

HUMAN RIGHTS COMMISSION CITY OF PALM SPRINGS, CALIFORNIA

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MEETING AGENDA

**Monday
April 8, 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. **PLEDGE OF ALLEGIANCE:**
 3. **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
 4. **PRESENTATIONS:**
 - A. Pillars of Palm Springs (Gary Armstrong, Public Art Commission Chair)

- 5. **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.
- 6. **APPROVAL OF MINUTES:** Approval of the Regular Meeting Minutes of January 8, 2024, and March 11, 2024.
- 7. **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. 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.
- 8. **WELCOME COMMENTS FROM THE HUMAN RIGHTS CHAIR:**
- 9. **NEW BUSINESS:**
 - A. Commission Role in Mediation
 - B. Proposal for Commission work in the area of Equity and Social Justice (Commissioner Rimas)
 - C. Update on Presentation to the ONE-PS Organization (Commissioner Rinke)
- 10. **DISCUSSION ITEMS:**
 - A. Harvey Milk Breakfast Update
 - B. Master Calendar Liaison Report (Vignolo)
 - C. Discuss Agenda Format
- 11. **COMMISSION MEMBER COMMENTS AND REQUESTS:**

ADJOURNMENT: The Commission will adjourn to a regularly scheduled meeting on Monday, May 13, 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., April 4, 2024, and posted on the City’s website as required by established policies and procedures.

/S/ Jay Virata
Jay Virata

**Human Rights Commission
CITY OF PALM SPRINGS, CALIFORNIA**



**REGULAR MINUTES
January 8, 2024
Palm Springs City Hall, Large Conference Room**

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

2. **ROLL CALL:**

Present: Commissioners: Vignolo, Flood, Rinke, Greer, Loyola

Absent: Cleary, Horne, Rimas, Ramoran, and Student Representative Hanner

Staff Present: Jay Virata, Director, Housing and Community Development

3. **MISSION STATEMENT & GOALS:**

4. **PRESENTATION:**

1. Discussion of Presentation to the ONE-PS Organization (Commissioner Rinke)

Commissioner Rinke reported on the plans to present the ONE-PS membership meeting in March. Commission feedback was received on the topics/information to include in her presentation.

The commission discussed its mediation program and procedural process. The Executive Committee will review City Charter 2.45 and bring forward the item at a future agenda meeting.

5. **ACCEPTANCE OF THE AGENDA**

MOTION BY: Commissioner Greer, Second by Commission Flood, to accept the agenda as presented.

MOTION PASSES. YES 5; NO 0; ABSTAINED 0

6. **PUBLIC COMMENTS:**

Submitted in Person or Online: None.

Submitted by email:

1. Doug Evans, representing Friends of Frank Bogert supporting amendments to Rules and Standard Operating Procedures, request to Agendize the HRC Monument Report and amend the meeting minutes from December 11, 2023, were submitted and available at City Hall.

Chair Loyola for public record read a statement from the City Attorney Jeff Ballinger:

"Thank you for your public comments. The Bogert Report has been the subject of considerable public discussion and debate, both before the Human Rights Commission and the City Council. All sides have been heard. In light of the ongoing threat of litigation surrounding this issue, the Commission does not intend to take up any further discussion of the Report. You and other members of the public are welcome to continue providing your thoughts on the Report. However, until further direction is provided by the City Council, the Commission will not be agendizing a discussion of the Report, former Mayor Bogert or Section 14/Reparations."

7. **CHAIR COMMENTS:**

Chair Loyola announced Commissioner Ramoran submitted his resignation from the Human Rights Commission; looks forward to continuing to work together as a commission as they move into 2024.

8. APPROVAL OF MINUTES: December 11, 2023

MOTION BY: Commissioner Rinke, Second by Commissioner Greer to accept the minutes as presented.

DISCUSSION: Vice Chair Vignolo requested amending the draft minutes for a name correction on Item 8. Student Representative Applicant Name to read Adriana Figueroa and not Amalia Figueroa.

MOTION AMENDED: Commissioner Rinke, Second by Commissioner Greer to accept the minutes as amended.

