



## MEMORANDUM

**TO:** Mayor and Council

**FROM:** Shawn Willett, Deputy Procurement Officer

**DATE:** November 29, 2018

**SUBJECT:** Response to Resolution No. 20180830-025 concerning, *Recommendations to ensure that the City does not provide financial support to organizations whose activities result in the separation of children from their parent/parents and/or siblings or that result in the mass incarceration of immigrant children*

The purpose of this memorandum is to respond to Resolution No. 20180830-025 concerning “Recommendations to ensure that the City does not provide financial support to organizations whose activities result in the separation of children from their parent/parents and/or siblings or that result in the mass incarceration of immigrant children.”

### **Background Information**

On June 28, 2018, Council passed Resolution No. 20180628-124 strongly opposing any policy which results in the separation of children from their parent/parents and/or siblings or that results in the mass incarceration of immigrant children. As a follow up to this resolution, on August 30, 2018, Council passed Resolution No. 20180830-025 which directed the City Manager to initiate the following actions:

1. Develop recommendations to ensure that the City does not provide financial support to organizations whose activities result in the separation of immigrant children from their parent/parents and/or siblings as stated in Resolution No. 20180628-124; and
2. Review existing contracts that may be in contravention to this stated position and provide a report back to Council during the FY18-19 budget process.

### **Research**

Other governments within Texas, California, New Mexico, and Arizona were contacted to inquire if any were contemplating or had enacted any similar financial policies relating to contractors that are providing or that have provided services under federal or other government contracts, involving the separation of children from their parent/parents and/or siblings or that results in the mass incarceration of immigrant children. The cities contacted include Las Cruces, NM; Tucson, AZ; Flagstaff, AZ; Brownsville, TX; Los Angeles, CA; San Francisco, CA; and Oakland, CA.

Each city contacted indicated they had a policy or policies concerning companies involved in contracts related to the US-Mexico Border Wall; or they had a policy or policies condemning the Trump Administration’s “Zero-Tolerance” Immigration Policy. None of the cities contacted indicated they maintained any policies relating to the separation of children from their parent/parents and/or siblings or that results in the mass incarceration of immigrant children.

After looking to see if other governments maintained such policies, staff looked to see if there were any other organizations or non-governmental entities that maintained such policies. Finding none with such policies, staff then looked to see if any of these groups sought to identify or name those companies that are involved in providing services relating to the separation of children from their parent or parents, etc. While staff was able to determine the identities of certain large companies involved in this field, we were not able to identify other organizations that maintained such lists.

### **Summary**

At this time, staff is not able to identify other cities that currently have any policies regarding financial policies relating to the separation of children from their parent/parents and/or siblings or that results in the mass incarceration of immigrant children. Further, staff is unable to find any organizations or non-profit entities with similar policies, or that maintain lists of companies providing these kinds of services.

### **Recommendation**

Due to the timing of this resolution (end of FY18), staff was unable to complete a list of City contracts with companies that hold contracts with the federal government or other governments providing services that are contrary to Council's Resolution. Staff will complete this list and return to Council with a follow-up report and policy recommendation in this regard.

**cc: Spencer Cronk, City Manager**  
**Elaine Hart, Deputy City Manager/Chief Financial Officer**  
**Greg Canally, Deputy Chief Financial Officer**  
**James Scarboro, Purchasing Officer**