



Staff Report

Date: September 26, 2017

To: City Council

From: Valerie J. Barone, City Manager

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Subject: **Considering adoption of Resolution No. 17-73 affirming the City of Concord's commitment to being a welcoming, inclusive, tolerant, and supportive community for all.**

Report in Brief

The City of Concord is committed to ensuring that all people residing, working, visiting, or passing through the City of Concord feel safe, supported, and treated with dignity, equality, and respect. In light of escalating national tensions on community inclusivity, Resolution No. 17-73 affirming the City of Concord's commitment to providing a safe, inclusive and supportive environment to all persons regardless of race, religion, national origin, sexual orientation, gender, disability, immigration status or any other characteristic is provided for Council's consideration.

Recommended Action

Adopt Resolution No. 17-73 affirming the City of Concord's commitment to being a welcoming, inclusive, tolerant, and supportive community for all.

Background

The City of Concord has long embraced the ideals of respect and inclusiveness for all members of the community, which are imbedded in the Mission, Vision and Values adopted by the City Council in 1996. The City's Vision for the future very clearly states that "We will welcome diversity in our community and our work place," that "We will conduct our work in an atmosphere of trust, respect and courtesy with open doors and open communication for our customers and each other," and that in our commitment to service, "We place a high value on building partnerships with members of our community."

Despite the City's long history of embracing the diversity of its residents, the ongoing political dialogue and national attention on immigration has caused fear for many in the community. People must feel comfortable communicating concerns and cooperating with law enforcement to prevent and solve crimes. The City recognizes the importance of developing and maintaining trust with all members of the community as good governance and the betterment of the community can only be accomplished in collaboration and partnership with all residents.

Recently, the Mayor, Chief of Police, and City Manager met with concerned citizens to discuss how to more proactively reassure the community that the City of Concord remains committed to providing equal, fair and respectful service to all members of the community, regardless of their immigration status or any protected characteristic, consistent with the City's Mission, Vision and Values. The discussion led to the development of a draft resolution affirming the City's commitment to being a welcoming, inclusive, just, law abiding and supportive community for all.

Analysis

In light of recent events and discussions with the Mayor, Chief of Police, City Manager, and concerned residents, there is a need to reassure the community that the City will not undertake any activities solely for the purpose of enforcing Federal immigration laws, which is a function of the Federal Government.

- The City does not inquire about immigration status when providing services or in the course of law enforcement activities;
- The Police Department does not arrest or detain any person solely for violations pertaining to immigration status;
- The Police Department does not disclose information stemming from cases of victims of domestic abuse or sexual assault, unless required by law;
- The City does not use the voluntary e-verify system to investigate or determine the work eligibility of applicants for City employment;
- The City does not provide access to federal immigration agents to non-public areas of City property without a warrant;

The resolution reaffirms the Council's commitment to ensuring that municipal activities and services are accomplished with the goal of providing services and support to the entire community, regardless of immigration status, national origin, race, ethnicity, gender, orientation, identification or any characteristic. Furthermore, the City Council and staff are committed to creating, nurturing and supporting a community that embraces diversity, cultural traditions, and differing viewpoints in a respectful, supportive, and safe environment.

Financial Impact

There is no financial impact for adopting Resolution No. 17-73.

Public Contact

The City Council Agenda was posted.

Attachments

1. Resolution No. 17-73

**BEFORE THE CITY COUNCIL OF THE CITY OF CONCORD
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA**

**A Resolution Affirming the City of Concord's
Commitment to being a Welcoming, Inclusive,
Tolerant, and Supportive Community for All**

Resolution No. 17-73

WHEREAS, the City of Concord, embraces its Mission, Vision, and Values, affirming its commitment to partnering with the entire community to make this City one of the highest quality; and

WHEREAS, the City of Concord is committed to serving and protecting everyone who lives, works, and visits Concord with a safe and welcoming community that promotes public safety and the equal protection of Constitutional rights of all people; and

WHEREAS, the City of Concord values the diversity of all who live, work, and visit Concord, including the many contributions made by individual residents, our schools, businesses, faith organizations, non-profit organizations, and civic associations; and

WHEREAS, the City of Concord believes in and is committed to continue to work to build a community that is welcoming, inclusive, just, law abiding, and safe for all individuals regardless of race, religion, sexual orientation, disability status, gender, gender identity, immigration status, ethnic or national origin, physical or mental ability, or any other characteristic protected by State and Federal laws, now or in the future; and

WHEREAS, recently certain events throughout the country have created concern for those who may feel vulnerable potentially including but not limited to foreign-born individuals, those who may be perceived to be immigrants, those of the Muslim or Jewish faith, or of South and Central Asian or Middle-Eastern descent, members of the LGBTQ+ community, and African-Americans, causing them concern and fear for their well-being; and