MOTION PASSES. YES 5 ; NO 0 ; ABSTAINED 0

9. ITEMS FOR DISCUSSION/ACTION:

A. Committee and Liaison Reports

1. Master Calendar Liaison Report (Vignolo)

A. Commission engagement for Palm Springs Black History Month

- a) Martin Luther King Jr. Youth Basketball Classic. Demuth Community Center, January 13
- b) Martin Luther King Jr. Commemoration Celebration, La Quinta, January 14
- c) 14th Annual Awards Gala, Margaritaville Resort, February 3
- d) 37th Annual Parade and Town Fair, Downtown Palm Springs, February 24

B. Review of Master Calendar (1Q 2024)

Vice Chair Vignolo gathered Commissioner interest and participation for the community events outlined in the first quarter including Black History Month events.

B. Student Representative Program Changes (Vice Chair Vignolo)

- a) Discussion of the current requirement that students are invited to apply at the end of their freshman, sophomore, or junior years for participation in the following school calendar year.
- b) Discussion of Nomination of Adriana Figueroa to serve as Student Representative
- c) Motion to remove Palm Springs residency requirement.
- d) Request to establish an Ad-Hoc Committee to review the implementation of the Student Representative Program and the role of the Student Representative.

There was consensus to accept the application from Adriana Figueroa; and agendaize in March the discussion of allowing college students to serve as student representatives.

MOTION BY: Chair Loyola, Second by Commissioner Flood to amend the Student Representative application online to remove the Palm Springs Residency Requirement and the academic requirement of being freshmen, junior, or sophomore.

MOTION PASSES. YES 5; NO 0 ; ABSTAINED 0

C. Presentation of a proposal for Commission work in the area of equity and social justice (Commissioner Bobby T. Rimas)

This item was not discussed.

D. Discussion and motion to approve Revised Rules and Standard Operating Procedures of the Human Rights Commission of the City of Palm Springs document (Vice Chair Vignolo)

Vice Chair Vignolo presented the proposed revisions made to the Rules and Standard Operating Procedures document.

MOTION BY: Vice Chair Vignolo, Second by Chair Loyola to accept the document as written.
MOTION PASSES. YES 5; NO 0 ; ABSTAINED 0

Vice Chair Vignolo will send the draft document to the City Attorney for review through Director Virata. Any changes or recommendations provided by the City Attorney will be reported back in March.

E. Update and Announcement of the 2024 Community Service Awards Honorees

Chair Loyola announced eight out of the nine honorees have confirmed acceptance of their nomination. A press release will be issued by the Director of Communications. The tentative event day schedule and logistics were shared.

Chair Loyola stated following the ceremony, the owner of Oscar's Restaurant has offered to host an annual dinner event for the honorees, families, and their partners. More information to come once Oscar's Restaurant requests RSVP.

10. REPORT FROM STAFF LIAISON

- a) Update on the Commissioners' request to procure business cards.

Director Virata commented on the liability concerns of the City with Commissioner business cards.

Vice Chair Vignolo wished to go on the record stating that he appreciates the City's concern, but he does not see the liability or issue with having a business card to hand to a member of the public or agency to fulfill their mission; plans to bring the issue to the City Manager.

- b) Update on Council's direction with regard to whether, and to what extent, Commission meetings may be conducted by teleconferencing, including remote participation by members of the public, City staff, and third parties with items on the agenda.

Director Virata went over the City's teleconferencing guidelines in place before covid. Comments and questions were answered.

- c) Status of updates to the Commission website regarding the Student Representative application process.

Director Virata reported the update has already been made on the city's webpage.

- d) Review of Commission's use of Palm Springs City Email.

Director Virata reviewed the city's electronic communication and device policy with the Commission. Comments and questions were answered.

11. AGENDA ITEMS FOR THE NEXT HRC MEETING: 1. Community Service Awards

The next executive committee meeting will be on January 24th. Commissioners who would like to add an agenda item should email the Executive Committee through the Staff Liaison, Director Virata.

12. ANNOUNCEMENTS:

13. ADJOURNMENT: It was moved by Commissioner Flood, Seconded by Commissioner Greer to adjourn at 6:55 p.m. to a regular meeting on Monday, February 12, 2024, at 5:30 p.m.

Jay Virata, Director of Housing and Community Development

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

Human Rights Commission
CITY OF PALM SPRINGS, CALIFORNIA



REGULAR MINUTES
March 11, 2024
Palm Springs City Hall, Large Conference Room

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

2. **ROLL CALL:**

3.

