

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Resolution No. 2014-____ Immigrants in Artesia

SPONSOR(S): Mayor Gonzales, Councilors Bushee and Lindell

SUMMARY: The resolution:

- declares the City of Santa Fe's continuous support for immigrant issues in Santa Fe, the state of New Mexico and throughout the United States.
- that the Governing Body calls on the federal government to immediately stop the expansion of family detention centers and the prolonged detention and expedited deportation of refugees and immigrants arriving from Central America.
- that the Governing Body calls on the City's Congressional Delegation to support the 3.7 billion dollar request by President Obama to address the urgent humanitarian situation on both sides of the southwest border of the United States which includes support for the immigrant women and children who are currently housed at the Artesia facility.
- that the Governing Body calls on the federal government to close the Artesia detention facility, reverse the "detain and deport" policy, and find cost-effective and humane alternatives to detention for the women and children incarcerated there.
- that the City Clerk is directed to forward a copy of this resolution to the City of Santa Fe's Congressional Delegation.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: No

DATE: September 24, 2014

ATTACHMENTS: Resolution
FIR

1 **CITY OF SANTA FE, NEW MEXICO**

2 **RESOLUTION No 2014-___**

3 **INTRODUCED BY:**

4
5 Mayor Javier Gonzales

6 Councilor Patti Bushee

7 Councilor Signe Lindell

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10 **A RESOLUTION**

11 **DECLARING THE CITY OF SANTA FE'S CONTINUOUS SUPPORT FOR IMMIGRANT**
12 **ISSUES IN SANTA FE, THE STATE OF NEW MEXICO AND THROUGHOUT THE**
13 **UNITED STATES.**

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15 **WHEREAS**, over the past 400 years, Santa Fe has been a home for many immigrants who
16 came to this continent seeking a better way of life; and

17 **WHEREAS**, the City of Santa Fe is a welcoming city with a sizeable Central-American
18 immigrant population and a history of providing sanctuary for immigrants; and

19 **WHEREAS**, through the adoption of Resolution No. 1985-129, the then Governing Body
20 declared that Santa Fe is a city of refuge for refugees from El Salvador and Guatemala; and

21 **WHEREAS**, through the adoption of Resolution No. 1999-6, the then Governing Body
22 declared a policy of non-discrimination on the basis of a person's national origin and declared that the
23 City of Santa Fe will be a community where all persons will be treated equally, with respect and
24 dignity, regardless of immigration status; and

25 **WHEREAS**, since 2012, an increasing number of unaccompanied immigrant minors have

1 been making the long, arduous journey to the United States; and

2 **WHEREAS**, in recent months, there has been an influx of immigrant women and children
3 from El Salvador, Guatemala and Honduras who are housed at a U. S. Facility in Artesia, New
4 Mexico; and

5 **WHEREAS**, first-hand accounts by attorneys and human rights advocates at the Artesia
6 makeshift detention center reveal substandard conditions for women and children, inadequate and
7 unsustainable legal services for those who may qualify for lawful status, lack of educational, medical
8 and mental health services for incarcerated families, exorbitant bonds, and due process violations; and

9 **WHEREAS**, several national civil rights organizations recently filed a lawsuit against the
10 government alleging the violation of civil rights and due process for the incarcerated women and
11 children in Artesia; and

12 **WHEREAS**, the expansion of family detention centers was halted in 2009 by the Obama
13 administration after public opposition and lawsuits challenging the inhumane conditions at these
14 centers, and the rapid expansion of family detention in the last three months is an alarming reversal of
15 this policy; and

16 **WHEREAS**, the United Nations Committee on the Rights of the Child in 2013 called on all
17 countries to completely cease the detention of children on the basis of their immigration status; and

18 **WHEREAS**, studies have shown that keeping children in prison-like conditions for any
19 amount of time is damaging to their educational and psychological development and health; and

