

ORDINANCE NO. 2019-11-033

AN ORDINANCE OF THE CITY OF BELLINGHAM ESTABLISHING AN IMMIGRATION ADVISORY BOARD TO REVIEW AND EVALUATE POLICIES REGARDING COMPLIANCE WITH ENGROSSED SECOND SUBSTITUTE SENATE BILL 5497 AND TO MAKE SPECIFIC RECOMMENDATIONS REGARDING POLICIES RELATED TO IMMIGRATION MATTERS AND PROVIDING FOR DATA COLLECTION

WHEREAS, it is the policy of the City of Bellingham that all people are valued, have inherent liberty interests, and should be afforded dignity and respect regardless of status or identity including race, gender, sexual orientation, religion, immigration status, national origin or ethnic origin; and

WHEREAS, on February 13, 2017 the Bellingham City Council passed Resolution #2017-10, a Resolution Affirming the Safety of All People Residing in Bellingham; and

WHEREAS, on February 27, 2017 the Bellingham City Council passed Ordinance # 2017-02-008, an Ordinance of the City of Bellingham, Washington Relating to City Policy with Respect to Immigration Enforcement, Equal Protection, and Equal Provision of City Services Regardless of Immigration Status and Creating a New Chapter of the Bellingham Municipal Code Regarding Such Matters; and

WHEREAS, the Bellingham Municipal Code includes Chapter 2.25, Equal Protection and Provision of Services Regardless of Immigration Status; and

WHEREAS, City policies related to immigration matters can benefit public health and safety, education, and the economic wellbeing of our community; and

WHEREAS, on May 21, 2019 the Governor of the State of Washington signed Engrossed Second Substitute Senate Bill 5497 (E2SSB 5497), an Act Relating to Establishing a Statewide Policy Supporting Washington State's Economy and Immigrants' Role in the Workplace ("Keep Washington Working Act"); and

WHEREAS, E2SSB 5497 specifically prohibits local law enforcement from taking certain actions related to enforcement of federal immigration law, including, but not limited to, inquiring or collecting information about an individual's immigration or citizenship status, except in limited circumstances; providing information pursuant to notification requests from federal immigration authorities for the purposes of civil immigration enforcement, except as required by law; detaining someone solely for the purpose of determining immigration status or based solely on a civil immigration warrant, or an immigration hold request; and

WHEREAS, E2SSB 5497 protects the privacy and civil rights of all residents; and

WHEREAS, the Mayor, as the chief executive officer of the City shall ensure compliance with E2SSB 5497, which may include alignment of departmental policies, procedures, and practices of the City; and

WHEREAS, the City Council has a substantial and compelling interest in ensuring the City of Bellingham is a place where the rights and dignity of all residents are maintained and protected regardless of status or identity including immigration status, national origin or ethnic origin.

NOW THEREFORE, THE CITY OF BELLINGHAM DOES ORDAIN:

Section 1: Creation of an Immigration Advisory Board

A. Board Established

Pursuant to Bellingham City Charter Section 7.01, there is established an Immigration Advisory Board (“Board”). The purpose of the Board is to review and evaluate existing policies and make specific recommendations regarding City policy related to immigration matters. This evaluation will include, but is not limited to, analysis of City data to determine compliance with E2SSB 5497. The Board will make recommendations for further data to be compiled in order to facilitate its recommendations. In addition, the Board shall support community involvement in and discussion of regional issues and decisions about our city’s future as it relates to immigration.

B. Membership and Appointment.

The Board will consist of no more than 12 members. Individuals will complete an application process to seek appointment to the Board. Under the City Charter, members will be appointed by the Mayor and confirmed by the City Council to serve two-year terms. However, in order to provide for staggered terms, the Mayor shall initially assign a one-year term for four members, with the remaining members assigned a two-year term. Members may serve for no more than two full two-year terms. Any vacancy in the membership of the Board shall be filled in the same manner as the original appointment, with the replacement serving the remainder of the unexpired term.

Membership will include at least one representative from each of the following sectors of the community:

1. Directly Impacted Individual / Liaison
2. Advocacy – Human Rights
3. Legal – Immigration Law / Civil Rights
4. Youth / Education
5. Faith / Religion
6. Healthcare / Medical
7. Labor – Service Industry
8. Labor – Agricultural Industry
9. Business / Economic Development

C. Organization and Meetings.

The Board will meet once a month. Interpretation and translation services will be provided by the City of Bellingham as needed to facilitate the work of the Board. The meetings will be open to the public with agendas and minutes, maintained per the City's records retention schedules. The Members of the Board will elect a Chair and Vice Chair to preside over the meetings, set the agenda, and oversee the work of the Board. The body of rules, ethics and customs that govern meetings and other operations of the Board will be adopted by the membership. The Board will be supported by Mayor-designated staff and City Council-designated staff as needed. The Chair of the Justice Committee will act as liaison between the Board and City Council.

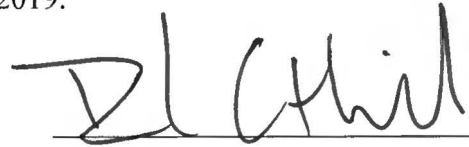
Section 2: Data Collection

The City shall collect data regarding any and all contact between the City of Bellingham and Immigration and Customs Enforcement (ICE) or Customs and Border Protection (CBP). This data collection will be used to help in monitoring compliance with E2SSB 5497.

Section 3: Periodic Updates to Immigration Advisory Board

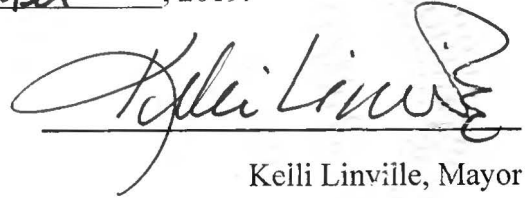
The City administration shall provide the data compiled pursuant to Section 2 of this Ordinance to the Council and the Board on a monthly basis.

PASSED by the Council this 4th day of November, 2019.



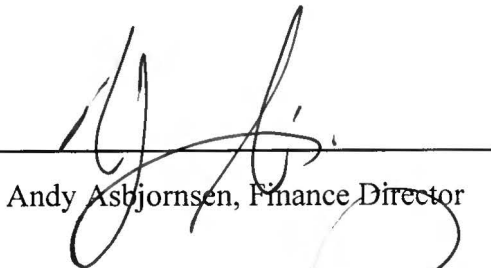
Dan Hammill, Council President

APPROVED by me this 18th day of November, 2019.



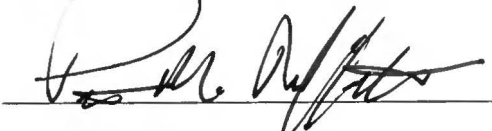
Keili Linville, Mayor

ATTEST:



Andy Asbjornsen, Finance Director

APPROVED AS TO FORM:



Peter Ruffatto, City Attorney