information that they could potentially share with federal immigration authorities.

The “sanctuary city” movement is a recognition that the U.S. Customs and Immigration Enforcement, known as ICE, does not have the staffing for nationwide immigration enforcement. ICE relies upon local law enforcement to arrest and detain undocumented individuals. Refusing to do so effectively

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limits but does not prevent the federal government's ability to enforce federal immigration laws.

President-elect Trump has expressed his opposition to "sanctuary policies" and "sanctuary cities". In speeches and in position papers, the President-elect has indicated that he intends to cancel all federal funding to jurisdictions that support "sanctuary city" policies. In response to President-elect Trump's assertions, local officials in more than ten major cities, including San Francisco, Oakland, Los Angeles, New York, Chicago, and Washington, D.C., reaffirmed their commitment to upholding their status as "sanctuary cities", even in the face of federal threats.

The Alameda City Council expressed its desire to support this referral in part because of the City's long-term commitment to and support of its diverse community. Last year more than a quarter of Alameda residents were born outside of the United States of America. Our community is stronger because of this diversity, and we must ensure all of our residents feel safe in the community they call home. The recent election rhetoric has raised questions about citizenship and immigration. As a result, the City of Alameda desires to demonstrate its commitment to its residents by unequivocally stating that the City will not expend any funds, nor use its resources, including staff, to enforce federal civil immigration law which is the exclusive province of the federal government.

Various Immigration Statuses from "Naturalized" to "Citizenship"

Generally, an individual immigrating to the United States on a permanent basis must first establish lawful permanent residency. There are a number of ways lawful permanent residency can be established. For example, permanent residency may be obtained after being petitioned or sponsored by a spouse, close family member or an employer, after receiving refugee status or asylum, after being chosen from the diversity visa lottery, or through several alternative permanent residency programs. This process is colloquially referred to as obtaining a "Green Card". In most cases, Green Card holders must wait some years before applying to become U.S. citizens, through a process called "naturalization."

If individuals meet certain requirements, they may be also deemed a United States citizen at birth. Individuals become U.S. citizens at birth if they are born in the United States, certain territories or outlying United States possessions, or have a parent or parents who were U.S. citizens at the time of birth (if born abroad). To become a citizen after birth, one must either apply for derived citizenship through their parents or apply for naturalization.

Although Green Card holders do not have the right to vote in the U.S., they have the right to live and work in the U.S. on a permanent basis, to travel and return, and to petition for certain close family members to also receive Green Cards. If they remain outside the U.S. for unlimited amounts of time or make their home elsewhere, fail to advise U.S. Citizenship and Immigration Services (USCIS) of changes in their address, or commit crimes or acts of espionage or terrorism, they will lose their right to residency and be refused re-entry into the U.S.

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The next step after a Green Card is to apply for U.S. citizenship which is the highest status under U.S. immigration law. It means a permanent right to live in the United States and vote in our elections. Citizens are not subject to the grounds of deportability that affect Green Card holders.

(Undocumented Residents)

If an individual emigrates to the U.S. without going through the process described above or remains in the U.S. beyond the expiration date of a visa, they are considered illegal or undocumented.

State of California

The Truth Act was signed into law on September 28, 2016 and states that if U.S. Immigrations and Customs Enforcement (ICE) notifies a California jail that they plan to deport someone, they have to also serve a copy to the person in jail. This gives the person the “right to know” when ICE wants to deport them so they can seek counsel.

The Trust Act was signed into law in 2013 and went into effect January 1, 2014; one of eight bills signed at the same time in the State’s effort to take action on immigration reform. It limited California’s cooperation with the federal Secure Communities program (which was discontinued and replaced by the Priority Enforcement Program in July 2015), making it so that ICE could not wait at the jail to deport someone when they were released from jail, and that a jail will not hold the person being released for ICE. The replacement Priority Enforcement Program focuses on those who pose a danger to society.

In a joint statement delivered on November 9, 2016 by California Senate President Pro Tempore Kevin de Leon and California Assembly Speaker Anthony Rendon, it was confirmed that California is - and must always be - a refuge of justice and opportunity for people of all walks, talks, ages, and aspirations - regardless of how you look, where you live, what language you speak, or who you love.

The newly proposed Senate Bill 54 would create “safe zones” for our public schools, hospitals, and courthouses, requiring the adoption of policies that limit immigration enforcement on their premises to the fullest extent of the law.

Alameda County

According to the Alameda County Sherriff’s Office, a General Order is in place, originally issued January 1, 2014, that provides deputies with guidelines on their duties and responsibilities associated with immigration law, enforcement, arrests, detentions/detainers, and Requests for Notification. The Alameda County Sheriff’s Office policy requires the Sheriff’s Office to equally enforce laws and serve the public without consideration of immigration status, and states that the Sheriff’s Office does not accept and/or honor immigration detainers from ICE. The immigration status of a person, and the lack of immigration documentation, **alone**, shall have no bearing on the manner in which Sheriff’s

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Office staff execute their duties. It is noted that there is a difference between an arrest warrant signed by a Judge (which the Alameda County Sheriff's Office does honor), and an immigration detainer signed by an ICE agent. Finally, the Sheriff's Office policy provides that under no circumstances shall a person be detained or arrested by Sheriff's Office members based solely on his or her immigration status, whether known or unknown.

Alameda Unified School District

Recently, according to the Alameda Unified School District (AUSD), students and families in the District have experienced an increased level of hate speech. As a response, the Alameda Unified School District is being declared a Safe Haven District, similar to other School Districts across the state.

The proposed AUSD Resolution promotes the School District's vision of serving a diverse community of students in an inclusive, safe, and secure environment, and its commitment to the success of all students regardless of their national origin, ethnicity, religion, sexual orientation, ability, gender, or socio-economic status.

There are over 72 different languages spoken within the Alameda Unified School District. Approximately 11 percent of students are immigrants to this country, 17 percent of students are English Language Learners, and 27 percent of students are socioeconomically challenged.

City of Alameda

Alameda has a strong tradition of embracing the island's diversity and respecting the civil and human rights of our residents regardless of their ethnic or national origin, gender, race, religious affiliation, sexual orientation, or immigration status. Indeed, in 1917, one hundred years ago, the City of Alameda Board of Social Services was established to have charge of all matters pertaining to the care and relief of the needy. In 1937 the current City Charter was adopted and included the Board of Social Services. In 1977, following a vote of the people, the City Charter was amended to change the name of the Social Service Board to the Social Service Human Relations Board (SSHRB). SSHRB's mission is to create an environment which encourages and brings about mutual understanding, respect, and good will among groups of people in the community. The SSHRB was created to serve as an advisory board to the City Council. To this day, SSHRB fosters mutual understanding, respect, equality, and goodwill among those in our community.

In December 2015, the Alameda City Council approved SSHRB's recommendation to co-sponsor the Alameda Unified School District's "Everyone Belongs Here" (EBH) campaign. Partners include AUSD, Alameda Education Association, City of Alameda, Alameda Chamber of Commerce, Alameda Parent Teachers Association Council, California School Employees Association, Alameda Family Services, and Harvey Milk Day.

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The EBH campaign promotes inclusion and equity for all those who live in the City of Alameda. The EBH campaign pledge is to “confront all forms of hate, bigotry, and bullying. I will not stay silent in the face of intolerance.” The pledge is similar to language in the “Pledge for a Hate-Free Alameda” that was part of the SSHRB’s “No Room for Hate in Alameda 2002” campaign, which was also co-sponsored by the City of Alameda. The “Pledge for a Hate-Free Alameda” included, “to challenge hate and prejudice in all its forms whenever we encounter it, whether at home, at school, at work, or in the community, and to stand with others who are treated unfairly.”

Further, in July 2016, the City launched the “Love Our Island” campaign, to recognize the positive and inspiring things happening here in Alameda. This campaign, marked with an Alameda symbol and a heart, exemplifies the core values of our community.

On November 29, 2016, the SSHRB conducted a special meeting to hear public input in response to recent bias-motivated actions and other events affecting Alameda and the nation. On December 12, 2016, the SSHRB President delivered a letter to the City of Alameda’s Mayor Spencer requesting a joint meeting of the Council and SSHRB in early 2017 with the following recommendations:

- Encourage and facilitate the broader use in the community of the “Everyone Belongs Here” poster;
- Support and facilitate an honest conversation about the housing crisis;
- Create a database on hate crimes and bias-motivated acts that the public could access;
- Engage disenfranchised communities, including the Muslim community and improving the way our community communicates with each other;
- Educate and mentor community populations that are underrepresented on City Boards and Commissions so local government reflects the community;
- Engage City Council to be ready to participate with a prepared response to hate crimes with specific actions;
- Consider designating Alameda a Sanctuary City via local ordinance; and
- Support programs serving youth on the impact of parent conversations occurring at home.

City of Alameda Police Department Policy

Policy 428 of the Alameda Police Department (APD), originating in 2009, states that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. The policy states that an officer should not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant.

The APD policy states that it is not necessary to notify ICE when booking arrestees at the county jail

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(the City no longer operates a jail), and that no individual who is otherwise ready to be released should continue to be detained solely for the purpose of making notification to immigration authorities.

The policy also states that individuals should not be held in custody solely for a civil immigration hold unless the individual has been convicted or charged of certain offences or is a sex or arson registrant.

Proposed City Resolution

On December 20, 2016, the City Council voted unanimously to confirm the City's commitment to build an even stronger, safer, and more inclusive community. The proposed resolution is: (1) a confirmation that Alameda has been on the forefront of issues of fairness and equality for many years, and (2) a commitment to all Alameda residents that they should not live in fear, and (3) a commitment that all Alameda residents have the City's protection to the full extent of the law. It also confirms the City of Alameda's commitment to protect the rights guaranteed by the Federal and State Constitutions, including the freedom of religion, speech, assembly, privacy, as well as equal protection.

While President-elect Trump has stated in speeches and in position papers that he intends to cancel all federal funding to jurisdictions that support "sanctuary city" policies, if the Council chooses to pass this resolution it is reaffirming the stand the City has taken for many years against biased, racist, and unconstitutional acts against undocumented individuals. The draft resolution and the City's past stance is to provide public safety for all, regardless of immigration status. The term "sanctuary city" has no legal definition and does nothing more to further the City's, State's, County's, AUSD's, SSHRB's, and APD's past practice of supporting all individuals regardless of ethnic or national origin, gender, race, religious affiliation, sexual orientation, or immigration status.

Further, the Tenth Amendment limits the power of Congress to regulate by directly compelling local jurisdictions to enact and enforce a federal regulatory program (*New York v. United States* (1992) 505 U.S. 144, at 161). The federal government has the exclusive authority to enforce the civil provisions of federal immigration law relating to issues such as admission, exclusion, and deportation. As such, Congress is prohibited by the Tenth Amendment from passing laws requiring states to administer civil immigration law. Further, local jurisdictions have no legal obligation to enforce civil immigration law as reflected in Alameda Police Department Policy 428.

FINANCIAL IMPACT

If the President or Congress is able to limit the amount of federal funds allocated to cities that support "sanctuary city" policies, the City of Alameda may risk its current federal funds and/or affect its efforts with the federal government on three key ventures: 1) the Veterans Affairs Department construction of an outpatient clinic and columbarium at Alameda Point; 2) MARAD lease payments; and 3) the Navy's environmental clean-up program and conveyance of the remaining 259 acres of federally

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owned properties at Alameda Point.

In addition, the money from federal agencies flows into the City in the form of federal grants, some of which are annual and others are one-time or project based. In the past four fiscal years, the City spent and was reimbursed through federal grants and allocations as follows:

Fiscal Year	Amount
2015-16 (unaudited)	\$3,059,466
2014-15	\$2,507,511
2013-14	\$2,768,306
2012-13	\$3,167,017

Federal grants the City receives include Community Development Block Grant (CDBG), which funds programs and services for low- and moderate-income individuals and safety net services such as supporting Midway Shelter, the Alameda Food Bank, and legal aid for seniors and domestic violence survivors; HOME program, which funds affordable housing; Justice Assistance Grants (JAG); Highway Planning and Construction; Federal Transit Grants, which includes portions of the Cross Alameda Trail, the Central Avenue safety improvement project, accessible pedestrian signals, and funding for street repair; Staffing for Adequate Fire and Emergency Response (SAFER) grant, which provides funding for six additional firefighters, Assistance to Firefighters grant, which pays for Self Contained Breathing Apparatus; and Ground Emergency Medical Transportation (GEMT).