20 **WHEREAS**, the City of Santa Fe Immigration Committee has expressed concerns regarding
21 the lack of efforts for assistance regarding the immigrant women and children in the facility; and

22 **WHEREAS**, news accounts report deplorable living conditions, expeditious deportations
23 even after demonstrating credible fear of returning to their country and slow due process proceedings;
24 and

25 **WHEREAS**, on July 8, 2014, President Obama asked Congress for \$3.7 billion for fiscal

1 year 2014 to comprehensively address the urgent humanitarian situation on both sides of the
2 southwest border of the United States which includes addressing the situation in Artesia, New
3 Mexico; and

4 **WHEREAS**, funds would support a sustained border security, additional immigration judge
5 teams, immigration prosecutors and immigration litigation attorneys to ensure cases are processed
6 fairly and quickly; and

7 **WHEREAS**, the Governing Body does not support the incarceration and expedited
8 deportation of women and children who are currently housed in Artesia, however, the Governing
9 Body supports humanitarian efforts on behalf of the immigrant women and children who are currently
10 housed at the Artesia facility.

11 **NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
12 **CITY OF SANTA FE** that the Governing Body hereby declares its continuous support for immigrant
13 issues in Santa Fe, the state of New Mexico and throughout the United States.

14 **BE IT FURTHER RESOLVED** that the Governing Body calls on the federal government to
15 immediately stop the expansion of family detention centers and the prolonged detention and
16 expedited deportation of refugees and immigrants arriving from Central America.

17 **BE IT FURTHER RESOLVED** that the Governing Body calls on the City's Congressional
18 Delegation to support the 3.7 billion dollar request by President Obama to address the urgent
19 humanitarian situation on both sides of the southwest border of the United States which includes
20 support for the immigrant women and children who are currently housed at the Artesia facility.

21 **BE IT FURTHER RESOLVED** that the Governing Body calls on the federal government to
22 close the Artesia detention facility, reverse the "detain and deport" policy, and find cost-effective and
23 humane alternatives to detention for the women and children incarcerated there

24 **BE IT FURTHER RESOLVED** that the City Clerk is directed to forward a copy of this
25 resolution to the City of Santa Fe's Congressional Delegation.

1 PASSED, APPROVED and ADOPTED this _____ day of _____ 2014.

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JAVIER M. GONZALES, MAYOR

5 ATTEST:

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7 YOLANDA Y. VIGIL, CITY CLERK

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9 APPROVED AS TO FORM:

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Kelley A. Brennan

12 KELLEY A. BRENNAN, CITY ATTORNEY

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M/Melissa/Resolutions 2014/Immigrants in Artesia

City of Santa Fe Fiscal Impact Report (FIR)

This Fiscal Impact Report (FIR) shall be completed for each proposed bill or resolution as to its direct impact upon the City's operating budget and is intended for use by any of the standing committees of and the Governing Body of the City of Santa Fe. Bills or resolutions with no fiscal impact still require a completed FIR. Bills or resolutions with a fiscal impact must be reviewed by the Finance Committee. Bills or resolutions without a fiscal impact generally do not require review by the Finance Committee unless the subject of the bill or resolution is financial in nature.

Section A. General Information

(Check) Bill: _____ Resolution: X

(A single FIR may be used for related bills and/or resolutions)

Short Title(s): A RESOLUTION DECLARING THE CITY OF SANTA FE'S CONTINUOUS SUPPORT FOR IMMIGRANT ISSUES IN SANTA FE, THE STATE OF NEW MEXICO AND THROUGHOUT THE UNITED STATES.

Sponsor(s): Mayor Gonzales, Councilors Bushee and Lindell

Reviewing Department(s): City Attorney's Office / Community Services

Persons Completing FIR: Rebecca Seligman Date: 9/24/14 Phone: 955-6501

Reviewed by City Attorney: Kelly A. Brennan Date: 9/25/14
(Signature)

Reviewed by Finance Director: Jerecille Garcia Date: 9/26/14
(Signature)

Section B. Summary

Briefly explain the purpose and major provisions of the bill/resolution:

The resolution declares the City of Santa Fe's ongoing support of immigrant issues in our city, state, particularly in Artesia, nm and throughout the United States.

