

HUMAN RIGHTS COMMISSION CITY OF PALM SPRINGS, CALIFORNIA

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MEETING AGENDA

**Monday
March 11, 2024
5:30 p.m.**



**Palm Springs City Hall
3200 E. Tahquitz Canyon Way
Large Conference Room**

City of Palm Springs Mission Statement

Palm Springs is an inclusive world-class city dedicated to providing excellent and responsive public services to enhance the quality of life for current and future generations.

To view/listen/participate in the meeting live, please contact Jay Virata at Jay.Virata@palmspringsca.gov or the following telephone number 760.323.8228 to register for the Zoom meeting. There will be an email with Zoom credentials sent after registration is complete, in order to access the meeting and offer public comment.

Any person who wishes to provide public testimony for an item on the agenda is requested to file a speaker card before the Public Testimony portion of the meeting.

You may submit your public comment to the Human Rights Commission electronically. Material may be emailed to Jay.Virata@palmspringsca.gov. Transmittal prior to the start of the meeting will help ensure that your correspondence is fully considered. Any correspondence received during or after the meeting will be distributed to the Human Rights Commission and retained for the official record.

View the Human Rights Commission meeting at the City's website <http://www.palmspringsca.gov/psctv>, YouTube, or Channel 17 (Spectrum).

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- 1. CALL TO ORDER:** Chair Hugo Loyola
 - 2. ROLL CALL:** Commission Members: Glenn Flood, Oliver Cleary, Carlotta Rinke, Michael MJ Horne, Beverly Greer, Bobby T. Rimas, Vice Chair David Vignolo, Chair Hugo Loyola
Student Representatives: Lilly Hanner, Adriana Figueroa

- 3. MISSION STATEMENT:**

"The Mission of the Palm Springs Human Rights Commission is to promote and protect the diversity of our community and to improve human relations through education and community awareness."

- 4. ACCEPTANCE OF THE AGENDA:**

5. **PUBLIC COMMENTS:** This time has been set aside for members of the public to address the Human Rights Commission on agenda items; and items of general interest within the subject matter jurisdiction of the Commission. Three (3) minutes is allowed for each speaker. Although the Commission values your comments, pursuant to the Brown Act, it generally cannot take any action on items not listed on the posted agenda. Commissioners will not enter into discussion with speakers, but during Commission Comments, may refer the matter to staff for report and recommendation at a future Commission meeting.
6. **CHAIR COMMENTS:**
7. **APPROVAL OF MINUTES:** February 12, 2024
8. **ITEMS FOR DISCUSSION/ACTION:**
 - A. Remarks by the Honorable Mayor Jeffrey Bernstein.
 - B. Approve amendment to Human Rights Commission Rules and Standard Operating Procedures to disband the Executive Committee.
 - C. Establish ad hoc committee to review Community Service Award process.
 - D. Establish ad hoc committee to review Human Rights Commission related items in the Palm Springs Municipal Code.
 - E. Discuss and plan for Human Rights Commission participation in ONE-PS Picnic & Community Expo.
 - F. Discuss and plan for Human Rights Commission participation in Harvey Milk Breakfast.
 - G. Discuss Allowing College Students to serve as Student Representatives.
 - H. Committee and Liaison Reports
 - i. Master Calendar Liaison Report (Vignolo)
 - ii. Update on Presentation to the ONE-PS Organization (Commissioner Rinke)
 - iii. Proposal for Commission work in the area of Equity and Social Justice (Commissioner Rimas)
 - I. Discuss Agenda Format
9. **REPORT FROM STAFF LIAISON**
10. **AGENDA ITEMS FOR THE NEXT HRC MEETING:**
11. **ANNOUNCEMENTS:**
12. **ADJOURNMENT:** The Commission will adjourn to a regularly scheduled meeting on Monday, April 8, 2024.

PUBLIC NOTICES

Pursuant to G.C. Section 54957.5(b)(2) the designated office for inspection of records in connection with the meeting is the Office of the City Clerk, City Hall, 3200 E. Tahquitz Canyon Way.

It is the intention of the City of Palm Springs to comply with the Americans with Disabilities Act (ADA) in all respects. If, as an attendee or a participant at this meeting, or in meetings on a regular basis, you will need special assistance beyond what is normally provided, the City will attempt to accommodate you in every reasonable manner. Please contact the Office of the City Clerk, (760) 323-8204, at least 48 hours prior to the meeting to inform us of your particular needs and to determine if accommodation is feasible.

AFFIDAVIT OF POSTING

I, Jay Virata, Director of Community & Economic Development, of the City of Palm Springs, California, hereby certify this Agenda was posted at City Hall before 5:00 p.m., March 7, 2024, and posted on the City's website as required by established policies and procedures.

/S/ Jay Virata _____

Jay Virata

Community & Economic Development

Human Rights Commission
CITY OF PALM SPRINGS, CALIFORNIA



REGULAR MINUTES
February 12, 2024
Palm Springs City Hall, Council Chamber

1. **CALL TO ORDER:** Chair Loyola called the meeting to order at 5:30p.m

FLAG SALUTE

2. **ROLL CALL:**

Present: Commissioners: Clearly, Vignolo, Flood, Rimas, Horne, Greer, Loyola, and Student Representative Hanner

Absent: Rinke

Staff Present: Jay Virata, Director, Community & Economic Development

3. **MISSION STATEMENT & GOALS:**

"The Mission of the Palm Springs Human Rights Commission is to promote and protect the diversity of our community and to improve human relations through education and community awareness."

4. **ACCEPTANCE OF THE AGENDA**

MOTION BY: Vice Chair Vignolo, Second by Commissioner Flood to accept the agenda as presented.

