

Immigration Violations

413.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines to members of the Santa Ana Police Department relating to immigration and interacting with federal immigration officials.

413.1.1 DEFINITIONS

The following definitions apply to this policy (Government Code § 7284.4):

Criminal immigration violation - Any federal criminal immigration violation that penalizes a person's presence in, entry, or reentry to, or employment in, the United States. This does not include any offense where a judicial warrant already has been issued.

Immigration enforcement - Any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal civil immigration law, including any and all efforts to investigate, enforce, or assist in the investigation or enforcement of any federal criminal immigration law that penalizes a person's presence in, entry or reentry to, or employment in the United States.

Judicial warrant - An arrest warrant for a violation of federal criminal immigration law and issued by a federal judge or a federal magistrate judge.

413.2 POLICY

It is the policy of the Santa Ana Police Department that all members make personal and professional commitments to equal enforcement of the law and equal service to the public. Confidence in this commitment will increase the effectiveness of this department in protecting and serving the entire community and recognizing the dignity of all persons, regardless of their national origin or immigration status.

413.3 VICTIMS AND WITNESSES

To encourage crime reporting and cooperation in the investigation of criminal activity, all individuals, regardless of their immigration status, must feel secure that contacting or being addressed by members of law enforcement will not automatically lead to immigration inquiry and/or deportation. While it may be necessary to determine the identity of a victim or witness, members shall treat all individuals equally and without regard to race, ethnicity or national origin in any way that would violate the United States or California constitutions.

413.4 IMMIGRATION INQUIRIES PROHIBITED

Officers shall not inquire into an individual's immigration status for immigration enforcement purposes ([Government Code § 7284.6](#)).

413.4.1 CALIFORNIA LAW ENFORCEMENT TELECOMMUNICATIONS SYSTEM (CLETS)

Members shall not use information transmitted through CLETS for immigration enforcement purposes except for criminal history information and only when consistent with the California Values Act (Government Code § 15160).

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Members shall not use the system to investigate immigration violations of 8 USC § 1325 (improper entry) if that violation is the only criminal history in an individual's record (Government Code § 15160).

413.5 DETENTIONS

An officer shall not detain any individual, for any length of time, for a civil violation of federal immigration laws or a related civil warrant ([Government Code § 7284.6](#)).

An officer who has a reasonable suspicion that an individual already lawfully contacted or detained has committed a criminal violation of [8 USC § 1326\(a\)](#) (unlawful reentry) that may be subject to enhancement shall not detain the person. No individual who is otherwise ready to be released should continue to be detained only because questions about the individual's status are unresolved.

If the officer has facts that establish probable cause to believe that a person already lawfully detained has violated [8 USC § 1326\(a\)](#) and the penalty may be subject to enhancement due to prior conviction for specified aggravated felonies, he/she may arrest the individual for that offense ([Government Code § 7284.6](#)).

An officer shall not detain any individual, for any length of time, for any other criminal immigration violation of federal immigration laws ([Government Code § 7284.6](#)).

An officer should notify a supervisor as soon as practicable whenever an individual is arrested for violation of [8 USC § 1326\(a\)](#).

413.5.1 MANAGER RESPONSIBILITIES

When notified that an officer has arrested an individual for violation of [8 USC § 1326\(a\)](#), pursuant to a court order and/or arrest warrant, the manager should determine whether it is appropriate to:

- (a) Transfer the person to federal authorities.
- (b) Transfer the person to jail.

413.6 FEDERAL REQUESTS FOR ASSISTANCE

Requests by federal immigration officials for assistance from this department should be directed to a manager. The manager is responsible for determining whether the requested assistance would be permitted under the California Values Act ([Government Code § 7284.2 et seq.](#)) and Santa Ana City Ordinance Number NS-2908 attached hereto.

413.7 INFORMATION SHARING

No member of this department will use agency or department moneys, resources or personnel to investigate, interrogate, detain, detect, or arrest persons for immigration enforcement purposes including any of the following ([8 USC § 1373](#); [Government Code § 7284.6](#)):

- (a) Inquiring into an individual's immigration status.
- (b) Detaining an individual on the basis of a hold request.

