



## CITY OF SAN CARLOS

AGENDA CATEGORY: \_\_\_\_\_

BUSINESS SESSION: \_\_\_\_\_

CONSENT CALENDAR: \_\_\_\_\_

PUBLIC HEARING: \_\_\_\_\_

STUDY SESSION: \_\_\_\_\_

**COUNCIL MEETING DATE: March 13, 2017**

**ITEM TITLE: Consideration of Adopting a Resolution Re-affirming San Carlos' Commitment to a Diverse, Supportive, Inclusive and Protective Community and Declaring San Carlos a "Welcoming City".**

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### RECOMMENDATION:

It is recommended that the City Council adopt a resolution re-affirming San Carlos' commitment to a diverse, supportive, inclusive and protective community and declaring San Carlos a "Welcoming City".

### FISCAL IMPLICATIONS:

There are no fiscal implications associated with this action.

### BACKGROUND:

San Carlos has always been a welcoming, supportive and inclusive community and our City Council has consistently set policies to ensure that continues. In the recently adopted Strategic Plan, City Council included as one of its core values the following: "the City of San Carlos values a safe, diverse and welcoming community." By making this statement, the Council declared that the City values all of its residents and business people regardless of race, ethnicity, religion, national origin, political affiliation, disability, sexual orientation, or gender identity.

The City's ability to remain such a welcoming community is growing increasingly more important given recent events affecting the immigrant community in the United States. Many immigrants now greatly fear the prospect of deportation for themselves and/or their loved ones and it is important that the City empathize with those affected. Empathy has been defined as "the power of understanding and imaginatively entering into another person's feelings." For those not faced with the immediate prospect of deportation, this may be a challenge, but it is very important.

San Carlos has a thriving immigrant community. Immigrant residents and business people alike bring the culture of their homelands to our entire community, enriching everyone around them. According to the US Census Bureau, San Carlos has 5,616 residents who are foreign born and 3,447 of those have become naturalized US citizens. In addition, many businesses owners and workers in San Carlos are immigrants as well.

In recent months, the topic of immigration has been at the forefront of political discourse in this country. While this may be an academic and political exercise for some, it has been much more than that for people who came to the United States from other countries hoping to build a new life. To them, this debate, and the potential policy changes at the federal level, can have profound and life altering consequences.

For any human being, the concept of being unwanted, unwelcomed, or the subject of such significant discord is deeply troubling at an emotional level. But, for immigrants to the United States, it is much worse than that. Many immigrants have established roots in their communities, made lasting friendships, and started families. Yet they now face the prospect of being deported by the government of a country they now call home. To them, this feels like the ultimate rejection because it is much more than personal; it ends their hopes and dreams. Even if one were to believe that the vast majority of undocumented persons were not going to be deported, one would also have to understand that every undocumented person is now living with that fear much more than ever before. As hard as this can be on adults, it is even more difficult on the children.

Children who are born to undocumented immigrants in the United States are citizens, but their parents are not. These children are very aware of the new tensions and fears in the home and may be too young to process it. They wonder if their parents will be taken and what will happen to them. Undoubtedly, difficult conversations are taking place in the homes of immigrant families and the children in those families are most assuredly having the hardest time.

This issue has had an impact on American citizens as well; many of whom have established strong, personal relationships with those fearing deportation. Many immigrant families are woven into the fabric of the community in which they live. They attend local schools, participate in youth sports, work in vital jobs and attend local churches. Many Americans fear losing these connections and are troubled by the potential loss of great friends and neighbors.

#### ANALYSIS:

While it may be difficult for the City of San Carlos to impact federal policy, it is important that the City examine our current practices and look to make commitments for the future.

#### **Current Practices**

One of the most commonly asked questions with respect to immigration is to what extent does local law enforcement participate in immigration enforcement. Police services in the City of San Carlos are provided by the San Mateo County Sheriff's Office. The written policy of the Sheriff's Office specifically states, "the Sheriff's Office does not directly investigate or enforce immigration laws." The actual impact of this directive in the field is that deputies do not concern themselves at all with the immigration status of an individual they have contacted. It should be noted that these policies are similar to the policies of the former San Carlos Police Department before contracting with the Sheriff.

#### **Options for Moving Forward**

Realizing that many in the immigrant community are scared and feeling unwelcome in their adopted home, the City has options in which to send a message that they are more than welcome here.

One option for cities in the current climate is to declare themselves to be “Sanctuary Cities.” This has quite a few meanings to quite a few people, but at its core it refers to the level local jails will participate with ICE once a criminal is released from custody. San Carlos, along with every city along the peninsula, does not have a jail and so does not set those types of policies. For that reason, declaring San Carlos a Sanctuary City can be misleading.

The City can consider adopting the attached Resolution to re-affirm the City’s commitment to a diverse, supportive, inclusive and protective community and declaring San Carlos a “Welcoming City”. This type of action is growing increasingly common in local communities as a way to help immigrants feel welcome in a political environment they find unwelcoming and disheartening. The Resolution is designed to give assurances to the public that: the City actively pursues policies that promote trust and goodwill; the City welcomes all peaceful people – regardless of national origin; the City does not participate in the enforcement of immigration laws; and the City believes in an open dialogue with our undocumented neighbors.

ALTERNATIVES:

Options available to the City Council include:

1. Adopt a Resolution Re-affirming San Carlos’ Commitment to a Diverse, Supportive, Inclusive and Protective Community and Declaring San Carlos a “Welcoming City”; or
2. Do not adopt the Resolution; or
3. Provide staff with alternative direction.