ENVIRONMENTAL REVIEW

This action is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15061(b)(3).

RECOMMENDATION

Adopt a Resolution Affirming the City of Alameda's Commitment to the Values of Dignity, Inclusivity, and Respect for All Individuals, Regardless of Ethnic or National Origin, Gender, Race, Religious Affiliation, Sexual Orientation, or Immigration Status.

Respectfully submitted,
Sarah Henry, Public Information Officer

Financial Impact section reviewed,
Elena Adair, Finance Director

City Council

Agenda Date: 1/17/2017

File Type: Regular Agenda Item

Agenda Number: 6-D

Exhibits:

1. Social Service Human Relations Board Letter
2. Alameda Unified School District Proposed Safe Haven Resolution
3. December 15, 2015 Staff Report
4. Alameda County Sheriff Office General Order 1.24
5. Alameda Police Department Policy 428
6. Truth Act

CITY OF ALAMEDA RESOLUTION NO. 15225

AFFIRMING THE CITY OF ALAMEDA'S COMMITMENT, AS A SANCTUARY CITY, TO THE VALUES OF DIGNITY, INCLUSIVITY, AND RESPECT FOR ALL INDIVIDUALS, REGARDLESS OF ETHNIC OR NATIONAL ORIGIN, GENDER, RACE, RELIGIOUS AFFILIATION, SEXUAL ORIENTATION, OR IMMIGRATION STATUS

WHEREAS the City of Alameda recognizes that the Constitution of the United States and Constitution of the State of California enshrine the fundamental and inalienable rights of Americans, including the freedoms of religion, speech, assembly, privacy, and the equal protection of all the City's residents, regardless of religious affiliation, race, national or ethnic origin, gender, sexual orientation, or immigration status; and

WHEREAS each of the City of Alameda's duly elected or appointed public servants have sworn to defend and uphold the United States Constitution and the Constitution of the State of California; and

WHEREAS, the City of Alameda has long embraced and welcomed individuals of diverse religious, racial, national or ethnic origin, gender, and sexual orientation backgrounds, including a large immigrant population; and

WHEREAS, immigration has been the cornerstone of the City of Alameda, the region, the state, and the nation's development throughout our history; and

WHEREAS, the City of Alameda welcomes, honors and respects the contribution of all its residents, regardless of their religious affiliation, race, national or ethnic origin, gender, sexual orientation, or immigration status; and

WHEREAS, the City of Alameda has a long history, spanning four decades, of policies that promote inclusivity, respect, and dignity; and

WHEREAS, in the 1917 Charter, 100 years ago, the Board of Social Services was first established to have charge of all matters pertaining to the care and relief of the needy; and

WHEREAS, the current City Charter adopted in 1937 included the Board of Social Services; and

WHEREAS, in 1977, following a vote by the people of Alameda, the City Council voted unanimously to provide that the name of the Social Service Board be changed to Social Service Human Relations Board with such powers and duties the City Council specifies by ordinance, including the intent of the Board to create an environment which will encourage and bring about mutual understanding, respect, and good will among groups in the community; and

WHEREAS, in 2002 the City co-sponsored the No Room For Hate in Alameda campaign, which pledged to challenge hate and prejudice in all its forms, whenever we encounter it, whether at home, at school, at work, or in the community, and to stand with others who are treated unfairly; and

WHEREAS, in 2009, the Alameda Police Department initiated Policy 428, which currently states that all members make personal and professional commitments to equal enforcement of the law and equal services to the public and that officers shall not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant; and

WHEREAS, in 2015 the City of Alameda co-sponsored the "Everyone Belongs Here" campaign with the Alameda Unified School District to promote inclusion and equity for all those who live in the City of Alameda; and

WHEREAS, in 2016 the City established the "Love Our Island" campaign to recognize all the positive and inspiring things that are happening here in Alameda, and this campaign has been embraced by the community and businesses across the island; and

WHEREAS, the Alameda Unified School District has resolved to promote the School District's vision of serving a diverse community of students in an inclusive, safe, and secure environment, and its commitment to the success of all students regardless of their national origin, ethnicity, religion, sexual orientation, ability, gender, or socio-economic status; and

WHEREAS, in the State of California, the Truth Act was signed into law on September 28, 2016 and provides "Know Your Rights" to every individual, ensures fair notice to every individual, and shines a light and increases transparency around local engagement with the Federal Immigration and Customs Enforcement Service; and

WHEREAS, the City of Alameda's diverse population of residents of different religious affiliations, races, national or ethnic origin, gender, sexual orientation, or immigration status contribute to the economic and social fabric of the City by establishing and patronizing businesses, contributing to arts and culture, and achieving significant educational accomplishments; and

WHEREAS, fostering a relationship of trust, respect, and open communication between City officials and residents is essential to the City's mission of delivering efficient public services in partnership with our community which ensures public safety, a prosperous economic environment, opportunities for our youth, and a high quality of life for residents; and

WHEREAS, the City of Alameda seeks to continue to foster trust between City officials and residents, to protect limited local resources, to encourage cooperation

between residents and City officials, including law enforcement officers and employees, and to ensure public safety, and due process for all; and

WHEREAS, the conflation of federal civil immigration law enforcement and local criminal law enforcement experienced in other communities has resulted in considerable erosion of public safety by creating social distance between law enforcement officers and the community; and

WHEREAS, the City of Alameda desires to address the fears and concerns of its residents in relation to an individual's religious affiliation, race, national or ethnic origin, gender, sexual orientation, or immigration status; while at the same time being mindful that it must maintain positions on federal policy that do not affect the financial stability of the City of Alameda in ways that are detrimental to the health and safety of its residents; and

WHEREAS, the City of Alameda desires to demonstrate its commitment to its residents by unequivocally stating that it will safeguard the values enshrined in our Federal and State Constitutions by providing a safe community to all residents who are fearful by assuring them that the City will not expend any funds, nor use its resources, including staff, to administer federal immigration laws which are under the exclusive jurisdiction of the federal government;

NOW THEREFORE, the City of Alameda City Council does hereby resolve as follows:

Section 1. In accordance with State and Federal law, City of Alameda officials, including its law enforcement officers, shall not actively participate with federal agents seeking to enforce federal immigration law and shall not use city monies, resources, or personnel to investigate, question, detect, apprehend and/or register persons whose only violation is or may be a civil violation of federal immigration law.

Section 2. In accordance with State and Federal law, City of Alameda officials, including its law enforcement officers, will continue to cooperate with Federal immigration agencies in matters involving criminal activity and the protection of public safety.

Section 3. City of Alameda officials, including its law enforcement officers, shall not take any direct action against any individual based solely because of his or her immigration status whether known or unknown nor held in custody solely for a civil immigration hold unless the individual has been convicted or charged of certain offenses or is a sex or arson registrant.

Section 4. City of Alameda officials will not use any public resources or honor any federal program requiring the registration of individuals on the basis of religious affiliation, race, national or ethnic origin, gender, sexual orientation.

Section 5: The City Manager shall report on a regular basis all requests or mandates from the federal government for use of City resources to the City Council for advice and

direction or report the absence of such requests or mandates. City staff shall monitor any efforts by the federal government to withhold or withdraw federal funding as a result of the City's policies to protect and defend its diverse community and shall take all actions necessary to protect such funding.



I, the undersigned, hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Council of the City of Alameda in a regular meeting assembled on 17th day of January, 2017 by the following vote to wit:

AYES: Councilmembers Ezzy Ashcraft, Matarrese, Oddie, and Vella
– 4.

NOES: None.

ABSENT: Mayor Spencer – 1.

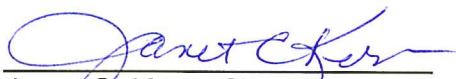
ABSTENTIONS: None.

IN WITNESS, WHEREOF, I have hereunto set my hand and affixed the official seal of said City this 18th day of January, 2017.



Lara Weisiger, City Clerk
City of Alameda

APPROVED AS TO FORM:



Janet C. Kern, City Attorney
City of Alameda

RESOLUTION NO. 3346-17

A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR DECLARING THE TOWN OF WINDSOR TO BE A UNITED COMMUNITY THAT VALUES ITS DIVERSITY AND THE CONTRIBUTIONS OF ALL RESIDENTS, AND SUPPORTS THE SAFEGUARDING OF THE CIVIL RIGHTS, SAFETY AND DIGNITY OF ALL WINDSOR RESIDENTS

WHEREAS, the Town of Windsor values its racial and cultural diversity, and is a community built by native born and immigrants, whose collective cultures, religions, backgrounds, orientations, abilities and viewpoints join to form a highly pluralistic community that prides itself on being a place that welcomes persons and families of all walks of life; and

WHEREAS, the Guiding Principles of the Town's Draft 2040 General Plan state that the Town values its cultural diversity and promotes opportunities for all residents to share their unique heritage and engage in the life of the community; and

WHEREAS, the Guiding Principles of the Town's Draft 2040 General Plan further state that Windsor is recognized as a family-oriented community with a diverse population, a robust economy, and strong ties to the surrounding Sonoma County wine country and nearby Russian River recreation areas; and

WHEREAS, the Town of Windsor values the contributions of immigrants to the economic development of the Town and the region, and to the vibrancy and health of the community; and

WHEREAS, the Guiding Principles of the Town's Draft 2040 General Plan note that multiple generations of Windsor residents choose to live in the community because of its small-town appeal, safe and affordable neighborhoods, high quality cultural and recreational amenities, and opportunities for employment and lifelong learning; and

WHEREAS, there has been a sense of uncertainty and concern regarding recent immigration enforcement policies and actions among many individuals in Windsor, across our State and across the Nation; and

WHEREAS, the Windsor Town Council assures the community that Town public services, including public safety services, will be provided without regard to immigration status, and the Town will continue to place a priority on community safety and will not tolerate or endorse acts of hate, discrimination, bullying, or harassment; and

WHEREAS, the Windsor Town Council wishes to declare that Windsor is a safe place for everyone, including, but not limited to, immigrants from all countries; people of color; people of all religions, gender identity, and sexual orientation; people with disabilities; and all vulnerable communities; and

WHEREAS, the Windsor Town Council holds the community's trust as sacred, including the trust between its residents and their local law enforcement, without which crimes may go unreported and the safety of the community may be compromised; and

WHEREAS, the Windsor Town Council is greatly concerned about public safety in Windsor and the mission of the Windsor Police Department is to protect the safety of the public against crimes committed by persons whoever they may be; and

WHEREAS, the Town wishes to foster trust and cooperation as between the Town, its Police Department, and its immigrant communities, and wishes to encourage immigrants to report crime and speak to the police without fear of being arrested or detained by, or reported to the United States Immigration and Customs Enforcement Agency (ICE); and

WHEREAS, consistent with the law, the Windsor Police Department already declines to enforce federal civil immigration laws as a sole basis for questioning and detention, does not conduct immigration raids, and does not question, detain or arrest individuals on the sole basis that they might be in this country illegally in violation of Federal civil immigration laws; and

WHEREAS, consistent with the law, the Sonoma County Sheriff's Office no longer honors ICE Immigration Detainers, in compliance with the California TRUST Act, unless ICE presents proof that it has probable cause for the detention, for example, by providing an arrest warrant. Detainers and warrants are entirely separate and should not be confused. Duly issued warrants signed by a judge in all cases will be honored.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor does hereby resolve as follows:

SECTION 1. The Windsor Town Council assures the community that Town public services, including public safety services, will be provided without regard to immigration status, and the Town will continue to place a priority on community safety and will not tolerate or endorse acts of hate, discrimination, bullying, or harassment.

