

ORDINANCE NO. 3405

ORDINANCE OF THE CITY OF CHULA VISTA AMENDING
CHULA VISTA MUNICIPAL CODE CHAPTER 2.36, "HUMAN
RELATIONS COMMISSION"

WHEREAS, it is the desire of the City Council to revise and broaden the Human Relations Commission's duties and functions in order to better serve the community and protect the rights of various groups; and

WHEREAS, on April 25, 2017, the City Council directed staff to bring forward an ordinance amending Chapter 2.36 regulating the Human Relations Commission to redefine the Commission's purpose and intent and update any outdated sections.

NOW, THEREFORE, the City Council of the City of Chula Vista does hereby ordain as follows:

Section I. MUNICIPAL CODE AMENDMENT

Chula Vista Municipal Code Chapter 2.36 is hereby amended to read:

Chapter 2.36
HUMAN RELATIONS COMMISSION*

Sections:

- 2.36.010 Creation.
- 2.36.020 Purpose and intent.
- 2.36.030 Functions and duties.
- 2.36.040 Membership.
- 2.36.050 Funding.

* For statutory authority for cities to act on behalf of interracial, interethnic and interreligious peace, see Gov. Code § 50261, et seq.

2.36.010 Creation.

There is created a Human Relations Commission. The provisions of Article VI of the City Charter, Chapter 2.25 CVMC and this chapter shall govern this Commission.

2.36.020 Purpose and intent.

A. It is the purpose and intent of the City Council to redefine and broaden the duties and functions of the Human Relations Commission as an advisory body, to make recommendations and offer advice to the Mayor, City Council and the City Manager on the rights of every inhabitant of the City of Chula Vista and in the improvement and effectiveness of the interrelationships between the various groups based on race, religion, color, ancestry, socioeconomic, age, sex (including gender identity, gender expression, transgender, pregnancy and breastfeeding), sexual orientation, place of birth, citizenship/immigration status, marital

status, military service, disability, medical condition, genetic characteristics or information, or any other characteristic protected by federal, state, or local laws of citizens forming the social body of the City and to advise the City on how it may best proceed in the realization of its stated goals to support healthy community, strong and secure neighborhoods and a connected community as it seeks to promote ways in which the community welcomes and embraces its diversity and safeguards equal opportunity for everyone and to accomplish, among other things:

1. The development of a mutual understanding and respect among all such groups in the City and to help eliminate prejudice and discrimination;
2. The establishment and maintenance of contacts with groups in the community which are concerned with protection of civil liberties of all people, resolution of conflict, and interracial and intercultural understanding, and to report to the Mayor, City Council and City Manager regarding the activities of these groups;
3. The promotion of new and improved programs of services to all local citizens in cooperation with peer boards and commissions as well as the City Manager to increase intergroup relations and harmony;
4. The encouragement of citizen participation in local government by providing a forum for discussion as a means of resolving community relationship problems;
5. The protection and strengthening of the rights of all groups to ensure the enjoyment of their constitutional privileges and the elimination thereby of prejudice, discrimination or bigotry in this community;
6. The advancement of programs to assist senior citizens in the realization and satisfaction of their needs and other social concerns;
7. The encouragement of policies and programs to fully integrate persons with disabilities into the mainstream of community life in the City;
8. The encouragement of the Mayor, City Council, City Manager and all officers, agencies, boards, departments, and employees of the City of Chula Vista take steps to enhance peace and good order, and provide equal opportunity for and good will toward all people;
9. Prepare a written report of its activities to the Mayor, City Council, and City Manager annually to include summaries of recommendation for development of policies, procedures and legislation deemed to be necessary.

B. It is the intent of the City Council to create healthy, enlightened attitudes, policies and practices by establishing this Commission as an official body, not as an enforcement or audit agency, but as a commission which will conduct careful surveys, advise intelligently, and use the tools of education and motivation to the realization of the objectives stated herein, which are the fulfillment of democracy's promises and realization of constitutional guarantees.