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- (c) Providing information regarding a person's release date for responding to requests of notification by providing release dates or other information unless that information is available to the public, or in response to a notification request from immigration authorities in accordance with section 413.7.1 herein.
- (d) Providing personal information, as defined in [Section 1798.3 of the Civil Code](#), about an individual, including, but not limited to, the individual's home address or work address, unless that information is available to the public.
- (e) Making or intentionally participating in arrests based on civil immigration warrants.
- (f) Assisting immigration authorities in activities described in [Section 1357\(a\)\(3\) of Title 8 of the United States Code](#).
- (g) Performing the functions of an immigration officer, whether pursuant to [Section 1357\(g\) of Title 8 of the United States Code](#) [performance of immigration officer functions by state officers and employees] or any other law, regulation, or policy, whether formal or informal.
- (h) Place peace officers under the supervision of federal agencies or employ peace officers deputized as special federal officers or special federal deputies for purposes of immigration enforcement. All peace officers remain subject to California law governing conduct of peace officers and the policies of the employing agency.
- (i) Use immigration authorities as interpreters for law enforcement matters relating to individuals in agency or department custody.
- (j) Transfer an individual to immigration authorities unless authorized by a judicial warrant or judicial probable cause determination, or in accordance with section 413.7.1 herein.
- (k) Provide office space exclusively dedicated for immigration authorities for use within a city or county law enforcement facility.
- (l) Contract with the federal government for use of California law enforcement agency facilities to house individuals as federal detainees for the purposes of civil immigration custody, except pursuant to Chapter 17.8 (commencing with [Section 7310](#).)

Nothing in this policy restricts sharing information that is permissible under the California Values Act.

413.7.1 IMMIGRATION DETAINERS

No individual should be held based solely on a federal immigration detainer under [8 CFR 287.7 \(Government Code § 7284.6\)](#).

Members shall not transfer an individual to the federal authorities prior to release of an individual who is the subject of a notification request unless the individual meets one of the following conditions ([Government Code § 7282.5](#); [Government Code § 7284.6](#) and [Santa Ana City Ordinance NS-2908](#)):

- (a) The individual has had a judicial probable cause determination for a serious or violent felony identified in [Penal Code § 667.5\(c\)](#) or [Penal Code § 1192.7\(c\)](#).

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- (b) The individual has had a judicial probable cause determination for a felony punishable by time in a state penitentiary for non-immigration related violations.
- (c) The individual is identified by the U.S. Department of Homeland Security's Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

413.7.2 NOTICE TO INDIVIDUALS

Individuals in custody shall be given a copy of documentation received from U.S. Immigration and Customs Enforcement (ICE) regarding a hold, notification or transfer request along with information as to whether the Santa Ana Police Department intends to comply with the request ([Government Code § 7283.1](#)).

If the Santa Ana Police Department provides ICE with notification that an individual is being, or will be, released on a certain date, the same notification shall be provided in writing to the individual and to his/her attorney or to one additional person who the individual may designate ([Government Code § 7283.1](#)).

413.7.3 ICE INTERVIEWS

Before any interview regarding civil immigration violations takes place between ICE personnel and an individual in custody, the Santa Ana Police Department shall provide the individual with a written consent form that explains the purpose of the interview, that the interview is voluntary and that he/she may decline to be interviewed or may choose to be interviewed only with his/her attorney present. The consent form must be available in the languages specified in [Government Code § 7283.1](#).

413.7.4 TRANSFERS TO IMMIGRATION AUTHORITIES

Members shall not transfer an individual to immigration authorities unless one of the following circumstances exist:

- (a) Transfer is authorized by a judicial warrant or judicial probable cause determination.
- (b) The individual is identified by the U.S. Department of Homeland Security's Immigration and Customs Enforcement as the subject of an outstanding federal felony arrest warrant.

413.7.5 REPORTING TO CALIFORNIA DEPARTMENT OF JUSTICE

The Jail Manager shall ensure that data regarding the number of transfers of an individual to immigration authorities, as permitted by [Government Code § 7284.6\(a\)\(4\)](#), and the offense that allowed for the transfer is collected and provided to the Records Manager for required reporting to the DOJ ([Government Code § 7284.6\(c\)\(2\)](#)) (see the [Records Bureau] Policy).

413.8 U VISA AND T VISA NONIMMIGRANT STATUS

Under certain circumstances, federal law allows temporary immigration benefits, known as a U visa, to victims and witnesses of certain qualifying crimes ([8 USC § 1101\(a\)\(15\)\(U\)](#)).

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Similar immigration protection, known as a T visa, is available for certain qualifying victims of human trafficking ([8 USC § 1101\(a\)\(15\)\(U\)](#)).

