RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SUNNYVALE ESTABLISHING CITY COUNCIL POLICY 7.3.32, PROHIBITING THE USE OF CITY PROPERTIES FOR CIVIL IMMIGRATION ENFORCEMENT PURPOSES AND PROVIDING IMMIGRATION RESOURCES FOR CITY PROPERTY OWNERS, BUSINESSES, AND RESIDENTS

WHEREAS, the City of Sunnyvale is home to people of diverse backgrounds, including a large immigrant population; and

WHEREAS, immigrants are valuable and essential members of the City of Sunnyvale community who contribute to the City's economic, civic, and cultural vitality; and

WHEREAS, Sunnyvale has repeatedly stated its core values related to its diverse community, most recently on January 14, 2025, when the City Council unanimously approved the "Statement on Our City Values and Public Service;" and

WHEREAS, the City's approved values include: (1) valuing our individual experiences and supporting and protecting people of any race, religion, ancestry, ethnicity, ability, gender, sexual orientation, or gender identity; (2) honoring cultural and religious traditions; (3) valuing and embracing the diverse backgrounds, race, nationalities, ancestries, and ethnicities; and (4) welcoming immigrants and refugees; and

WHEREAS, a strong and trusting relationship between the City and its residents contributes to the public safety and well-being of all residents; and

WHEREAS, actions by local, state, or federal government agencies that cause immigrant community members to fear reporting crimes, seeking health services, accessing City facilities, or engaging in civic life, detract from the safety and welfare of the entire community; and

WHEREAS, the federal government, through U.S. Immigration and Customs Enforcement (ICE), has recently undertaken broad civil immigration enforcement operations in ways that have generated concern among local communities; and

WHEREAS, state and local governments bear primary responsibility for ensuring the safety and well-being of their communities and possess the discretion and authority to adopt policies best suited to those communities; and

WHEREAS, current City policies do not explicitly restrict federal civil immigration enforcement agencies from using City-owned land or facilities for operations, staging, processing, or surveillance; and

WHEREAS, the City does not want its assets or properties to be used by federal immigration authorities for purposes of immigration enforcement because such use is likely to undermine trust in local government and the City wants to use its limited resources for its own purposes and goals, including fostering an environment of inclusiveness and trust between City government and its residents; and

WHEREAS, the City seeks to approve a City Council policy that furthers Sunnyvale's core values by (1) prohibiting federal civil immigration enforcement agencies from using City-owned land or facilities for operations, staging, processing, or surveillance; and (2) authorizing City staff to provide certain, limited resources to support businesses and individuals seeking tools and education about immigration rights; and

WHEREAS, the United States Supreme Court has long recognized that state and local governments retain primary authority over matters affecting the health, safety, and welfare of their residents, and that decisions concerning local public resources are best made by governments closest and most accountable to the people they serve, and California Constitution Article XI, Section 7 grants cities the authority to enact and enforce laws and policies that do not conflict with general state law; and

WHEREAS, regulating the use of City-owned or City-controlled property, without regulating the conduct of federal agencies, is a lawful exercise of municipal authority and an appropriate and necessary means of promoting public safety, community trust, and the responsible use of public resources that will help ensure community members feel safe accessing City services and facilities.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SUNNYVALE THAT:

1. The City Council hereby adopts City Council Policy 7.3.32, Prohibiting the Use of City Properties for Civil Immigration Enforcement Purposes and Related Policies to Provide Resources for City Property Owners, Businesses and Residents, attached to this Resolution as Exhibit A.

2. The City Council finds that the action described in this resolution is a general policy that does not have the potential to cause a physical environmental impact and therefore is not a project subject to CEQA (CEQA Guidelines sections 15378(a) and 15378(b)(5)).

Adopted by the City Council at a regular meeting held on _____, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:
RECUSAL:

ATTEST:

_____
DAVID CARNAHAN
City Clerk
(SEAL)

APPROVED:

_____
LARRY KLEIN
Mayor

APPROVED AS TO FORM:

_____
REBECCA L. MOON
City Attorney

Exhibit A: City Council Policy 7.3.32, Prohibiting the Use of City Properties for Civil Immigration Enforcement Purposes and Related Policies to Provide Resources for City Property Owners, Businesses and Residents

Policy 7.3.32 Prohibiting Use of City Properties for Civil Immigration Enforcement Purposes and Related Policies to Provide Resources for City Property Owners, Businesses and Residents

POLICY PURPOSE:

The purpose of this policy is to reaffirm the City of Sunnyvale's commitment to the safety and well-being of all community members and clarify that federal civil immigration enforcement is a federal responsibility.

This policy establishes limitations on the use of City-owned or City-controlled property for civil immigration enforcement activities and provides guidance and informational resources for property owners, businesses, and residents.

POLICY STATEMENT:

1. Use of City Property
   City-owned or City-controlled property shall not be used as a staging area, processing location, or operations base for civil immigration enforcement activities.

   For purposes of this policy:
   A. Staging Area: A location used to assemble or deploy personnel, vehicles, or equipment for civil immigration enforcement operations.
   B. Processing Location: A location used to detain, process, or temporarily hold individuals related to civil immigration enforcement.
   C. Operations Base: A location used to coordinate or conduct civil immigration enforcement activities.

2. Implementation.
   The City Manager shall implement this policy and may take administrative actions as necessary, including:
   A. Identifying City properties that could be used for civil immigration enforcement activities.
   B. Implementing reasonable physical access controls where appropriate to ensure City properties are used only for authorized purposes.
   C. Establishing procedures for City employees to report attempted or actual use of City property for civil immigration enforcement activities.

3. Limitations
   This policy does not:
   A. Restrict the enforcement of criminal law or the execution of lawful judicial warrants.
   B. Modify or impair existing leases, licenses, or contractual agreements governing City property.
   C. Limit lawful uses of City property unrelated to civil immigration enforcement activities.
   D. Limit rights or obligations under state or federal law.

4. Resources for Property Owners, Businesses, and Residents
   The City may provide informational resources to the public related to federal immigration enforcement activities, including:
   A. County and Community Resources
      The City will direct residents, businesses, and property owners to the Santa Clara County Office of Immigrant Relations (OIR) for additional support and up-to-date information. OIR connects individuals to trusted legal services, Know Your Rights resources, language access assistance, and community-based programs, and works with local organizations to promote inclusion, safety, and access to services.

   B. Know Your Rights Materials
      The City may make available public information resources regarding federal immigration enforcement activities consistent with California law and California Attorney General guidance.

5. Severability
   If any portion of this policy is determined to be invalid or unenforceable by a court of competent jurisdiction, such determination shall not affect the validity of the remaining provisions of the policy.

6. Implementation Authority
   The City Manager shall administer this policy and may adopt administrative procedures necessary to implement it.

7. Review and Updates
   This policy may be amended by the City Council via adoption of a resolution.

(Adopted: RTC 26-0156, Resolution No. ####-26 (4/7/2026))

Lead Department: Office of the City Manager