

RESOLUTION No. 37272

Authorize City Attorney to appear as amicus curiae to support City interests in fair treatment of immigrants (Resolution)

WHEREAS, The City of Portland supports the humane treatment of all persons, regardless of their immigration status; and

WHEREAS, The Congress of the United States has failed to take meaningful action to reform the nation's immigration laws to prevent unnecessary disruption of families and communities; and

WHEREAS, The President of the United States has issued Executive Orders that put federal grant dollars at risk for cities the Attorney General determines to be "sanctuary jurisdictions" and that limit entry into the United States by citizens of specified countries, regardless of their legal status; and

WHEREAS, There are a number of legal challenges to the lawfulness of these Executive Orders around the country; and

WHEREAS, The Cities for Action, a coalition of cities that advocates for comprehensive immigration reform, and its member jurisdictions, have asked the City of Portland to join in several amicus efforts in support of cities and immigrants, including actions brought by the Cities of Chelsea and Lawrence, Massachusetts, in the United States District Court for the District of Massachusetts, and the by the County of Santa Clara, California, in County of Santa Clara v. Donald J. Trump, et al., USDC (N.D. Cal.) No. 5:17-cv-00574; and

WHEREAS, The City of Portland should support efforts to provide humane treatment to productive, long-term, law-abiding immigrants, and to protect the City's federal grants from forfeiture; and

WHEREAS, Frequently, when the City Attorney receives requests for participation in such cases, there is insufficient time to process a Resolution authorizing an appearance,


NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Portland, that the City Attorney or her designee, on behalf of the City of Portland, may file or join amicus briefs in support of local governments in City of Chelsea et al. v. Donald J. Trump, et al, USDC (D. Mass.), and in County of Santa Clara v. Donald J. Trump, et al., USDC (N.D. Cal.) No. 5:17-cv-00574, and in any resulting appeals in either of those cases; and

BE IT FURTHER RESOLVED, by the Council of the City of Portland, that the City Attorney or her designee, on behalf of the City of Portland, with the consent of the Mayor, may file or join in any amicus brief, in any matter and in any forum, to support the interests of the City of Portland in the humane treatment of all persons, regardless of their immigration status.

Adopted by the Council: MAR 01 2017

Commissioner: Mayor Wheeler
Prepared by: Harry Auerbach
Date Prepared: February 13, 2017

Mary Hull Caballero
Auditor of the City of Portland

By 
Deputy

Agenda No. **37272**
RESOLUTION NO.
 Title

Authorize City Attorney to Appear as Amicus Curiae to Support City Interests in Fair Treatment of Immigrants. (Resolution).

<p>INTRODUCED BY Commissioner/Auditor: Mayor Wheeler</p>	<p>CLERK USE: DATE FILED <u>FEB 21 2017</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Wheeler <i>VC</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Eudaly</p>	<p style="text-align: center;">Mary Hull Caballero Auditor of the City of Portland</p> <p>By: <u><i>Mary Hull Caballero</i></u> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: City Attorney Bureau Head: Tracy Reeve <i>TR</i></p>	<p>ACTION TAKEN:</p>
<p>Prepared by: Harry Auerbach Date Prepared: February 13, 2017</p>	
<p>Financial Impact Statement & Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>City Attorney Approval: required for contract, code, easement, franchise, charter, Comp Plan</p>	
<p>Council Meeting Date <u>February 22, 2017</u> <i>3/1/2017 sp</i></p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input type="checkbox"/></p>
<p>REGULAR <input checked="" type="checkbox"/></p> <p>Total amount of time needed: 5 minutes (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:	YEAS	NAYS
1. Fritz	1. Fritz	<i>✓</i>	<i>✓</i>
2. Fish	2. Fish	<i>✓</i>	
3. Saltzman	3. Saltzman	<i>✓</i>	
4. Eudaly	4. Eudaly	<i>✓</i>	<i>✓</i>
Wheeler	Wheeler	<i>✓</i>	