RULES COMMITTEE: 10/22/2025
ITEM: C.1

CITY OF SAN JOSE
CAPITAL OF SILICON VALLEY

Memorandum

TO: RULES AND OPEN GOVERNMENT COMMITTEE

FROM: Councilmember Ortiz
Councilmember Candelas
Councilmember Kamei

SUBJECT: SEE BELOW

DATE: October 16th, 2025

Approved: Date:10/16/25

SUBJECT: Limiting the use of City property and facilities for City purposes.

RECOMMENDATION:
Direct the City Manager to identify City-owned and controlled properties, and to coordinate with the City Attorney to develop a policy or ordinance that would ensure City properties and facilities are only used for City purposes.

BACKGROUND:

The City of San José is home to one of the largest immigrant communities in the nation. The success of our city depends on the ability of all residents, regardless of immigration status, to engage fully in civic life. To this end, all residents should be able to access City facilities and properties for services without fear.
In recent weeks and months, we have observed across the country the commandeering of city-owned facilities for immigration enforcement, an activity that is solely the responsibility of the federal government. In response, the Mayor of Chicago issued an executive order prohibiting the use of municipal facilities, including parking lots, garages, and vacant land, for federal civil immigration enforcement activities.
The city must protect its limited resources to provide services to its residents. The use of city property for federal immigration enforcement operations, staging or surveillance without permission ignores the intended purposes of such assets, and undermines the city's authority over its own property.

ANALYSIS:
The recommendation would ensure city assets are not misappropriated and used in a manner that inhibits our residents' access to city services.

Direction to the City Manager in coordination with the City Attorney to:

- Conduct an Inventory and Assessment

    - Identify all city-owned and city-controlled properties that are open space with publicly accessible parking lots that could be misused for non-city purposes.
- Policy or Ordinance Development
    - Draft an administrative policy or ordinance to ensure that city property is only used for city purposes.
    - Establish a process for posting signage on city properties, limiting use to city purposes.
- Reporting Protocol
    - Develop procedures requiring city staff to report any misuse of city property.
- Legal Review:
    - Ensure compliance with federal and state law, while maximizing local authority to retain control of its property for city purposes.