RENT STABILIZATION BOARD

DATE: March 20, 2017

TO: Honorable Members of the Berkeley Rent Board

FROM: Commissioners Laverde-Levine, Murphy, Soto-Vigil and Tregub

SUBJECT: Denunciation of the Presidential Executive Order to Build a Wall Along the U.S.-Mexico Border; Policy for the Rent Board to Refrain from Entering into New or Amended Contracts with Vendors that Materially Support the Building of Said Border Wall; Recommendation to CalPERS and the Berkeley City Council of the Same

RECOMMENDATION

The Berkeley Rent Board shall denounce the Presidential Executive Order to Build a Wall Along the U.S.-Mexico Border and establish a policy that requires the Rent Board to refrain from entering into new or amended contracts to purchase goods, materials, labor or professional, technical, scientific, financial, or any other services from any business that provides such goods, materials, labor or services in support of the building of said border wall. The Rent Board shall further recommend to the California Public Employees Retirement System (CalPERS) the Berkeley City Council that it adopt a similar policy.

FISCAL IMPACTS OF RECOMMENDATION

Unknown, but would require staff time.

BACKGROUND

This item denounces the January 25, 2017 Executive Order titled "Border Security and Immigration Enforcement," which has created heightened fear and insecurity among many immigrant communities in Oakland and across the nation. Issued by President Trump, this Executive Order directs the Administration to prioritize construction of a U.S.-Mexico border wall, deportation of undocumented immigrants, and the withholding of federal grant funding from cities and states that harbor undocumented immigrants.

The U.S. Department of Homeland Security, Customs and Border Protection has since issued a

notice indicating it intends to issue a solicitation on or about March 6, 2017, "for the design and build of several prototype wall structures in the vicinity of the United States border with Mexico," requiring submittal of "concept papers" by March 10,2017, and submittal of responsive proposals by March 24,2017.[1]

The Rent Board Executive Director is hereby directed, in instances where there is no significant additional cost or conflicts with law, to refrain from entering into new or amended contracts to purchase professional, technical, scientific or financial services, goods, construction labor and materials or other services, or supplies from businesses that enter into contracts to provide such services, goods, materials or supplies to build the U.S.-Mexico border wall. I We also calls on City of Berkeley and CalPERS to divest from publicly traded businesses that provide goods or services in support of building the U.S.-Mexico wall and encourages Berkeley citizens, businesses, churches, schools, organizations, associations and others in the city, as well as other cities, counties and other jurisdictions in the country to take similar action.

RATIONALE FOR RECOMMENDATION

The construction of a wall along the U.S.-Mexico border is antithetical to the core principles and shared values of the Berkeley community and our city government – as well as the founding and guiding principles of our nation. Berkeley has historically been and remains today a city of immigrants and refugees. The Berkeley Rent Board is proud to enforce protections for all of Berkeley's residents, regardless of immigration stratus. Our diversity provides a strong foundation of the City's economic vitality, cultural vibrancy and social character. The Berkeley City Council in the past has recognized the contributions of immigrant communities in the City and throughout California and in late 2016 reaffirmed its Sanctuary City Policy.[2]

This item is made in solidarity with other cities and states that are contemplating similar actions.

1https://www.fbo.gov/index?s=opportunity&mode=form&id=b8e1b2a6876519ca0aedd748e1e491cf&tab=core&_cview=0
2 http://www.berkeleyside.com/2016/11/22/berkeley-mayor-elect-council-members-reaffirm-citys-sanctuary-status/