CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: Angel Rios, Jr.

SUBJECT: **See Below**

DATE: December 5, 2025

Approved Date: 12/19/25

COUNCIL DISTRICT: Citywide

SUBJECT: **Adoption of City Council Policy 7-15, Prohibiting the Use of City Parking Lots, Vacant Lots, and Garages for Civil Immigration Enforcement Staging Areas, Processing Locations, or Operation Bases**

RECOMMENDATION

(a) Adopt a resolution approving City Council Policy 7-15, Prohibiting the Use of City Parking Lots, Vacant Lots, and Garages for Civil Immigration Enforcement Staging Areas, Processing Locations, or Operation Bases.

(b) Direct the City Manager to implement City Council Policy 7-15.

SUMMARY AND OUTCOME

Adopting the proposed City Council Policy 7-15 will establish a City policy to restrict the use of City-owned or City-controlled parking lots, garages, and open spaces as staging areas, processing locations, or operations bases for civil immigration enforcement.

The policy establishes clear implementation guidelines, including standardized signage, property access controls where appropriate, and reporting requirements for City employees. Adoption will help preserve community trust and ensure consistent management of public property in alignment with the City Council policy.

BACKGROUND

On October 28, 2025, the City Council approved a memorandum submitted by Councilmembers Ortiz, Candelas, and Kamei directing the City Manager to coordinate with the City Attorney to prioritize identification of City-owned or City-controlled

properties such as parking lots, garages, and open spaces that could be commandeered for civil immigration enforcement including staging, processing, or establishing an operational base; and to return with a policy that would restrict such activity.

The City Council direction followed reports in other parts of the country that municipal facilities were being commandeered for civil immigration enforcement without the consent of the local jurisdiction. The proposed policy builds on the City Council's reaffirmation in February 2025 (Resolution No. RES2025-19) of its commitment to protecting the rights and safety of immigrant communities. Staff have developed a proposed City Council policy in coordination with the City Attorney's Office.

ANALYSIS

The policy prohibits the use of City-owned or City-controlled parking lots, garages, and open spaces as staging areas, processing locations, or operations bases for civil immigration enforcement. It directs the Administration to identify applicable properties, post signage stating prohibited uses, and implement physical barriers such as gates where appropriate.

City employees who become aware of unauthorized use must report it through their supervisor to the City Manager and City Attorney. The policy authorizes the Administration to provide signage on City-owned or City-controlled properties, and to offer electronic templates for private property owners and leaseholders who wish to voluntarily replicate and post them. Use of such signage by private entities is entirely optional and at their own discretion and risk.

In addition, the Administration would be required to make available to the public Know-Your-Rights materials regarding the rights of employees, tenants, and security staff regarding entry by federal officials, consistent with California law and California Attorney General guidance.

The proposed policy would exempt any property that is subject to an existing lease, license, operator agreement, or other contractual restriction on the City. This policy is not intended to, and shall not be interpreted to, impair or interfere with such existing agreement. The policy does not restrict or interfere with the execution of lawful judicial warrants or the enforcement of criminal law, nor does it limit the rights of any person or entity under state or federal law. This policy does not prohibit the lawful use of City-owned or City-controlled property for purposes other than a staging area, processing location, or operation base for civil immigration enforcement, nor does it restrict any person or entity from carrying out functions unrelated to those purposes on such property. For example, federal officials present at the San José Mineta International

Airport to operate the TSA checkpoints and customs for aviation purposes would not be impacted by the proposed policy.

The proposed policy supports local control of limited City resources, provides clear direction to City staff, and reinforces the City's stated goal of safe and equitable access to public spaces as outlined in the 2025–2030 Welcoming San José Plan. The proposed policy is drafted in compliance with state and federal law.

The number of City-owned or City-controlled properties potentially impacted by this policy is subject to change as properties are acquired or sold over time. Currently, the Administration has identified approximately 11 City garages and parking lots, along with 75 library and community center sites that include publicly accessible parking. While the City owns and controls several hundred vacant parcels, most are not applicable to this policy due to the location, because they are located along creeks or are not accessible for public parking. The list of applicable sites will be reviewed and updated periodically as property ownership changes or new parcels are identified.

EVALUATION AND FOLLOW-UP

The Administration will develop implementation procedures within 30 days of the policy's effective date, including guidance on signage, reporting protocols, and property access controls, as outlined in the policy. Any further updates or policy adjustments will be brought forward to the appropriate City Council Committee as needed.

COORDINATION

This memorandum has been coordinated with the City Attorney's Office and the City Manager's Budget Office.

PUBLIC OUTREACH

This memorandum will be posted on the City's Council Agenda website for the January 13, 2026 City Council meeting.

COMMISSION RECOMMENDATION AND INPUT

No commission recommendation or input is associated with this action.

CEQA

Not a Project, File No. PP17-008, General Procedure and Policy Making resulting in no changes to the physical environment.

PUBLIC SUBSIDY REPORTING

This item does not include a public subsidy as defined in section 53083 or 53083.1 of the California Government Code or the City's Open Government Resolution.

Angel Rios, Jr.
Deputy City Manager

For questions, please contact Angel Rios, Deputy City Manager, angel.rios@sanjoseca.gov.