TO: HONORABLE CITY COUNCIL

FROM: CITY MANAGER DEPARTMENT: COMMUNITY SERVICES

DATE: OCTOBER 25, 2004 CMR: 444:04

SUBJECT: RECOMMENDATION FROM THE HUMAN RELATIONS COMMISSION TO REFER TO POLICY AND SERVICES A RECOMMENDATION TO THE CITY COUNCIL TO ADOPT A RESOLUTION OPPOSING THE FEDERAL MARRIAGE AMENDMENT

RECOMMENDATION
The City of Palo Alto’s Human Relations Commission (HRC) recommends that the City Council refer to the Policy and Services Committee for review and a recommendation on the adoption of a resolution opposing a proposed federal constitutional amendment defining marriage.

BACKGROUND
During its April and May meetings, the Human Relations Commission discussed the attempt by the President of the United States and members of Congress to pass a constitutional amendment defining marriage as only between a man and a woman. Although the effort was defeated, proponents of the constitutional amendment are planning to reintroduce this legislation during the next congressional session.

The HRC also believes that any proposed amendment to the United States Constitution would take power away from states that currently regulate marriage and the granting of civil marriage licenses.

The HRC believes that the City Council should go on record adopting a resolution opposing a constitutional amendment defining marriage as a union between a man and a woman and communicate its opposition in writing with a copy of the adopted resolution to the City’s congressional delegation.
BOARD/COMMISSION REVIEW AND RECOMMENDATION
The HRC believes that the proposed amendment conflicts with the City of Palo Alto’s Anti-Discrimination Ordinance and the City’s Anti-Discrimination Policy, Section 9.73.010. Statements of Policy:

a) Human Rights. It is the policy of the City of Palo Alto to affirm, support and protect the human rights of every person within its jurisdiction. These rights include, but are not limited to, equal economic, political, and educational opportunity; equal accommodations in all business establishments in the City; and equal service and protection by all public agencies of the City.

b) Freedom from Arbitrary Discrimination. It is the policy of the City of Palo Alto to protect and safeguard the right and opportunity of every person to be free from arbitrary discrimination on the basis of their race, skin color, gender, age, religion, disability, national origin, ancestry, sexual orientation, housing status, marital status, familial status, weight or height.

The City of Palo Alto’s Anti-Discrimination Ordinance bans discrimination against people on the basis of their sexual orientation.

At its May 13, 2004 HRC meeting, Commissioners discussed and passed its own resolution opposing any constitutional amendment defining marriage and recommended that the City Council adopt a similar resolution.

RESOURCE IMPACT
This recommendation does not represent a significant impact on staff resources.

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