

RESOLUTION NO. 26-9533

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA,
ADOPTING COUNCIL POLICY 056 PROHIBITING USE OF CITY
PROPERTIES FOR CIVIL IMMIGRATION ENFORCEMENT
PURPOSES AND RELATED POLICIES TO PROVIDE
RESOURCES FOR CITY PROPERTY OWNERS, BUSINESSES
AND RESIDENTS**

WHEREAS, a draft of Council Policy 056, “Prohibiting Use of City Properties for Civil Immigration Enforcement Purposes and Related Policies to Provide Resources for City Property Owners, Businesses and Residents” (“Draft Policy”) was presented to the City Council for their consideration on February 3, 2026;

WHEREAS, the City Council considered the Draft Policy, heard public comment, and provided direction to staff regarding any requested modifications;

WHEREAS, in their consideration of the Draft Policy the City Council (1) acknowledged the extraordinary contributions made by the City’s many immigrant communities to the cultural, social, and economic fabric of the City; (2) affirmed the City’s desire to renew its commitment to preserve the security and well-being of all its residents and visitors, regardless of national origin or legal status; (3) acknowledged the fact that the enforcement of U.S. immigration laws is, and ought to remain, a federal governmental function, not a local governmental function; (4) affirmed the City’s determination that the use of City property to facilitate immigration enforcement is inconsistent with the City’s role and function and, further, would interfere with the City’s authority over and use of its own property for City purposes; and (5) acknowledged events in other parts of the country and state where state and local agency owned or controlled facilities have been commandeered for civil immigration enforcement without local authorization; and

WHEREAS, consistent with these considerations, the purpose of the Draft Policy was stated to be prohibiting the use of City properties for civil immigration enforcement purposes, and providing resources and support for City property owners, businesses and residents with concerns regarding immigration enforcement.

NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:

1. Council Policy 056, entitled "Prohibiting Use of City Properties for Civil Immigration Enforcement Purposes and Related Policies to Provide Resources for City Property Owners, Businesses and Residents" ("Policy") attached hereto as Attachment One, is hereby approved and adopted.
2. Staff is directed to take such other actions as are necessary to implement the Policy immediately.
3. Staff shall return to Council with a report presented at a public meeting with (1) a summary of lessons learned from Super Bowl Operations to inform preparation for the upcoming FIFA World Cup, understanding the need for confidentiality on certain security related matters, (2) information regarding data sharing policies, and (3) opportunities for updates or refinements to the approved Policy.
4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A SPECIAL MEETING THEREOF HELD ON THE 3RD DAY OF FEBRUARY, 2026, BY THE FOLLOWING VOTE:

AYES:	COUNCILORS:	Chahal, Cox, Gonzalez, Hardy, Jain, and Park, and Mayor Gillmor
NOES:	COUNCILORS:	None
ABSENT:	COUNCILORS:	None
ABSTAINED:	COUNCILORS:	None

ATTEST: 
For NORA PIMENTEL, MMC
ASSISTANT CITY CLERK
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Council Policy 056 entitled "Prohibiting Use of City Properties for Civil Immigration Enforcement Purposes and Related Policies to Provide Resources for City Property Owners, Businesses and Residents"



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PROHIBITING USE OF CITY PROPERTIES FOR CIVIL IMMIGRATION ENFORCEMENT PURPOSES AND RELATED POLICIES TO PROVIDE RESOURCES FOR CITY PROPERTY OWNERS, BUSINESSES AND RESIDENTS

PURPOSE

In consideration of (1) the extraordinary contributions made by the City's many immigrant communities to the cultural, social, and economic fabric of the City; (2) the City's desire to renew its commitment to preserve the security and well-being of all its residents and visitors, regardless of national origin or legal status; (3) the fact that the enforcement of U.S. immigration laws is, and ought to remain, a federal governmental function, not a local governmental function; (4) the City's determination that the use of City property to facilitate immigration enforcement is inconsistent with the City's role and function and, further, would interfere with the City's authority over and use of its own property for City purposes; and (5) events in other parts of the country and state where state and local agency owned or controlled facilities have been commandeered for civil immigration enforcement without local authorization, on February 3, 2026 the City Council took action to approve this City Council Policy 056 ("Policy") for the purpose of prohibiting the use of City properties for civil immigration enforcement purposes on the terms and conditions set forth herein, and providing resources and support for City property owners, businesses and residents with concerns regarding immigration enforcement.

POLICY

A. Prohibition on Use of City Parking Lots, Garages, Open Space or Other Facilities

No City-owned or City-controlled parking lot, garage, open space, or other facility shall be used as a "Staging Area," "Processing Location," or "Operations Base" (as defined below) for civil immigration enforcement purposes. For purposes of this Policy:

"Staging Area" means an area that is used to assemble, mobilize, and deploy vehicles, equipment, or materials, and related personnel, for the purpose of carrying out civil immigration enforcement operations.