SECTION 2. Town employees, including members of the Windsor Police Department, through the Town's contract with the Sonoma County Sheriff's Office, shall not use Town monies, resources or personnel to investigate, question, detect, detain or apprehend persons solely on the basis of a possible violation of immigration law.

SECTION 3. In order to deter and apprehend violent criminals and keep the community safe, the Windsor Town Council endorses the Windsor Police Department's policy to work cooperatively with ICE or other Federal agencies in instances which involve the apprehension of serious or violent criminals, as the Windsor Police Department conditions this collaboration on ICE refraining from arresting or taking custody of any person based solely on immigration status.

SECTION 4. The Windsor Town Council declares the Town of Windsor to be a united community that values its diversity and the contributions of all residents, and supports the safeguarding of the civil rights, safety, and dignity of all Windsor residents.

PASSED, APPROVED AND ADOPTED this 1st day of March 2017, by the following vote:

AYES:	COUNCILMEMBERS MILLAN, OKREPKIE, VICE MAYOR FOPPOLI AND MAYOR FUDGE
NOES:	COUNCILMEMBER SALMON
ABSTAIN:	NONE
ABSENT:	NONE


DEBORA FUDGE, MAYOR

ATTEST:


MARIA DE LA O, TOWN CLERK

TOWN OF WINDSOR AGENDA REPORT

Town Council Meeting Date: March 1, 2017

To: Mayor and Town Council
From: Linda Kelly, Town Manager
Subject: Report from Police Chief regarding Windsor Police Department Policies on Immigration Violations, and Consideration of Adoption of Resolution Declaring the Town of Windsor to be a United Community that Values its Diversity and the Contributions of All Residents, and Supports the Safeguarding of the Civil Rights, Safety, and Dignity of All Windsor Residents

Recommendation to Council:

1. Receive report from Police Chief regarding Windsor Police Department policies on immigration violations; and
2. Consider adoption of Town resolution declaring the Town of Windsor to be a united community that values its diversity and the contributions of all residents, and supports the safeguarding of the civil rights, safety, and dignity of all Windsor residents.

Background:

The Town Council recently requested to receive an overview from the Town's Police Chief regarding Windsor Police Department's policies on immigration violations, and to consider a form of policy statement regarding "indivisible" or "inclusive" community.

In January, President Trump issued a series of Executive Orders relating to immigration, specifically these orders included the following intents/decrees: "Protecting the nation from foreign terrorist entry into the U.S."; "Border security and immigration enforcement improvements"; and "Enhancing public safety in the interior of the U.S." The latter Executive Order, dated January 25, 2017, purports that "[S]anctuary jurisdictions across the United States willfully violate Federal law in an attempt to shield aliens from removal from the United States." The Order goes on to state that the purpose of the Order is to direct executive departments and agencies to employ all lawful means to enforce the immigration laws of the United States. The Order establishes a policy of ensuring that jurisdictions that fail to comply with applicable Federal law do not receive Federal funds, except as mandated by law.

In light of these swiftly enacted Executive Orders, many individuals, organizations and agencies became questioning of how these Orders would be applied, fearful of the abrupt change in Federal administrative direction and its uncertain impact on local communities and the potential for massive deportation actions. Individuals and local communities began taking up the issue of "sanctuary city" status to express support for individuals not being detained or questioned solely on immigrant status, expound on the value of immigrants, and reiterate support for community members regardless of immigration status. In general, sanctuary city is loosely defined as a community that does not use municipal funds or resources to enforce national immigration laws, and does not utilize immigration status as a bar to withhold municipal services or share a

person's immigration status with immigration enforcement, the U.S. Immigration and Customs Enforcement ("ICE").

Discussion:

Police Chief Statement to the Community

Many questions have arisen in local communities as to their own communities' stand on Federal immigration enforcement. California in particular has taken oppositional positions with respect to President Trump's new immigration policies. With this as a nationwide backdrop, the Town's Police Chief Carlos Basurto drafted a statement to the community (attached) on the Windsor Police Department's policies on immigration violations. The statement has been provided to the press, posted on the Town's Facebook page, and on the Town's website in English and Spanish. Police Chief Carlos Basurto will be in attendance at the Council meeting to share and explain his statement to the community.

In summary, the statement summarizes Windsor Police Department policy to be committed to equal enforcement of the law and equal service to the public, regardless of immigration status. Windsor Police do not arrest or detain any person solely for violations pertaining to immigration status, nor undertake interrogation of any person for the sole purpose of ascertaining immigration status, nor independently conduct immigration sweeps, nor engage in Federal immigration enforcement activities.

However, Windsor Police will work cooperatively with ICE or other Federal agency in the apprehension of serious or violent criminals, with the condition that such collaboration requires ICE to refrain from arresting or taking custody of any person based solely on immigration status.

Windsor Police does not want anyone, regardless of immigration status, to be afraid to call upon the Windsor Police for assistance, information, advice or to report any crime or issue in our community. However, Windsor Police remains committed to remove individuals who are serious or violent criminals, including but not limited to, violent gang members, drug dealers, murderers, rapists, human traffickers, spousal abusers and child abusers, and will use all resources at its disposal to accomplish this, including cooperating with Federal agencies under these specific circumstances.

With respect to the Sonoma County Jail, the Sonoma County Sheriff's Office no longer honors ICE Immigration Detainers, in compliance with the California TRUST Act (AB 4), unless ICE presents proof that it has probable cause for the detention, for example, by providing an arrest warrant. Detainers and warrants are entirely separate and should not be confused. Duly issued warrants signed by a judge in all cases will be honored.

Draft Resolution

At its meeting of February 1, 2017, the Town Council heard public comments regarding requests to take up the issue of "sanctuary" city and to make a statement. One additional request came to the Town via phone call. Councilmembers expressed that they would like to see a statement drafted loosely on the spirit of the sanctuary city ideal, and along the lines of a policy expression. With that in mind, staff has reviewed recent reports, resolutions and actions of the Cities of Healdsburg, Petaluma, Santa Rosa, Sebastopol. County of Sonoma actions were also reviewed.

A draft resolution for Council consideration is presented, which expresses that the Town is a united community, valuing diversity, honoring the contributions of all residents, and supporting the safeguarding of civil rights, safety and dignity of all Windsor residents.

Because of the threat of elimination of Federal funds to “sanctuary cities,” the undefined nature of this status, and the unknown consequences of such a declaration, staff is not recommending that the Council declare the Town of Windsor a sanctuary city.

Nevertheless, the policy statements contained in the resolution are meant to reflect the inclusionary community spirit and public service ethic of the Town of Windsor and provide Council leadership and philosophy on the type of community Windsor has been, is, and its vision of what it aspires to be. Some of the statements which have been articulated in the Draft 2040 General Plan reflect this spirit, and are included in the draft resolution. Furthermore, the resolution reiterates the Windsor Police Department’s policy with respect to immigration law enforcement.

Fiscal Impact:

No fiscal impact as a result of the staff recommendation. On average, approximately \$400,000 in Federal funds are utilized by the Town of Windsor each fiscal year. If awarded to the Town, the One Bay Area Grant for the intersection of Windsor Road/Windsor River Road would include \$1.5M in Federal funds.

Environmental Review:

Not applicable.

Attachments:

1. Police Chief Carlos Basurto’s Statement to the Community
2. Draft Resolution

Prepared by:

Linda Kelly
Town Manager

Letter to the Community

Illegal immigration has been a hot topic recently and I have been asked on a number of occasions, especially since the recent election, what my views are and what the Windsor Police Department's policies are regarding immigration violations. Many questions were raised regarding cooperation with ICE, sanctuary status, immigration sweeps, immigration enforcement and questions regarding the relationship between the Windsor Police Department and the Sheriff's Office on this issue.

I see this as an opportunity to educate and inform my community here in Windsor as to what we do and don't do in regards to this topic and explain my perspective. I know that I cannot and probably will not make everyone happy on any given issue, including this one. However, what I can do is be explicitly honest on how I conduct business and in my perspectives on any given issue in our town.

Let's talk policy first. As most people know, the Town of Windsor contracts its police services with the Sheriff's Office, so all policies are shared policies with the Sheriff's Office. However, Windsor Police Department is its own entity and may do or not do any given directive or conduct enforcement efforts differently from the Sheriff's Office, so long as it is within policy and the law. Also, the Town of Windsor has elected and appointed officials who can and should give direction on what they want to see happen with any given issue. Our policy is two and a half pages in length, but in essence this is what it contains:

The Windsor Police Department is committed to equal enforcement of the law and equal service to the public – regardless of immigration status. We shall not arrest or detain any person solely for violations pertaining to immigration status.

We shall not undertake any interrogation of any person for the sole purpose of ascertaining his/her immigration status.

We shall not independently conduct sweeps or other concentrated efforts for the purpose of locating and/or detaining persons who are solely suspected of being illegally present in the United States. Basically we will not engage in federal immigration enforcement activities. It is not our job or mission.

However, we can and will work collaboratively with ICE or any other federal agency in the apprehension of serious or violent criminals. However, as a condition of this collaboration, we shall require that ICE refrain from arresting or taking custody of any person based solely on immigration status, including low-level or minor traffic violations. We will do this, because it is our job to protect our community against serious or violent criminals/predators.

For four years I supervised the Multi Agency Gang Enforcement Team and during that time we conducted various gang sweeps with the assistance of ICE agents. These agents were always briefed regarding our policy and operational parameters and always understood and accepted it. They understood that we were conducting "gang sweeps" and not "immigration sweeps." On several occasions I or those working for me would direct them not to interrogate, detain or arrest individuals we determined were not gang members or criminal offenders. At no time did they question us or refuse our directive. This has always been my personal and professional experience in collaborating with them.

As for my perspective, it is derived from both personal and professional life experiences. I was fortunate enough in life to have been born a US citizen, as were my parents. However, my grandparents all

emigrated from Mexico and like most, worked all their lives in the fields and ranches in California. When I was in junior high, my parents made my brother and I work in the prune fields to earn money for school clothes. There were lessons learned in doing this, but we also learned to appreciate all those who did this type of work day in and day out for most of their lives. We also knew that most, if not all of these people, emigrated here from other countries to do this work, for little pay, in hopes of making a better life for themselves and their families. In essence, I can relate to these people, because like many of us in this town, we are these people.

I can say and will argue that an overwhelmingly large percentage of the people who emigrate to this country are good, decent, hard working people who want nothing more than what we already have.....the opportunity to live a happy, peaceful and thriving life. I am committed to provide them and all other segments of our community with a safe and healthy community for all to enjoy and prosper and to have a feeling of equality. Our community involves and includes everyone.

The Windsor Police Department can only do its best when it has the trust and support of its community. We are so much more effective at preventing and solving crimes when the people in our community trust us enough to work with us. I don't want anyone, and I emphasize anyone, to be afraid to call upon us for assistance, information, advice or to report any crime or issue in our town. Therefore I am committed to stand by our policies as explained above without reservation. If you are an undocumented immigrant in the Town of Windsor, you do not need to fear the officers of the Windsor Police Department nor assume that they have any reason to bother you, detain you or arrest you for simply being undocumented. Your immigration status is completely irrelevant to us.

I have been in law enforcement for over 28 years now and I also have another perspective towards illegal immigration. I have worked in many different positions and assignments. I've worked in the jail, investigations, patrol and with the gang unit to name a few. During my career it was plainly obvious to me that there was also a segment of the immigrant population that was engaging in criminal activity and aberrant behavior. There is a segment committed to violence, drugs and domestic terrorism. To think that this does not exist and that all immigrants are good people, is to be either naïve, uninformed or in denial.

It is a fact that along with all the wonderful people that do emigrate to our country we also receive much smaller percentage of those who are violent gang members, drug dealers, murderers, rapists, human traffickers, spousal abusers and child abusers. I know this because I have personally dealt with them for over 28 years. I am committed to do all that I can to remove them from our communities and keep them out, preventing them from committing more crimes in our town. Therefore, I will use every resource at my disposal to accomplish this, including cooperating with federal agencies under these specific circumstances. This is our job.

