



City of Emeryville

CALIFORNIA

MEMORANDUM

DATE: January 17, 2017

TO: Mayor Donahue and Members of the City Council

FROM: Vice-Mayor John J. Bauters
Councilmember Ally Medina

SUBJECT: **Resolution Of The City Council Of The City Of Emeryville Declaring The City Of Emeryville A Welcoming City**

RECOMMENDATION

The City Council subcommittee composed of Vice-Mayor Bauters and Councilmember Medina asks the City Council to consider the attached resolution declaring the City of Emeryville a Welcoming City.

BACKGROUND

At the December 6, 2016 meeting, Councilmember Martinez proposed and the City Council agreed to consider a resolution declaring the City of Emeryville a Sanctuary City. The Council expressed an interest to consider the Sanctuary City resolution prior to the inauguration of the incoming federal administration. In addition the City Council expressed an interest in considering additional actions in furtherance of a Sanctuary City policy.

The City Council appointed Councilmembers Bauters and Medina to prepare a resolution declaring the City of Emeryville a Sanctuary City. That resolution is attached to the staff report. In addition, the City Council may consider any further actions to establish the City as a Sanctuary, or Welcome City.

DISCUSSION

The Public Policy Institute of California estimates that as of 2013, more than 2.67 million people of undocumented immigration status called California home – the most of any state in the nation, with an estimated 129,500 of those people living here in Alameda County. One in ten California workers are of undocumented immigration status and are invaluable contributors to the fifth largest economy in the world.

The proposed resolution recognizes and reaffirms that the City of Emeryville is a community that is committed to equality, celebrates diversity, and values the contributions and traditions of all cultures and heritages.

In declaring itself a Welcoming City, the City Council declares:

- City employees will serve all residents, and city services will be accessible to all residents regardless of immigration status;
- The City of Emeryville will not inquire upon a resident's immigration status in either the provision of municipal services or in the course of law enforcement;
- As a Welcoming City, the City of Emeryville will have policies that instruct employees to refuse the application of any request from a state or federal agency that requires the identification of a resident's immigration status, leaving that determination to federal authorities;
- The City of Emeryville shall refuse any requests that are an extension of any federal immigration policy enforcement actions to federal authorities and shall not enter into any agreements to carry out such federal enforcement actions or dedicate any City time or resources to such enforcement, but leave such actions to federal authorities;
- The City of Emeryville strongly condemns any and all statements by other elected officials or members of the public that promote or provoke hate, xenophobia, intolerance or racism against any person or persons on account of their immigration status, ethnicity, nationality or place or origin.

The proposed resolution also pledges the City to further review its policies to ensure that they reflect Emeryville's status as a Welcoming City, including the possibility of revision to other City policies such that they comply with the spirit and intent of this Resolution. Staff will be prepared to discuss further potential impacts of this action at the Council meeting.

FISCAL IMPACT

The incoming administration has indicated it may cut federal funding for sanctuary cities. In FY 15-16, the City expended \$1.37 million in federal grants. See the attached excerpt from the FY 15-16 single audit report for a detailed breakdown. Those grants are one-time funds and not ongoing grants. Any further grant funding would require a new funding request. It is unknown at this time whether the administration will follow through on its promise to cut federal funding for sanctuary cities, and what the scope of that funding restriction would take.

CONCLUSION

The City Council subcommittee asks the City Council to consider the attached resolution declaring the City of Emeryville a Welcoming City.

In addition the Council is asked to consider further actions it wishes to take in furtherance of a Welcoming City policy and to provide direction to staff.

PREPARED BY: Michael Guina, City Attorney

ATTACHMENTS

1. Resolution
2. Excerpt from FY 15-16 audit report