MOTION PASSES. YES 7; NO 0; ABSTAINED 0

5. **PUBLIC COMMENTS:** None

6. **PROGRAM**

Mayor Berstein provided welcoming comments on behalf of the entire City Council to guests and thanked the Human Rights Commission and Honorees for the work they have done and volunteered to make the world a better place.

Chair Loyola acknowledged the special attendance of guest Mayor Bernstein and Councilmembers Christy Holstege, Ron deHarte, Lisa Middleton, and Grace Garner; members of the Human Rights Commission Board, its Student Representative, and Staff Liaison. An overview of the Human Rights Commission's role and purpose of the Community Service Awards was given.

The following individuals and organizations were identified as Community Service Award recipients:

Commissioner Greer introduced and recognized honoree **Brad Prescott.**

Commissioner Flood introduced and recognized honoree **Dee Dee Wilson Barton.**

Commissioner Rimas introduced and recognized honoree **Coachella Valley Filipino Festival Committee.**

Chair Loyola introduced and recognized honoree **LGBTQ+ History & Archives of the Desert.**

Commissioner Horne introduced and recognized honoree **Rabbi Dr. Jules King.**

Vice Chair Vignolo introduced and recognized honoree **Tom Oliver and Matthew Stocker.**

Commissioner Cleary introduced and recognized honoree **Tommi Rose.**

Chair Loyola introduced and recognized honoree **Willie Rhine**. Chair Loyola accepted the award on the honoree's behalf.

Final and closing remarks for the awards ceremony were provided by Chair Loyola

7. **ADJOURNMENT:** The Commission adjourned at 6:41 p.m. to a regular meeting on Monday, March 11, 2024, at 5:30 p.m.

Jay Virata
Director of Community & Economic Development

APPROVED BY THE HUMAN RIGHTS COMMISSION: _____ / _____ /2024.

DRAFT

RULES AND STANDARD OPERATING PROCEDURES
of the
HUMAN RIGHTS COMMISSION OF THE CITY OF PALM SPRINGS

The mission of the Human Rights Commission of Palm Springs is to promote and protect the diversity of our community and to improve human relations through education and community awareness.

GOALS

1. To develop community education programs;
2. To investigate and mediate instances of discrimination of groups or individuals;
3. To advocate on behalf of community groups and at-risk populations in common support of human rights issues;
4. To facilitate through the City Council sufficient funding and staff to assist the Commission in carrying out its duties and responsibilities;
5. To establish an ongoing dialogue with the City Council, City Manager and City staff to support the Commission's mission statement and City's Strategic Plan.

COMMISSIONERS

Each member of the commission is an officially appointed representative of the City and thereby is expected to behave in a professional manner that is representative of a City official.

In addition, in accordance with the City of Palm Springs' government representative program for students, there is a non-voting position on the city's Human Rights Commission.

SUBPOENA POWER

The Mayor and the City Council have expressed a willingness to provide such authority on a case-by-case basis.

ROLE OF STAFF

Staff will provide coordination and clerical support, will act as a liaison to other city departments, and will serve as a resource to the Commission.

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ORGANIZATION STRUCTURE

Commission members are appointed by the City Council for three (3) year terms. Terms are staggered, with three (3) members appointed annually. If a vacancy on the Commission occurs, the City Council will appoint a new commissioner to serve out the remainder of the term of the past commissioner.

- A. Commission meetings are to be held on a regular basis as determined by the Commission. All meetings are open to the public per the requirements of the Ralph M. Brown Act and California Government Code Section 54940. Special commission meetings may be called by the Chair ~~or~~ by any three (3) members of the Commission. The agenda shall be made available to the public in one (1) location, posted a minimum of 72 hours prior to a regular meeting, or 24 hours in the case of a special meeting. Items for the agenda ~~may only be determined at the end of each~~ regular commission meeting. Items may be added to the agenda where a need to act arose subsequent to the posting of the agenda, and 2/3 vote of the membership or unanimous if less than 2/3 of the members are present. A regular meeting may be adjourned for lack of a quorum to a new time. If within five (5) days from the original meeting date, no new agenda posting is required.

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- B. The Commission may call a special meeting for any one of the following conditions. Prior to discussing any item pursuant to this section, the Commission shall publicly identify the item through the posting of the agenda for the special meeting.

Deleted: <#>The duties of the Executive Committee shall be to:¶

¶ Keep the focus of the Commission on fulfillment of its goals.¶

¶ Set the strategic vision of the Commission.¶

¶ Review and recommend nominees to receive annual Community Service Awards. Recipients of Community Service Awards are subject to the approval of the full Commission.¶

¶ Act as a liaison with other City commissions, boards, and committees; and¶

¶ Provide agenda items to the staff liaison in a timely manner sufficient to meet the agenda requirements in accordance with all laws and policies of the State of California and the City of Palm Springs (i.e., Brown Act.)¶

- 1) Upon a determination by a majority vote of the Commission that an emergency exists.
- 2) Upon a determination by a two-thirds vote of the members of the Commission present at the meeting, or, if less than two-thirds of the members are present, a unanimous vote of those members present, that there is a need to take immediate action and that the need for action came to the attention of the Commission subsequent to the agenda being posted.
- 3) The item was posted on the agenda for a prior meeting of the Commission occurring not more than five calendar days prior to the date action is taken on the item, and at the prior meeting the item was continued to the meeting at which action is being taken; and
- 4) To consider action on a request from a member to participate in a meeting remotely due to emergency circumstances, pursuant to Cal. Gov. Code Section 54953 if the request does not allow sufficient time to place the proposed action on the posted agenda for the meeting for which the request is made. The Commission may approve such a request by a majority vote of the legislative body. (Cal. Gov. Code 54954.2(b).)