I believe it would be negligent for a local or state agency not to collaborate with federal agencies to discover opportunities for partnerships against criminals of any kind from any country or from any background. I refuse to let emotion or political agenda fuel my obligations and commitments to the Town of Windsor and the people in my community. I absolutely understand the compelling need to search for and apprehend all violent offenders, predators, gang members and drug dealers within our community and I will use every resource available to me.

Illegal entry to the United States is against the law, but as local police officers, federal law doesn't generally allow us to conduct immigration enforcement, or enforcement of most other federal laws. Additionally, California law, the TRUST ACT, also restricts local law enforcement agencies role in immigration enforcement. So for those who would say that we are picking and choosing which crimes we want to enforce, I offer this. We are not picking and choosing crimes to enforce, we are however, determining roles and responsibilities over authority and jurisdiction. We are also attempting to build partnerships with all segments of our community, including the undocumented segment. They are a segment of our community that also needs community oriented policing and respect. We, at the Windsor Police Department, will do what we can to see that they get it.

There is a new president of this great country and yes, he has stirred much controversy that has led to widespread protests, anxiety and unrest. However, that does not change the fact that there are still criminal undocumented immigrants in our communities who need to be identified, apprehended and deported. Again, I will continue to collaborate with the federal government when needed and appropriate, to see that this happens.

There was a recent article in the Press Democrat titled, "Immigration enforcement tied to jail." What I noticed was that no-where in the article did it speak to the undocumented immigrant population and offer a simple but compelling piece of advice. The same advice that I heard the San Francisco-based consul general of Mexico say just weeks before, while addressing a large group of Latino leaders in Santa Rosa. Gemi José González López said that in order to avoid being deported, "now more than ever, it is time to respect the law" in the United States. In essence, respect the law and don't place yourself in a position to be arrested.

My in-laws emigrated from Mexico in the late 1960's and worked the pear orchards well into their sixties. My in-laws eventually became naturalized citizens, late in life, and accomplished all this without ever being arrested. They are a great example of how respect for the law in a foreign country goes a long way towards receiving good will and fulfilling your dreams. It is important to educate and inform people about what they need to know, but let's not be afraid to tell them what they need to hear.

Well, these are my perspectives and our policy regarding immigration and my viewpoints regarding the Windsor Police Department's relationships with our residents. If you've taken the time to read all that I have written, I ask that you consider this: Most of you will have differing opinions on the issues surrounding immigration....which side of the issue you are on is not important. Respect and tolerance is....

Respectfully,

Carlos G. Basurto - Town of Windsor Police Chief

RESOLUTION NO. XXXX-17**A RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF WINDSOR
DECLARING THE TOWN OF WINDSOR TO BE A UNITED COMMUNITY THAT
VALUES ITS DIVERSITY AND THE CONTRIBUTIONS OF ALL RESIDENTS, AND
SUPPORTS THE SAFEGUARDING OF THE CIVIL RIGHTS, SAFETY AND DIGNITY
OF ALL WINDSOR RESIDENTS**

WHEREAS, the Town of Windsor values its racial and cultural diversity, and is a community built by native born and immigrants, whose collective cultures, religions, backgrounds, orientations, abilities and viewpoints join to form a highly pluralistic community that prides itself on being a place that welcomes persons and families of all walks of life; and

WHEREAS, the Guiding Principles of the Town's Draft 2040 General Plan state that the Town values its cultural diversity and promotes opportunities for all residents to share their unique heritage and engage in the life of the community; and

WHEREAS, the Guiding Principles of the Town's Draft 2040 General Plan further state that Windsor is recognized as a family-oriented community with a diverse population, a robust economy, and strong ties to the surrounding Sonoma County wine country and nearby Russian River recreation areas; and

WHEREAS, the Town of Windsor values the contributions of immigrants to the economic development of the Town and the region, and to the vibrancy and health of the community; and

WHEREAS, the Guiding Principles of the Town's Draft 2040 General Plan note that multiple generations of Windsor residents choose to live in the community because of its small-town appeal, safe and affordable neighborhoods, high quality cultural and recreational amenities, and opportunities for employment and lifelong learning; and

WHEREAS, since the 2016 Presidential election, there has been a sense of uncertainty and concern regarding recent immigration enforcement policies and actions among many individuals in Windsor, across our State and across the Nation; and

WHEREAS, the Windsor Town Council assures the community that Town public services, including public safety services, will be provided without regard to immigration status, and the Town will continue to place a priority on community safety and will not tolerate or endorse acts of hate, discrimination, bullying, or harassment; and

WHEREAS, the Windsor Town Council wishes to declare that Windsor is a safe place for everyone, including, but not limited to, immigrants from all countries; people of color; people of all religions, gender identity, and sexual orientation; people with disabilities; and all vulnerable communities; and

WHEREAS, the Windsor Town Council holds the community's trust as sacred, including the trust between its residents and their local law enforcement, without which crimes may go unreported and the safety of the community may be compromised; and

WHEREAS, the Town Council is greatly concerned about public safety in Windsor and the mission of the Windsor Police Department is to protect the safety of the public against crimes committed by persons whoever they may be; and

WHEREAS, the Town wishes to foster trust and cooperation as between the Town, its Police Department, and its immigrant communities, and wishes to encourage immigrants to report crime and speak to the police without fear of being arrested or detained by, or reported to the United States Immigration and Customs Enforcement Agency (ICE); and

WHEREAS, consistent with the law, the Windsor Police Department already declines to enforce federal civil immigration laws as a sole basis for questioning and detention, does not conduct immigration raids, and does not question, detain or arrest individuals on the sole basis that they might be in this country illegally in violation of Federal civil immigration laws.

WHEREAS, consistent with the law, the Sonoma County Sheriff's Office no longer honors ICE Immigration Detainers, in compliance with the California TRUST Act, unless ICE presents proof that it has probable cause for the detention, for example, by providing an arrest warrant. Detainers and warrants are entirely separate and should not be confused. Duly issued warrants signed by a judge in all cases will be honored.

NOW, THEREFORE BE IT RESOLVED that the Town Council of the Town of Windsor does hereby resolve as follows:

SECTION 1. The Windsor Town Council assures the community that Town public services, including public safety services, will be provided without regard to immigration status, and the Town will continue to place a priority on community safety and will not tolerate or endorse acts of hate, discrimination, bullying, or harassment.

SECTION 2. Town employees, including members of the Windsor Police Department, through the Town's contract with the Sonoma County Sheriff's Office, shall not use Town monies, resources or personnel to investigate, question, detect, detain or apprehend persons solely on the basis of a possible violation of immigration law.

SECTION 3. In order to deter and apprehend violent criminals and keep the community safe, the Town Council endorses the Windsor Police Department's policy to work cooperatively with ICE or other Federal agencies in instances which involve the apprehension of serious or violent criminals, as the Windsor Police Department conditions this collaboration on ICE refraining from arresting or taking custody of any person based solely on immigration status.

SECTION 4. The Windsor Town Council declares the Town of Windsor to be a united community that values its diversity and the contributions of all residents, and supports the safeguarding of the civil rights, safety, and dignity of all Windsor residents.

PASSED, APPROVED AND ADOPTED this 1st day of March 2017, by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

DEBORA FUDGE, MAYOR

ATTEST:

MARIA DE LA O, TOWN CLERK

Alice Evenson

From: Arturo Fernandez <arturof@berkeley.edu>
Sent: Tuesday, December 6, 2016 7:04 PM
To: citycouncil
Subject: City of Pittsburg Sanctuary Policy

To my hometown, the City of Pittsburg, as well the present and future leaders of this city (Ben, Will, Pete, Merl, Sal, Juan, and Jelani), I urge you to pass a policy establishing the City of Pittsburg as a Sanctuary City.

Leaders across the country are coming out in full force to support the citizens of their communities [1]. Will you? I ask that you rise up and protect your community as you were elected to do.

To aid you in crafting this policy, I have taken the liberty of copying San Francisco's Sanctuary City Policy, making changes to reflect the City of Pittsburg, and denoting other sections that should also be update based on the structure of Pittsburg City Code. You can access it [here](#).

If you have any further questions, please feel free to contact me. I look forward to seeing this item on your agenda and your actions it. In the face of an uncertain future, this is the time when elected leaders must do anything and everything they can to protect the most vulnerable.

All the best,
Arturo Fernandez

[1] Local Leaders Across Nearly 30 States Speak Out On Protecting Undocumented Immigrant Communities. Accessed at: <http://americasvoice.org/blog/local-leaders-across-nearly-30-states-speak-protecting-undocumented-immigrant-communities/>

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Arturo Fernandez
Ph.D. Statistics Student
B.A. Statistics, B.A. Applied Mathematics '12
University of California, Berkeley

Pittsburg Sanctuary City ACTION!

----- Scroll to the bottom of the page to sign the pledge! -----

February 27, 2017

To: Members of the Pittsburg City Council

Merl Craft, Pete Longmire, Sal Evola, Jelani Killings, Juan Antonio Banales

The City of Pittsburg's mission is to provide responsive and high quality public services in partnership with its residents, and celebrate the community's rich history, cultural diversity, and pride in its prosperous future [1]. Our community is one of the 10 most diverse cities in the state and we recognize that there is great fear and uncertainty amongst those we serve [2].

We encourage the City to create and adopt a policy to not cooperate with federal ICE authorities regarding deportations or immigration raids and assure residents that local law enforcement will not engage in helping the federal government with deportations or with inquiries regarding the immigration status of individuals.

If we fail to act in the face of Donald Trump's stated immigration priorities, which primarily consist of mass deportation efforts, we will not be holding ourselves accountable to the values* of our city. This is a moment when our City Leaders must show courage and protect our most vulnerable community members.

Signed,

Arturo Fernandez, UC Berkeley PhD Student, Former Pittsburg Resident

Miguel Mauricio, Concerned Community Member, Former Pittsburg Resident

Rosa Guzman, Educator, Pittsburg Resident

Mariel Duran, Concerned Community Member, Pittsburg Resident

Andria Herrera, College & Career Advisor At Northgate High School . UC Berkeley & PHS Alumni, Pittsburg Resident

Diana Duran, Concerned Community Member, Pittsburg Resident

Karam Samplay, Concerned Community Member, Pittsburg Resident

Emma Thatcher, Concerned Community Member, Pittsburg Resident

Cristian, Registered Nurse, Pittsburg Resident

Eric Angelo Tarrosa, Concerned Community Member, Pittsburg Resident

Maria. Gonzalez, Medical Assistant, Pittsburg Resident

Lilian Chaves, Account Analysis Analyst, Pittsburg Resident

Melissa Avelar Corral, Concerned Community Member, Pittsburg Resident

Adrian Corral, Concerned Community Member, Pittsburg Resident

Yolanda Corral, Concerned Community Member, Pittsburg Resident

Devin Ontiveros, Concerned Community Member, Pittsburg Resident

Yesenia Jimenez, Concerned Community Member, Pittsburg Resident

Rosamaria Corral, Concerned Community Member, Pittsburg Resident

Brittney, Concerned Community Member, Pittsburg Resident

Andrew Gonzalez, Concerned Community Member, Pittsburg Resident

Laura Guevara Figueroa, LVN, Pittsburg Resident

Nidia Guevara, Medical Assistant, Pittsburg Resident

Andy Dominguez, Concerned Community Member, Pittsburg Resident

Cesar Sandoval, Concerned Community Member, Pittsburg Resident

Laura Cardoza, Concerned Community Member, Pittsburg Resident

Claudia Zambrano, Concerned Community Member, Pittsburg Resident

Monique Gutierrez, Server, Pittsburg Resident

Taylor Gonzalez, Concerned Community Member, Pittsburg Resident

Heidi Lopez, Welfare Worker, Pittsburg Resident

Yesenia Rosas, Concerned Community Member, Pittsburg Resident

Irma-valeria Galarza, Concerned Community Member, Pittsburg Resident

Kassandra Loya, Tech Support Specialist - OSHA Learning Company, Pittsburg Resident