Present: Commissioners: Vignolo, Flood, Rinke, Rimas, Greer, Loyola

Absent: Cleary and Student Representatives Hanner and Figueroa

Staff Present: Mayor Jeffrey Bernstein, and Jay Virata, Director, Housing and Community Development

3. **MISSION STATEMENT:**

4. **ACCEPTANCE OF THE AGENDA**

MOTION BY: Commissioner Horne, Second by Commissioner Rimas, to accept the agenda as presented.

MOTION PASSES. YES 6; NO 0; ABSTAINED 0

5. **PUBLIC COMMENTS:**

Submitted in Person or Online

1. David Christianson, Palm Springs, supporting the review of operating procedures; written material related to Frank Bogert supporting various minority groups were submitted and available at City Hall.

Submitted by email:

1. Doug Evans, representing Friends of Frank Bogert, requesting amendments to the Rules and Standard Operating Procedures that include disbanding the executive committee, and complaint with the agenda packet were submitted and available at City Hall.

Vice Chair Vignolo inquired on how to address Mr. Doug Evan's concerns.

Chair Loyola recommended the item be added Under Item 10 and add Commissioner Comments to the Agenda.

Mayor Bernstein stated items not on the agenda should not be discussed; the item can be added to Item 10 if everyone wants to put it onto a future agenda at that time.

Director Virata confirmed all material being presented has been made available to the public online.

6. **CHAIR COMMENTS:**

7. **APPROVAL OF MINUTES: February 12, 2024**

Director Virata announced two title corrections; his title to be replaced with Director of Housing and Community Development.

MOTION BY: Vice Chair Vignolo, Second by Commissioner Rimas to accept the minutes as amended.

MOTION PASSES. YES 6; NO 0 ; ABSTAINED 0

8. ITEMS FOR DISCUSSION/ACTION:

A. Remarks by the Honorable Mayor Jeffrey Bernstein.

Mayor Bernstein stated he will be the unofficial Council Liaison for the Human Rights Commission offering his support within the Brown Act limitations; and recommended consideration of a future discussion on people with physical limitations and what the City is doing to address their needs.

Chair Loyola reminded Commissioners to communicate to City Councilmembers through the Staff Liaison.

Mayor Bernstein further commented on the City's recruitment schedule and process for Boards and Commissions. Comments and questions were answered.

B. Approve amendment to Human Rights Commission Rules and Standard Operating Procedures to disband the Executive Committee.

Chair Loyola, Commissioner Greer, commented on the reasons for eliminating the Executive Committee.

Vice Chair Vignolo discussed the process.

MOTION BY: Chair Loyola, seconded by Commissioner Rinke to approve rules and standard operating procedures of the Human Rights Commission as amended in the document presented.

MOTION PASSES. YES 6; NO 0 ; ABSTAINED 0

C. Establish ad hoc committee to review Community Service Award process.

Chair Loyola commented on the need for creating an ad hoc committee and improving the awards process.

Vice Chair Vignolo encouraged other commissioners to participate; Shared an overview of the awards process and foreseen responsibilities for the ad hoc committee.

Mayor Bernstein recommended that the ad hoc committee meet with both Director Virata and the City Attorney to discuss the recommendation before submitting the plan to the full commission for discussion.

Commissioner Horne and Commissioner Rinke volunteered to serve on the Ad Hoc Committee.

Director Virata shared a tentative timeline that the ad hoc committee would follow

MOTION BY: Vice Chair Vignolo, seconded by Commissioner Rimas to appoint Commissioner Rinke and Horne to an Ad Hoc Committee of the Human Rights Commission with its focus on improving the Community Service Awards Program; and request that the Ad Hoc Committee report its findings and recommendation by the September 2024 regular meeting of the Human Rights Commission.

MOTION PASSES. YES 6; NO 0 ; ABSTAINED 0

D. Establish ad hoc committee to review Human Rights Commission-related items in the Palm Springs Municipal Code.

Vice Chair Vignolo explained the purpose of establishing an ad hoc committee would be to look at the Municipal Code Chapter 2 - Section 2.45 and amendment to that section. The recommendations will be sent to City Council for consideration.

Commissioner Greer and Vice Chair Vignolo volunteered to serve as the ad hoc committee and report back a the October 2024 meeting.