C. Agenda Format

- 1) Reading of the Mission Statement
- 2) Roll Call

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- 3) Acceptance of the Agenda
- 4) Approval of the Minutes
- 5) Public Comments
- 6) Chairperson's Report
- 7) Speaker Presentation (When scheduled)
- 8) Commission Liaisons and Staff Liaison Reports (if any)
- 9) New Business / Items for the agenda of next month's regular meeting
- 10) Commissioners' Comments
- 11) Motion to Adjourn

- D. It is the intention of the Commission to comply with the Americans with Disabilities Act (ADA) in all respects. If, an attendee or any commissioner needs special assistance beyond what is normally provided, the Commission will attempt to accommodate the individual in every reasonable manner. Individuals should contact the Office of the City Clerk, (760) 323-8204, at least 48 hours prior to the meeting to inform the Commission of any particular needs and to determine if accommodation is feasible.
- E. Minutes of the commission and its committees, as well as documents related to the agenda, will be submitted to the membership no less than 48 hours prior to the next regular Commission meeting. All recorded copies of Commission activities shall be retained and kept on file in the Commission designated office. The minutes shall contain all actions taken (who, what, when, why and how), motions made and seconded, the nature of the vote, committee reports, topics discussed, decisions and how reached (vote or by consensus), and action items, identified.
- F. The Commission shall conduct a strategic planning special meeting annually and issue a follow-up report.
- G. A biennial report regarding the meeting of the Commission's annual goals and objectives shall be prepared and reported to the City Council. The Commission's strategic plan shall support the Council's own two-year strategic priorities.
- H. All Commission members will be given sufficient opportunity to comment on all issues, after which staff may be allowed to speak on the same issues, as appropriate.

- I. ~~_____~~
- J. In accordance with the City of Palm Springs' government representative program for students, the Human Rights Commission will have a minimum of one (1) Student Representative. The student representative program is designed to encourage volunteerism, civic responsibility and provide valuable real-life experiences for high school and college students who reside, work, or go to school in Palm Springs. Current eligibility criteria and applications will be made available

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on the Commission's city website. Student Representative Self-Nomination Forms and letters of interest shall be reviewed by the Chair, Vice Chair, and Staff Liaison in a timely manner. The Chair shall then recommend nominees for final approval to the full Commission at its next regular meeting.

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- K. The Commission, and any ad-hoc committees, standing committees, or work groups shall endeavor to provide full documentation of all source material, as well as clear references to authorship and proper citation, for any work product of the Commission.

OFFICERS

Officers of the Commission will consist of the Chairperson and a Vice Chairperson. All officers shall serve 12 months and all officers are elected by the Commission at large.

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Deleted: and an elected Commissioner, who shall serve as a member of the Executive Committee

Nomination and election of officers shall take place during the second meeting in July annually.

The role of the Chairperson shall be to lead meetings of the Commission, call special meetings as necessary, represent the Commission at official City Council meetings and official city events, function as liaison with Commission city staff, other city boards and/or commissions, members of City government and perform other duties as required.

Deleted: serve as the Chairperson for all Executive Committee meetings.

The Vice-Chairperson shall assist the Chairperson in all stated duties of the Chair and will serve as Chairperson in the absence of that individual.

VOTING

The quorum of the Commission is 50% of the membership plus one. Once a quorum is established, a simple majority of the members of the Commission present at the time of voting is required for any formal action; voting will be by a voice vote. Consensus as an agreement without formal action can be reached if all are in favor and none are in dissension.

Deleted: The Rotating Member of the Executive Committee shall serve as Chairperson in the absence of the Chairperson and the Vice-Chairperson; this individual represents the Commissioners at large on the Executive Committee and has an equal vote on the Executive Committee in all matters. ¶

PARLIAMENTARY PROCEDURE

Meetings of the Human Rights Commission are guided by Robert's Rules of Order.

MEDIA POLICY

All news and press releases generated by the Commission must be reviewed by the Chair and/or Vice Chair. The Chair is the primary spokespersons of the Commission. The Staff Liaison is responsible for the coordination of communications with the city's Office of Communications & Media Relations. Any

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member of the Commission may elect to respond to the media as an individual, however, any issue involving business of the Commission requires communication with the Chair and/or Vice Chair.

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CONFLICT OF INTEREST

All commissioners are required to complete a conflict-of-interest statement and file it with the City Clerk. Conflicts of interest are covered in Government Code Section 81000. Statements of economic interest (Form 730) must be filed pursuant to the Code (when entering office, annually and upon leaving Commission).

ATTENDANCE

A quorum is essential for the conduct of commission business. Commissioners shall contact the Commission staff liaison 48 hours prior to the next scheduled regular meeting of their intent to attend. If a quorum is not present, the meeting may be adjourned by the members who are there. If no members are present, the meeting may be adjourned by the staff liaison. All meetings of the Commission shall be conducted in accordance with current Council-approved methods of conducting meetings of City Boards/Commissions.

Unexcused Absences

If a Commission member misses three (3) consecutive or 25% of the regular meetings in a fiscal year (3 meetings), his/her membership is automatically terminated. If the absence at the regular meeting is because the regular meeting was changed from the normal second Monday of each month, then the absence shall be considered excused for purposes of this attendance policy.

Excused Absences

- a) Advance Notice: The period of time for advance notice to be given is a minimum of one week prior to the next scheduled regular meeting;
- b) Sudden Illness: No advance notice is required;
- c) Unexpected Business/Personal Matters: A minimum of 48 hours prior notice required

Deleted: The same policy shall apply to membership on the Executive Committee, three (3) consecutive or 25% of the meetings in a fiscal year. Members shall be allowed to remain on the Commission if they were not absent from the regular meetings. ¶

All notices regarding absences shall be reported to the Commission staff liaison and approved by the Chair.