Jorge Antonio Balderrama Canales, Concerned Community Member, Pittsburg Resident

Alma Nieves, Concerned Community Member, Pittsburg Resident

Alex Corral, Concerned Community Member, Pittsburg Resident
Marie Bourgeois, Concerned Community Member, Pittsburg Resident
Steve Nerio, Executive Chef, Pittsburg Resident
Angelica Fernandez, Community Member, Pittsburg Resident
Brianna Andrews, Nurse, Pittsburg Resident
Wendy Prado, Concerned Community Member, Pittsburg Resident
Genaro H Corral, Concerned Community Member, Pittsburg Resident
Abygail, Concerned Community Member, Pittsburg Resident
Guadalupe Rocio Hernandez, Non Profit Program Coordinator, Pittsburg Resident
Sanjay Narayan, Student, Pittsburg Resident
Kelsey Elam, Concerned Community Member, Pittsburg Resident
Tamara, Concerned Community Member, Pittsburg Resident
Melanie Greene Kicker, Registered Veterinary Technologist, Pittsburg Resident
Guadalupe Reyes, Concerned Community Member, Pittsburg Resident
Elida Avila Vazquez, Concerned Community Member, Pittsburg Resident
Belle Lopez, Concerned Community Member, Pittsburg Resident
Ashley Zepeda, Concerned Community Member, Pittsburg Resident
Julie Marco, Concerned Current PUSD Student, Pittsburg Resident
Chris Moreno, Community Member & Business Owner, Pittsburg Resident
Marielena Benavides, Concerned Community Member, Pittsburg Resident
Omar Nazari, Concerned Community Member, Pittsburg Resident
Stephanie Quintero, Law Student At Uc Hastings College Of The Law, Pittsburg Resident
Edrik Vinas, Student, Pittsburg Resident
Isis Orellana, Concerned Community Member., Pittsburg Resident
Roberto Ruiz, Concerned Community Member, Pittsburg Resident
Erika Perez, Receptionist, Pittsburg Resident
Jazmin Hernandez, Health Care Worker, Concerned Community Member, Pittsburg Resident
Elizabeth Hernandez, Concerned Community Member, Pittsburg Resident
Leo Chavarria, Student, Pittsburg Resident
Marlene, Concerned Community Member, Pittsburg Resident
Gilberto Lopez, Small Business Owner, Pittsburg Resident
Kelly Pham, Concerned Current PUSD Student, Pittsburg Resident
Juan Duran, Concerned Community Member, Pittsburg Resident
Juan Reyes, Electrician, Pittsburg Resident
Danielle Villa, Concerned Community Member, Pittsburg Resident
Karina Santiago, Concerned College Student And Concerned Community Member, Pittsburg Resident
Diana Fernandez, Student, Pittsburg Resident
Keara Caranto, Concerned Community Member, Pittsburg Resident
Mario Rodriguez Jr, Concerned Community Member, Pittsburg Resident
Abner Monter, Concerned Community Member, Pittsburg Resident
Delia Salazar, Concerned Community Member, Pittsburg Resident
Jose A. Orta, Law Clerk, Pittsburg Resident
Stefanie Avalos, PUSD Student, Pittsburg Resident
Juan Francisco Juarez, Contractor, Pittsburg Resident
Karen Huerta, Concerned Community Member, Pittsburg Resident
Gabriela Galaz, Concerned Community Member, Pittsburg Resident
Graciela Munoz, Concerned Community Member, Pittsburg Resident
Jessica Rojas, School Based Services Program Director, Contra Costa County, Pittsburg Resident
E. Leon, Concerned Community Member, Pittsburg Resident
Jessica Estrada, Concerned Community Member, Pittsburg Resident
Hector Rojas, Senior City Planner, City Of Pittsburg, Pittsburg Resident
Susana Reyes, Nurse (BSN), Pittsburg Resident
Jazmine Quintanilla, Student, Pittsburg Resident
Michael John Marco, Concerned Community Member, Pittsburg Resident
Adriana Lopez, Interior Designer, Pittsburg Resident
Carolina Saucedo, Realtor, Concerned Community Member, Pittsburg Resident
Erica Cardoza, Concerned Community Member, Pittsburg Resident

Veronica Torres, Concerned Community Member, Pittsburg Resident
Jovanny Ambriz, PHS Senior, Pittsburg Resident
Jaime, Concerned Community Member, Pittsburg Resident
Ana G Torres, Concerned Community Member, Pittsburg Resident
Maurice Torres, Concerned Community Member, Pittsburg Resident
Sabrina Mayberry, Concerned Community Member, Pittsburg Resident
Ivonne Mondragon, Concerned Community Member, Pittsburg Resident
Daniella Romero, Vocational Counselor, Concerned Community Member, Pittsburg Resident
Herbert Sandoval, Union Plumber, Pittsburg Resident
Erica Moreno, Behavioral Intervention Specialist, Pittsburg Resident
Johanna Gonzalez, Medical Assistant, Pittsburg Resident
Melissa Baez, Concerned Community Member, Pittsburg Resident
Cyndi Romero, Concerned Community Member, Pittsburg Resident
Alexander Foster, Student, Pittsburg Resident
Eva Covarrubias, Concerned Community Member, Pittsburg Resident
Gloria M Aguilar, Concerned Community Member, Pittsburg Resident
Patricia Hinojoza, Concerned Community Member, Pittsburg Resident
Luzmaria, Concerned Community Member, Pittsburg Resident
Gabriel Palomino, 342 Steamfitters And Plumbers Union Officer. Former PHS Student., Pittsburg Resident
Sierra Vigil, Medical Assistant, Concerned Community Member, Pittsburg Resident
Rebecca Anaya, Concerned Community Member, Pittsburg Resident
Maria Fernandez, Concerned Community Member, Pittsburg Resident, Pittsburg Resident
Maria Rivera-alvarado, Accounting Assistant, Pittsburg Resident
Erick Berrios, UC Berkeley Student, Concerned Community Memeber, Pittsburg Resident
Brandi Jackson, Concerned Community Member, Pittsburg Resident
Patty Guerra, Concerned Community Member, Pittsburg Resident
Cesar Gonzalez, Concerned Community Member, Pittsburg Resident
Jovana Fajardo, Concerned Community Member, Pittsburg Resident
Luis Alberto, Los Medanos College Student, Pittsburg Resident
Alejandro Block, Concerned Community Member, Pittsburg Resident
Patricia Ramirez, School Secretary, Pittsburg Resident
Anjenica Ramos, PHS '17 Class President, Concerned Community Member, Pittsburg Resident
Estefania Rodriguez, Concerned Community Member, Pittsburg Resident
Juan Cervantes Banales, Student, Pittsburg Resident
Juana Isais, PIQE Deputy Director , St. Mary's College Graduate, Pittsburg Resident
Joseph Dallmann, Concerned Community Member, Pittsburg Resident
Fr. Jesus Hernandez, Pastor @ St Peter Martyr Catholic Church, Pittsburg Resident
Nichol, Concerned Community Member, Pittsburg Resident
Antonio Rosales, Saint Mary's College Student, Pittsburg Resident
Iris Lopez, Concerned Community Member, Pittsburg Resident
James Wilson, Concerned Community Member, Pittsburg Resident
Amitai Padilla, PUSD Family Advocate, Pittsburg Resident
Simone Bourgeois, Concerned Community Member, Pittsburg Resident
Noel Kristoffer Gonzales, Safelite Auto Glass Store Manager, Pittsburg Resident
Marissa Ruvalcaba, Concerned Community Member., Pittsburg Resident
Danni Le, PHS Alumni, Puente Project Counselor, Pittsburg Resident
Marco Hernandez, Resident, Pittsburg Resident
Victor Flores, Journeyman Carpenter-The United Brotherhood Of Carpenters And Joiners Of America, Pittsburg Resident
Marveshia Gaines, Residents, Pittsburg Resident
Steven Jaramillo, Concerned Community Member, Pittsburg Resident
Edward Williams, Concerned Community Member, Pittsburg Resident
Rosanna Martinez, Caregiver, Pittsburg Resident
Shanequa, Student, Concerned Community Memeber, Pittsburg Resident
Jessica Nungaray, Concerned Community Member, Pittsburg Resident
Patrick Racela, Concerned Community Member, Pittsburg Resident
Isabel Reveles, MA Stanford Healthcare, Pittsburg Resident
Elsie Arias, Student, Pittsburg Resident

Mia Matute, Concerned Community Member, Pittsburg Resident
Marymar Mejia, Concerned Community Member, Pittsburg Resident
Genaro Mauricio, Student & Concerned Community Member, Pittsburg Resident
Andres Perez, Concerned Community Member, Pittsburg Resident
Jamie Martinez, Concerned Community Member, Pittsburg Resident
Elizabeth Belmonte, Concerned Community Member, Pittsburg Resident
Ruben Esqueda, Yahualica International Member / Federacion Jalisco Int. President, Pittsburg Resident
Elizabeth Isais, Student, Pittsburg Resident
Alejandra Haro, Program Coordinator For A Non-profit, Pittsburg Resident
Ana Zavala, Concerned Community Member, Pittsburg Resident
Laura Vaquerano, Concerned Community Member, Pittsburg Resident
Christyanna Bales, Concerned Citizen Of Pittsburg, Pittsburg Resident
Sylvia Martinez, PHS & Central Jr High Alumni, Concerned Community Member, Pittsburg Resident
Carlos Cruz, Concerned Community Member, Pittsburg Resident
Cristian Vargas, Concerned Community Member, Pittsburg Resident
Dora Alejandra Samaniego, Preocupada Miembro De La Comunidad, Pittsburg Resident
Gabriela Martinez, Concerned Community Member, Pittsburg Resident
George And Lyana Monterrey, Concerned Community Member, Pittsburg Resident
Zoe River, Pcs, Pittsburg Resident
Joyce Beckham, Concerned Citizen Of Pittsburg, Pittsburg Resident
Hailey Sellers-francisco, Concerned Community Member, Pittsburg Resident
Melanie, Concerned Community Member, Pittsburg Resident
Octavio Lopez, Landscaping, Pittsburg Resident
Monique Perry, Concerned Community Member, Pittsburg Resident
Sonya Simpson, Concerned Community Member, Pittsburg Resident
Nicole Garcia, Concerned Community Member, Pittsburg Resident
Debra Hill-crivelli, Concerned Community Member, Pittsburg Resident
Jon Tamayo, Concerned Community Member, Pittsburg Resident
Antonino Solis Jr, General Contractor, Pittsburg Resident
Alexa De La Parra, Concerned Community Member, Pittsburg Resident
Kimberly Nelson, Concerned Community Member, Pittsburg Resident
Sandra Villalobos, Concerned Community Member, Pittsburg Resident
Patricia Valdivia, Housekeeper, Pittsburg Resident
Melissa D Lopez, Concerned Community Member, Pittsburg Resident
Rosalind Brisco, CNA, Pittsburg Resident
A.j. Fardella, Planning Commissioner, Pittsburg Resident
Natalia Sinsel, Concerned Community Member, Pittsburg Resident
Brianna Henry, Resident, Pittsburg Resident
Angel Albor, Master Mechanic Business Owner, Pittsburg Resident
Marilyn Sanchez, Active Community Volunteer, Non-profit Program Coordinator, Pittsburg Resident
Sonja Martin, Concerned Community Member, Pittsburg Resident
Vanessa Lamson, Concerned Community Member, Pittsburg Resident
Tessa Garland, Concerned Community Member, Pittsburg Resident
Mayra Torres, Cma, Pittsburg Resident
Cody Colwell, Concerned Community Member, Pittsburg Resident
Yaritza Hipólito, Concerned Community Member, Pittsburg Resident
Sherry Whaley, Pittsburg, Pittsburg Resident
Alba Gonzalez, Concerned Community Member, Pittsburg Resident
Ritika Chaunkaria, Student, Pittsburg Resident
April Lewis, Operations Supervised, Pittsburg Resident
Ninnette, Contra Costa Community College District Employee, Pittsburg Resident
Laura Velazquez, Concerned Community Member, Pittsburg Resident
Diego Diaz, Concerned Community Member, Pittsburg Resident
Baez Carlos, PROGRAMER, Pittsburg Resident
Eugenia Rodriguez, Concerned Community Member, Pittsburg Resident
Heliodoro Moreno Jr., Immigration Attorney, Pittsburg Resident
Rosemarie Roberts, RN, Pittsburg Resident