MOTION BY: Commissioner Rimas, seconded by Commissioner Horne, to appoint Commissioner Greer and Vice Chair Vignolo to an Ad Hoc Committee to lead this work.

MOTION PASSES. YES 6; NO 0 ; ABSTAINED 0

E. Discuss and plan for Human Rights Commission participation in ONE-PS Picnic & Community Expo.

Chair Loyola, this event is an opportunity to engage with the community and asked for volunteers.

Commissioner Rimas volunteered to participate.

MOTION BY: Chair Loyola, seconded by Commissioner Horne, to appoint Chair Loyola and Commissioner Rimas as representatives of the Human Rights Commission at the ONE-PS Picnic and Community Expo.

MOTION PASSES. YES 6; NO 0 ; ABSTAINED 0

F. Discuss and plan for Human Rights Commission participation in Harvey Milk Breakfast.

Chair Loyola introduced the agenda item specifying the recommendation to participate and use the Commission's stipend to purchase a table at the Harvey Milk Breakfast.

Commissioner Horne indicated that he is a major donor for the event and did not request a table but perhaps he can do so for the Commission. He will reach out to the event organizer, Mayor Pro Tem Ron deHarte.

Director Virata confirmed it would not be a conflict of interest since Commissioner Horne indicated he does not do business with Harvey Milk Diversity Breakfast.

The Commission proceeded with a motion as a precautionary measure in case Commissioner Horne's attempt to secure a table fell through.

MOTION BY: Chair Loyola, seconded by Vice Chair Vignolo to expend \$750 to secure a table sponsorship at the Harvey Milk Diversity Breakfast on May 9.

MOTION PASSES: YES 6; NO 0 ; ABSTAINED 0

G. Discuss Allowing College Students to serve as Student Representatives.

Chair Loyola reminded the Commission of the importance of students participating.

Mayor Bernstein noted that as long the student works, lives, or goes to school in Palm Springs they can serve on the Commission.

MOTION BY: Chair Loyola, seconded by Vice Chair Vignolo to allow college students to serve as student representatives.

MOTION PASSES: YES 6; NO 0; ABSTAINED 0

H. Committee and Liaison Reports

i. Master Calendar Liaison Report (Vignolo)

Vice Chair Vignolo reviewed the first quarter events; comments and questions were answered.

Chair Loyola recommended the Public Arts Commission Chair, Gary Armstrong be invited to present an update on the Pillars projects.

Vice Chair Vignolo will work with Director Virata to coordinate a recognition for Student Representative Lilly Hanner for April/May.

ii. Update on Presentation to the ONE-PS Organization (Commissioner Rinke)

Commissioner Rinke reported that she will not be making the presentation to ONE-PS membership meeting until May; the presentation slide deck will be sent to all the Commissioners.

iii. Proposal for Commission work in the area of Equity and Social Justice (Commissioner Rimas)

Commissioner Rimas proposed the Liaison work with Equity and Social Justice initiatives and attend the Town Hall Meetings presented by the Police Department and report back to the Commission.

Mayor Bernstein clarified that the Police Department has provided Town Hall meetings in five parts of the City. This is the second year the Police Department is arranging Town Hall meetings inviting residents to give feedback on policing priorities; it would be appropriate for the Commission to attend.

Commissioner Rimas volunteered to serve as the Equity and Social Justice Liaison; comments and questions were answered regarding the proposal.

Director Virata answered questions regarding the Equity and Social Justice Committee established by the City Council.

MOTION BY: Chair Loyola, seconded by Commissioner Horne, to appoint Commissioner Rimas as Liaison of Equity and Social Justice and actively participate in community events as a representative of the Human Rights Commission and report back to the Commission.

MOTION PASSES: YES 6; NO 0; ABSTAINED 0

Mayor Bernstein left the meeting at 6:40 p.m.

I. Discuss Agenda Format

Vice Chair Vignolo presented the agenda format used by the Measure J Commission and recommended the Human Rights Commission adopt the same format for future meetings.

MOTION BY: Commissioner Greer, seconded by Commissioner Horne to adopt the agenda presented as amended.

MOTION PASSES: YES 6; NO 0; ABSTAINED 0

9. REPORT FROM STAFF LIAISON

Director Virata, the City Clerk's office has received 27 applications to serve on Boards and Commissions.

