



## CITY OF PALO ALTO OFFICE OF THE CITY CLERK

March 5, 2018

The Honorable City Council  
Palo Alto, California

### **Adoption of an Ordinance of the Council of the City of Palo Alto Amending Chapter 2.22 (Human Relations Commission) and Chapter 2.25 (Parks and Recreation Commission) of the Palo Alto Municipal Code to use Gender-neutral Language and add Gender Identity to the Human Relations Commission's Jurisdiction, and to Reflect the Community Services Department's Current Divisions**

#### **Recommendation**

Staff recommends the City Council adopt an ordinance (Attachment A) to:

1. Add "gender identity" to the Human Relations Commission's jurisdiction;
2. Update the Human Relations Commission ordinance to reflect gender neutral language; and
3. Update the Parks and Recreation Commission ordinance to reflect name changes in Community Services Department divisions.

#### **Discussion**

The attached ordinance (Attachment A) includes the Municipal Code updates recommended at the September 20, 2017 Policy and Services Committee meeting with the exception of the recommended changes to term end-dates for members of the city's Boards and Commissions and the recommended changes to the requirement of electing the Planning & Transportation Commission chairperson and vice chairperson in November. No changes to term end-dates are included in the attached ordinance.

#### **Background**

On September 20, 2017, the Policy and Services Committee recommended changes to the Municipal Code relating to Boards and Commissions. The recommendations included realigning the term end-dates for several Boards and Commissions to move appointments to the Architectural Review Board, the Parks & Recreation Commission, and the Planning & Transportation Commission to the spring recruitment period and away from Council Member elections, which are regularly scheduled in November of even-numbered years.

The Policy and Services Committee additionally adopted four Staff recommendations,

including removing the requirement that the Planning and Transportation Commission Chair and Vice Chair are elected in November of each year; adding “gender identity” to the jurisdiction of the Human Relations Commission, in line with [Resolution 9653](#); updating Human Relations Commission language to reflect gender-neutral language; and updating the Parks and Recreations Commission language to reflect name changes in Community Services Department divisions.

September 20, 2017 Policy and Services Committee Meeting Links:

1. [Staff Report](#)
2. [Action Minutes](#)
3. [Transcript](#)
4. [Video](#)

The recommendations of the Policy and Services committee were placed on the consent calendar of the December 11, 2017 City Council meeting. At that meeting, after consideration of these changes, Vice Mayor Kniss, Mayor Scharff, and Councilmember Tanaka voted to pull the proposed ordinance from the consent calendar for reconsideration at a future date.

December 11, 2017 City Council Meeting Links:

1. [Staff Report](#)
2. [Action Minutes](#)
3. [Video](#)

The attached ordinance reintroduces the September 20, 2017 recommendations of the Policy and Services Committee with the exception of the recommended changes to term end-dates for members of city Boards and Commissions and the recommended changes to the requirement of electing the Planning and Transportation Commission chairperson and vice chairperson in November. An amendment to Planning and Transportation Commission chairperson and vice chairperson elections is included in the omnibus code cleanup ordinance scheduled for March 5, 2018.

### **Resource Impact**

These recommendations are not expected to have any significant resource impacts going forward, as they primarily involve code cleanup.

### **Policy Implications**

These recommendations are intended to improve upon outdated or unnecessary language in the ordinances concerning the city’s Boards and Commissions and support the goals of [Resolution 9653](#) concerning Palo Alto’s commitment to a diverse, supportive, inclusive, and protective community.

**Environmental Review**

Approval of these recommendations is not a project subject to review under the California Environmental Quality Act.

**ATTACHMENTS:**

- Attachment A: Ordinance Updating Various Sections of the Municipal Code Relating to Boards and Commissions (DOCX)

Department Head: Beth Minor, City Clerk



Not Yet Approved

Ordinance No. \_\_\_\_\_

Ordinance of the Council of the City of Palo Alto Amending Chapter 2.22 (Human Relations Commission) and Chapter 2.25 (Parks and Recreation Commission) of the Palo Alto Municipal Code to Use Gender-neutral Language and Add Gender Identity to the Human Relations Commission's Jurisdiction, and to Reflect the Community Services Department's Current Divisions

The Council of the City of Palo Alto does ORDAIN as follows:

SECTION 1. Section 2.22.030 (Officers, Meetings and Procedures) of Chapter 2.22 (Human Relations Commission) of the Palo Alto Municipal Code is hereby amended to read as follows:

**2.22.030 Officers, meetings and procedures.**

(a) The commission shall elect one of its members ~~chairman~~chairperson who shall hold office for one year and until his or her successor is elected unless his or her term as a member of the commission sooner expires.

