

City of Santa Fe, New Mexico

LEGISLATIVE SUMMARY

Resolution No. 2015-____ Immigration Initiative

SPONSOR(S): Mayor Gonzales, Councilors Bushee, Maestas and Ives

SUMMARY: The proposed resolution directs staff to assess the financial capability from the City to support a private/public initiative; work with community groups to develop a plan of action to ensure that students and parents are able to access the Deferred Action for Parents of Americans and lawful permanent residents (DAPA) program and an expanded Deferred Action for Childhood Arrivals (DACA) program.

PREPARED BY: Rebecca Seligman, Legislative Liaison Assistant

FISCAL IMPACT: Yes

DATE: May 14, 2015

ATTACHMENTS: Resolution
FIR

1 CITY OF SANTA FE, NEW MEXICO

2 RESOLUTION NO. 2015-____

3 INTRODUCED BY:

4 Mayor Javier M. Gonzales

5 Councilor Patti J. Bushee

6 Councilor Joseph M. Maestas

7 Councilor Peter N. Ives

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10 A RESOLUTION

11 DIRECTING STAFF TO WORK WITH COMMUNITY GROUPS TO DEVELOP A
12 PLAN OF ACTION TO ENSURE THAT STUDENTS AND PARENTS ARE ABLE TO
13 ACCESS THE DEFERRED ACTION FOR PARENTS OF AMERICANS AND LAWFUL
14 PERMANENT RESIDENTS (DAPA) PROGRAM AND AN EXPANDED DEFERRED
15 ACTION FOR CHILDHOOD ARRIVALS (DACA) PROGRAM; ASSESS THE
16 FINANCIAL CAPABILITY FROM THE CITY TO SUPPORT A PRIVATE/PUBLIC
17 INITIATIVE.

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19 WHEREAS, the City of Santa Fe recognizes the economic, social and cultural
20 contributions that immigrants bring to the city; and

21 WHEREAS, immigrants, most of whom live in mixed-status families with U.S. citizen
22 children, are an essential part of Santa Fe's workforce and business community; and

23 WHEREAS, the Governing Body, with broad support from law enforcement, faith,
24 business, labor and community organizations, has a long tradition of passing numerous
25 resolutions and ordinances seeking to integrate immigrant workers and families into the local

1 community, protect immigrants from discrimination, and support comprehensive immigration
2 reform at the federal level; and

3 **WHEREAS**, current federal immigration laws are outdated, and greatly restrict
4 opportunities for workers and their families to immigrate legally, secure work authorization, and
5 obtain relief from deportation; and

6 **WHEREAS**, the failure of Congress to enact comprehensive immigration reform and
7 ensuing deportations have led to the separation of New Mexican children from their parents,
8 financial strains on Santa Fe families, and disruption of local business; and

9 **WHEREAS**, in an attempt to alleviate some of the problems associated with the broken
10 federal immigration system, President Obama announced a series of executive actions to provide
11 temporary relief from deportation and temporary work permits to certain undocumented
12 immigrants who are parents of U.S. citizens or lawful permanent residents; and

13 **WHEREAS**, the President also announced an executive action to expand the pool of
14 eligible young students and workers for deportation relief and work authorization; and

15 **WHEREAS**, these executive actions will be carried out through two programs – the
16 Deferred Action for Parents of Americans and Lawful Permanent Residents (DAPA) program and
17 an expanded Deferred Action for Childhood (DACA) program; and

18 **WHEREAS**, numerous recent economic reports show that DAPA and DACA will
19 increase the US gross domestic product, have a positive net impact on the incomes of all US-
20 based workers, and will result in more jobs for US-born workers; and

21 **WHEREAS**, DACA will enable more students to attend higher education institutions and
22 vocational programs, and pursue careers in fields desperate for bicultural, bilingual workers;

23 **WHEREAS**, an estimated 5,000 Santa Fe County residents are expected to qualify for
24 DAPA and an expanded DACA; and

25 **WHEREAS**, the majority of immigrants in Santa Fe who would qualify for DAPA and

1 DACA are of working age (18-44), have lived in the city for more than 10 years, have paid
2 income and gross receipt taxes in the city and the state, and are integral to the fabric of the local
3 community; and

4 **WHEREAS**, an expanded pool of workers with work authorization and relief from
5 deportation would have a significant impact on Santa Fe's local economy – potentially increasing
6 wages and buying power, expanding the city and county tax bases, spurring first-time home
7 purchases, creating more locally-based businesses, increasing demand for financial services, and
8 reducing poverty for workers and their Santa Fe born children; and

9 **WHEREAS**, the Governing Body voted to sign on to an amicus brief, along with dozens
10 of other cities across the country, supporting the executive action on DAPA and DACA based on
11 the potential economic and social benefits to the city, as well as the belief that the President has
12 the legal authority under the US Constitution, and laws passed by Congress, to determine how to
13 prioritize immigration enforcement in the United States; and

14 **WHEREAS**, New Mexico's Attorney General also signed on to an amicus brief
15 supporting the implementation of DAPA based on the potential positive impact on New Mexico's
16 economy and the legal soundness of the President's executive action; and