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Any tardiness or leaving early from a Commission regular/executive meeting of 15 minutes or greater which causes a lack of a quorum shall be judged as an absence and shall be handled under the absence policy.

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REMOVAL OR RESIGNATION OF COMMISSION MEMBERS

A commissioner wishing to resign from the Commission should submit a letter of resignation to the Mayor, Chairperson of the Commission, and City Clerk.

Regarding the issue of absenteeism, the Chairperson shall file a certification with the City Clerk that such absences have occurred in violation of Commission Policy, and his/her office shall thereupon automatically become vacant, the affected member shall be notified in writing, and the vacancy shall be filled as any other vacancy.

Removal from the Commission may be recommended by the Chairperson on behalf of the Commission for any / or all the violations listed:

- 1. Failure to follow-through with Commissioner responsibilities in a reasonable and timely fashion as required for the meeting of the goals and objectives of the Commission;
- 2. Failure to adhere to the media policy;

Any of the above violations shall cause the Chairperson of the Commission to certify in written form to the member such violation has occurred. After three (3) violations in one fiscal year the Chairperson of the Commission shall certify with the City Clerk that such violations of Commission policy have occurred, and the members office shall automatically become vacant. The affected member shall be notified in writing, and the vacancy shall be filled as with any other vacancy.

The Mayor has the ability to remove a commissioner from office, should he/she deem such action appropriate.

VACANCY

Vacancies on the commission shall be filled through current City policy.

FISCAL YEAR

July 1 through June 30.

BUDGET PROCESS

The ~~Chair and Vice Chair~~ shall establish a biennial budget, to be approved by a vote of the Commission at Large at its July meeting. Requests for expenditures and/or reimbursements from eligible funding sources such as the Community & Economic Development department, which are less than \$100, shall only require the approval of the Chair. Any requests for funds in excess of \$100 shall be reviewed and approved by ~~both the Chair and Vice Chair~~.

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INDEMNIFICATION

Commissioners are indemnified in accordance with City policy.

Revised & Adopted **March 11, 2024**

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ATTACHMENTS

- Bill of Rights
- Universal Declaration of Human Rights
- City Ordinance No 1426
- Conflict of Interest Code
- Task Force Report
- Civil Rights Acts
- American with Disabilities Act
- Fair Employment and Housing Act
- Hate Crime Definition
- Relevant legislation/court decisions

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AT-RISK POPULATION GROUPS

The Commission will focus on specific groups within the City of Palm Springs that are considered vulnerable. Some common examples of vulnerable groups in society may include elderly people, people with low incomes, uninsured people, homeless people, racial or ethnic minorities, people in prison, migrant workers, pregnant women, people in the LGBTQIA community, and children. Vulnerable populations are defined as “groups who are at a disadvantage because of an inherent quality they possess or a status they occupy.” At risk populations are defined as “groups who are at a higher risk of exposure to a certain event.”

Each Commissioner will choose which vulnerable or at-risk population group he/she is most passionate about and shall engage with community partners to identify how the Commission might facilitate better outcomes for the affected group. Commissioner Liaisons shall periodically report back to the full Commission on their work and what opportunities might exist for the full Commission to recommend changes in policies or programs for consideration by the City Council.

The following populations shall be the initial focus of the Human Rights Commission in 2024:

- LGBTQIA+ Community
- Homeless Community
- Older Adults / Social Justice Community

The Commission shall review the at-risk populations annually and may choose to refocus efforts on different populations as warranted. The groups, agencies, and organizations which Commissioners may opt to engage with are dynamic, and it is incumbent on Commissioners to actively seek out partners, resources and information about the work being done throughout the community to address the myriad needs of their respective at-risk populations which they are passionate about.

Commissioners shall:

- Identify opportunities to improve collaboration among the stakeholders to reduce duplication and increase measurable outcomes in their goals.
- Commissioners have latitude in how they develop relationships with the community groups. They can educate and advocate for human rights and social justice relevant to the stakeholders with whom they are working, as well as assist in helping with connecting to available resources

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Title 2. Administration and Personnel

Chapter 2.45. HUMAN RIGHTS COMMISSION

§ 2.45.005. Public Policy.

It is declared as the public policy of the City that it is necessary and appropriate to protect and safeguard the right and opportunity of all persons to be free from all forms of discrimination as that term is defined in this Chapter.

(Ord. 1578 § 1, 2000; Ord. 1920 § 2, 2017)

§ 2.45.010. Definitions.

For the purpose of this chapter:

"Commission" means the Palm Springs human rights commission.

"Conciliation" means a voluntary process in which a neutral third party serves as an intermediary between the conflicting parties. The parties may or may not meet directly.

"Discrimination" means the treatment of or distinction against a person based on the group, class or category to which that person belongs rather than on individual merit and contrary to federal, state or local law. Discrimination can include discrimination because of race, religion, color, ancestry, national origin, age, gender, sexual orientation, disability, medical condition, marital status, parental status, source of income, HIV status, or any other arbitrary factor.