Section C. Fiscal Impact

Note: Financial information on this FIR does not directly translate into a City of Santa Fe budget increase. For a budget increase, the following are required:

- a. The item must be on the agenda at the Finance Committee and City Council as a "Request for Approval of a City of Santa Fe Budget Increase" with a definitive funding source (could be same item and same time as bill/resolution)
- b. Detailed budget information must be attached as to fund, business units, and line item, amounts, and explanations (similar to annual requests for budget)
- c. Detailed personnel forms must be attached as to range, salary, and benefit allocation and signed by Human Resource Department for each new position(s) requested (prorated for period to be employed by fiscal year)*

1. Projected Expenditures:

- a. Indicate Fiscal Year(s) affected – usually current fiscal year and following fiscal year (i.e., FY 03/04 and FY 04/05)
- b. Indicate: "A" if current budget and level of staffing will absorb the costs
"N" if new, additional, or increased budget or staffing will be required
- c. Indicate: "R" – if recurring annual costs
"NR" if one-time, non-recurring costs, such as start-up, contract or equipment costs
- d. Attach additional projection schedules if two years does not adequately project revenue and cost patterns
- e. Costs may be netted or shown as an offset if some cost savings are projected (explain in Section 3 Narrative)

Finance Director: _____

X Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY _____	"A" Costs Absorbed or "N" New Budget Required	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Fringe**	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Capital Outlay	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Land/ Building	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Professional Services	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
All Other Operating Costs	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____
Total:	\$ _____	_____	_____	\$ _____	_____	_____	_____	_____

* Any indication that additional staffing would be required must be reviewed and approved in advance by the City Manager by attached memo before release of FIR to committees. **For fringe benefits contact the Finance Dept.

2. Revenue Sources:

- a. To indicate new revenues and/or
- b. Required for costs for which new expenditure budget is proposed above in item 1.

Column #:	1	2	3	4	5	6
	Type of Revenue	FY _____	"R" Costs Recurring or "NR" Non-recurring	FY _____	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
_____	\$ _____	_____	\$ _____	_____	_____	_____
Total:	\$ _____	_____	\$ _____	_____	_____	_____

3. Expenditure/Revenue Narrative:

Explain revenue source(s). Include revenue calculations, grant(s) available, anticipated date of receipt of revenues/grants, etc. Explain expenditures, grant match(s), justify personnel increase(s), detail capital and operating uses, etc. (Attach supplemental page, if necessary.)

N/A

Section D. General Narrative

1. Conflicts: Does this proposed bill/resolution duplicate/conflict with/companion to/relate to any City code, approved ordinance or resolution, other adopted policies or proposed legislation? Include details of city adopted laws/ordinance/resolutions and dates. Summarize the relationships, conflicts or overlaps.

None staff is aware of

2. Consequences of Not Enacting This Bill/Resolution:

Are there consequences of not enacting this bill/resolution? If so, describe.

If this resolution is not enacted, the City of Santa Fe could not be openly declaring their ongoing support of immigrant issues in our city, state and throughout the United States.

3. Technical Issues:

Are there incorrect citations of law, drafting errors or other problems? Are there any amendments that should be considered? Are there any other alternatives which should be considered? If so, describe.

No

4. Community Impact:

Briefly describe the major positive or negative effects the Bill/Resolution might have on the community including, but not limited to, businesses, neighborhoods, families, children and youth, social service providers and other institutions such as schools, churches, etc.

The resolution will have a positive impact in our community by demonstrating the City of Santa Fe is continuing to support immigrant issues, not just in our city, but statewide and throughout the United States.

Form adopted: 01/12/05; revised 8/24/05; revised 4/17/08