

RESOLUTION NO. 5278

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOLEDAD
DECLARING THE CITY OF SOLEDAD AS A SANCTUARY CITY FOR ALL
RESIDENTS, REGARDLESS OF IMMIGRATION STATUS**

WHEREAS, the City of Soledad has historically welcomed individuals of all racial, ethnic, religious and national backgrounds, including a large immigrant population, and has greatly benefitted from the contributions of its rich and diverse residential base; and

WHEREAS, Soledad's immigrant population has and will continue to contribute to the City's economic and social prosperity by maintaining its role as a significant part of the City's work force, by establishing and patronizing local businesses, by contributing to arts and culture, and through the achievement of significant educational accomplishments, and

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

WHEREAS, many citizens, including residents of the City of Soledad, have expressed concern with regard to recent immigration-based federal policies and actions, and are fearful that said policies and actions will have a significant adverse impact on the existing relationship of cooperation and trust between the City and its immigrant population that will ultimately result in irreparable harm to local city operations and the well-being of the City's residents; and

WHEREAS, the City of Soledad desires to address the concerns and fears of its residents in relation to 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 in ways that are detrimental to the health and safety of its residents; and

WHEREAS, many cities and towns throughout the United States have been designated "Sanctuary Cities" through the adoption of resolutions, ordinances, policies and practices that demonstrate their commitment to equal, respectful and dignified treatment of all people, regardless of their immigration status; and

WHEREAS, in light of the foregoing, the City Council of the City of Soledad desires to memorialize and clearly articulate its commitment to the equal, respectful and dignified treatment of its citizenry by unequivocally stating that it will provide a sanctuary to all residents who are fearful of recent federal policy and action pertaining to immigration status by assuring them that the City will not expend funds nor use its resources to administer federal immigration law, which should remain under the exclusive authority of the federal government, unless legally required to do so.

NOW THEREFORE, BE IT HERBY RESOLVED by the City Council of the City of Soledad as follows:

1. The City of Soledad hereby declares itself as a place of sanctuary in that no City resources may be used to assist in the enforcement of federal immigration law or to gather or disseminate information regarding the immigration status of individuals or any other such personal information unless and until such assistance is required by federal or state statute, regulation, or court decision. This prohibition includes, but is not limited to, the use of City resources or personnel, including the City's law enforcement officers, to investigate, question, detain, apprehend, or otherwise participate in such authorities, and/or register persons based solely on a civil violation of federal immigration law. Said prohibition will not, however, forbid City cooperation with federal immigration agencies in matters that involve criminal activity and the protection of public safety or in instances in which the individual to whom requested information pertains provides his or her consent.
2. City of Soledad officials, including its law enforcement officers, will refrain from taking direct action against any individual based solely on his/her actual or perceived immigration status, nor will any individual be held in local custody for a civil immigration hold unless the individual has been convicted or charged with felony offenses, or is a sex or arson registrant. All holds will comply with the provisions of the Truth Act (AB 2792). The Council encourages the Soledad Police Chief and Police Department to continue their ongoing efforts to build and maintain trust with all communities served by the Department.
3. The City Council directs all City departments to review their confidentiality policies in order to ensure that eligible individuals are not deterred from seeking or engaging with City services as a result of their immigration status.
4. City of Soledad officials will not use any public resources or follow any federal program requiring the registration of individuals on the basis of religious affiliation, race, national or ethnic origin, gender, gender identity or sexual orientation.
5. Nothing in this Resolution should be construed or implemented to conflict with any obligation legally imposed by court order or federal law. The City Manager will provide the City Council with notice when the federal government requests or mandates the use of City resources to enforce federal immigration laws. City Staff will also continue to 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 will take action necessary to protect such funding.
6. The Soledad City Council commends the work of local institutions and individuals who join in building a climate of trust and support for our immigrant community.
7. This Resolution is not intended to create or form the basis of liability on the part of the City, its agencies, departments, officers, employees, or agents. It is also not intended to

create any new rights for breach of which the City is liable for money or any other damages to any person who claims that such breach proximately caused injury.

PASSED AND ADOPTED by the City Council of the City of Soledad at a special meeting duly held on the 21st day of March, 2017, by the following vote:

AYES, and in favor thereof, Councilmembers: Mayor Pro Tem A. Chevez, C. Stewart, A. Velazquez, C. Bourke, Mayor F. Ledesma

NOES, Councilmembers: None

ABSTAIN, Councilmembers: None

ABSENT, Councilmembers: None



FRÉD J. LEDESMA, MAYOR

Attest:



MICHAEL McHATTEN, CITY CLERK