WHEREAS, members of vulnerable communities are valued residents, workers, or visitors to our community whose contributions are a valued part of the social, cultural, and economic vitality of Concord; and

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1 **WHEREAS**, the City of Concord is committed to upholding the principle that diversity
2 enriches our lives and the entire community for the betterment of all and values the contributions and
3 traditions of all cultures; and

4 **WHEREAS**, the City of Concord strives to continue to foster a relationship with all people
5 based on trust, respect, and open communication, which is essential to the City’s mission of ensuring
6 public safety and due process for all; and

7 **WHEREAS**, the City of Concord strives to deliver efficient and effective public services,
8 promote an inclusive and prosperous economic environment, and create a high quality of life for
9 everyone in our community, enhance its relationship with all members of our community, including
10 immigrants, and encourages cooperation between our community and the City, including law
11 enforcement and all other employees.

12 **NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CONCORD DOES**
13 **RESOLVE AS FOLLOWS:**

14 **Section 1.** The City Council reaffirms its commitment to ensuring that all people residing,
15 working, visiting, or passing through the City of Concord feel safe, and supported and treated with
16 dignity, equality, and respect.

17 **Section 2.** Due to the complexity of Federal immigration laws, the laws of the State of
18 California, the City’ limited resources, the need to promote trust and cooperation with the public, and
19 to attain the City’s objectives, the City Council seeks to clarify, through this resolution, the City’s
20 alignment with state and federal law and the relationship between the City and Federal Government,
21 the City of Concord hereby reaffirms:

- 22 - It is our policy that City services are available to all in the community regardless of race,
23 religion, sexual orientation, gender, gender identity, immigration status, ethnic or national
24 origin, physical or mental ability, or any other characteristic protected by State and Federal
25 laws, now or in the future.
- 26 - It is our policy not to inquire about immigration status or citizenship when providing City
27 services or in the course of law enforcement activities.

- It is our policy not to disclose information stemming from cases involving victims of domestic abuse or sexual assault, unless required by law.
- It is our policy not to request, maintain, or share information regarding the citizenship or immigration status of any person or arrest any person solely for violations pertaining to immigration status or national or ethnic origin.
- It is our policy not to use the voluntary e-verify system to investigate or determine the work eligibility of applicants for City employment.
- It is our policy not to use City resources for Federal immigration enforcement unless required by Federal or State law or judicial decision.
- It is our policy not to allow access to non-public areas of the City to Federal immigration agents solely for immigration purposes without a warrant issued by a Federal court specifying such access.
- It is our policy not to share personal information, such as home or work addresses, with Federal immigration enforcement unless required by Federal or State law or judicial decision or warrant, unless it is in the best interest of public safety.

Section 3. Nothing in this resolution shall be construed or implemented to conflict with maintaining public safety or any valid enforcement duty or obligation including those permitted by court order or applicable law.

Section 4. The City of Concord encourages and promotes public safety and the equal protection of Constitutional rights of all people.

Section 5. The City of Concord believes in and is committed to continue to work to build a community that is welcoming, inclusive, just, law abiding, and safe for all individuals regardless of race, religion, sexual orientation, disability status, gender, gender identity, immigration status, ethnic or national origin, physical or mental ability, or any other characteristic protected by State and Federal laws, now or in the future.

Section 6. The City of Concord is a community that is committed to equality as well as a City which celebrates diversity and tolerance and strives to promote an atmosphere of respect for all, and

1 hereby denounces hate speech and bigotry directed at anyone who resides, visits or works in our
2 community because of their race, religion, sexual orientation, disability status, gender, gender identity,
3 immigration status, ethnic or national origin, or physical or mental ability, or any other characteristic
4 protected by State and Federal laws, now or in the future. .

5 **Section 7.** The City Manager will ensure through City processes that all employees of the
6 organization are made aware of the tenets of this resolution through appropriate applicable employee
7 training and/or communication.

8 **Section 8.** This resolution shall become effective immediately upon its passage and adoption.

9 **PASSED AND ADOPTED** by the City Council of the City of Concord on September 26, 2017, by
10 the following vote:

11 **AYES:** Councilmembers -

12 **NOES:** Councilmembers -

13 **ABSTAIN:** Councilmembers -

14 **ABSENT:** Councilmembers -

15 **I HEREBY CERTIFY** that the foregoing Resolution No. 17-73 was duly and regularly
16 adopted at a regular meeting of the City Council of the City of Concord on September 26, 2017.

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Joelle Fockler, MMC
City Clerk

20 **APPROVED AS TO FORM:**

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Susanne Meyer Brown
23 City Attorney
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