Francisco Sanchez, Concerned Community Member, Pittsburg Resident
Blanca Lugo, Medical Assistant, Pittsburg Resident
Jorge Garcia, Student, Pittsburg Resident
Jesus, Concerned Community Member, Pittsburg Resident
Andrea Gomez, Concerned Community Member, Pittsburg Resident
Violeta Gorgonio, Assistant Director, Undergraduate Admissions At UC Berkeley, Pittsburg Resident
Tyrone Bryant Jr, Resident, Pittsburg Resident
Jose R Gutierrez, COO, Pittsburg Resident
Edgar Galvez-leon, Concerned Community Member, Pittsburg Resident
Courtney Drew, Concerned Community Member, Pittsburg Resident
Maria D Cardona, Homemaker, Pittsburg Resident
Lupe Sanchez, Concerned Community Member, Pittsburg Resident
Elba Ramirez, PUSD Teacher, Pittsburg Resident
Anita Marquez, Non-profit Program Director, Pittsburg Resident
Jesus Cano, Freelance Journalist, Pittsburg Resident
Elizabeth Delgado, Master Of Social Work Student, CSU East Bay, Pittsburg Resident
Carmen Gonzalez- (chela), Concerned Community Member., Pittsburg Resident
Victoria Vasquez, Concerned Community Member, Pittsburg Resident
Ivette Guzman, Paralegal, Pittsburg Resident
Sherri Leonard, Retired, Pittsburg Resident
Valerie T Lopez, Business Owner, Pittsburg Resident
Rosario Orta, Formerly-Undocumented Pittsburg Resident, Pittsburg Resident
Marisol Solis, Spanish Interpreter, Pittsburg Resident
Tammy Guzman, Concerned Community Member, Pittsburg Resident
Alonso Rangel, Concerned Community Member, Pittsburg Resident
Antonia Guzman, Concerned Community Member, Pittsburg Resident
Salina Gutierrez, PHS Alumni, Concerned Community Member, Pittsburg Resident
Susanne Cashdollar, ACLU's People Power-East Bay Area, Pittsburg Resident
Christine Mikulice, Concerned Community Member, Pittsburg Resident
Karina Soto, Radiologist Support Assistance, Pittsburg Resident
Rita Elisa Garcia, Concerned Community Member, Pittsburg Resident
Lidia Delta Garcia, Food Clerk, Pittsburg Resident
Maricel Quirindongo-crespo, Concerned Community Member, Former Pittsburg Resident
Errick Earl, Concerned Community Member, Former Pittsburg Resident
Celina Fernandez, UCLA Undergraduate Student, Former Pittsburg Resident
Raquel, Student/Concerned Community Member, Former Pittsburg Resident
Casey Trias, 2nd Lieutenant (United States Army), Former Pittsburg Resident
Marisa Mota, Student, Former Pittsburg Resident
Anthony Johnson, Software Engineer, Former Pittsburg Resident
Manuel Uribe, Concerned Community Member, Former Pittsburg Resident
Daniel, Concerned Community Member, Former Pittsburg Resident
Monica Hernandez, Family Engagement Counselor, Former Pittsburg Resident
Yessenia Barreto, Concerned Community Member, Former Pittsburg Resident
Barbara Wilson, Ph.d, Former Pittsburg Unified Superintendent Of Schools, Former Pittsburg Resident
Ricardo Orellana, Administrative Assistant, Former Pittsburg Resident
Mayra Hernandez, Law Student, Former Pittsburg Resident
Daisy Romero, PUSD Alumni And Concerned Community Member, Former Pittsburg Resident
Azucena Crespo, Concerned Community Member, Former Pittsburg Resident
Norma Anguiano, Concerned Community Member, Former Pittsburg Resident
Martha Mcknelly, Concerned Citizen, Former Pittsburg Resident
Ariel Alvergue, Concerned Community Member, Former Pittsburg Resident
Andrea, Concerned Community Member, Former Pittsburg Resident
Yajaira Martinez, Concerned Community Member, Former Pittsburg Resident
Anita Singh, Computer Applications Technician, Former Pittsburg Resident
Rebecca Martinez, Concerned Community Member, Former Pittsburg Resident
Beija M. Salas, Concerned Community Member, Former Pittsburg Resident
Bill Burns, Senior Designer, Former Pittsburg Resident

Adam Miller, Security, Former Pittsburg Resident
Amber Griego, Concerned Community Member, Former Pittsburg Resident
Sandy Valdivia, Concerned Community Member, Former Pittsburg Resident
Genaro A. Corral, Concerned Community Member, Former Pittsburg Resident
Jorie Green, Concerned Community Member, Former Pittsburg Resident
Thuy Nguyen, Hometown, Former Pittsburg Resident
Ivana Espinosa, Concerned Community Member, Former Pittsburg Resident
Berenice Villarreal, Concerned Community Member, Former Pittsburg Resident
Melissa Mata, Concerned Community Member, Former Pittsburg Resident
Karl Tan, Concerned Community Member And Current UC Santa Barbara Undergraduate Student, Former Pittsburg Resident
Jocelyne Rojas, Concerned Community Member, Former Pittsburg Resident
William Brimmer, Social Worker, Former Pittsburg Resident
Abraham Campos, PHS Alumni, UC Davis Alumni, And Pittsburg Insurance Agent., Former Pittsburg Resident
Nelida Pulido, Concerned Community Member, Former Pittsburg Resident
Juan Campos, Concerned Community Member., Former Pittsburg Resident
Maria Olmos, Dental Treatment Coordinator, Former Pittsburg Resident
Angelica Diaz, Concerned Community Member, Former Pittsburg Resident
Evelyn Gomez, IT Analyst/ Concerned Community Member, Former Pittsburg Resident
Ashley Mccullough, Concerned Community Member, Former Pittsburg Resident
Susana Ibañez, Concerned Community Member, Former Pittsburg Resident
Scarlett Leiva, Attorney, Former Pittsburg Resident
Susie Somarriba, Full Time Student, Former Pittsburg Resident
Samad Khamseh, Public Program Field Technical Specialist, Former Pittsburg Resident
Robert Potter, Assist Manager, Former Pittsburg Resident
Kacey Bullock, Academic Librarian, Former Pittsburg Resident
Jessylyn, Concerned Community Member, Former Pittsburg Resident
Angelina Contreras, Concerned Community Member, Former Pittsburg Resident
Yesenia Valdivia, Concerned Community Member, Former Pittsburg Resident
Sonam Kumari, Concerned Community Member, Former Pittsburg Resident
Kimberlie Arce, Concerned Community Member, Former Pittsburg Resident
Thelma Porras, Dental Hygienist, Former Pittsburg Resident
Carma Morales, Concerned Community Member, Former Pittsburg Resident
Erika Amaya Kuempel, Concerned Community Member, Former Pittsburg Resident
Luis, Concerned Community Member, Former Pittsburg Resident
Yvonne Hernandez, Concerned Community Member, Former Pittsburg Resident
James Gonzalez, Educator, Former Pittsburg Resident
Albino Ledesma, DELTA REALTY BROKER, Former Pittsburg Resident
Ricardo Lugo, Pool Tech, Former Pittsburg Resident
Jose Alvarez, Educator, Former Pittsburg Resident
Maria Ines Davalos Vazquez, House Clean, Former Pittsburg Resident
Rosa Munoz Ortiz, Paralegal, Former Pittsburg Resident
Jennifer Plehall, Concerned Community Member, Former Pittsburg Resident
Ramona Anderson, City Of Pittsburg Public Works Supervisor, Former Pittsburg Resident
Regina Quesada, Concerned Community Member, Former Pittsburg Resident
Selena Rosalez, Concerned Community Member. PHS Alumni, Former Pittsburg Resident
Miguel Mauricio, Community Member, Former Pittsburg Resident
Irma, Office Manager, Former Pittsburg Resident
Concepcion James, United Latino Voices Of Contra Costa, Former Pittsburg Resident
Maria Iniguez, Concerned Community Member, Former Pittsburg Resident
Sofia Arias, SFSU Student, Former Pittsburg Resident
Shawn Kumagai, Concerned Community Member, Dublin Resident
Ryan Giordano, UC Berkeley PhD Student, Berkeley Resident
Jessica Del Castillo, Global Citizen, Berkeley Resident
Ady Olvera, Non-profit / Development, Concord Resident
Alex Guerra, Concerned Community Member, Davis Resident
Aries Zuniga, Concerned Community Member, Houston Resident
Kim Hundley, Concerned Community Member, Concord Resident

Lindsay Mccarrick, Doctor, Alamo Resident
Lucas, Substitutue Teacher MDUSD, Walnut Creek Resident
Daniel Roemer, Concerned County Resident, Walnut Creek Resident
David Osorio, Student, San Francisco Resident
Nithin Iyengar, Former Teacher At Pittsburg Senior High School, Walnut Creek Resident
Steven Freemire, Concerned Community Member, Walnut Creek Resident
Marian Easthope, Teacher, Walnut Creek Resident
Julie Davis, Concerned Community Member, Walnut Creek Resident
Katherine Parker, Teacher, Oakland Resident
Faith Nolan, Business Professional, Walnut Creek Resident
Martha Schraer, Concerned Community Member, Lafayette Resident
Catherine Freemire, Concerned Community Member, Walnut Creek Resident
Mayeli Soto, Student, Berkeley Resident
Deisy Amezcua, Concerned Community Member, Berkeley Resident
Vivienne Hing, Concerned Community Member, Lafayette Resident
Marcos Rios Jr, Active Community Volunteer, Concord Resident
Mimi Gay Reggiardo, Concerned Community Member, Concord Resident
Miguel Garcia, Teacher, Community Activist, Stockton Resident
Virginia Wheaton, Concerned Contra Costa County Resident, Walnut Creek Resident
Brooke Giordano, Trainee Manager For Lincoln In Pitt, Concord Resident
Edin Cantarero, Concerned Community Member, Antioch Resident
Michael Daveiga, Veteran And Concerned Citizen, Concord Resident
Gerardo Rivera, Owner Of La Piñata Restaurant Of Pittsburg, San Leandro Resident
Samara Means, Airman First Class US Air Force Reserve, Student, Modesto Resident
Bryan O. Rojas-araúz, Counseling Psychology Doctoral Student, Concord Resident
Luis Rivera, Concerned Community Member, Antioch Resident
Jennifer Solis, Concerned Community Member, San Jose Resident
Ania Omski, Concerned Community Member, Walnut Creek Resident
Jorge Morales, Labor, Bay Point Resident
Judy A. Martinez, Concerned Community Member, Richmond Resident
Kathleen Greene, Resident Of Soon-to-be Sanctuary City Martinez, Martinez Resident
Cynthia Zaragoza, Concerned Community Member, Davis Resident
Karen Rojas, Concerned Community Member, Redwood City Resident
Joe Summers, Contra Costa AFL-CIO Labor Council, Fairfield Resident
Harry Miller, Concerned Community Member, Walnut Creek Resident
Alysia Gadde, Educator, Martinez Resident
Andy Nguyen, PUSD Teacher, Benicia Resident
Tiffany Dailey, Concerned Community Member, Oakley Resident
Kimberly Martinez, Concerned Community Member, Berkeley Resident
Shannelle Bellinger, Concerned Community Member, Oakland Resident
Yolanda, Occupation, Oakland Resident
Veronica Padilla, HVAC Technition, Clayton Resident
Gabriella Alvarez, Concerned Community Member, Concord Resident
Rodrigo Torres, Concerned Citizen, Crockett Resident
Mog, Concerned Community Member, Los Angeles Resident
Erin Heisey, Concerned Community Member, Lancaster Resident
Mackenzie Caise, Concerned Community Member, Fort Worth Resident
Yassmine Echchahid, Concerned Community Member, New York City Resident
Aasha, Concerned Community Member, London Resident
Beatriz, Concerned Community Member, Lisboa Resident
Ana Martinez, Concerned Community Member, Fort Lauderdale Resident
Monica De La Rosa, Mall Maintenance, Milwaukee Resident
Marie Habsburg-Iothringen, Concerned Community Member, Lyons Co Resident
Clara María De Fátima Conti, Concerned Community Member, Tucuman Resident
Odalys, Concerned Community Member, Villegas Resident
Diana, Concerned Community Member, New York Resident
Samantha Stephens, Concerned Community Member, Wellington Resident

