

REPORT TO THE CITY COUNCIL

City of Salinas, California

DATE: February 7, 2017

FROM: Christopher A. Callihan, City Attorney

SUBJECT: **RESOLUTION REGARDING COMPREHENSIVE IMMIGRATION REFORM**

RECOMMENDATION:

It is recommended that the City Council consider a Resolution affirming the City of Salinas's position in support of comprehensive immigration reform.

DISCUSSION:

At the January 10, 2017 City Council meeting, Council member Davis requested, with the support of Council member Barrera, the preparation for the full City Council's consideration a Resolution regarding the City's position on immigration.

The Salinas City Council has twice previously taken a position on immigration and immigration reform legislation. The first was on April 11, 2006 when the Salinas City Council considered and approved a Resolution opposing House Resolution 4437 (an act to amend the Immigration and Nationality Act) which designated unlawful presence in the United States as a criminal, rather than a civil, offense and generally increased penalties for a variety of immigration-related crimes. (Copies of the April 11, 2016 Staff Report, Resolution No. 18962, and associated materials are attached for reference.) The second was on April 9, 2013, when the Salinas City Council considered and approved a Resolution supporting comprehensive immigration reform and urging action from the 113th United States Congress. (A copy of the April 9, 2013 Staff Report, Resolution No. 20360, and associated materials are attached for reference.)

The proposed Resolution is consistent with the City's prior two actions and would affirm the City's position on immigration and immigration reform: Salinas, the Salinas Valley, and the United States as a whole have prospered because of the contributions of hard-working immigrants; The current immigration system is dysfunctional, harms our economy, and does not reflect the City of Salinas's values; Immigration is a federal responsibility and a comprehensive approach to solve our broken immigration system would strengthen our City and our nation's economy and frees aspiring citizens to make an even greater contribution to our community.

The proposed Resolution authorizes the Mayor, on behalf of the City of Salinas, to send a letter along with a copy of the Resolution, to Representative Jimmy Panetta to make sure he is aware of the City of Salinas's position on immigration its belief that comprehensive immigration reform is necessary. In a similar action, the County of Monterey recently took action to denounce President Trump's executive actions regarding immigrants.

ISSUE:

Shall the City Council approve a Resolution affirming the City of Salinas's position in support of comprehensive immigration reform?

FISCAL IMPACT:

No impact to the City's General Fund or Measure V or Measure G funds are anticipated with the recommended action.

TIME CONSIDERATIONS:

There are no special time considerations associated with the recommended action.

ALTERNATIVES:

The City Council may choose to not to take action at this time.

CONCLUSION:

Many cities and towns across the United States have taken action to demonstrate their commitment to equal, respectful, and dignified treatment of all people, regardless of their immigration status. If the Salinas City Council approves the proposed Resolution, it would similarly demonstrate its commitment to its residents by unequivocally affirming its support for comprehensive immigration reform. This is consistent with the City's current practices regarding enforcement of federal immigration laws.

Attachments:

Proposed Resolution

April 11, 2006 Staff Report and Attachments

April 9, 2019 Staff Report and Attachments

**A RESOLUTION OF THE CITY OF SALINAS AFFIRMING ITS POSITION IN SUPPORT OF
COMPREHENSIVE FEDERAL IMMIGRATION REFORM**

WHEREAS, it has been and continues to be the policy of the City of Salinas to employ and to treat all persons equally and with dignity and respect, regardless of their race, religion, creed, color, national origin, ancestry, age, sex, sexual orientation, handicapped status, or other status; and

WHEREAS, the City of Salinas has a long-standing and rich culture of diversity, migration, and immigration; and

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

WHEREAS, the City of Salinas welcomes, honors, and respects the contributions of all of its residents, regardless of their immigration status; and

WHEREAS, Salinas's immigrant families contribute to the economic and social fabric of the City by establishing and patronizing businesses, contributing to the arts and culture, and achieving other accomplishments which benefit not only themselves and their families, but the entire community; and

WHEREAS, in 2012 the United States Conference of Mayors approved a resolution related to comprehensive immigration reform and in doing so noted the following:

1. Immigrants are the overwhelming majority of workers in the agriculture sector, harvesting food that Americans eat;
2. Studies have shown that immigrants are nearly 30 percent more likely to start a business than non-immigrants;
3. The Small Business Administration has estimated that immigrant business owners generate \$67 billion in U.S. business income.

WHEREAS, on April 11, 2006, the Salinas City Council approved Resolution No. 18962 opposing House Resolution 4437 regarding proposed immigration reform legislation which would have, for the first time, designated unlawful presence in the United States as a criminal, rather than a civil, offense and generally increased penalties for a variety of immigration-related crimes; and

WHEREAS, on April 9, 2013, the Salinas City Council approved Resolution No. 20360 in support of comprehensive immigration reform and urging action from the 113th United States Congress; and

WHEREAS, agriculture remains Monterey County's largest sector in terms of economic output and the single biggest employer; Monterey County Agriculture contributes a total of \$8.1 billion to the local economy ("Economic Contributions of Monterey County Agriculture", Monterey County Agricultural Commissioner, Published June 2015;

<http://montereycfb.com/uploads/Monterey%20County%20Economic%20Contributions%20of%20Ag%202015.pdf>)

WHEREAS, it has been reported that “California’s \$43.5 billion-a-year farm industry depends on a shadow workforce of undocumented Mexican immigrants” and that “[i]n Salinas...thousands of undocumented immigrants work 10-hour days, six days a week, picking fruits and vegetables by hand because machines would damage the delicate crops” (“California’s \$43 Billion Farms See Labor in Immigrant Fix”; <https://www.bloomberg.com/news/articles/2013-08-14/california-s-43-billion-farms-see-labor-in-immigrant-fix>; 2017 Bloomberg LP); and

WHEREAS, the Salinas City Council is greatly concerned about public safety in Salinas and the mission of the Salinas Police Department is to protect the safety of the public against crimes committed by persons who are native born or immigrants; and

WHEREAS, the City of Salinas wishes to foster an environment of trust and cooperation with its immigrant communities and wishes to encourage immigrants to report crime and communicate with the Salinas Police without fear of being arrested or reported to federal law enforcement agencies; and

WHEREAS, the Salinas City Council desires to ensure that its immigrant residents participate in civic life and daily activities without fear of being arrested or reported to federal law enforcement agencies; and

WHEREAS, comprehensive immigration reform must move beyond the costly, enforcement-only policies that foster mistrust among immigrant communities and does not resolve the root cause of the issue; and

WHEREAS, the City of Salinas desires to affirm its commitment to its residents and to all people regardless of their immigration status.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF SALINAS AS FOLLOWS:

1. The City of Salinas urges the United States Congress to enact comprehensive immigration reform that includes a plan for providing a clear, fair, and affordable path to citizenship for undocumented immigrants who are currently residing in the United States.

2. The Mayor of Salinas is hereby authorized, for and on behalf of the City of Salinas, to send a copy of this Resolution to United States Representative Jimmy Panetta and the other members of the California Congressional Delegation.

PASSED AND APPROVED this 7th day of February 2017, by the following vote:

AYES:

NOES:

ABSENT:

APPROVED:

Joe Gunter, Mayor

ATTEST:

Patricia M. Barajas, City Clerk