RESOLUTION NO. 17-30

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DALY CITY AFFIRMING THE CITY OF DALY CITY'S COMMITMENT TO SUPPORT AND RESPECT THE RIGHTS OF ALL COMMUNITY MEMBERS, IRRESPECTIVE OF ETHNIC OR NATIONAL ORIGIN, GENDER, RACE, RELIGION, SEXUAL ORIENTATION, ECONOMIC OR IMMIGRATION STATUS

WHEREAS, analysis of the U.S. Census Bureau's data performed by the Migration Policy Institute estimates that 57,000 residents of San Mateo County are undocumented; and

WHEREAS, the American Community Survey has established that over 52% of Daly City's residents are foreign born. Of this number, it is estimated that over 21% or approximately 12,000 of those who call Daly City home are undocumented immigrants; and

WHEREAS, approximately 6,000 undocumented children are enrolled in schools throughout San Mateo County, many of whom attend Daly City schools; and

WHEREAS, the City of Daly City seeks to support and enhance the health, safety and well-being of the community by providing access to quality services for all its residents on an equitable basis, irrespective of immigration status; and

WHEREAS, it is the policy of the City of Daly City to respect and support every resident of the community in all matters related to civic life irrespective of ethnic or national origin, race, gender, religion, sexual orientation, economic or immigration status; and

WHEREAS, as a statement of policy the City Council wishes to express its repudiation of bigotry and discrimination in all forms especially as it relates to ethnic or national origin, religion and immigration status as currently being espoused in public forums and discourse; and

WHEREAS, recent immigration-related actions and proposals by the federal government have created concerns and fears among residents of Daly City and San Mateo County regarding personal freedom, civil rights, treatment of immigrants and the misapplication of laws intended to protect residents of the United States; and

WHEREAS, Daly City is a community proud of its history and heritage of immigration which has led to it being one of the most culturally and racially diverse cities in the nation; and

WHEREAS, the City Council is committed to upholding the Constitution and the traditions of law and due process embodied in it which allow all residents to live free of discrimination, persecution, harassment and assault; and

WHEREAS, in order for the City of Daly City to effectively deliver essential services that promote a safe quality of life, it must be made clear and communicated openly to residents that it is the City's policy position that enforcement of federal immigration law is the sole

responsibility of federal authorities and that local law enforcement and other resources will not be used to enforce federal immigration laws; and

WHEREAS, Daly City will continue to serve as a model of inclusion and equity for all of its diverse community members including immigrants, refugees and other newcomers who choose to make this city their home.

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City Council of Daly City affirms its commitment to support and respect the diversity reflected in the rich racial, ethnic and cultural make-up of its residents and stands with the Board of Supervisors of San Mateo County in upholding the following principles in furtherance of this Resolution:

1. The City of Daly City, County of San Mateo, recognizes, values, and will continue to protect the rights of all residents, irrespective of their ethnic or national origin, gender, race, religion, sexual orientation, economic or immigration status.

2. Enforcement of federal immigration law is the responsibility of the federal government. Neither the City of Daly City nor any employee of the City shall perform the functions of a federal immigration officer or otherwise engage in the enforcement of federal immigration law, whether pursuant to Title 8 of the United States Code, section 1357(g), or on the basis of any other law, regulation or policy.

3. With respect to law enforcement activities, neither the City of Daly City nor any employee of the City shall inquire about the immigration status of an individual, including but not limited to a crime victim, witness, or a person who calls or approaches law enforcement personnel seeking assistance, unless necessary to investigate criminal activity by such an individual.

4. The City of Daly City recognizes the importance of public safety for its residents, and to that end, City employees, including law enforcement officers, will provide appropriate cooperation with Federal immigration agencies in matters involving felony criminal activity and the protection of public safety.

5. It must remain a clear statement of City policy that residents of Daly City can access the full range of services to which they are entitled, including safety net services and law enforcement protection, without fear that the City will use information solicited in such encounters to support immigration enforcement activities. The City of Daly City will only collect information from individuals regarding citizenship or immigration status to the extent necessary to perform City business activities or as otherwise required by law. It shall be the policy of the City of Daly City to prohibit the use or disclosure of such information in any manner that violates federal, state or local laws.

6. No City resources will be expended to develop or to assist any other public agency in developing or implementing a program to establish a registry or database of personal information related to individual residents on the basis of race, gender, sexual orientation, religion ethnicity, national origin, or immigration status.

7. The City of Daly City and the City Council will, to the fullest extent possible under the law, oppose all attempts to undermine the safety, security, and rights of residents and the City Manager of Daly City is hereby directed to work with staff to develop and provide for Council consideration and approval, as necessary, appropriate steps to implement the intent of this resolution.

8. Nothing in this Resolution shall be construed or implemented in such a manner as to conflict with any obligation imposed by federal law or the conditions of any federal funding.

9. The City Manager shall work with staff to monitor all efforts by the federal government to rescind, withhold or withdraw federal funding as a result of the measures set forth in this Resolution or other similar actions.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the City Council of Daly City, California, at a regular meeting thereof held on the 27th day of February, 2017, by the following vote of the members thereof:

AYES, and in favor thereof, Councilmembers: Buenaventura, Christensen, Guingona Manalo, Sylvester

NOES, Councilmembers: None

ABSENT, Councilmembers: None

K. Annette Hipona
CITY CLERK OF THE CITY OF DALY CITY

APPROVED:

GLENN R. SYLVESTER
MAYOR OF THE CITY OF DALY CITY