

RESOLUTION NO. 2017-19

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY PROCLAIMING SANCTUARY CITY STATUS

WHEREAS, the City of Cathedral City has long embraced and welcomed individuals of diverse racial, ethnic, religious, and national backgrounds, including a large immigrant population; and

WHEREAS, the City of Cathedral City respects, upholds, and values equal treatment for all of its residents, regardless of immigration status; 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 Cathedral City 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 ensure public safety and due process for all; and

WHEREAS, the City of Cathedral City will not utilize local funds and resources to enforce federal immigration laws, and has reaffirmed the Cathedral City Police Department policy on immigration violations; and

WHEREAS, the Cathedral City Police Department is committed to protect individuals from persecution within the city limits based solely on immigration status; and

WHEREAS, in recognition of the City's continued commitment to the equal, respectful, and dignified treatment of all people regardless of sex, gender, gender identity, gender expression, marital status, domestic partnership status, sexual orientation, race, color, religion, ancestry, national origin, or disability, the City Council, desires to adopt this Resolution declaring the City of Cathedral City a sanctuary city for all its residents, regardless of their immigration status; and

WHEREAS, the City of Cathedral City objects to the enforcement of Executive Order Number 13768 on the basis of ensuring the public health, safety, and welfare of all Cathedral City residents, including undocumented immigrants; and

WHEREAS, on April 25, 2017, the United States District Court for the Northern District of California granted the County of Santa Clara and City and County of San Francisco's motions to prevent the enforcement of Section 9(a) of Executive Order Number 13768, finding that the section is unconstitutional and cities would suffer irreparable harm from the discontinuation of federal funds based on their sanctuary jurisdiction status; and

WHEREAS, the City Council of the City of Cathedral City believes that the above Executive Order strongly betrays the longstanding principles, values, and traditions of not only the City of Cathedral City but also those of the United States of America.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. As federal immigration laws become more complex, the City Council finds it necessary to clarify the communication between the City and the federal government to prevent the use of local resources for federal immigration enforcement. Accordingly, the purpose of this Resolution is to reaffirm the City's policies and procedures in the enforcement of federal immigration laws.

SECTION 2. A sanctuary city means it is a place where all persons are treated equally, with respect and dignity, regardless of immigration status. This sanctuary city status is designed to promote trust between City employees and City residents ensuring community safety and security.

SECTION 3. Except as otherwise provided or required in this resolution, no City official, employee or agent of the City, while in the course and scope of employment shall use any City funds or resources to enforce federal civil immigration law. City officials, employees and agents may continue to comply with lawfully issued judicial warrants or other subpoenas and cooperate with federal authorities to protect public safety. This collaboration includes, but is not limited to, participation in joint criminal investigations that are permitted under City policy and applicable under federal or state law.

SECTION 4. The regulations set forth in the Cathedral City Police Department Policy Manual, Policy 428 entitled, "Immigration Violations", provide guidelines to members of the Cathedral City Police Department for investigating and enforcing immigration laws. The regulations include, but are not limited to, the following:

1. An officer will require a judicial warrant prior to detaining an individual solely on the basis of alleged violations of the civil provisions of federal immigration law.
2. Arresting, detaining, or continuing to detain a person solely on the belief that a person is not lawfully present in the United States is prohibited.

SECTION 5. Nothing in this Resolution restricts any City official, employee or agent of the City from sending to and/or receiving information from federal immigration authorities regarding a person's citizenship or immigration status pursuant to Sections 1373 and 1644 of Title 8 of the United States Code. Nothing in this Resolution shall be construed to apply to matters other than those relating to federal civil immigration and none of its terms shall be interpreted to prevent or prohibit City officials, employees or agents from enforcing criminal laws.

SECTION 6. The regulations set forth in Policy 428 will not apply where confidential information is required to provide a resident with City services and the necessary consent is given by the resident.

SECTION 7. It is the public policy of this City to encourage cooperation with the criminal justice system and not to penalize persons for being victims, undocumented immigrants, or witnesses who can give evidence in a criminal investigation.

SECTION 8. The City of Cathedral City hereby objects to Executive Order Number 13768 on the basis that it is contrary to the values of openness and inclusion of the City of Cathedral City and to the ideals upon which the United States of America was founded as a population of persons that at one time were all immigrants or refugees from some other country.

SECTION 9. The City of Cathedral City implores the repeal of Executive Order Number 13768 on the basis that it is contrary to traditional American values of acceptance, inclusion, and the idea of the American Dream.

SECTION 10. This Resolution shall take effect immediately upon its adoption by the City Council, and the Clerk of the Council shall attest to and certify the vote adopting this Resolution. This Resolution will also be made available in Spanish to ensure trust and respect between all Cathedral City residents and City personnel.

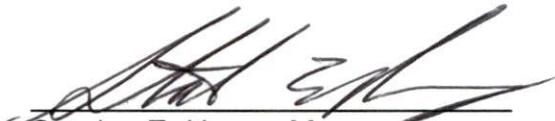
PASSED, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Cathedral City held on this 24th day of May, 2017, by the following vote:

Ayes: Councilmembers Aguilar and Kaplan; Mayor PRO Tem Pettis

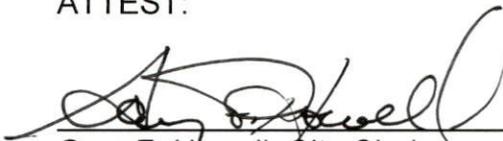
Noes: Councilmember Carnevale and Mayor Henry

Absent: None

Abstain: None


Stanley E. Henry, Mayor

ATTEST:


Gary F. Howell, City Clerk

APPROVED AS TO FORM:


Eric S. Vail, City Attorney