



CITY OF COSTA MESA

Agenda Report

77 Fair Drive
Costa Mesa, CA 92626

File #: 25-396

Meeting Date: 8/5/2025

TITLE:

RESOLUTIONS AFFIRMING THE CITY'S CORE VALUES AND SUPPORT FOR SENATE BILL 805, NO VIGILANTES ACT

DEPARTMENT: CITY MANAGER'S OFFICE

PRESENTED BY: ALMA REYES, DEPUTY CITY MANAGER
JAY BARKMAN, GOVERNMENT AFFAIRS MANAGER

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RECOMMENDATION:

City Council consideration of the following:

1. Adoption of Proposed Resolution No. 2025-XX affirming the City's Core Values.
2. Adoption of Proposed Resolution No. 2025-XX supporting California Senate Bill 805 (Perez), "No Vigilantes Act."
3. Approval of the proposed Letter of Support for SB 805, the "No Vigilantes Act."

BACKGROUND:

At the July 15 City Council Meeting, during public comment, speakers made remarks on ongoing Immigration and Customs Enforcement (ICE) activity in the region. They shared the impacts that have resulted locally. Subsequently, Councilmembers Marr and Reynolds, and Mayor Pro Tem Chavez, requested that staff bring to the August 5th Council Meeting the following items for discussion:

- Resolution affirming the City's Core Values in response to the Federal immigration enforcement activity.
- Letter of Support for SB 805
- Direct staff to explore partnerships with community-based organizations (CBOs), including faith-based organizations (FBOs), and nongovernmental organizations (NGOs) to provide support services to impacted residents.

Additionally, Mayor Pro Tem Chavez requested that the proposed resolution reference State Senator Suzette Martinez Valladeres's letter urging the United States President to focus deportation efforts on criminals, a call on modernization of the immigration process for non-criminal undocumented

immigrants and visa policies that will help build a stronger economy, secure the borders, and protect communities. The letter was signed onto by Orange County State Legislators, Assemblywoman Laurie Davies and Assemblywoman Diane Dixon.

Other cities throughout the Southern California region have taken action in response to ICE activity in the area. The cities below have taken formal action by either adopting resolutions denouncing Federal immigration enforcement and/or developing assistance programs, or a combination thereof.

City of Anaheim**	City of Huntington Park**	City of Los Angeles**
City of Santa Ana**	City of Montebello**	City of Culver City*
City of Paramount**	City of Downey**	City of Pasadena*
*Agencies that have adopted formal action by resolution or executive order. **Agencies that have adopted formal action and developed assistance programs.		

ANALYSIS:

Current City Efforts

In response to recent ICE operations in the region and across the Country, the City has affirmed its commitment to its Core Values of inclusivity and compassion for all members of the community it serves, regardless of immigration status. Further, efforts have been made to provide the community with information about resources and support services available to those impacted by Federal immigration enforcement.

Since January, staff have attended several community meetings and maintained an open dialogue with community-based organizations, non-governmental organizations, and community members to better understand the concerns, needs, and impacts on the community.

As part of the City's outreach and engagement efforts, staff developed and launched the Community Resources webpage on the City's website, a dedicated community webpage with information and resources. The webpage includes the following support service(s) areas:

- Emergency & Crisis Support
- Legal Services & Representation
- Know Your Rights & Legal Education
- Immigration Services
- School Resources
- Workplace & Employer Guidance
- Support Services & Advocacy
- Help With A Federal Agency

More recently, staff prepared Costa Mesa Cares Family Preparedness packets, which are tailored to support residents impacted by the current immigration enforcement operations. The packets contain information and preparedness resources for any emergency, and have been made available to community members and community organizations assisting those in need.