"Domestic partnership" means two adults who have chosen to share one another's lives in an intimate and committed relationship of mutual caring and refers to those persons who have registered as domestic partners pursuant to a valid and current statement of domestic partnership on file with the city under this Chapter **2.45** and where all of the following requirements are met:

- (1) The partnership is between no more than two persons, each of whom is eighteen years old or older;
- (2) The persons are not related by blood in a way which would prevent them from being married to each other in the state of California;
- (3) The persons are not married or a member of another domestic partnership;
- (4) The persons have agreed to be jointly responsible for their common care, welfare and basic living expenses, in that each partner has agreed to provide for the other partner's basic living expenses if the partner is unable to provide for herself or himself;
- (5) Each of the persons is competent to enter into a contract or consent to the domestic partnership;
- (6) Both persons' domiciles are in the city and they share a common residence, but this does not require that the legal right to possess the residence be in both names;

- (7) Neither person has officially declared to the city that he or she has a different domestic partner nor has previously made and concurrently maintained such declaration to any other jurisdiction; provided, that any such prior declaration has been terminated; and further provided, that this shall not bar any such concurrent declaration filed with the Secretary of State of California if such declaration is for the same partner at the Palm Springs domicile;
- (8) The persons have been cohabitating for a period of at least six months; and
- (9) The persons will complete, sign under penalty of perjury and personally submit to the city clerk a statement of domestic partnership in the form prescribed under this Chapter **2.45**.

"Domicile" shall mean the one location the respective person considers to be his or her most settled and permanent location, the place where he or she intends to remain and to which, whenever he or she is absent, to which he or she has the intention of returning.

"Mediation" means a voluntary dispute resolution process in which the parties in conflict meet with a neutral third party in an attempt to resolve the conflict or dispute in a manner that is satisfactory to the parties in conflict.

"National origin" shall mean place of origin, immigration status, cultural or linguistic characteristics, or ethnicity.

"Reasonable cause" means a threshold standard for the commission to initiate a conciliation or mediation process. The standard is met when the investigation of the alleged unfair or unlawful practice produces sufficient credible evidence that would cause a reasonable person of ordinary care and prudence to conclude that the unfair or unlawful practice occurred.

"Source of income" means any source of funds obtained through lawful means, including, but not limited to, any form of government financial aid, alimony payments, or child support payments. The same financial requirements must be applied to everyone regardless of the legal source of income. If a person's income and credit history would be considered sufficient if it were received as a salary, it must be considered sufficient from other sources as well. Nothing in this chapter or the provisions thereof shall be construed as prohibiting the conduct of a credit history review and the denial of a benefit or a privilege based thereon, so long as the credit review is conducted in a fair and nondiscriminatory manner.

"Unfair" means not fair or conforming to fundamental notions of justice, honesty, ethics or the like.

"Unlawful" means any policy or practice which constitutes illegal discrimination as defined in federal, state or local laws.

(Ord. 1426 § 2, 1992; Ord. 1578 §§ 2, 3, 2000; Ord. 1920 § 3, 2017)

§ 2.45.020. Scope.

This chapter applies to all discriminatory practices and resulting intergroup tensions specifically covered by the provisions of this chapter occurring within the territorial limits of the city or within any governmental agency or any other agency under the jurisdiction of the city. Nothing in this chapter, however, shall be interpreted or applied so as to create any power or duty in conflict with the preemptive effect of any federal or state law. Nor shall anything in this chapter be implemented in a way that overlaps already existing federal or state programs; rather, federal or state programs shall be utilized, or supplemented when necessary, appropriate, and feasible, to give effect to this chapter.

(Ord. 1426 § 2, 1992)

§ 2.45.030. Human rights commission created—Membership—Powers and duties.

(a) Creation.

There is created within the city a human rights commission, consisting of nine members, appointed by the mayor with the approval of the city council, to serve at the pleasure of the city council. Subject to its unfettered legislative discretion, the council will attempt to ensure that sufficient funding and staff are provided to assist the commission in carrying out its duties and responsibilities, and to ensure that the commission reflects the social, ethnic and cultural diversity of the community.

(b) Term—Vacancies.

- (1) Members of the commission shall be appointed or removed in accordance with and shall be subject to all of the provisions of Chapter **2.06** of the Palm Springs Municipal Code, as the chapter now reads, or as it may thereafter be amended from time to time; provided, however, that of the nine members first appointed, two shall serve a term ending June 30, 1994; two shall serve a term ending June 30, 1995; three shall serve a term ending June 30, 1996; and two shall serve a term ending June 30, 1997. Such terms shall be drawn by lot at the first meeting of the commission following the appointment of the nine members.
- (2) Notwithstanding the provisions of Chapter **2.06**, members whose terms expire sooner than July 1, 1994, shall be eligible for reappointment to a succeeding full term. A vacancy in the commission shall not impair the right of the remaining members to exercise the powers of the commission pursuant to this chapter.

(c) Powers and Duties of the Commission. Within the limitations provided by law, the human rights commission shall:

- (1) Conduct programs designed to bring groups together to close gaps resulting from past discriminatory practices and to address proactively current or ongoing intergroup tensions;
- (2) Mediate disagreements among individuals, groups and organizations which result from discriminatory practices within the scope of this chapter;
- (3) Process complaints which cannot be resolved through mediation as provided in the procedures which follow;
- (4) Render a semiannual written report of its activities to the mayor and council. Such report shall include:
 - (A) Case histories of conciliation or mediation settlements made under this chapter, the disclosure of which, in the judgment of the commission, will further its objectives,
 - (B) Recommendations to the mayor and council of additional actions, policies, procedures or legislation deemed by the commission to be necessary to carry out the purposes of this chapter;
- (5) Maintain data on practices, activities, hate crimes, and other problems which are the subject of this chapter;
- (6) In addition to the other powers and duties set forth in this chapter, the commission shall have the power and duty to:
 - (A) Prepare and disseminate educational and informational material relating to prejudice and discrimination and recommended ways and means of eliminating such prejudice and discrimination,
 - (B) Furnish cooperation, information, guidance and technical assistance to other public agencies and private persons, organizations and institutions engaged in activities and programs intended to eliminate prejudice and discrimination,
 - (C) Consult and maintain contact with human relations agencies, other public agencies, and representatives of employers, labor unions, property owners' associations, professional

associations, national origin groups, community organizations concerned with interracial, interreligious and intercultural understanding, social welfare organizations, and such other private organizations and institutions as the commission shall deem advisable, to further the objectives of this chapter,

