


<b>Council Agenda Coversheet</b>	Agenda Item Number	3.e.	Council Date	01/17/2012	Consent Agenda	<input checked="" type="checkbox"/>
	Document Type	Resolution			Ordinance/Reso	<input type="checkbox"/>
	Subject	E-Verify Program			Public Mtg / Hrg	<input type="checkbox"/>
	Ordinance/Reso #	12-01	Project/Ref #		Other	<input type="checkbox"/>
	Department	City Attorney			Quasi-Judicial	<input type="checkbox"/>

**Recommendation**

Adopt Resolution 12-01.

**Motion for Consideration**

I move the adoption of Resolution 12-01.

**Summary**

On August 23, 2011, during a Council workshop, staff gave a presentation regarding E-Verify. E-Verify is an electronic system to confirm employment authorization administered by the U.S. Citizenship and Immigration Service, a division of the Department of Homeland Security. E-Verify is a voluntary program, and is completed using the information from the I-9 Form. Use of E-Verify is free to the employer. In recent years, a number of jurisdictions in the State of Washington have adopted policies requiring the use of E-Verify by those who enter into a contract with the agency to provide proof of enrollment and participation in E-Verify. Council requested that the Budget and Administrative Committee review possible adoption of an E-Verify policy for the City of Kennewick. On December 12, 2011, and on January 9, 2012, the Budget and Administrative Committee reviewed and discussed various options.

For Council's review and approval is Resolution 12-01. This resolution officially adopts an E-Verify policy for the City of Kennewick. Per the policy, all future contracts between the City of Kennewick and contractors and vendors for general services contracts and public works contracts will require the contractor and vendor to enroll and participate in the E-Verify program when hiring new employees, and affirm their enrollment and participation to the City. Unique professional services, and providers of commercially available off-the-shelf items are excluded from this policy; this exclusion is similar to that found in the FAR final rule discussed at the August 23, 2011, workshop.

**Alternatives**

None recommended.

**Fiscal Impact**

None.

Through	Bonnie Lanning Jan 11, 16:05:18 GMT-0800 2012	Attachments: 
Dept Head Approval	Lisa Beaton Jan 11, 16:31:00 GMT-0800 2012	
City Mgr Approval	Marie Mosley Jan 11, 20:57:48 GMT-0800 2012	

CITY OF KENNEWICK  
RESOLUTION NO. 12-01

A RESOLUTION DIRECTING THE CITY OF KENNEWICK'S PARTICIPATION IN THE FEDERAL E-VERIFY PROGRAM; REQUIRING CONTRACTORS AND BUSINESS ENTITIES CONTRACTING WITH THE CITY OF KENNEWICK TO PARTICIPATE IN THE E-VERIFY PROGRAM, AND DIRECTING THE VERIFICATION OF CITY OF KENNEWICK NEW EMPLOYEE ELIGIBILITY THROUGH THE E-VERIFY PROGRAM

WHEREAS, the City of Kennewick has an interest in ensuring that those who contract with the City employ only individuals who are employment eligible; and

WHEREAS, "E-Verify," an internet-based system operated by the Department of Homeland Security, in partnership with the Social Security Administration, is free and voluntary; and

WHEREAS, "E-Verify" is the best means available for determining employment eligibility of new hires and the validity of their Social Security Numbers; and

WHEREAS, it is in the best interest of the security and economic well-being of City residents for a proactive City government upholding Federal immigration and employment laws with the companies it contracts with, and in hiring its own employees; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON that the Council hereby establishes City policy that all future contracts between the City of Kennewick and contractors and vendors for general services contracts and Public Works Contracts shall require the contractors and vendors to enroll and participate in the E-Verify program when hiring their employees, and to affirm its enrollment and participation to the City; and

BE IT FURTHER RESOLVED that this policy shall not apply to unique professional service providers such as architectural, legal, engineering, bonding, banking, investment services, or providers of commercially available off-the-shelf items; and

BE IT FURTHER RESOLVED that the City Manager, with Council approval, may waive these requirements on a case-by-case basis.

PASSED BY THE CITY COUNCIL OF THE CITY OF KENNEWICK, WASHINGTON, this 17<sup>th</sup> day of January, 2012, and signed in authentication of its passage this 17<sup>th</sup> day of January, 2012.

Attest:

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STEVE C. YOUNG, Mayor

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VALERIE J. LOFFLER, City Clerk

RESOLUTION NO. 12-01 filed and recorded in the office of the City Clerk of the City of Kennewick, Washington, this 18<sup>th</sup> day of January, 2012.

Approved as to Form:

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LISA BEATON, City Attorney

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VALERIE J. LOFFLER, City Clerk