Respectfully submitted,

\_\_\_\_\_  
Greg Rothaus, Police Chief

Approved for submission by:

\_\_\_\_\_  
Jeff Maltbie, City Manager

Attachment:

1. Resolution Re-affirming San Carlos’ Commitment to a Diverse, Supportive, Inclusive and Protective Community and Declaring San Carlos a “Welcoming City”

**ATTACHMENT 1**

**RESOLUTION NO. 2017-\_\_\_\_\_**

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN CARLOS  
RE-AFFIRMING SAN CARLOS' COMMITMENT TO A DIVERSE, SUPPORTIVE, INCLUSIVE  
AND PROTECTIVE COMMUNITY AND DECLARING SAN CARLOS A "WELCOMING CITY".**

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**WHEREAS**, in its most recent Strategic Plan, the City Council included as one of its core values the following text: the City of San Carlos values a safe, diverse and welcoming community; and

**WHEREAS**, the City prides itself on being The City of Good Living and all residents can expect the City to strive to maintain this standard; and

**WHEREAS**, since the new Administration took over in January, community members have expressed concern that a recent national rise in hateful rhetoric, racism and bigotry is impacting all communities, including San Carlos; and

**WHEREAS**, many cities throughout the Country are issuing statements of support for all of its citizens, particularly immigrants, LGBT, women, religious groups, members of political groups, disabled persons, and minorities who are feeling threatened by the policies and actions at the national level and in certain states; and

**WHEREAS**, a group of concerned citizens asked the City Council to pass a resolution in support of all peaceful people, which the City Council requested staff to agendize.

**NOW, THEREFORE BE IT RESOLVED** that the City Council of the City of San Carlos hereby joins in solidarity with other likeminded communities across the United States and around the world in supporting, accepting, declaring integral to the fabric of our community, and welcoming all peaceful people, regardless of race, ethnicity, religion, gender, national origin, disability, political affiliation, sexual orientation, or gender identity.

**RESOLVED** that the City will strive to: promote understanding, dialog and acceptance among all residents; actively denounce any attempt to intimidate, threaten, or otherwise marginalize members of our community based on the classes listed above; and communicate and practice zero tolerance of prejudice, racism, bigotry, hatred, bullying and violence.

**RESOLVED** that the City will actively pursue policies that promote trust, goodwill and cooperation between residents, law enforcement, City staff and officials, and will speak and act with respect for all persons.

**RESOLVED** that the City believes in the nation's founding principle of religious freedom, and that no resident should be subjected to anything that may be defined as a religious test.

**RESOLVED** that the City supports the San Mateo County Sheriff's Office and its Policy on Immigration Enforcement to not directly investigate or enforce immigration laws.

**RESOLVED** that the federal government cannot commandeer the government of the City of San Carlos to do its work.

**RESOLVED** that City resources are limited, and should only be used in service of the goals and values of the City of San Carlos.

**RESOLVED** that the City of San Carlos requests San Mateo County and the San Mateo County Sherriff's Office not communicate and coordinate operations with Immigrations and Customs Enforcement (ICE) except in matters related to criminal conduct.

**RESOLVED** that the City Council of the City of San Carlos hereby directs that no city commission or employee shall use any city funds and/or resources to assist any government agency:

(a) in compelling a resident of San Carlos to identify their religious beliefs, race, nation of descent, documented status, disability, political affiliation, sexual orientation or gender identity for the purpose of providing information to a national registry or database;

(b) in any investigation or with the gathering and dissemination of information regarding the religious beliefs, race, nation of descent, documented status, disability, political affiliation, sexual orientation, or gender identity of any resident in the City of San Carlos, for the purpose of providing information to a national registry or database;

(c) with the detention, relocation, or internment of a resident of the City of San Carlos based solely upon their religious beliefs, race, nation of descent, disability, political affiliation, sexual orientation, gender identity and/or documented status;

(d) absent a court order, with soliciting, collecting or disseminating data that might be made accessible to Immigration and Customs Enforcement, or other federal agencies for the purposes of enforcing immigration/deportation actions.

\* \* \* \* \*

I, Crystal Mui, hereby certify that the foregoing Resolution was duly and regularly passed and adopted by the City Council of the City of San Carlos at a scheduled meeting thereof held on the 13th day of March, 2017 by the following vote:

**AYES, COUNCILMEMBERS:** \_\_\_\_\_

**NOES, COUNCILMEMBERS:** \_\_\_\_\_

**ABSENT, COUNCILMEMBERS:** \_\_\_\_\_

APPROVED:

\_\_\_\_\_  
**CITY CLERK** of the City of San Carlos

\_\_\_\_\_  
**MAYOR** of the City of San Carlos



City Council Meeting March 13, 2017

# DECLARING SAN CARLOS A “WELCOMING CITY”

# Staff Recommendation

That City Council adopt a resolution reaffirming San Carlos' commitment to a diverse, supportive, inclusive and protective community and declaring San Carlos a "Welcoming City"



# Differences Between Sanctuary and Welcoming City

**A Sanctuary City** protects immigrants who are in the U.S. without legal permission. Law enforcement personnel do not apply federal immigration laws with prisoners in their jails.

**A Welcoming City** values all its residents regardless of race, ethnicity, religion, national origin, political affiliation, disability, sexual orientation, or gender identify. A welcoming city does not discriminate in the delivery of its services. It also does not routinely ask about immigration status.



# San Mateo County Enforcement

- § In San Carlos, police services are provided by the San Mateo County Sheriff's Office, who's policy is that staff "does not directly investigate or enforce immigration laws."
- § San Carlos, along with other San Mateo cities, doesn't operate or set policy for the SMC jail.