10. AGENDA ITEMS FOR THE NEXT HRC MEETING:

- Commission role in Mediation
- Presentation: Discussion of ONE-PS Slide Deck (Rinke)
- Presentation: Update in the area of Equity and Social Justice (Rimas)

11. ANNOUNCEMENTS:

NONE.

13. ADJOURNMENT:

It was moved by Chair Loyola, Seconded by Commissioner Rimas to adjourn at 7:00 p.m. to a regular meeting on Monday, April 8, 2024, at 5:30 p.m.

Jay Virata
Director of Housing & Community Development

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

Language on the website -

<https://www.palmspringsca.gov/government/residents/boards-and-commissions/agendas/human-rights-commission/human-rights-commission>:

Trained mediators are available to offer their services free to the community. Mediation helps resolve disputes before they can escalate into violence or litigation.

The Human Rights Commission mediates complaints of discrimination as prescribed by City Municipal Code [sic] that can be found on the City Clerk's webpage page. All parties must mutually agree to participate.

To file a complaint, complete the **Complaint of Discrimination Form** located in the Documents section.

Section 2.45.040 of the Municipal Code – Referral and mediation of complaints

The current **Complaint of Discrimination Form**

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)

TO: Palm Springs Human Rights Commission
FROM: Bobby T. Rimas, M.L.S.,
Palm Springs Human Rights Commissioner
DATE: April 8, 2024
RE: Proposal for Commission Work in the Areas of
Equity & Social Justice



Commissioners:

Below please find my proposal for Commission work in the areas of equity and social justice that was presented at the March 11, 2024 Palm Springs Human Rights Commission Meeting. The highlighted section in yellow below is what I would like for you to review and consider. I very much welcome your feedback. Thank you for your time and consideration.

The Palm Springs Human Rights Commission's Equity & Social Justice Liaison will advise the Human Rights Commission on social justice and equity issues to address systemic racism and other equity issues. The Equity & Social Justice Liaison will attend meetings that are sponsored by the City of Palm Springs and Palm Springs area organizations if they may relate to social justice and equity matters. The Equity & Social Justice Liaison ("Liaison") will also take directions from the Human Rights Commission on matters related to social justice and equity issues as they deem necessary.

The Human Rights Commission ("Commission") may request the Liaison to attend meetings that are sponsored by the City of Palm Springs and/or Palm Springs area organizations if they believe that there may be a social justice and equity matter that needs to be learned about. One of the ways in which the Commission may learn about a social justice and equity matter is through the submission of the Complaint of Discrimination Form that individuals may access through the City of Palm Springs website at [637254135926530000 \(palm Springsca.gov\)](https://palm Springsca.gov/637254135926530000).

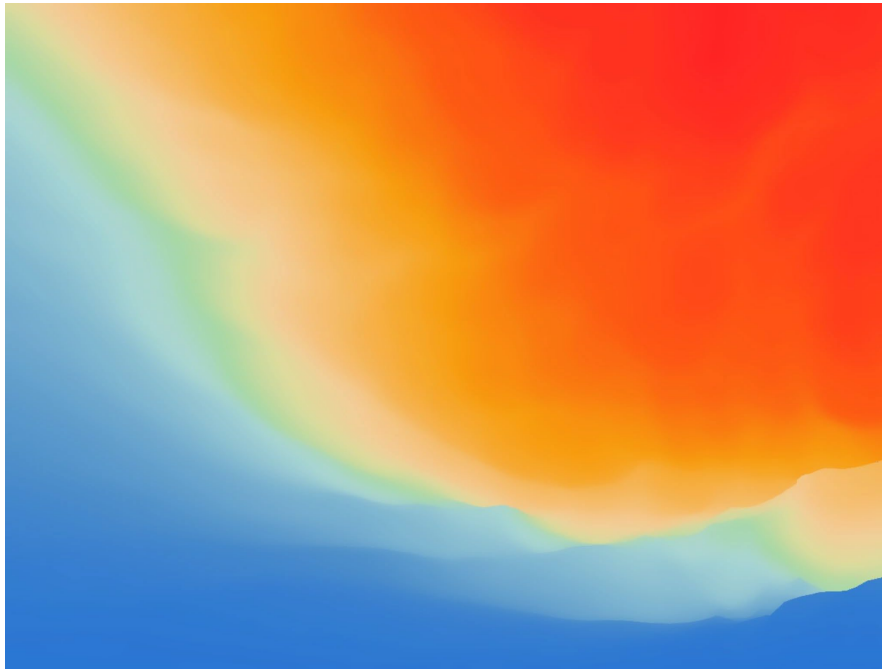
The Liaison may also indicate to the Commission of the need to attend a future meeting in connection with a social justice and equity matter. When attending meetings of this nature, the Liaison is to only learn about any issue(s) and report back to the Commission. The Commission, upon learning all the facts of the issue(s) presented at the meeting(s), will then decide what next steps are needed, if any.

