

**FILED**  
OFFICE OF THE CITY CLERK  
OAKLAND

2014 OCT 28 PM 4:01

Approved as to Form and Legality

Oakland City Attorney's Office

As revised 10/14/2014 by Finance Committee

## OAKLAND CITY COUNCIL

RESOLUTION NO. 85218 C.M.S.

INTRODUCED BY COUNCILMEMBERS GALLO, REID AND MAYOR QUAN

**RESOLUTION AUTHORIZING A GRANT IN AN AMOUNT UP TO \$577,231.00 TO CENTRO LEGAL DE LA RAZA TO BE USED TO PROVIDE LEGAL SERVICES TO CENTRAL AMERICAN UNACCOMPANIED CHILDREN (UAC) IN OAKLAND THAT HAVE FLED TO THE UNITED STATES TO ESCAPE VIOLENT AND OTHER OPPRESSIVE CONDITIONS IN THEIR COUNTRIES, AND AUTHORIZING THE CITY ADMINISTRATOR TO IDENTIFY AND APPROPRIATE UNBUDGETED FUNDS FOR THE GRANT**

**WHEREAS**, the City of Oakland has a strong tradition of embracing and valuing diversity and respecting the civil and human rights of all regardless of their immigration status; and

**WHEREAS**, in 2007, the Oakland City Council adopted a "Sanctuary City" Resolution No. 80584, calling for a moratorium on immigration raids and for the passage of fair and humane federal immigration laws; as well as declaring Oakland a refuge for immigrants from all countries; providing equal access to public services and civil protections without regard to an individual's immigration status, the City had earlier passed a resolution stating Oakland was a refuge for those from El Salvador, Guatemala, Haiti and South Africa; and

**WHEREAS**, an emergency humanitarian crisis is taking place at the United States-Mexican border where thousands of unaccompanied children (UAC) from Central America including countries, such as El Salvador, Guatemala, Honduras and Nicaragua are being apprehended and detained in crowded shelters, detention centers and facilities on military bases where they have been subjected to inhumane living conditions for indeterminate periods of time; and

**WHEREAS**, these are unacceptable conditions that the United States Department of Homeland Security (DHS) and Human Health Services (HHS) will not be equipped or funded to humanly address until Congress passes comprehensive immigration reform; and

**WHEREAS**, data collected by the Department of Homeland Security shows that from October 2013 to July 2014, more than 62,000 Central American children have fled from their home countries into the United States; and it is estimated that by the end of 2014, up to 90,000 children fleeing violence from Central America will enter the United States alone, seeking protection, with an average of 120-400 children crossing the border each day; and

**WHEREAS**, on July 29, 2014, the Oakland City Council approved Resolution No. 85151 C.M.S., committing the City of Oakland to assist in the humanitarian relief efforts by collaborating with local, state and federal organizations to address the short and long term needs of unaccompanied immigrant children entering into Oakland and the East Bay region by:

1. Publicizing the need for host families and sponsors who can provide safe and stable housing opportunities for the unaccompanied children and work to move children from shelters into homes of relatives or host families as soon as possible; and
2. Identifying city resources to ensure that City Departments, in partnership with non-profit organizations, can offer a continuum of culturally competent relief services to meet the medical, mental health, educational and legal needs of these children and their families; and

**WHEREAS**, a group of long-time East Bay service providers and faith-based groups with numerous years of experience serving the community have formed a collaborative to provide services to newly arrived UACs and to families with young children seeking asylum; and

**WHEREAS**, members of the collaborative include the Oakland Community Organization (OCO), Centro Legal de la Raza (Centro Legal), East Bay Sanctuary Covenant (EBSC), Catholic Charities of the East Bay (CCEB), La Clínica de la Raza (La Clínica) and the Primera Iglesia Presbiteriana Hispana (PIPH) (collectively referred to hereafter as "Collaborative"); and

**WHEREAS**, Collaborative members are committed to helping and serving this vulnerable population despite having no dedicated funding due to the severity and urgency of this humanitarian crisis; and

**WHEREAS**, Centro Legal De La Raza is leading the Collaborative's efforts to seek emergency funding from the City of Oakland to secure legal representation for UACs and families with young children seeking asylum; and

**WHEREAS**, Centro Legal De La Raza has seen over 350 UAC cases from July 2014 to September 2014; and

**WHEREAS**, it is estimated that a UAC or family with young children only has a 1 in 10 chance of successfully winning a removal defense case, and with legal representation, they have an 8 in 10 chance of being granted protection; and

**WHEREAS**, the stakes are very high for securing legal representation for these children and families because they could face potential death if deported; and

**WHEREAS**, the Collaborative has requested funding in the amount of \$577,231 from the City of Oakland for Centro Legal De La Raza to secure and

provide urgently needed legal and community coordination services to UACs living in Oakland; and

**WHEREAS**, to fund this grant it will be necessary to authorize the City Administrator to identify monies, and/or appropriate unbudgeted monies, provided that such monies shall not be subject to any federal, state, Charter or Council grant request for proposal or qualification processes; now, therefore, be it

**RESOLVED:** That the Oakland City Council authorizes a grant up to the amount of \$577,231.00 to Centro Legal De La Raza to be used to retain and provide legal immigration, child and family welfare and other services needed by Central American unaccompanied children (UAC), and their families, in Oakland that have fled to the United States to escape violent and other oppressive conditions in their countries; and be it

**FURTHER RESOLVED:** That the Oakland City Council authorizes the City Administrator to identify and appropriate unbudgeted funds in an amount up to \$577,231.00 to cover said grant, provided that said funds shall not be subject to any federal, state, Charter or Council grant request for proposal or qualification processes; and be it

**FURTHER RESOLVED:** That the City Attorney shall review and approve the grant awarded hereunder for form and legality prior to its execution and a copy shall be placed on file in the office of the City Clerk; and be it

**FURTHER RESOLVED:** That the City, through the office of the Mayor, will establish a multi-agency working group to provide a coordinated response to the UAC crisis. Said UAC working group shall provide monthly reports to the Oakland City Council. The multi-agency UAC working group shall include representatives of the City, Alameda County, Alameda County Office of Education, and the Oakland Unified School District; and be it

**FURTHER RESOLVED:** That the Council shall agendaize a standing item on the Status of UAC to be heard on the First Tuesday of each month at the Oakland City Council; and be it

**FURTHER RESOLVED:** That the City's federal lobbyist be directed to take action toward ending the Federal Government's current practice of conducting expedited proceedings for the removal of UAC from the United States.

IN COUNCIL, OAKLAND, CALIFORNIA,

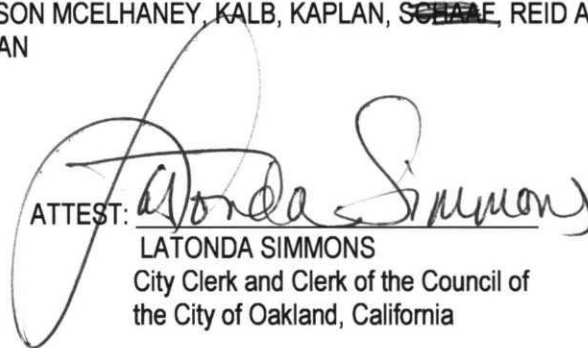
OCT 21 2014

PASSED BY THE FOLLOWING VOTE:

AYES - 7      BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, ~~SCHEAE~~, REID AND  
PRESIDENT KERNIGHAN

NOES - 0  
ABSENT - 1  
ABSTENTION - 0

ATTEST:



LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California