- (D) Advise and make written recommendations to the mayor, city council and city manager concerning the development and implementation of programs and practices for the purpose of furthering the objectives of this chapter. If necessary, the commission and an agency, board or officer which the commission is assisting shall submit timely reports of progress in establishing and implementing such programs and practices as are from time to time requested by the mayor or council. The commission shall not have jurisdiction over matters within the authority of other city boards and commissions, except under specific direction from the city council,
- (E) Investigate, and with the assent of the concerned parties, conciliate or mediate all incidents of discrimination within the scope of this chapter to the extent such functions are not within the responsibilities of the California Fair Employment Practices Commission or any federal, county, state, city or other established agency, and make specific and detailed recommendations to the interested parties as to the method of eliminating such discrimination,
- (F) Prepare, encourage and coordinate programs based on established laws, regulations, policies or goals to eliminate or reduce existing inequalities and disadvantages in the community resulting from past discriminatory practices,
- (G) Refer for appropriate action any matters not resolved through conciliation or mediation to the appropriate prosecutorial or regulatory entity pursuant to Section **2.45.040**,
- (H) Request through the city manager information, services, facilities or any other assistance for the purpose of furthering the objectives of this chapter,
- (I) Appoint subcommittees of members of the commission as may be required to address specific human relations problems, and/or advisory committees of members drawn from various segments of the Palm Springs population,
- (J) Support and participate in activities which bring together various factions and viewpoints on emerging issues in a way that will help the community to resolve the issues which arise with change.

(Ord. 1426 § 2, 1992; Ord. 1428 § 1, 1992; Res. 20441 § 1, 2002)

§ 2.45.040. Referral and mediation of complaints.

- (a) The commission shall prescribe a form on which a complaint may be lodged by any individual or entity that an unfair or unlawful practice of discrimination, as defined in Section **2.45.010** of this chapter, has occurred. Such complaint shall be filed with the commission under the penalty of perjury, and shall initiate the referral and/or mediation and conciliation powers of the commission.
- (b) Upon receipt of a verified complaint, the commission shall conduct such preliminary investigation as is necessary to determine if the allegations thereof fall within the jurisdiction of any federal or state agency, commission or authority. Upon a determination that such federal or state jurisdiction exists, the commission shall refer the complaint to the appropriate state and/or federal agency, commission or authority, and provide notice of the receipt and referral of the complaint to the complainant and the individual or entity charged in the complaint.
- (c) Upon receipt of a verified complaint, the commission shall notify both the complainant and the individual or entity charged in the complaint of the availability of the mediation or conciliation services of the commission. If all parties to the complaint agree to participate in voluntary mediation or conciliation, the commission shall then conduct such further investigation necessary to determine if reasonable cause exists to mediate or conciliate the complaint.

- (d) If the commission determines that reasonable cause exists to mediate or conciliate the complaint, the commission shall notify the parties thereto, and the chair of the commission shall designate one or more commissioners to assist the parties in their efforts to mediate or conciliate the complaint.
 - (e) In undertaking to mediate or conciliate the complaint, the commissions(s) may convene meetings, conferences or such other discussions with the parties (collectively or separately) as is mutually agreed upon. The commissioner(s) shall not undertake a formal or evidentiary hearing or maintain a written record of the conciliation or mediation proceedings. It is the purpose of this chapter to provide an informal and nonconfrontational forum for the parties to mutually resolve the complaint. Such meetings, conferences or discussions as may be held or convened may, upon request of any party, be conducted privately with the public excluded therefrom except to the extent otherwise provided by law.
 - (f) The commissioner(s) may assist the parties in discussing the facts in support of or in response to the complaint, may assist the parties in negotiating a mutual resolution to the complaint, may offer specific recommendations to the parties as to the disposition of the complaint, and may otherwise assist in the conciliation or mediation of the complaint as the parties shall mutually agree upon.
 - (g) If the commissioner(s) cannot assist the parties in resolving the complaint through conciliation or mediation, the commissioner(s) shall declare an impasse between the parties, which declaration shall terminate the services of the commission and its jurisdiction over the complaint. Thereafter, the commission may advise the complainant of such appropriate or available remedies as may exist to further pursue the allegations of the complaint.
 - (h) All parties participating in the conciliation or mediation process retain such legal or constitutional rights, privileges and defense as otherwise exist in law. The participation of the commission in the conciliation or mediation of any complaint shall not be deemed to constitute a decision, finding of fact, judgment or order of the commission, nor shall any statement, recommendation or suggestion of the assigned commissioner(s) be binding upon or admissible in any court in any subsequent proceeding.
- (Ord. 1426 § 2, 1992)

§ 2.45.050. Individual remedies.

Nothing in this chapter or the provisions thereof shall be construed as granting or denying to an aggrieved individual or entity any additional right to pursue a civil action against any person, firm, partnership, association or corporation, or any agency, board or officer of the city, or any action allowed under state or federal law.

(Ord. 1426 § 2, 1992)

§ 2.45.060. Meetings.

