



Meeting Date: 07/27/10

ACTION	TYPE OF ITEM
<input type="checkbox"/> Approved Recommendation	<input checked="" type="checkbox"/> Info/Consent
<input type="checkbox"/> Ord. No(s). _____	<input type="checkbox"/> Report
<input type="checkbox"/> Res. No(s). _____	<input type="checkbox"/> Public Hearing (Info/consent)
<input type="checkbox"/> Other _____	<input checked="" type="checkbox"/> Other <u>Council Business</u>

Prepared By: Martin R. Ericksor *ARE* Agenda Item No. N-1

Reviewed By: City Manager *MMH* City Attorney *SMF* Finance *Jec* Other (Specify) _____

DATE: July 16, 2010

TO: City Council

FROM: Alan Holmberg, City Attorney *Alan Holmberg*
City Attorney's Office

Martin R. Erickson, Legislative Affairs Manager
City Manager's Office *Martin Erickson*

SUBJECT: Resolution concerning Arizona SB 1070 (Support our Law Enforcement and Safe Neighborhoods Act).

RECOMMENDATION

That City Council adopt a resolution concerning Arizona SB 1070 (Support our Law Enforcement and Safe Neighborhoods Act).

DISCUSSION

On April 23, 2010, the State of Arizona enacted Senate bill 1070 (Support our Law Enforcement and Safe Neighborhoods Act), eliciting a nationwide discussion on the issue of immigration. While the law is scheduled to take effect at the end of July, 2010, the U.S. Justice Department has challenged the constitutionality of the law. The Oxnard City Council discussed and deliberated SB 1070 during their July 20 City Council meeting, and directed staff to return with a resolution for their adoption.

FINANCIAL IMPACT

There is no financial impact at this time as this item involves pending legislation in the State of Arizona.

Attachment #1 Draft resolution concerning Arizona SB 1070 (Support our Law Enforcement and Safe Neighborhoods Act).

CITY COUNCIL OF THE CITY OF OXNARD

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF OXNARD
REGARDING NATIONAL IMMIGRATION ISSUES

WHEREAS, the City of Oxnard seeks solutions that embrace fairness, equal treatment and due process, and has historically supported policies that prohibit discrimination based on race, ethnicity, gender, age, religion, sexual orientation, national origin, and disability; and

WHEREAS, the mission of the Oxnard Police Department is to "provide all those who live, work and visit Oxnard with prompt, courteous, and professional service. To reduce crime, disorder and the fear of crime, providing for an enhanced quality of life. To be a partner with the community in addressing neighborhood problems by utilizing a community-oriented policing and problem-solving philosophy that emphasizes community partnerships and diversity with reverence for the law and protecting the rights of all those we encounter"; and

WHEREAS, investigating a person's immigration status and enforcing immigration law is primarily a federal responsibility; and

WHEREAS, the Fourteenth Amendment of the United States Constitution guarantees due process and equal protection for United States citizens, legal residents and visitors, and gives Congress exclusive power over immigration legislation; and

WHEREAS, there is a need for the federal government to reform and enforce the immigration laws of the United States; and

WHEREAS, Oxnard's law enforcement officers inquire about a person's immigration status only when that individual is arrested for, or believed to be engaged in, criminal activity other than a federal immigration violation; and

WHEREAS, the Oxnard Police Department opposes discrimination and racial profiling, and does not rely on race, ethnicity, national origin or language to determine who to investigate; and

WHEREAS, the City Manager will provide updates to the City Council when Police Department guidelines regarding immigration status inquiries change from current policies established by the Police Chief; and

WHEREAS, the City of Oxnard's staff and elected officials are open to discussing important issues such as these with members of the public, recognizing the importance of workable solutions that uphold our nation's values; and

WHEREAS, the Oxnard City Council supports policies and actions that unite our community and not divide it; and

WHEREAS, all Oxnard residents deserve to feel safe and at ease in their community and to be treated with respect, fairness and dignity; and

WHEREAS, on April 23, 2010, the State of Arizona enacted Senate Bill 1070 (Support our Law Enforcement and Safe Neighborhoods Act, hereinafter called: AZ SB 1070) bringing discussion of the immigration issue to the forefront.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Oxnard that the Mayor and Council recognize and value the diversity of our community while ensuring safety and wellbeing of all persons, regardless of immigration status; and that we direct the Oxnard City Clerk to send a copy of this resolution to the following: (a) United States President Barack Obama; (b) California Senators Barbara Boxer and Diane Feinstein; (c) California Representative Bob Filner; (d) the House Judiciary Committee Chair, John Conyers, Jr; House Judiciary Subcommittee on Immigration, Citizenship, Refugees, Border Security and International Law Chair, Zoe Lofgren; Senate Judiciary Chair, Patrick Leahy and Judiciary Subcommittee on Immigration, Refugees and Border Security Chair, Charles E. Schumer.

PASSED AND ADOPTED this 27th day of July, 2010 by the following vote:

AYES:

NOES:

ABSENT:

Dr. Thomas E. Holden, Mayor

ATTEST:

APPROVED AS TO FORM:

Daniel Martinez, City Clerk



Alan Holmberg, City Attorney