Any request for assistance in applying for U visa or T visa status should be forwarded in a timely manner to the Investigative Bureau supervisor assigned to oversee the handling of U and T visa certification. The Investigative Bureau supervisor should:

- (a) Consult with the assigned investigator to determine the current status of any related case and whether further documentation is warranted.
- (b) Contact the appropriate prosecutor assigned to the case, if applicable, to ensure the certification or declaration has not already been completed and whether a certification or declaration is warranted.
- (c) Address the request and complete the certification or declaration, if appropriate, in a timely manner.
 - (a) The instructions for completing certification and declaration forms can be found on the [U.S. Department of Homeland Security \(DHS\) website](#).
 - (b) Form I-918 Supplement B certification shall be completed if the victim qualifies under [Penal Code § 679.10](#) (multiple serious offenses). Form I-914 Supplement B certification shall be completed if the victim qualifies under [Penal Code § 236.5](#) or [Penal Code § 679.11](#) (human trafficking).
- (d) Ensure that any decision to complete, or not complete, a certification or declaration form is documented in the U Visa Tracking spreadsheet.

413.8.1 TIME FRAMES FOR COMPLETION

Officers and their supervisors who are assigned to investigate a case of human trafficking as defined by Penal Code § 236.1 shall complete the above process and the documents needed for indicating the individual is a victim for the T visa application within 15 business days of the first encounter with the victim, regardless of whether it is requested by the victim (Penal Code § 236.5).

Officers and their supervisors shall complete the above process and the documents needed certifying victim cooperation for a U visa or T visa application pursuant to Penal Code § 679.10 and Penal Code § 679.11 within 30 days of a request from the victim, victim's family, or authorized representative (as defined in Penal Code § 679.10 and Penal Code § 679.11) related to one of their assigned cases. If the victim is in removal proceedings, the certification shall be processed within seven days of the first business day following the day the request was received.

413.8.2 POLICE REPORTS

Upon request, an officer or supervisor should provide a victim or authorized representative with a copy of the report filed by the victim within seven days of the request (Penal Code § 679.10).

413.9 TRAINING

The Training Commander shall ensure that all appropriate members receive training on immigration issues.

Training should include:

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- (a) Identifying civil versus criminal immigration violations.
- (b) Factors that may be considered in determining whether a criminal immigration offense has been committed.
- (c) Prohibitions contained in the California Values Act ([Government Code § 7284 et seq.](#)) and [Santa Ana Ordinance No NS-2908](#).

413.10 CITY OF SANTA ANA SANCTUARY CITY ORDINANCE

On December 6, 2016, the Santa Ana City Council adopted an Uncodified Ordinance ([Ordinance No. NS-2908](#)) of the City Council relating to the City's procedures concerning sensitive information and enforcement of Federal Immigration Law following the declaration of the City of Santa Ana as a Sanctuary City for all residents. A copy of the Ordinance and Resolution are attached hereto as Exhibit "A" and incorporated herein by reference.

413.10.1 ORDINANCE NO. NS-2908 ATTACHMENT [Exhibit "A"](#)

413.10.2 RESOLUTION 2016-086 [Exhibit "B"](#)

Attachments

Ordinance No. NS-2908 - Sactuary City Ordinance.pdf

ORDINANCE NO. NS-2908

AN UNCODIFIED ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF SANTA ANA RELATING TO THE CITY'S
PROCEDURES CONCERNING SENSITIVE INFORMATION
AND THE ENFORCEMENT OF FEDERAL IMMIGRATION
LAW FOLLOWING THE DECLARATION OF THE CITY OF
SANTA ANA AS A SANCTUARY FOR ALL ITS RESIDENTS

THE CITY COUNCIL OF THE CITY OF SANTA ANA DOES ORDAIN AS
FOLLOWS:

Section 1. The City Council of the City of Santa Ana hereby finds, determines,
and declares as follows:

- A. The City of Santa Ana has long embraced and welcomed individuals of diverse racial, ethnic, religious, and national backgrounds, including a large immigrant population.
- B. The City of Santa Ana welcomes, honors, and respects the contributions of all of its residents, regardless of their immigration status.
- C. Immigrants and their families in Santa Ana contribute to the economic and social fabric of the City by establishing and patronizing businesses, participating in the arts and culture, and achieving significant educational accomplishments.
- D. Fostering a relationship of trust, respect, and open communication between City officials and residents is essential to the City's mission of delivering efficient public services in partnership with our community, which ensures public safety, a prosperous economic environment, and opportunities for our youth, and a high quality of life for residents.
- E. The City of Santa Ana seeks to continue to foster trust between City officials and residents to protect limited local resources, to encourage cooperation between residents and City officials, including law enforcement officers and employees, and to ensure public safety and due process for all.
- F. In recognition of the City's continued commitment to the equal, respectful, and dignified treatment of all people, the City Council, on December 6, 2016, adopted Resolution No. 2016-086 declaring the City of Santa Ana a sanctuary for all its residents, regardless of their immigration status. This Resolution called for certain actions by the City relative to the administration and enforcement of federal immigration law, which is the exclusive authority of the federal government.