- (a) The commission shall be deemed an advisory body to the legislative body and thus be governed by all procedures of the Ralph M. Brown Act.
- (b) The commission shall adopt appropriate meeting procedures so that meetings will be conducted in accordance with the Brown Act as frequently as necessary to carry out the purposes of this chapter, but no less than once a month.
- (c) If a member absents himself or herself without advance permission of the commission or the city council from three consecutive meetings or twenty-five percent of the duly scheduled meetings within any fiscal year, the chair shall file a certification with the city clerk that such absences have occurred, and his or her office shall thereupon automatically become vacant and shall be filled as any other vacancy.
- (d) Five members shall constitute a quorum of the commission, and any ruling, decision or other action of the commission may taken by a majority of those members present and voting, provided a

quorum is present.
(Ord. 1426 § 2, 1992)

§ 2.45.070. Statement of domestic partnership.

- (a) Domestic partners, who meet the qualifications of a domestic partnership under this chapter may make an official record of their domestic partnership by completing, signing and submitting in person to the city clerk, on the form prescribed by the city clerk, a "statement of domestic partnership" stating that they meet the requirements of this chapter.
- (b) The statement shall establish the location of domicile and be signed by both partners under penalty of perjury, with both signatures being notarized.
- (c) Each domestic partner who submits a statement of domestic partnership with the city clerk agrees to notify the city of any change in the status of their domestic partnership.
- (d) A statement of domestic partnership may be amended to reflect changes, such as a change in address of the partners, by filing in person a new statement of domestic partnership.
- (e) No person who has a statement of domestic partnership on file with the city clerk may file another statement of domestic partnership until a statement of termination of domestic partnership is filed with the city clerk in accordance with this chapter.
- (f) No statement of domestic partnership shall be deemed effective unless submitted to the city clerk in accordance with the provisions of this chapter.

(Ord. 1578 § 4, 2000)

§ 2.45.080. Termination of domestic partnership.

- (a) A domestic partnership is terminated when one of the following occurs: (1) one partner dies or is married, (2) the partners no longer have a common residence, or (3) one partner gives the other written notice by certified mail of termination. Upon the occurrence of such event, at least one former partner shall file with the city a statement of termination of domestic partnership.
- (b) Any member of a domestic partnership may terminate the domestic partnership by jointly or unilaterally completing, signing under penalty of perjury and submitting in person to the city clerk a statement of termination of domestic partnership in the form prescribed by the city clerk.
- (c) A domestic partnership shall be deemed terminated thirty days after the filing of the statement of termination of domestic partnership and, if applicable, proof that the statement of termination was either mailed to, served on or personally delivered to the former partner, when such former partner did not appear personally in the city to file the statement of termination of domestic partnership.
- (d) No termination of domestic partnership shall be deemed effective unless submitted to the city clerk in accordance with the provisions of this chapter.

(Ord. 1578 § 4, 2000)

§ 2.45.090. Fees.

- (a) No statement of domestic partnership or statement of termination of domestic partnership shall be accepted by the city clerk unless accompanied by payment of the filing fee in an amount which may be established from time to time by resolution of the city council.
- (b) Payment of filing fees shall entitle the person filing the subject statement to have two copies of said statement certified by the city clerk.

(c) The cost of certification of additional copies of a statement shall be an amount per copy as established by resolution of the city council.

(Ord. 1578 § 4, 2000)

§ 2.45.100. Maintenance of records—Notary.

The city clerk shall maintain adequate records of all statements of domestic partnership and all statements of termination of domestic partnership along with a register of domestic partnerships. No statement of domestic partnership or termination shall be valid and binding without the signature and seal of acknowledgement by a notary public.

(Ord. 1578 § 4, 2000)

§ 2.45.110. Legal effect.

(a) Registration as a domestic partner under this chapter shall not be evidence of, or establish, any rights existing under law other than those expressly provided hereunder.

(b) The filing of a statement of domestic partnership hereunder shall not change the character of property, real or personal, or interest in real or personal property owned by either domestic partner or both of them, and the formation of a domestic partnership shall not, in and of itself, create any interest in or rights to, any property, real or personal, owned by the partner in the other partner, including but not limited to, any rights similar to community property rights or "palimony" rights under common law.

(c) The formation of a domestic partnership hereunder shall not change the individual income or estate tax liability of each partner prior to and during the partnership, unless otherwise provided under another state or federal law or regulation.

(d) This chapter is not intended to make the California Uniform Partnership Act (California Corporations Code Section 15001, et seq.) applicable to domestic partnerships.

(e) At the election of the partners, they may enter into a durable power of attorney for any authorized purposes, including but not limited to, health care or the disposition of personal effects at the time of death; provided, that the statement complies with the requirements of the Uniform Durable Power of Attorney Act (Article 3, commencing with Section 2475, of Division 3, Part 4, Title 9 of the California Civil Code).

(Ord. 1578 § 4, 2000)

§ 2.45.120. Health care facility visitations.

All health care and psychiatric care facilities located in the city, including but not limited to hospitals, convalescent facilities or other long-term care facilities, shall allow a domestic partner of a patient to visit the patient unless the applicable rules of the facility prohibit all visitors.

(Ord. 1578 § 4, 2000)

§ 2.45.130. Jail visitation rights.

A domestic partner of an inmate in the city jail shall be allowed to visit the inmate unless: (1) the applicable rules prohibit all visitors, or (2) the police department decides that a particular visitor is a threat to the security of the jail.

(Ord. 1578 § 4, 2000)

§ 2.45.140. City applications, licenses and permits.

Persons registered with the city as domestic partners are entitled to file, on behalf of their domestic partner, any applications, approvals, licenses or permits that the city allows to be filed for any person by that person's spouse. This includes, but is not limited to, all business applications, licenses and permits; all planning, building and land use applications, licenses and permits; all health, safety and regulatory applications, licenses and permits; and all other municipal applications, licenses, and permits, whatsoever.

(Ord. 1578 § 4, 2000)

§ 2.45.150. Civil actions.