(b) The commission shall establish a regular time and place of meeting and shall hold at least one regular meeting a month. Special meetings may be called by the ~~chairman~~chairperson or by any four members of the commission upon personal notice being given to all members or by written notice being mailed to each member twenty-four hours prior to such meeting unless such notice requirement is waived in writing.

(c) Four of the seven members shall constitute a quorum and the affirmative votes of four members are required to take any action.

(d) The commission may establish task forces for advisory and investigative purposes. The commission shall, by majority vote, appoint members of task forces, such task force members to be approved by the mayor. Members of the commission may be appointed as members of a task force.

SECTION 2. Section 2.22.050 (Jurisdiction) of Chapter 2.22 (Human Relations Commission) of the Palo Alto Municipal Code is hereby amended to read as follows:

**2.22.050 Jurisdiction.**

(a) The human relations commission has the discretion to act with respect to any human relations matter when the commission finds that any person or group does not benefit fully from public or private opportunities or resources in the community, or is unfairly or differently treated due to factors of concern to the commission.

(1) Public or private opportunities or resources in the community include, but are not limited to, those associated with ownership and rental of housing, employment, education and governmental services and benefits.

(2) Factors of concern to the commission include, but are not limited to, socioeconomic class or status, physical condition or handicap, married or unmarried state, emotional condition, intellectual ability, age, sex, sexual preference, gender identity, race, cultural characteristics, ethnic background, ancestry, citizenship, and religious, conscientious or philosophical belief.

(b) The commission shall conduct such studies and undertake such responsibilities as the council may direct.

SECTION 3. Section 2.25.050 (Purposes and Duties) of Chapter 2.25 (Parks and Recreation Commission) of the Palo Alto Municipal Code is hereby amended to read as follows:

**2.25.050 Purpose and duties.**

(a) The purpose of the parks and recreation commission shall be to advise the city council on matters relating to the activities of the open space, parks and golf division and the recreation, ~~open space and sciences~~ division of the community services department, excluding daily administrative operations.

(b) The commission shall have the following duties:

(1) Advise the city council on planning and policy matters pertaining to:

(A) The goals of and the services provided by the open space, parks and golf division and the recreation, ~~open space and sciences~~ division of the community services department.

(B) The future delivery of services by the open space, parks and golf division and the recreation, ~~open space and sciences~~ division of the community services department.

(C) The city manager's recommendations pertaining to the disposition of major gifts of money, personal property and real property to the city to be used for open space, parks, golf, ~~science, open space~~ and recreation activities.

(D) The construction and renovation of capital facilities of the open space, parks and golf division and the recreation, ~~open space and sciences~~ division of the community services department.

(E) Joint action projects with other public or private parks, open space and recreation entities.

(2) Review state legislative proposals that may affect the operation of the open space, parks and golf division and recreation, ~~open space and sciences~~ division of the community services department.

(3) Review the city manager's proposed budget for capital improvements and operations relating to the open space, parks and golf division and recreation, ~~open space and sciences~~ division of the community services department, and thereafter forward any comments to one or more of the applicable committees of the city council.

(4) Provide advice upon such other matters as the city council may from time to time assign.

(5) Receive community input concerning parks, open space and recreation activities.

(6) Review and comment on fund-raising efforts on behalf of the open space, parks and golf division and recreation, ~~open space and sciences~~ division of the community services department.

The parks and recreation commission shall not have the power or authority to cause the expenditure of city funds or to bind the city to any written or implied contract.

SECTION 4. If any section, subsection, clause or phrase of this Ordinance is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion or sections of the Ordinance. The Council hereby declares that it would have adopted the Ordinance and each section, subsection, sentence, clause or phrase thereof irrespective of whether any sections, subsections, sentences, clauses or phrases are declared invalid.

SECTION 5. The Council finds that this ordinance is exempt from the California Environmental Quality Act (“CEQA”), because it concerns organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment and, thus, is not a project under Section 15378 of the CEQA Guidelines.

SECTION 7. This ordinance shall be effective on the thirty-first day after the date of its adoption.

INTRODUCED:

PASSED:

AYES:

NOES:

ABSENT:

ABSTENTIONS:

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

APPROVED AS TO FORM:

APPROVED:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
City Manager