



AGENDA SUMMARY
EUREKA CITY COUNCIL

TITLE: Resolution to Declare the City of Eureka a Sanctuary City

DEPARTMENT: Multiple

PREPARED BY: Office of the City Attorney

PRESENTED FOR: Action Information only Discussion

RECOMMENDATION

Review and adopt a Resolution to declare the City of Eureka a Sanctuary City

FISCAL IMPACT

No Fiscal Impact Included in Budget Additional Appropriation

COUNCIL GOALS/STRATEGIC VISION

Health & Safety, Economic Development, Human Rights, and Community Pride

BACKGROUND

At the regularly scheduled meeting of the City Council on February 4, 2025, the City Council requested that a sanctuary city resolution be placed on a future agenda for discussion and possible adoption.

DISCUSSION

On January 20, 2025, the President issued a number of Executive Orders. Among them was EO 14159, entitled "Protecting the American People Against Invasion," which prioritized the enforcement of immigration laws against "all inadmissible and removable aliens, particularly aliens who threaten the safety and security of the American people."

On January 21, 2025, the Department of Justice issued a memo, stating, "Federal law prohibits state and local actors from resisting, obstructing, and otherwise failing to comply with lawful immigration related commands and requests," and establishing a working group to "identify state and local laws, policies, and activities that are inconsistent with Executive Branch immigration initiatives and, where appropriate, to take legal action to challenge such laws."

On January 27, 2025, the Office of Management and Budget (OMB) issued a memorandum ordering Federal agencies to “temporarily pause all activities related to obligation or disbursement of all Federal financial assistance, and other relevant agency activities that may be implicated by the executive orders.”

On January 28, 2025, California’s Attorney General Bonta joined the attorneys general of 22 other states to sue the administration in federal court to block the OMB’s federal spending freeze. The OMB “walked back” the memo on January 29, 2025, and the federal court issued a temporary restraining order blocking the federal spending freeze on January 31, 2025.

On February 5, 2025, U.S. Attorney General Pam Bondi issued a memorandum entitled “Sanctuary Jurisdiction Directives” stating: “Sanctuary jurisdictions should not receive access to federal grants administered by the Department of Justice.”

A Department of Transportation Order similarly prioritizes “projects and goals that ... require local compliance or cooperation with Federal immigration enforcement and objectives specified by the President of the United States or the Secretary.”

Over the years, Republican lawmakers have repeatedly introduced legislation to limit funding to sanctuary cities. Most recently, Texas Representative Pfluger introduced the “No Funding for Sanctuary Cities Act”, which will work its way through the legislature this year.

On February 7, 2025, a coalition of local agencies – including the City and County of San Francisco – filed a complaint in federal court seeking injunctive relief against the administration’s “trampling of established law limiting the extent of federal power over state and local governments.” Specifically, the complaint seeks to prevent the President from penalizing “sanctuary jurisdictions that do not bend to his will.”

A number of other agencies have sued to prevent enforcement of the administration’s sanctuary jurisdiction policies. As recently as Monday, February 24, 2025, two Massachusetts cities – Chelsea and Somerville – sued to “Stop Trump from Entangling Them in Federal Immigration Enforcement” (according to the press release from the City of Somerville).

These recent actions represent the latest in a legacy battle between the federal government and local agencies over sanctuary status. Local governments across California have made deliberate decisions about how to make their communities safer and where to spend their resources, dating as far back as 1971, when the City of Berkeley became California’s first sanctuary city (to protect individuals resisting the Vietnam War). In 1989, the City and County of San Francisco passed the “City and County of Refuge Ordinance,” prohibiting the use of City funds or resources to assist in the enforcement of Federal immigration laws.

In 2017, California lawmakers enacted the California Values Act (commencing with Government Code § 7284), which prohibits state and local law enforcement agencies from using resources to cooperate with immigration enforcement (subject to specified exceptions such as a judicial warrant). The proposed resolution reaffirms the City of Eureka’s commitment to follow the California Values Act and exercise its authority to direct the use of scarce resources.