G. The City now wishes to enact specific procedures consistent with Resolution No. 2016-086 and the City's commitment to social justice and inclusion.

Section 2. Purpose and Intent. The City of Santa Ana is one of the most ethnically, racially, and religiously diverse cities in the United States, with immigrants comprising approximately 46 percent of the City's population. The City has long derived its strength and prosperity from its diverse community, including those who identify as immigrants, and prides itself on their achievements. The cooperation of the City's immigrants is essential to advancing the City's mission, vision, and guiding principles, including community safety, support for youth and education, economic development, and financial stability. Through the City's commitment to social justice and inclusion, one of the City's most important objectives is to enhance its relationship with all its residents, including immigrants. Due to the City's limited resources, the complexity of federal civil immigration laws, the need to promote trust and cooperation from the public, including immigrants, and to attain the City's objectives, the City Council finds that there is a need to clarify the communication and enforcement relationship between the City and the federal government. The purpose of this ordinance is to establish the City's procedures concerning immigration status and enforcement of federal civil immigration laws.

Section 3. Requesting or Maintaining Information Prohibited. No City agency, department, officer, employee, or agent shall request or maintain information about sensitive information about any person except as provided in this ordinance. Sensitive information includes any information that may be considered sensitive or personal by nature, including a person's status as a victim of domestic abuse or sexual assault; status as a victim or witness to a crime generally; citizenship or immigration status; status as a recipient of public assistance; sexual orientation; biological sex or gender identity; or disability.

Section 4. Disclosing Information Prohibited. No City agency, department, officer, employee, or agent shall disclose sensitive information about any person except as provided in this ordinance.

Section 5. Exceptions to Prohibitions. The prohibitions in Sections 3 and 4 of this ordinance shall not apply where the individual to whom such information pertains provides his or her consent (or if such individual is a minor, the consent of that person's parent or guardian), where the information or disclosure is necessary to provide a City service, or where otherwise required by state or federal law or judicial decision.

Section 6. Use of City Resources Prohibited. No City agency, department, officer, employee, or agent shall use City funds, resources, facilities, property, equipment, or personnel to assist in the enforcement of federal immigration law, unless such assistance is required by any valid and enforceable federal or state law or is contractually obligated. Nothing in this Section shall prevent the City, including any agency, department, officer, employee, or agent of the City, from lawfully discharging his or her duties in compliance with and in response to a lawfully issued judicial warrant or subpoena.

The prohibition set forth in this Section shall include but not be limited to:

- (a) Identifying, investigating, arresting, detaining, or continuing to detain a person solely on the belief that the person is not present legally in the United States or that the person has committed a violation of immigration law;
- (b) Assisting with or participating in any immigration enforcement operation or joint operation or patrol that involves, in whole or in part, the enforcement of federal immigration laws;
- (c) Arresting, detaining, or continuing to detain a person based on any immigration detainer or federal administrative warrant, when such immigration detainer or administrative warrant is based solely on a violation of federal immigration law, or otherwise honoring any such detainer, warrant, or request to detain, interview, or transfer;
- (d) Notifying federal authorities about the release or pending release of any person for immigration purposes;
- (e) Providing federal authorities with non-public information about any person for immigration purposes; and
- (f) Enforcing any federal program requiring the registration of individuals on the basis of religious affiliation or ethnic or national origin.

Section 7. Implementation of Policies. Within a reasonable time following adoption of this ordinance, the City shall implement policies to prevent biased-based policing and directing its law enforcement personnel to exercise discretion to cite and release individuals in lieu of detaining them at a local detention facility or county jail based on the nature of the crime alleged to be committed. The City shall also provide appropriate training and establish a commission, task force, or similar body composed of community members to advise the City Council on these and all policies related to this ordinance.