"Processing Location" means an area that is used for activities such as the identification, intake, processing of documentation,



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detention, arrest, or temporary holding of individuals in connection with civil immigration enforcement operations.

"Operation Base" means an area that is used to plan, coordinate and execute civil immigration enforcement activities.

B. Implementation and Enforcement

In order to implement this Policy the City Manager shall take all necessary and appropriate steps to:

- (1) Identify City-owned or City-controlled parking lots, garages, open spaces, and other City-owned or controlled facility areas that are likely to be used as a Staging Area, Processing Location, or Operations Base for the purpose of civil immigration enforcement.
- (2) Post on such properties clear signage stating substantially the following:

This property is owned or controlled by the City of Santa Clara. It may only be used for City purposes, or private uses authorized by the City, and may not be used for civil immigration enforcement Staging Areas, Processing Locations, or Operations Bases.
- (3) Ensure that, wherever necessary and appropriate, physical barriers such as locked gates are used to limit access to City-owned or City-controlled parking lots, garages, open space, or other City facility identified areas governed by this Policy.
- (4) Provide training and a procedure for City employees who become aware of the attempted or actual use of a City-owned or City-controlled parking lot, garage, open space or other facility areas as a Staging Area, Processing Location, or Operation Base for civil immigration enforcement to immediately report such activity to their supervisor, who will communicate with the offices of the City Manager and City Attorney.

C. Limitations on Scope

1. **Existing Agreements**. Except as expressly provided in Section D, below, this Policy does not apply to property that is subject to an existing lease, license, operator agreement, or other contractual restriction ("Existing Contract") to which the City or the Santa Clara Stadium Authority ("Stadium Authority") is a



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party. This policy is not intended to, and shall not be interpreted to, impair or interfere with the terms of any such Existing Contract.

2. **Criminal Law Enforcement**. Nothing in this policy shall be construed as restricting or interfering with the execution of lawful judicial warrants or the enforcement of criminal law by any federal, state or local law enforcement agency.
3. **Other Rights Under State or Federal Law**. Nothing in this Policy shall be construed as limiting the rights of any person or entity under state or federal law.
4. **Other Lawful Uses**. This Policy does not prohibit the lawful use of City-owned and controlled property for purposes other than the civil immigration enforcement activities expressly prohibited hereunder, nor does it restrict any person or entity, including, without limitation, federal law enforcement agencies, from carrying out functions unrelated to those purposes on such property.

D. Properties Subject to Existing City or Stadium Authority Agreements and Future Agreements

1. **Existing Contracts**. City staff assigned to administer and support the Existing Contracts for the operation of the Stadium Authority owned Stadium, and ancillary facilities that support Stadium operations (collectively, "Stadium Facilities"), shall meet and confer with the parties to such contracts in order to develop mutually agreeable mechanisms that, to the extent possible, implement the terms of this Policy at Stadium Facilities. This shall be done in a manner that recognizes and maintains the strong working relationships and close coordination with all federal, state and local law enforcement agencies that is necessary and integral to assuring the security and safety of all Stadium event participants, workers, attendees, businesses, neighborhoods and others engaged in lawful activities at and around the Stadium during major events. For all other City-owned and controlled properties subject to Existing Contracts that may foreseeably be used for the civil immigration enforcement activities prohibited under the terms of this Policy, the City Manager shall provide notice to the parties under contract for such properties of the existence of this Policy and shall request their concurrence with the terms of this Policy.
2. **Future Agreements**. Wherever possible, and allowed by law, the City Manager shall direct that the use limitations set forth in this



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Policy be included in all future leases, licenses, operator agreements, or other contractual restrictions relating to City owned or controlled properties.

E. Support for Private Property Owners, Businesses and Residents

1. Signage. The City shall provide electronic copy of standardized signage that private landowners and leaseholders could print and display to delineate the non-public areas of the property in which they wish to restrict activities related to civil immigration enforcement. The signage template shall be made available free of charge to private landowners and leaseholders, including but not limited to businesses, medical providers, nonprofit organizations, and faith institutions, who voluntarily decide to designate their property consistent with their authority over the property and who voluntarily request such signage from the City. Landowners and leaseholders that post this signage do so at their own discretion and assume all legal risk in connection with such posting(s).
2. Know Your Rights Materials. The City shall make available to the public "know your rights" materials regarding federal immigration enforcement activities consistent with California law and California Attorney General guidance.

F. Severability

If any section, subsection, sentence, clause, phrase, or word of this Policy or its application is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Policy. To this end, the provisions of this Policy, and each of them, are severable.