Potential Impact on Tenants

During the July 15 Council Meeting, Councilmembers raised concerns about the unintended consequences of Federal immigration enforcement on tenants. Approximately 60% of the City's households are renter-occupied. Currently, the City receives eviction-related inquiries by email, phone, and in person and tracks "no fault" evictions, pursuant to the City's Ordinance. Support

services and assistance are voluntary to those who received lawful evictions, and the level of need is on a case-by-case basis. At this time, information on at-fault evictions resulting from current ICE enforcement is unknown. The City does not have a mechanism in place or the capability to track at-fault evictions. Per the City's Tenant Protection Ordinance, staff tracks no-fault evictions through TESSA on a case-by-case basis only. Staff continues to explore and engage in conversations with City partners about potential opportunities to access at-fault eviction data, if available.

Exploring Partnership with Community-Based Organizations & Non-Governmental Organizations

City Staff has maintained strong relationships with community-based organizations, non-governmental organizations, faith-based organizations, and community members. Through ongoing dialogue and collaboration, staff has been able to understand the concerns of immigrant communities better and assess the evolving needs of those impacted by federal immigration enforcement activities. These partnerships have proven vital in identifying service gaps, building trust, and informing the City's approach to the community.

In addition to these efforts, staff will continue working with CBOs, NGOs, and FBOs to explore and identify potential partnerships that can provide direct support services, such as legal assistance, rental assistance, case management, and emergency aid to individuals and families affected by immigration enforcement. Once formed, these partnerships will help ensure that those affected by the federal enforcement activity have access to support services and that the City can proactively respond to community needs.

Proposed Resolutions

The first proposed Resolution highlights ICE's recent federal enforcement activity within the City and surrounding areas. It expresses concern over the disruptive nature of these operations and the fear they instill in residents. It highlights reports of ICE agents using aggressive tactics such as unnecessary force, face coverings, plain clothes, unmarked vehicles, and targeting of areas previously deemed inappropriate, particularly in sensitive areas like homes, schools, workplaces, and places of worship. While acknowledging that immigration enforcement is under the sole jurisdiction of the Federal government and that the City and its Police Department do not participate in or assist with such operations, the City Council affirms its responsibility to speak out against actions that undermine public safety and community trust.

Additionally, the Resolution calls on Federal representatives to ensure that ICE agents conduct enforcement with due process, refrain from using concealed identities and force where unwarranted, and focus efforts only on individuals with criminal records. Furthermore, the resolution encourages local nonprofits, community groups, faith-based organizations, and businesses to offer time, resources, and financial support to individuals and families impacted by Federal immigration enforcement activity. The City affirms its commitment to public safety, inclusivity, and civil rights for all residents, and expresses its intent to explore and implement programs and partnerships that support the well-being of those most at risk due to Federal immigration enforcement.

The second proposed resolution focuses exclusively on support for Senate Bill 805 (SB 805), "No Vigilantes Act," which is discussed in depth below.

Council Policy on Legislative Positions

City Council Policy 000-8 authorizes the Mayor to execute legislative position letters on behalf of the City Council when the City's legislative partners have acted. Those partners are identified in the policy as the National League of Cities, League of California Cities, Association of California Cities - Orange County, or the Orange County Council of Governments. Formal Council approval is required when none of the City's legislative partners have taken a support or oppose position or when the legislative partners have taken a contradictory position. Currently, Cal Cities has taken a Watch Position on SB 805 (Perez). In accordance with City Council Policy 000-8, a Support Letter has been brought forth for the Council's consideration.

SB 805 (Perez) Background

Senator Perez amended SB 805 on June 23, 2025, to create the "No Vigilantes Act" and address the use of face coverings and the absence of identifying information by Immigration and Customs Enforcement (ICE) when conducting enforcement activities. The bill states that recent immigration enforcement operations by ICE contribute to fear and questions for individuals to "distinguish between authorized personnel and bad actors."

The bill expands and builds upon existing law, including SB 54 "The California Values Act", which prohibits California law enforcement agencies from aiding in immigration enforcement. Existing law prohibits impersonating a peace officer and requires local uniformed peace officers to be clearly identified. Lastly, existing law establishes the Bail Fugitive Recovery Act, defining who is authorized to apprehend a bail fugitive.