Faizal, Perplexed Community Member., KI Resident
 Jay Walz, Concerned Community Member, Kalamazoo Resident
 Marissa, Student, Firestone Resident
 Dylan Mondschein, Concerned Community Member, Summit Nj Resident
 Janet Cohen, Concerned Community Member, Walnut Creek Resident
 Julia Galvez, Concerned Community Member, Bay Point Resident
 Sheila Hill, Teacher, Parent, Concerned Human, Concord Resident
 Ken Richard, Advertising Executive, Walnut Creek Resident
 Albert Ponce, Assistant Professor Of Political Science, Martinez Resident
 Ruben Rocha, OFA Fellow And ULV Member, Antioch Resident
 Lisa Burge, Concerned ACLU Community Member, Brentwood Resident

* The City of Pittsburg's Continuing Values:

- INTEGRITY To be open and honest, to honor our commitments
- TRUST To conduct all activities in ways which increase confidence in the City's policies and services
- COMMITMENT To sustain a focus on excellence in public service
- RESPECT To be responsive to all the people we work with and serve, to act in a timely and sensitive way
- PRIDE To recognize and celebrate the unique and positive characteristics of Pittsburg
- CONTINUOUS LEARNING To grow in our understanding of the workplace and the community so that we can provide the most responsive and efficient service
- PARTNERSHIP To foster collaboration in meeting community challenges to maximize active citizen participation

References:

- [1] City Mission and Values: <http://www.ci.pittsburg.ca.us/index.aspx?page=374>
 [2] City News: <http://www.ci.pittsburg.ca.us/index.aspx?recordid=531&page=24>

235 Pittsburg Residents
 77 Former Pittsburg Residents
 75 Members of other communities

 387 On Petition

Alice Evenson

From: Arturo Fernandez <arturof@berkeley.edu>
Sent: Monday, March 13, 2017 10:30 AM
To: citycouncil; Joe Sbranti; Jill Hecht
Cc: MIGUEL URIBE MAURICIO; Ivette Guzman
Subject: Federal Funding isn't going anywhere

Hi everyone,

My colleague and an attorney with the East Bay Community Law Center, Prerna Lal, says:

"Nearly 300 law professors conclude Trump's EO on 'Sanctuary' cities is unconstitutional.

To be clear, EO does nothing besides threaten/intimidate. But what [is] unconstitutional is the threat to withdraw funds based on policy. Under the 10th Amendment, the federal government may not 'commandeer' state and local officials by compelling them to enforce federal law. Further, longstanding legal principles dictate that the federal government may not impose conditions on grants to states/local governments unless the conditions are stated in the text of the law so that the States can knowingly decide whether or not to accept those funds."

Read their letter here: [Law Professor Letter to President Trump Regarding Constitutionality of Executive Order on Sanctuary Cities](#).

Some of you have used this talking point in conversations with us after we have repeatedly tried to assure you that the president's tactics are empty an **unconstitutional** threats. Please read the letter. If this talking point is repeated again, it won't be because of lack of knowledge.

Best,
Arturo

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Arturo Fernandez
Ph.D. Statistics Student
B.A. Statistics, B.A. Applied Mathematics '12
University of California, Berkeley

E-mail: arturof@berkeley.edu

Website: www.stat.berkeley.edu/~arturof

Alice Evenson

From: Nascarss1000@aol.com
Sent: Sunday, March 19, 2017 7:00 AM
To: citycouncil
Subject: A FEW PROMOTING RADICAL IDEAS WAKE UP

PITTSBURG CITY COUNCIL TO HERE ARTURO FERNANDEZ ABOUT BECOMING A SANCTUARY CITY.

mr arturo fernandez is proud of being a graduate student of far left UC BERKELEY. the same university that bars any ones free speech. burned berkeley destroyed property beat injured others that wanted to give there views . no free speech in berkeley or uc berkeley . A graduate student does he have a job, or just promoted radical ideas. making pittsburg a sanctuary city will raise the crime rate protecting undocumented . facts washington state is a good resent example a mother of 4 kidnapped by 5 undocumented one deported 4 times and was shot in the back of the head killed for no reason. was reported on the bill Oreily show. . the constitution of the united states does not grant this. If we continue to ignore our constitution and violate the laws that our fore fathers fought for so hard . we will continue to destroy our country and our people for a selfish few. far left liberals. our future will be gaza like in the mid east. sorry i love my countries constitution and laws worked for hundreds of years . i oppose this stupid idea.

a pittsburg california resident 47

years.

Alice Evenson

From: BlazingLight@aol.com
Sent: Sunday, March 19, 2017 7:51 PM
To: citycouncil
Subject: Sanctuary city proposal

To the City Council:

We find it troubling that a small group is attempting to sway the Council to declare our beloved city as a "Sanctuary" city. The federal government can overrule such a move and even get the National Guard to come in and take over the removal and deportation of illegal aliens.

We are a nation of laws and that defines a nation! People who have not gone through the formal process of applying to enter the United States as immigrants are nothing more than INVADERS and they need to be returned to the country of their origin. Now, those who came here as very small children or infants, are in a different category and, for the most part, can stay here.

Most of the people here illegally are from Mexico, a country which has had a lot of economic and political problems. Historically, Mexico has had leaders who mounted revolutions to unseat unpopular leaders. Firebrands like Zapata, Juarez and Villa .. worked tirelessly to improve the lot of their own people. We should encourage for more people of that caliber to come forward and fix their OWN country.

The perpetrator of this insane idea, Arturo Fernandez, is even encouraging Pittsburg High students to sign his petition! High school age students are not adults and are not voters.

We urge you to not to let this happen.

Marc and Lola Saavedra
1281 Ventura
Pittsburg

Alice Evenson

From: Becky Nielson <nielsonbecky@gmail.com>
Sent: Tuesday, March 21, 2017 9:26 AM
To: citycouncil
Subject: Concern about idea of sanctuary city

I am following the story of the petition to have Pittsburg become a sanctuary city.

This concerns me. I have much empathy for those who live here and are not documented - especially those who were brought here as young children. I think we need to explore solutions to these situations, but I feel the solutions should be legal.

I am uncomfortable with the idea of deciding not to follow a law. If we want a law changed, we should seek a legal way to do so. The idea of picking and choosing which laws to follow is a slippery slope, and I do want Pittsburg to go down that path.

Thank you for your time.

Becky Nielson

4294 Ridge Dr.
Pittsburg, CA 94565

Alice Evenson

From: meexchie@gmail.com
Sent: Tuesday, March 21, 2017 9:48 PM
To: citycouncil
Subject: Sanctuary City Resolution

On March 20, 2017 you held a meeting where many community members asked that a Sanctuary City or Safe Haven Policy be constructed for the City of Pittsburgh. As a City of Pittsburgh resident & legal citizen, I vehemently oppose the thought of a sanctuary city and the Pittsburgh Police Chief's comments about not complying with the federal immigration law. It is a disgrace for any elected City Council Member or City Official to adhere to breaking our federal law. This will ONLY encourage persons to come here illegally. The effects of illegal immigration are profound and have a long lasting negative affect on our schools, roads, communities and especially our local jobs. Many legal citizens are unable to obtain decent jobs due to the influx of uncontrolled immigration levels- this has to stop. Though this is a sensitive subject for those in fear, there are many law abiding citizens who do not receive a "pass" when we violate ANY law. Why run the risk of losing federal funding just to appease and support persons who do not respect our immigration laws? How can we mandate that an illegal alien respect or abide by any law?

As a member of the "trump train" I totally support the President's new initiatives to enforce our immigration laws that the former President evaded and disregarded. Luckily, I am in constant communication with members of this new administration as someone who often provides written feedback to its team and the RNC. Additionally, I plan to inform ICE of the blatant disregard of the Pittsburgh Police Chief's comments and the idea that a sanctuary city policy is even being considered. I will be keeping a close and watchful eye out for any City Council Member, or City Council resolution that may support the violation of federal immigration laws, and will not hesitate to encourage our President to withhold federal funding from the City of Pittsburgh. Moreover, ICE is already mandated by this current President to keep a tally of law enforcement agencies who do not comply with the lawful detainer of an illegal immigrant. It shouldn't cost the City of Pittsburgh much -of anything- to detain illegals until ICE arrives.

My recommendation would be to do nothing. Let, the federal government do its job.
Kalila Luja

Sent from [Mail](#) for Windows 10

Alice Evenson

From: Mark Koci <mark.koci@icloud.com>
Sent: Wednesday, March 22, 2017 6:44 PM
To: citycouncil
Subject: Opposition to Sanctuary City

To: The Mayor of Pittsburg and members of the Pittsburg City Council,

I understand that at the most recent meeting of the council (Monday, March 20, 2017) there was a public request for Pittsburg to adopt some form of sanctuary status, as has been undertaken in the city of San Francisco. I as a legal resident and citizen of these United States, residing and paying taxes here in Pittsburg, am strongly opposed to any such undertaking. I recommend that we not ignore the laws of our country or take any actions that would undermine our government. We should not accommodate those individuals that have ignored and broken our laws by migrating and residing here illegally.

I would appreciate the council's consideration of my and other's statements of opposition and take action not to ignore our laws or jeopardize our communities federal funding.

I myself successfully completed the U.S. immigration process for my wife to migrate here from New Zealand and it is not fair or equal for others to be granted temporary residence or to be sheltered from authorities, having not successfully completed the process and being granted legal residency.

Sincerely,
Mark Koci

March 22, 2017

Pittsburg City Council
65 Civic Drive
Pittsburg, CA 94565

Dear Council Members:

I am a concerned citizen and want to address my opposition to the plea of becoming a sanctuary city. For many reasons, I oppose this request. My family immigrated to America in the early 1900's with their sights on Pittsburg as their home. They came with very little, looking for greater opportunities. Their goal was to become Americans, which they did. They followed the process and respected this great country and its laws.

I love my community, I was born and raised here, moved for a few years and came back 2 years ago because of my love for Pittsburg. I have served on local boards, worked in the community and am an active member. There is a rich history in this town. So when I speak, I am not speaking from lack of knowledge. I recall many hardship stories that were shared over the years. It wasn't easy then and it isn't now. But one must do the proper steps to embrace this beautiful Country and City. We have made such progress over the last 10 years, improving this great city in embracing its diversity and heritage. Why would we want to jeopardize our progress? Why would we want to lead the way? We see what is happening in this nation, and we, collectively need to protect ALL citizens.

A blatant disregard for law is unacceptable on any level. If we allow people to disregard one, why won't they disregard them all? I was always taught to be accountable for my actions. If I commit a crime, I will be punished and quite honestly, I expect to be. It is unfair to those legal immigrants that did it right and followed the law and process. To protect criminals is unjust to the greater community. Laws are to protect its citizens. When police of all people are told by political figures to disregard the law, what kind of a message does that send?