TO: Palm Springs Human Rights Commission
FROM: Bobby T. Rimas, M.L.S., Palm Springs Human Rights Commissioner
DATE: March 11, 2024
RE: Proposal for Commission Work in the Areas of Equity & Social Justice

Commissioners:

Below please find my proposal for Commission work in the areas of equity and social justice. I welcome your feedback. Thank you.

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Human Rights Commission 2024

City of Palm Springs



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."

- Human Rights Commission Goals:
 - Develop community education programs;
 - Investigate and mediate instances of discrimination of groups or individuals;
 - Bring persons and groups together in common support of human rights issues;
 - Acquire the fiscal and human resources necessary to support and accomplish the work of the Commission;

Human Rights Commission

Goals: (continued)

- ❑ Provide management and coordination for the Commission;
- ❑ Promote diversity through the appointment of candidates to all city boards and commissions to proportionately reflect the diversity of the population of the City of Palm Springs;
- ❑ Develop goals and objectives annually, for adoption by the commission
- ❑ Work closely with the Mayor, City Council, and all other City Commissions and Boards to support the Commission's mission and the City's goals and objectives.



What Does the Human Rights Commission Do?

Advocate, Educate and Collaborate:

- ✓ Participate in celebrations of Black History Month, Gay Rights, and VA Memorial Day.
- ✓ Affirm importance of LGBTQ+ , minorities and veterans' rights.
- ✓ Participate in community events such as OnePS annual picnic and the Harvey Milk Breakfast (March 2023).
- ✓ Aligning with the City's 2023 strategic plan the Commission defined 3 high risk populations of focus :
 - ✓ Homelessness
 - ✓ Older adult communities
 - ✓ LGBTQ+ communities
- ✓ Collaborate with city, nonprofit, law enforcement, and businesses in their endeavors to improve outcomes in areas of focus.

Human Rights Commission: 2023 Activities

Selected Community Service Award recipients recognizing Coachella Valley individuals or groups who have shown outstanding service to the valley.



Inducted 4 new commissioners.



Updated and amended the Rules and Standard Procedures of the Human Rights Commission

HRC, commission dates, 2nd Monday of the month except December and ?, agendas posted

- Public comments can be submitted and can attend at Large Conference Room at the city building.

HRC Functions:

- Mediation of discriminatory behavior and allegations process, performed by trained and certified HRC mediators.
Pass out forms?

Building Neighborhood Awareness of Mediation Services

- ✓ **Discrimination** is defined by groups who belong to a legally protected status (including but not exclusive): race, color, religion, national origin, gender, age, physical or mental disability, medical condition, sexual orientation, marital status
- ✓ If you feel you have been a victim of discrimination, fill out form on website
- ✓ HRC will receive complaints and adjudicate a mediation process.
- ✓ 2024 goal is to edit and update the document, including the Commission's process for supporting recommended actions.



Community Service Awards

- ✓ Annual recognition of individuals, groups or businesses who have rendered outstanding services to the community of greater Palm Springs
- ✓ Nominations begin in November through a City of Palms Springs application form.
- ✓ HRC reviews nominations and decides which groups to award. There is no limit to the number of awardees.
- ✓ The awardees receive media coverage and recognition (but no financial gifts).
- ✓ Opportunity for OnePS Neighborhoods to recognize the good work of their members.



HRC Applications Wanted!

Looking for another Commissioner:

- ✓ Wanted: requirements-mission oriented individuals wanting to improve social relationships and support vulnerable populations within the diverse community of greater Palm Springs

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.