

CITY OF ALAMEDA RESOLUTION NO. _____

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

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 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 offences 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: Nothing in this Resolution shall be construed or implemented to conflict with any obligation imposed by federal law. 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.

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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:

NOES:

ABSENT:

ABSTENTIONS:

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

Janet C. Kern, City Attorney
City of Alameda