Section 8. Ordinance Not to Conflict with Federal Law. Nothing in this ordinance shall be construed or implemented to conflict with any valid and enforceable duty and obligation imposed by a court order or any federal or applicable law.

Section 9. No Private Right of Action. This ordinance does not create or form the basis of liability on the part of the City, its agencies, departments, officers, employees, or agents. It is not intended to create any new rights for breach of which the City is liable for money or any other damages to any person who claims that such breach proximately caused injury. The exclusive remedy for violation of this ordinance shall be through the City's disciplinary procedures for employees under applicable City regulations, unless the agency, department, officer, employee, or agent of the City is lawfully discharging his or her duties as set forth in Section 6.

Section 10. Severability. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of the City of Santa Ana hereby declares that it would have adopted this ordinance and each section, subsection, sentence, clause, phrase or portion thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions were to be declared invalid or unconstitutional.

Section 11. Effective Date. This ordinance shall become effective thirty (30) days after its adoption.

Section 12. Certification by Clerk. The Clerk of the Council shall certify the adoption of this ordinance and shall cause the same to be published as required by law.

ADOPTED this 17th day of January, 2017.



Miguel A. Pulido
Mayor

APPROVED AS TO FORM:
Sonia R. Carvalho, City Attorney

By: John M. Funk
John M. Funk
Assistant City Attorney

AYES:	Councilmembers	<u>Benavides, Martinez, Pulido, Solorio, Tinajero, Villegas (6)</u>
NOES:	Councilmembers	<u>None (0)</u>
ABSTAIN:	Councilmembers	<u>None (0)</u>
NOT PRESENT:	Councilmembers	<u>Sarmiento (1)</u>

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, Maria D. Huizar, Clerk of the Council, do hereby attest to and certify that the attached Ordinance No. NS-2908 to be the original ordinance adopted by the City Council of the City of Santa Ana on January 17, 2017, and that said ordinance was published in accordance with the Charter of the City of Santa Ana.

Date: 1/20/2017

Maria D. Huizar
Maria D. Huizar
Clerk of the Council
City of Santa Ana

Resolution 2016-086.pdf

RESOLUTION NO. 2016-086

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
SANTA ANA, CALIFORNIA DECLARING THE CITY OF
SANTA ANA A SANCTUARY FOR ALL ITS RESIDENTS,
REGARDLESS OF THEIR IMMIGRATION STATUS

WHEREAS, the City of Santa Ana has long embraced and welcomed individuals of diverse racial, ethnic, religious, and national backgrounds, including a large immigrant population; and

WHEREAS, immigration has been the cornerstone of the City of Santa Ana, the region, the state, and the nation's development throughout our history; and

WHEREAS, the City of Santa Ana welcomes, honors and respects the contributions of all of its residents, regardless of their immigration status; and

WHEREAS, Santa Ana's immigrant families contribute to the economic and social fabric of the City by establishing and patronizing businesses, contributing to arts and culture and achieving significant educational accomplishments; and

WHEREAS, fostering a relationship of trust, respect, and open communication between City officials and residents is essential to the City's mission of delivering efficient public services in partnership with our community which ensures public safety, a prosperous economic environment, opportunities for our youth, and a high quality of life for residents; and

WHEREAS, the City of Santa Ana seeks to continue to foster trust between City officials and residents, to protect limited local resources, to encourage cooperation between residents and City officials, including especially law enforcement officers and employees, and to ensure public safety, and due process for all; and

WHEREAS, the conflation of federal civil immigration law enforcement and local criminal law enforcement experienced in other communities has resulted in considerable erosion of public safety by creating social distance between law enforcement officers and the community; and

WHEREAS, the City of Santa Ana desires to address the fears and concerns of its residents in relation to an individual's immigration status while at the same time being mindful that it must maintain positions on federal policy that do not affect the financial

stability of the City of Santa Ana in ways that are detrimental to the health and safety of its residents; and

WHEREAS, many cities and towns throughout the United States have adopted resolutions, ordinances, policies, and practices to demonstrate their commitment to equal, respectful and dignified treatment of all people, regardless of their immigration status, and as result may be referred to as "Sanctuary Cities; and

WHEREAS, the City of Santa Ana desires to similarly demonstrate its commitment to its residents by unequivocally stating that it will provide a sanctuary to all residents who are fearful by assuring them that the City will not expend any funds, nor use its resources, including staff to administer federal immigration law which is the exclusive authority of the federal government;

NOW THEREFORE, the Santa Ana City Council does hereby resolve as follows:

Section 1: The City of Santa Ana is a sanctuary for all its residents, regardless of their immigration status.