2.36.030 Functions and duties.

In cooperation with other relevant boards and commissions and the Chief's Community Advisory Board, the Human Relations Commission shall perform the following duties and functions:

- A. Foster mutual understanding, respect and good will among all groups identified in 2.36.020 (A);
- B. The first duty of the Commission shall be to assist the City, by completing all required steps, to become a Certified Welcoming City;
- C. Enlist the cooperation of the various groups, fraternal and benevolent associations and other groups in Chula Vista in programs and campaigns devoted to eliminating group prejudice, intolerance, bigotry and discrimination;
- D. Study the problems in the event of civil unrest and examine the causes;
- E. Study, review, analyze, and report to the Mayor, City Council and the City Manager the studies of state and federal agencies, and legislative enactments of state and federal governments, including but not limited to the several civil rights acts of the United States government and the state;
- F. Work together with City, state and federal agencies in developing programs and events showing the contributions of the various groups to the culture and traditions of the City, state and nation;
- G. Promote the establishment of local community organizations in building and strengthening relationships with community groups and nonprofits;
- H. Work with relevant boards and commissions, including the Chief's Community Advisory Board, as needed to explore ways to improve municipal services and community relations within the scope of the commission's purpose as stated in 2.36.020(A);
- I. Advise the City Council and the City Manager of policies and programs of a formal and informal nature that will aid in eliminating all types of discrimination based on race, religion, color, creed, national origin, ancestry, age, gender, sexual orientation, disability, medical condition, place of birth, citizenship/immigration status, marital status, or military service, and secure the furnishing of equal services to all residents and maintain the quality of opportunity for employment and advancement in the City government.

The Commission shall be advisory in its function, and shall have no police or enforcement powers. It shall issue no reports or recommendations except through the City Council and the City Manager.

2.36.040 Membership.

A. The Human Relations Commission shall consist of eleven members, to be appointed in accordance with Article VI of the City Charter, Chapter 2.25 CVMC, and this chapter.

B. The members shall be: (i) representative of the diversity of the City; (ii) specifically chosen to reflect the interests and concern with protection of civil liberties of all people which make up the City's residents; (iii) committed to fostering better human relations in the City of Chula Vista; and (iv) associated with the business and/or civic activities of the City.

2.36.050 Funding.

In the event that private funds or funds from other governmental agencies are made available for special projects, surveys, educational programs or general program support, the City Manager is authorized, upon recommendation of the Commission and approval of the Council, to enter into appropriate contracts for the utilization of such funds in furtherance of the purposes and intent of, and the duties and functions of, the Commission.

Section II. Severability

If any portion of this Ordinance, or its application to any person or circumstance, is for any reason held to be invalid, unenforceable or unconstitutional, by a court of competent jurisdiction, that portion shall be deemed severable, and such invalidity, unenforceability or unconstitutionality shall not affect the validity or enforceability of the remaining portions of the Ordinance, or its application to any other person or circumstance. The City Council of the City of Chula Vista hereby declares that it would have adopted each section, sentence, clause or phrase of this Ordinance, irrespective of the fact that any one or more other sections, sentences, clauses or phrases of the Ordinance be declared invalid, unenforceable or unconstitutional.

Section III. Construction

The City Council of the City of Chula Vista intends this Ordinance to supplement, not to duplicate or contradict, applicable state and federal law and this Ordinance shall be construed in light of that intent.

Section IV. Effective Date

This Ordinance shall take effect and be in force on the thirtieth day after its final passage.

Section V. Publication

The City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same to be published or posted according to law.

Presented by

Approved as to form by

[Redacted Signature]

Kelley Bacon
Deputy City Manager

[Redacted Signature]

Glen R. Googins
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 23rd day of May 2017, by the following vote:

AYES: Councilmembers: Diaz, McCann, and Padilla

NAYS: Councilmembers: None

ABSENT: Councilmembers: Aguilar and Salas

[Redacted Signature]

John McCann, Deputy Mayor

ATTEST:

[Redacted Signature]

Donna R. Norris, CMC, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Donna R. Norris, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 3405 had its first reading at a regular meeting held on the 16th day of May 2017 and its second reading and adoption at a regular meeting of said City Council held on the 23rd day of May 2017; and was duly published in summary form in accordance with the requirements of state law and the City Charter.

June 6, 2017
Dated

[Redacted Signature]

Donna R. Norris, CMC, City Clerk