17 **WHEREAS**, filing an application for DAPA or DACA could be cost prohibitive for
18 many low wage workers, and families in desperation may turn to unqualified representatives for
19 legal help and risk filing incomplete or inaccurate applications; and

20 **WHEREAS**, a private/public initiative has been convened by the Mayor's office, the
21 Santa Fe Public School District, Catholic Charities of Santa Fe, Somos Un Pueblo Unido, The
22 Santa Fe Public Schools Adelante Program, Guadalupe Credit Union and several other local
23 organizations representing business and faith communities to ensure that accurate information
24 about DAPA and DACA reaches all the eligible persons in our community and that legal services
25 and fees required to apply for DAPA are accessible to all; and

1 **NOW THEREFORE, BE IT RESOLVED BY THE GOVERNING BODY OF THE**
2 **CITY OF SANTA FE** that the Governing Body supports the implementation of DAPA and
3 DACA nationally and locally.

4 **BE IT FURTHER RESOLVED**, that the Governing Body supports local efforts by
5 service providers, community groups, and schools to provide accurate information about DAPA
6 and DACA eligibility; to protect residents from immigration, tax, consumer, financial and other
7 fraud; to identify and implement efficient processes for obtaining require documents for
8 applications from public schools, public hospitals, clinics, city agencies, and other organizations;
9 to provide low-cost or no-cost legal help for low-income Santa Fe parents and workers filing
10 DAPA and DACA applications; to educate the broader public about the positive economic and
11 social impact of DAPA and DACA in Santa Fe; and to build long-term capacity of city agencies,
12 community organizations, and other stakeholders to expand services, maximize economic
13 contributions, and strengthen civic participation of immigrants.

14 **BE IT FURTHER RESOLVED**, that the Governing Body directs staff to assess the
15 financial capability from the City that would be necessary to assist in supporting this
16 private/public initiative, and work with community groups to develop a plan of action to ensure
17 that our students and parents are able to access DAPA and an expanded DACA.

18 PASSED, APPROVED AND ADOPTED this ____ day of _____, 2015.

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20 _____
21 JAVIER M. GONZALES, MAYOR

22 ATTEST:

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24 _____
25 YOLANDA Y. VIGIL, CITY CLERK

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APPROVED AS TO FORM:

Kelley A. Brennan

KELLEY A. BRENNAN, CITY ATTORNEY

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 DIRECTING STAFF TO ASSESS THE FINANCIAL CAPABILITY FROM THE CITY TO SUPPORT A PRIVATE/PUBLIC INITIATIVE; WORK WITH COMMUNITY GROUPS TO DEVELOP A PLAN OF ACTION TO ENSURE THAT STUDENTS AND PARENTS ARE ABLE TO ACCESS THE DEFERRED ACTION FOR PARENTS OF AMERICANS AND LAWFUL PERMANENT RESIDENTS (DAPA) PROGRAM AND AN EXPANDED DEFERRED ACTION FOR ARRIVALS (DACA) PROGRAM.

Sponsor(s): Mayor Javier Gonzales
Reviewing Department(s): Community Services
Persons Completing FIR: Terrie Rodriguez Date: 05/11/2015 Phone: 955-6603

Reviewed by City Attorney: Kelly A. Brennan Date: 5/13/15
(Signature)

Reviewed by Finance Director: _____ Date: 5-14-2015
(Signature)

Section B. Summary

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

The resolution supports the DAPA and DACA programs and asks community organizations to support these efforts and directs staff to assist with finding funds to provide low-cost, no-cost legal assistance to applicants.

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: [Signature]

_____ Check here if no fiscal impact

Column #:	1	2	3	4	5	6	7	8
	Expenditure Classification	FY 15-16	"A" Costs Absorbed or "N" New Budget Required	"R" Costs Recurring or "NR" Non-recurring	FY 16-17	"A" Costs Absorbed or "N" New Budget Required	"R" Costs - Recurring or "NR" Non-recurring	Fund Affected

Personnel*	\$3,900	A	NR	\$				
Fringe**	\$			\$				
Capital Outlay	\$			\$				
Land/ Building	\$			\$				
Professional Services	\$			\$				
All Other Operating Costs	\$			\$				
Total:	\$3,900			\$				

* 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.)

Staff time of 160 hours in the next fiscal year will be used for the administration called for in the resolution. The cost will be absorbed into current expenditures.

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.

2. Consequences of Not Enacting This Bill/Resolution:

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

This Resolution supports an important milestone in immigration to provide legal status for people who have been contributing member of our community and allow them access to secure work authorization and obtain relief from deportation.

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.

None known

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 expanded pool of workers with work authorization and relief from deportation for immigrants who have lived in Santa Fe for ten years would have a significant impact on Santa Fe's local economy – potentially increasing wages and buying power, expanding the city and county tax bases, spurring first-time home purchases, creating more locally-based businesses, increasing demand for financial services, and reducing poverty for workers and their Santa Fe born children. DACA youth would have more access to higher education and participation in the work force.

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