Section 2: City of Santa Ana officials, including its law enforcement officers, shall not administer federal immigration law which is the exclusive authority of the federal government.

Section 3: City of Santa Ana officials, including its law enforcement officers shall not take any direct action against an individual solely because of his or her immigration status.

Section 4: The City of Santa Ana will take all of the following actions:

- (1) **Protect Sensitive Information:** The City shall adopt a policy applying to all City departments prohibiting such departments, officers, employees or agents from inquiring into, maintaining or disclosing sensitive information about residents except to the extent necessary to provide the city service in question or with the consent of the individual or as required by law. Sensitive information includes information of a personal nature or about private attributes, such as status as a victim of domestic violence or sexual assault, status as a crime witness, sexual orientation, immigration status, disability status, or status as a recipient of public assistance.
- (2) **Restrict Use of City Resources:** The City shall adopt a policy affirming its commitment to preventing biased-based policing and disallowing the use of

any City monies, facilities, property, equipment or personnel, unless contractually obligated, for the following:

(a) Immigration enforcement, including but not limited to:

- Identifying, investigating, arresting, or detaining any person solely on the basis of a suspected violation of immigration law;
- Honoring any civil immigration detainer, ICE administrative warrant or request to interview, detain, transfer, or notify federal authorities about the release of any individual for immigration purposes; and
- Providing federal authorities with non-publicly available information about any individual for immigration purposes.

(b) Enforcement of any federal program requiring the registration of individuals on the basis of religious affiliation, national or ethnic origin.

(c) Nothing in this section shall prevent the City from responding to a lawfully-issued judicial warrant or subpoena.

(d) The City has contractual obligations related to the City jail that it has voted to phase out and will take various actions to implement that vote as expeditiously as possible.

(3) Discretion in Policing: As it is the policy of the City to exercise appropriate discretion in the enforcement of state and local laws, the City will adopt a policy to guide officers in the exercise of their discretion to cite and release individuals in lieu of booking them into a local detention facility or county jail based on the nature of the crime committed.

(4) Training and Oversight: The City will ensure that the policies called for in this Resolution are disseminated and appropriate training is provided to all affected officers, employees and agents of the City and the City will establish a commission or task force composed of community members to advise the City Council on implementation and monitoring of the policies called for in this Resolution.

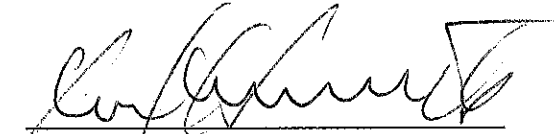
Section 5: Nothing in this Resolution shall be construed or implemented to conflict with any valid and enforceable obligation imposed by federal law. City staff shall monitor any efforts by the federal government to withhold or withdraw federal funding as a result of the City's policies to protect and defend its immigrant community and shall take all actions necessary to protect such funding.

Section 6: The Clerk of the Council shall certify to the passage and adoption of this resolution and enter it into the book of original Resolutions.

Section 7: This Resolution shall take effect immediately upon its adoption and new actions and policies called for in the same shall be presented for adoption by City Council within 120 days.

Section 8. The Mayor shall sign this Resolution, and the City Clerk shall attest and certify to the passage and adoption thereof.

PASSED, APPROVED, AND ADOPTED this 6th day of December, 2016.



Vicente Sarmiento
Mayor Pro Tem

APPROVED AS TO FORM:

By: Sonia R. Carvalho
Sonia R. Carvalho
City Attorney

AYES: Councilmembers: Amezcuca, Benavides, Reyna, Sarmiento, Tinajero (5)

NOES: Councilmembers: None (0)

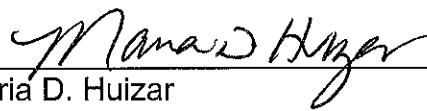
ABSTAIN: Councilmembers: None (0)

NOT PRESENT: Councilmembers: Martinez, Pulido (2)

CERTIFICATE OF ATTESTATION AND ORIGINALITY

I, MARIA D. HUIZAR, Clerk of the Council, do hereby attest to and certify the attached Resolution No. 2016-086 to be the original resolution adopted by the City Council of the City of Santa Ana on December 6, 2016.

Date: 2/8/2017



Maria D. Huizar
Clerk of the Council
City of Santa Ana