The Senate Public Safety Committee analysis points out that federal law currently prohibits "conscripting" the states to enforce federal regulatory programs. Federal, state, or local government entities are also prohibited from restricting ICE from obtaining information regarding the citizenship or immigration status, lawful or unlawful, of any individual. Lastly, federal law currently requires immigration officers to identify themselves at the time of arrest, and as soon as it is practical and safe to do so.

In discussing SB 805 (Perez) with the Costa Mesa Police Department, it was noted that the bill partly duplicates existing law but is also seeking to have local law enforcement engage with ICE in a manner that may conflict with federal law. Costa Mesa Police Department continues to monitor and respond to calls for service, including reports of a possible kidnappings or impersonations of law enforcement officers, and takes appropriate action within the authority of the law.

SB 805 (Perez) Effects

During the Senate Public Safety Committee hearing on July 14, 2025, the bill author stated that the "lack of transparency fosters confusion, fear, and mistrust in communities across the state."

To address these concerns, SB 805 (Perez) expands the scope of existing crimes dealing with impersonation. Specifically, the bill addresses four areas:

- Expands police impersonation laws to include the use "of any other means" to defraud.
- Prohibits a bail agent from using their position for the purposes of immigration enforcement.
- Requires all law enforcement agency personnel operating in California to visibly display

identification.

- Local police will be allowed to request an “alleged” law enforcement employee to present identification when there is probable cause or reasonable suspicion of a crime, or a legitimate safety concern.

The Senate Public Safety Committee analyzed the bill and raised concerns about the “likelihood of this bill surviving legal scrutiny” if challenged by the federal government. Specifically, the two provisions imposing an obligation on federal law enforcement to follow specific identification requirements and making failure to do so a misdemeanor may be construed as a violation of the Supremacy Clause.

As of July 24, 2025, the bill is supported by Orange County Supervisor Vicente Sarmiento, the cities of Culver, Los Angeles, Lynwood, Monterey Park, Paramount, Pasadena, and Santa Ana. The bill is also supported by various labor unions and community groups.

The California Police Chief Association secured amendments to exclude undercover officers from the identification requirements and remove penalties against local agencies and personnel. Since then, the California Police Chiefs Association has taken a neutral position on SB 805.

Potential Challenges with Implementation of SB 805

Based on the input received from the Costa Mesa Police Department, should SB 805 be enacted into law, it will conflict with federal law, creating expectations by the community that the Costa Mesa Police Department intervene and possibly arrest federal agents. Currently, California peace officers have the authority to arrest individuals who commit state crimes. This includes federal agents, but only in rare cases where the agent is clearly acting outside the scope of lawful federal duties and violating state law. Federal agents are protected under the Supremacy Clause of the U.S. Constitution when acting within their official capacity.

As such, local law enforcement cannot generally arrest or interfere with a federal agent performing lawful duties, even if those actions are controversial. As discussed above, federal law requires ICE or other immigration enforcement agents to identify themselves as soon as it is practical and safe to do so. However, federal law does not specify “visible identification” requirements to the levels required by the bill. As a result, local police may not apply these standards to federal agents.

Should the City Council desire to take a position on the bill, a Letter of Support for SB 805 has been drafted for review and consideration.

ALTERNATIVES:

The City Council may:

1. Direct changes to be made to the proposed resolutions and/or letter.
2. Choose not to approve the resolutions and/or letter.
3. Adopt a “Support if Amended” position on SB 805 (Perez) to request that portions of the bill in conflict with federal law be removed to protect local law enforcement agencies and their

personnel.

FISCAL REVIEW:

There are no fiscal impacts to the City for the approval of the recommended actions.

LEGAL REVIEW:

The City Attorney's Office has reviewed this agenda report and resolutions and approves them as to form.

CITY COUNCIL GOALS AND PRIORITIES:

This item supports the following City Council Goal:

- Strengthen the Public's Safety and Improve the Quality of Life

CONCLUSION:

Through its continuous efforts, the City stands firmly by its Core Values of inclusivity and compassion for its diverse community and reaffirms its commitment to ensuring the delivery of essential services and public safety for all residents.

At the direction of City Council, staff has brought forward for the proposed Resolutions and position letter for SB 805, the "No Vigilantes Acts," for consideration.