Approving this request will:

1. Promote crime and thus jeopardizing our citizens
2. Burden and endanger police and others
3. Breed disrespect for the rule of law
4. Potential loss of income (current and future)

Furthermore, this could put the City at risk of losing commercial businesses (old and new) along with significant tax revenue. It may jeopardize future developments, like the transit community in the next couple of years. As well as the possibility of good people putting their homes up for sale as a result of an approval.

I urge the Council to strongly consider the opposition of this movement. I believe our Council will make the right decision on behalf of ALL of its citizens. And thank you for all that you do for this great city.

Respectfully,


Kelly Lucido-Attebery

Alice Evenson

From: sylviasoliz1 <sylviasoliz1@comcast.net>
Sent: Thursday, March 23, 2017 6:07 PM
To: citycouncil
Subject: Sanctuary status for our city

I'm a lifelong citizen of our city. Born and raised since 1952. I've seen many changes in our city over time. I have many good memories growing up in downtown Pittsburg, living together in a very diverse community. I'm Mexican, my neighbors were white, black, Italian, Chinese, Puerto Rican, German, etc...

I never understood racist attitudes. My high school years started with the race riots brought on by outsiders of our community. My first real rude awakening of how "others" perceived me, non white.

I have had many family members who crossed the border from Mexico out of need for a better life. Although most occurred in the 1920's due to the revolution in Mexico. Severe persecution, famine and poverty brought the majority of my family. I still have family in Mexico and I can tell you first hand, not everyone wants to come to America. They have family, friends and community. It's a huge country full of proud Mexicans.

I found those that have crossed in recent years were in **desperate** need to have change in their life. Desperate! My cousin once told me, when you are poor and you hear of stories of how the streets are paved with gold in America, well, it's no wonder they would like to try at the American dream. Unfortunately for Mexico, there is no chance for a poor person to get to the appropriate office to file for a legal visa. No money, no good info on how to follow through with the visa process, no chance at all. It's no wonder they "crawl" on their bellies to cross the border illegally, under all kinds of threat of life and limb. How many men I've met outside of church asking for money to eat... tired, exhausted, new to America by hours. It was other Mexicans who took pity on these people to help them find a new way. Not all were good to them. Some exploited them by paying dirt cheap daily wage for labor work. Of course I speak about the side of immigration that I'm familiar with.

Despite all this, my feeling is to not make our city a sanctuary city. We should be a **lawful** city. Obedient to the laws of our nation!

Everyone who is here unlawfully knows they have broken the law. They know it. Should we as a city become just like them and act unlawfully? I say no. Please.

I believe we can help the immigrants by offering a system to make their status here legal, provided they have not broken any other laws. But that is for our elected officials to figure out.

Please. Do not cave in to what others believe to be politically correct. We should always be on the side of our nation's laws. Always. This sanctuary status seems to me to be against a president someone doesn't like. A nation divided will fall.

With all sincerity I offer my voice in hope that our City of Pittsburg will stand for **all** our lawful citizens. Please don't bind the hands of our hardworking police officers any more than necessary. They have enough to deal with to keep us **Safe**!

Alice Evenson

From: Wm. Meese <sammymax@pacbell.net>
Sent: Friday, March 24, 2017 9:27 AM
To: citycouncil
Subject: Sanctuary city

Dear council members I was born and raised in Pittsburg, please do not make my hometown of Pittsburg a sanctuary city I lived there a great part of my life and been thinking of moving back there soon but will not if it will be a sanctuary city I come from a very large Italian family from Pittsburg.

Sincerely

Rose Troia Meese

Sent from my iPhone

Alice Evenson

From: normaanguiano61@yahoo.com
Sent: Friday, March 24, 2017 11:28 AM
To: citycouncil

Greetings Pittsburg Sanctuary Organizing Committee,

I am e-mailing you to continue voicing my support for the adoption of a Sanctuary City Policy for the City of Pittsburg. Pittsburg prides itself as the tenth most diverse city in California with immigrants contributing immensely to this diversity. I support a Sanctuary City Policy because I believe that we should embrace this diversity, not shy away from it. I support a Sanctuary City Policy because we need to reassure our undocumented friends and family that the City will do whatever is in their power to prevent families from being separated.

Not implementing this policy harms the immigrant community in Pittsburg and creates distrust between these communities and law enforcement. I support a Sanctuary City Policy because I want Pittsburg to remain a tight-knit community where everyone works together and does not fear our men and women in blue. This policy is essential to the public safety of us all in Pittsburg.

I urge the City of Pittsburg to adopt a Sanctuary City Policy and take this into consideration at the Town Hall meeting on 03/27 and subsequent meetings when the policy comes up for a vote.

Sincerely,

Norma Anguiano: Pittsburg Resident

Alice Evenson

From: Alice Evenson
Sent: Friday, March 24, 2017 1:25 PM
To: Alice Evenson
Subject: FW: Sanctuary City Information

From: "Johnben31@comcast.net" <johnben31@comcast.net>
Date: March 24, 2017 at 12:38:11 PM PDT
To: Ben Johnson <johnben31@comcast.net>
Subject: Sanctuary City Information

Op-Ed Can Trump cut off funds for sanctuary cities? The Constitution says yes.

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President-elect Donald Trump's immigration plan involves deportations that could test cities with friendly policies for undocumented residents.

David Rivkin, Elizabeth Price Foley

Several cities and public universities have vowed to resist President-elect [Donald Trump](#)'s plan to deport undocumented criminals by doubling down on sanctuary policies.

In response, Trump has pledged to curtail federal funding for sanctuary providers.

Activists, predictably, are crying foul, and some legal scholars, such as Harvard's Noah Feldman, have even claimed that such a response would be unconstitutional.

But whatever one thinks about Trump's strategy, it almost certainly would pass muster at the Supreme Court.

Feldman and others point to *New York v. United States* (1992) and *Printz v. United States* (1997), in which the Supreme Court concluded that the federal government cannot conscript state or local officials to carry out federal law.

The federal government must enforce its own laws, using federal personnel.

So when state or local police arrest immigrants who are present in the country illegally, they are under no obligation to deport them, as deportation is the responsibility of the federal government alone.

This “anti-commandeering” doctrine, however, doesn’t protect sanctuary cities or public universities — because it doesn’t apply when Congress merely requests information. For example, in *Reno v. Condon* (2000), the Court unanimously rejected an anti-commandeering challenge to the Driver’s Privacy Protection Act, which required states under certain circumstances to disclose some personal details about license holders.

The court concluded that, because the DPPA requested information and “did not require state officials to assist in the enforcement of federal statutes,” it was consistent with the *New York* and *Printz* cases.

Sanctuary policies create Balkanization on an issue with important foreign policy implications and corresponding potential for diplomatic embarrassment.

It follows that, consistent with the anti-commandeering doctrine, Congress can require state, local or university police to tell federal agents when they arrest an immigrant present in the country illegally.

It’s true that cities such as Los Angeles instruct city employees not to ask about immigration status, but they may still have access to that information.

Under California law, for example, driver’s licenses issued to immigrants in the country illegally contain prominent distinguishing language stating, “federal limits apply.” Indeed, Congress could specify that licenses issued to immigrants in the country illegally must include a

distinguishing feature, or they won't be accepted for federal purposes, such as TSA airport security. Congress already has enacted the Real ID Act, which mandates that driver's licenses display certain details.

A separate constitutional doctrine, the anti-coercion doctrine, likewise won't shield sanctuaries. This doctrine holds that while Congress may impose conditions on receipt of federal funds, it cannot coerce states into accepting those conditions.

In the 1980s, Congress passed a law withholding 5% of highway funds from any state that refused to adopt a minimum drinking age of 21. The Supreme Court, in *South Dakota v. Dole* (1987), upheld it.

Because highway funds are expended — in part — to ensure safe travel, the court reasoned that raising the drinking age was “relevant to the federal interest in the project and the overall objectives thereof.” More significantly, withholding 5% of federal funds wasn't coercive because while it represented a loss of \$615 million dollars, it was only 0.19% of states' total budgets.

By contrast, in *NFIB v. Sebelius* (2012), the Supreme Court found that Congress violated the anti-coercion doctrine. Specifically, in the Affordable Care Act, Congress withheld 100% of states' Medicaid funding if they didn't expand those programs.

A court plurality characterized this as a coercive “gun to the head” because it involved a loss of over \$233 billion dollars — more than 20% of states' budgets.

The *South Dakota* and *NFIB* cases teach that Congress can cut off funds if the conditions imposed are relevant “to the federal interest in the project” and the threatened loss of money doesn't amount to a “gun to the head,” defined by a substantial percentage — approaching approximately 20% — of states' budgets.

Congress certainly could meet these standards. Many federal programs provide billions to universities and state and local law enforcement.

Provided the percentage withheld didn't approach the 20% threshold, it should be constitutional.

As with the highway funds in South Dakota, these programs are designed in part to improve safety of campuses and communities.

This goal would be furthered by withholding funds from cities and universities that provide sanctuary for criminals present in the country illegally.

Such individuals, by definition, not only are unvetted by the federal government, but have committed crimes while here.

Whatever one's view of the best immigration policy, it should be uniform.

Some, [including the Washington Post's editorial board](#), have suggested that Congress should give sanctuary cities flexibility to report only those who've committed the most serious violent offenses.

But precisely which criminals should be subject to deportation requires resolution by Congress, not each city or university.

Sanctuary policies create Balkanization on an issue with important foreign policy implications and corresponding potential for diplomatic embarrassment.

As the Supreme Court affirmed in *Arizona v. United States* (2012), "the removal process is entrusted to the discretion of the Federal Government" because it "touch[es] on foreign relations and must be made with one voice."

The Constitution is clear that power to determine deportation policies belongs to Congress, not states, municipalities or universities.

David Rivkin and Elizabeth Price Foley practice appellate and constitutional law in Washington, D.C.

Rivkin served at the Department of Justice and the White House Counsel's office during the Reagan and George H.W. Bush administrations.

Foley is also a professor of constitutional law at Florida International University College of Law.

Sent from Ben's I Phone

Alice Evenson

From: GAIL PEARSON <gailina@aol.com>
Sent: Friday, March 24, 2017 1:53 PM
To: citycouncil; JoeSbranti@ci.pittsburg.ca.us
Subject: No on Sanctuary City

March 24, 2017

Pittsburg City Council

CC: Joe Sbranti

Re: Sanctuary City

I'm going to get right to the point I'm against the city of Pittsburg becoming a sanctuary city. It promotes lawlessness, places a burden on our police department and is the most divisive issue this city has ever faced. Think long and hard about where you stand.

I'm a life long resident of Pittsburg, born, educated and worked right here. I'm now 72 years old and would like to feel that I can continue to live in this wonderful diverse legal community. Over the years we as a community have faced our diversity and worked out issues in a safe and legal manner. It hasn't been easy but we did it and continue to do it. I give a lot of credit to our police department for keeping us safe and respecting our diversity, but I also give the credit to our residents who also worked hard to help those who have needed an open heart and open arms. So why do we need to pass illegal policies to ensure our hardworking residents are safe? For the most part they are safe. But none of us are completely safe from those who commit crimes. Criminals need to be dealt with an expedient manner. I believe our undocumented immigrants are being sold fear by people whose only mission is to make a political statement. Perhaps it's a reaction to President Trump's strong position on law breaking illegal undocumented immigrants. But it is not directed at undocumented immigrants who work and live in peace in this country.

I know too well that every action causes a reaction. A sanctuary city in Pittsburg will cause a reaction. Compassion for the undocumented immigrants will diminish. Supporting them in their endeavors to find work and housing will wane. Federal money will dry up and that money goes to support issues that benefit ALL of us. Lines will be drawn. There will be no winners. Everyone will lose.

You have a difficult job and I don't envy you. But you are the civic leaders that we look to solve the big issues, this is big. Let's spend our time working on issues that will benefit the entire community and will make a positive difference. A sanctuary city will not do that.

Gail Pearson
Retired Human Resource Manager
4068 Granada Drive.
Pittsburg, Ca.