Any person or entity defrauded by a false representation in a statement of domestic partnership, an amendment to such statement or a statement of termination of domestic partnership may bring a civil action against either or both partners pursuant to the laws of the state of California to recover his, her or its actual losses, damages or injuries.

(Ord. 1578 § 4, 2000)

§ 2.45.160. Reciprocity.

The provisions of and the rights and benefits accorded by this Chapter **2.45** shall be applicable to persons registered as domestic partners in any other jurisdiction with a comparable domestic partnership enactment.

(Ord. 1578 § 4, 2000)

March 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1	2 Certified Farmers' Market, Palm Springs Cultural Center Parking Lot, 2300 E. Baristo Rd. 8:00 am – 1:00 pm
3	4	5	6	7	8	9
10	11 Ramadan Begins Human Rights Commission, Regular Meeting, 5:30 pm	12 Palm Springs Navigation Center Open House, 11:00 AM, 3589 McCarthy Rd. One-PS Membership Meeting, 4:30-6:00, Police Training Center	13	14	15	16 Certified Farmers' Market, Palm Springs Cultural Center Parking Lot, 2300 E. Baristo Rd. 8:00 am – 1:00 pm
17	18	19	20	21	22	23 Purim Begins One-PS Picnic Ruth Hardy Park 11 am - 2 pm
24 Palm Sunday	25	26	27 Family Fun Fest, Palm Springs Stadium, 9:00 - noon	28	29	30 Trans Pride 2024 'Empower and Employ", Frances Stevens Park, Palm Springs
31 Easter Sunday						

LEGEND:

OLIVER CLEARY (OC)

GLENN FLOOD (GF)

BEVERLY GREER (BG)

MICHAEL MJ HORN (MH)

BOBBY T. RIMAS (BR)

CARLOTTA RINKE (CR)

LILLY HANNER (LH)

DAVID VIGNOLO (DV)

HUGO LOYOLA (HL)

LEGEND:

Event is Confirmed: **GREEN**

Event is Tentative: **YELLOW**

April 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1	2 Police & Fire Appreciation Luncheon (\$\$), Palm Springs Convention Center, 11:30 – 1:00	3	4 Villagefest 6:00 pm - 10:00 pm	5	6
7	8 Human Rights Commission Regular Meeting (5:30 pm)	9 Eid al-Fitr begins ONE-PS Monthly Membership Meeting, HRC Presentation by Commissioner Rinke, Police Training Center, 200 S. Civic Drive	10	11 Villagefest 6:00 pm - 10:00 pm	12	13
14	15 World Arts Day Installation of Pillars of Palm Springs	16	17	18 Villagefest 6:00 pm - 10:00 pm	19	20
21	22	23	24	25 Villagefest 6:00 pm - 10:00 pm	26	27
28	29	30				

LEGEND:

OLIVER CLEARY **(OC)**

GLENN FLOOD **(GF)**

BEVERLY GREER **(BG)**

DAVID VIGNOLO **(DV)**

BOBBY T. RIMAS **(BR)**

EDWIN RAMORAN **(ER)**

CARLOTTA RINKE **(CR)**

MICHAEL MJ HORN **(MH)**

LILLY HANNER **(LH)**

HUGO LOYOLA **(HL)**

LEGEND:

Event is Confirmed: **GREEN**

Event is Tentative: **YELLOW**

May 2024

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1	2 Villagefest 6:00 pm - 10:00 pm	3	4
5 Cinco de Mayo	6	7	8	9 Harvey Milk Diversity Breakfast Thursday, May 9, 2024 (Coffee Welcome 8:30-9:30am Program 9:30- 11:00am) Palm Springs Convention Center, 277 N. Avenida Caballeros Villagefest 6:00 pm - 10:00 pm	10	11
12 Mother's Day	13 Human Rights Commission Regular Meeting (5:30 pm)	14 One-PS Monthly Membership Meeting, 4:30 – 6:00 PM, Police Training Center, 200 S Civic Drive	15	16 Villagefest 6:00 pm - 10:00 pm	17	18
19	20	21	22	23 Villagefest 6:00 pm - 10:00 pm	24	25
26	27 Memorial Day	28	29	30	31	

LEGEND:

OLIVER CLEARY (**OC**)

GLENN FLOOD (**GF**)

BEVERLY GREER (**BG**)

DAVID VIGNOLO (**DV**)

BOBBY T. RIMAS (**BR**)

EDWIN RAMORAN (**ER**)

CARLOTTA RINKE (**CR**)

MICHAEL MJ HORN (**MH**)

LILLY HANNER (**LH**)

HUGO LOYOLA (**HL**)

LEGEND:

Event is Confirmed: **GREEN**

Event is Tentative: **YELLOW**

1. CALL TO ORDER:

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

4. ACCEPTANCE OF THE AGENDA: The Human Rights Commission will discuss the order of the agenda and may amend the order, add items, and may remove items from the agenda for discussion.

5. APPROVAL OF MINUTES: Approval of the Regular Meeting Minutes of Month NN, 2024.

6. PUBLIC COMMENT: This time has been set aside for members of the public to address the Human Rights Commission on agenda items, and items of general interest within the subject matter jurisdiction of the Commission. Although the Commission values your comments, pursuant to the Brown Act, it generally cannot take any action on items not listed on the posted Agenda. Three (3) minutes are assigned for each speaker.

7. WELCOME COMMENTS FROM THE HUMAN RIGHTS COMMISSION CHAIR

8. NEW BUSINESS:

9. DISCUSSION ITEMS:

9.A. TBD

9.B. TBD

9.C. TBD

10. COMMISSION MEMBER COMMENTS AND REQUESTS

ADJOURNMENT: The next Regular Human Rights Commission meeting will be held on Monday, Month, NN 2024, at 5:30 p.m.