TO: HONORABLE CITY COUNCIL

ATTN: POLICY AND SERVICES COMMITTEE

FROM: CITY MANAGER DEPARTMENT: COMMUNITY SERVICES

DATE: DECEMBER 14, 2004 CMR: 512:04

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

RECOMMENDATION
Staff and the Human Relations Commission recommend that the Policy and Services Committee recommends to the City Council adoption of a resolution opposing a proposed federal constitutional amendment defining marriage.

BOARD/COMMISSION REVIEW AND RECOMMENDATIONS
At its November 8, 2004 meeting, the Council referred the HRC recommendation to adopt a resolution opposing the federal marriage amendment to the Policy and Services Committee.

During its April and May 2004 meetings, the Human Relations Commission (HRC) had 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. 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.

The HRC 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 also 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.

POLICY IMPLICATIONS
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.

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

**PREPARED BY:** ____________________________
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