

RESOLUTION NUMBER R- **311327**

DATE OF FINAL PASSAGE **OCT 05 2017**

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO
IN OPPOSITION TO EXECUTIVE ORDER 13767, TO BUILD A WALL
ALONG THE UNITED STATES BORDER WITH MEXICO AND U.S.
HOUSE OF REPRESENTATIVES BILL H.R. 1813 TITLED BORDER
WALL FUNDING ACT OF 2017.

WHEREAS, the City of San Diego (City) considers the dynamic border region of San Diego and Tijuana to be among the most unique, diverse, and beautiful regions in the world; and

WHEREAS, in 2013, the City passed Resolution Number R-308106 supporting a reasonable and comprehensive approach to immigration reform that should include a pathway to citizenship for the 11 million undocumented immigrants living within our nation's borders, and supporting an efficient and safe border to keep pace with expanding bilateral trade and population growth of the border region; and

WHEREAS, President Donald Trump's Executive Order 13767 (Executive Order 13767) proposes to build a wall along the entire U.S.-Mexico border; and

WHEREAS, U.S. House of Representatives Bill H.R. 1813 (H.R. 1813) would amend the Electronic Fund Transfer Act by imposing a fee on remittance transactions sent from the United States to certain foreign countries to use funds for constructing the border wall; and

WHEREAS, according to stakeholders in the financial sector, the consumer tax in H.R. 1813 would increase the cost of remittance transfers, possibly driving consumers out of regulated financial services and forcing these money transactions underground; and

WHEREAS, H.R. 1813, if passed, would have an adverse economic impact in the regulated financial institutions for remittance transfers of the San Diego-Tijuana region, according to representatives of the American Bankers Association; and

WHEREAS, according to a recent presentation by the United States Border Patrol in San Diego , apprehensions of unauthorized border crossers are at historic lows and border communities are among the safest in the United States; and

WHEREAS, Executive Order 13767 directs the Secretary to allocate all legally available resources to immediately enter into contracts to construct, operate, or control facilities to detain people at or near the land border with Mexico, and supports State monitoring and detention programs; and

WHEREAS, previously, U.S. laws were waived under the amended Secure Fence Act of 2006 to facilitate construction of existing border structures, precluding review and analysis of their impacts to environmental and archaeological resources along the border, including the Otay mountain wilderness area; and

WHEREAS, the City is concerned that the proposed border wall could cause irreparable damage to the environment; and

WHEREAS, according to the news outlet The Hill, the estimated cost of the proposed border wall by the Senate Homeland Security and Governmental Affairs Committee is up to \$66.9 billion, with another \$150 million in annual maintenance and cost; and

WHEREAS, San Diego taxpayer funds could be better utilized to provide an efficient and safe border crossing with investments in infrastructure and technology instead of a wall through the entire southern border; and

WHEREAS, the City supports securing funding for the Otay Mesa Port of Entry Infrastructure Project in the federal Fiscal Year 2018 Financial Services and General Government Appropriations bill; and

WHEREAS, the San Diego Chamber of Commerce voted to oppose H.R. 1813 on June 22, 2017 and stated that this legislation would: double taxation of U.S. and non-U.S. citizens; result in a decrease in the amount of dollars individuals and countries invest into the U.S. economy, adversely impacting U.S. relationships with affected countries; harm companies and organizations that partner with the Latin American region, potentially increase the population living in poverty; and entice an increase in utilization of grey market channels or illegal methods of money transfers; and

WHEREAS, City residents deserve to know how the City's public funds are being spent, and whether they are supporting individuals or entities involved in the construction or operation of the border wall; and

WHEREAS, City Council encourages companies not to participate in the design, construction, or financing of the border wall in any way; and

WHEREAS, the City Council reiterates its federal legislative platform focus 1.3 section 2., which states that the City will "advocate for policies and resources that facilitate international trade opportunities benefiting San Diego companies, such as border infrastructure investment, regulatory and process reforms that reduce transaction cost to businesses, completion of free trade agreements that open foreign markets and better access to commercial service staff in high-priority countries"; and

WHEREAS, the City finds both Executive Order 13767 and H.R.1813 to be damaging symbols of fear and division that will increase tensions with Mexico, one of the United States' largest trading partners and a neighbor with which communities such as San Diego in the border region are inextricably linked culturally, physically, and economically; and

WHEREAS, the City stands in opposition to building the proposed wall because it could destroy the vitality of U.S.- Mexico relations and act as a separation to our unique, diverse, and beautiful region,

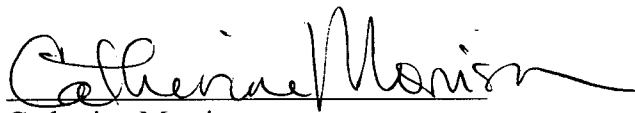
NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of San Diego (City Council), that:

1. The City Council opposes Executive Order 13767, H.R.1813 and all associated actions calling for the construction of a wall or continuous physical/economic barrier along the entire U.S.-Mexico border for the reasons provided in this Resolution.

2. The City Council expresses its intent to seek disclosure of all companies who submit a bid or are awarded a contract related to designing, building, or financing the proposed border wall. The City will explore legally permissible options for this disclosure as soon as practicable.

APPROVED: MARA W. ELLIOTT, City Attorney

By



Catherine Morrison
Deputy City Attorney

CCM:jvg
September 6, 2017
Or.Dept: Council District 9
Doc. No.: 1575940

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of SEP 19 2017.

ELIZABETH S. MALAND
City Clerk

By 
Deputy City Clerk

Approved: _____
(date)

KEVIN L. FAULCONER, Mayor

Vetoed: _____
(date)

KEVIN L. FAULCONER, Mayor

(Note: This resolution was returned unsigned by the Mayor's Office to the Office of the City Clerk on October 4, 2017. Pursuant to the San Diego Charter Section 295(a)(2), the Mayor has 10 business days from the date the resolution was transmitted to sign or veto the resolution, said deadline being close of business on October 4, 2017. Therefore the date of expiration of that time shall be deemed the date of its final passage.)

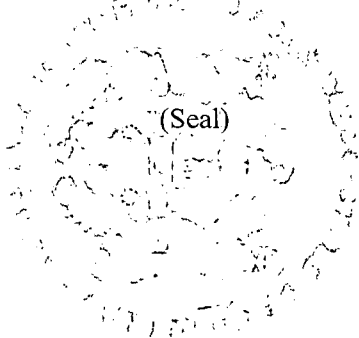
Passed by the Council of The City of San Diego on SEP 19 2017, by the following vote:

| Councilmembers | Yeas | Nays | Not Present | Recused |
|-----------------|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| Barbara Bry | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Lorie Zapf | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Chris Ward | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Myrtle Cole | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Mark Kersey | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Chris Cate | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Scott Sherman | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| David Alvarez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Georgette Gomez | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Date of final passage OCT 05 2017

(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:



(Seal)

KEVIN L. FAULCONER

Mayor of The City of San Diego, California.

ELIZABETH S. MALAND

City Clerk of The City of San Diego, California.

By , Deputy

Office of the City Clerk, San Diego, California

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