

ORDINANCE NO. 6-07 N.S.

**AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF RICHMOND AMENDING CHAPTER 3.58 OF THE MUNICIPAL CODE
OF THE CITY OF RICHMOND**

Now, therefore, the City Council of the City of Richmond do ordain as follows:

SECTION 2. Amendment of Chapter 3.58.

Chapter 3.58 of the Municipal Code of the city of Richmond is hereby amended as follows (~~strikeout~~ denotes deletion; underline denotes insertion):

Chapter 3.58

HUMAN RELATIONS AND ~~AFFIRMATIVE ACTION~~ HUMAN RIGHTS
COMMISSION

Sections:

- 3.58.010 Creation of commission.
- 3.58.020 Duties and functions.
- 3.58.030 Appointment and qualifications of members.
- 3.58.040 Terms of office.
- 3.58.050 Officers.
- 3.58.060 Meetings.
- 3.58.070 Rules and records.
- 3.58.080 Absence from meetings.
- 3.58.090 Relations with city departments and agencies.

3.58.010 Creation of commission.

There is created a Human Relations and ~~affirmative action~~ Human Rights Commission.

3.58.020 Duties and functions.

The duties and functions of the commission shall be as follows:

- (a) Review and evaluate the overall compliance with the goals and requirements of the city's affirmative action plans ~~and submit recommendations to the city council;~~ related to the application of federal grants, funding, and contracts;
- (b) Consider appeals which may be filed pursuant to the city's affirmative action plans as related to federal grants, funding, and contracts;
- (c) Initiate and investigate and/or receive and hear complaints of: (1) community tensions; (2) practices and effects of discrimination; ~~and~~ (3) acts of prejudice against any party because of race, religion, age, ~~sex~~ gender, disability, or ethnic origin; or (4) issues of environmental rights and attempt to resolve such matters through consultation with the advice of the City Council or city staff or to refer the matter to appropriate agencies;
- (d) Provide conciliation assistance and consultation to such parties as shall request its assistance in matters, controversies or disputes which may arise between said parties and any department, agency or commission of the city of Richmond. In

instances involving city officials or agencies, the commission shall facilitate communications, understanding and improved relationships between city employees and the city, and shall not be construed as constituting an abridgement of the responsibilities, duties and functions of any department, agency or other commission of the city;

(e) As deemed appropriate, conduct any educational or informational programs which would promote human relations and human rights in the city;

(f) Perform any other duties as may be requested by the City Council.

3.58.030 Appointment and qualifications of members.

The commission shall consist of ~~eleven~~ nine members who shall be broadly representative of the community, who shall not be officers or employees of the city of Richmond and who shall be appointed by the mayor with the concurrence of the city council. Any vacancies on the commission shall be filled by appointment by the mayor with the concurrence of the city council for the unexpired portion of the term of the appointee's predecessor. At least six members of the commission shall be residents of the city of Richmond. Members of the commission shall serve without compensation, provided that the city council may authorize reimbursement of reasonable expenses incurred by the members in the performance of their duties.

3.58.040 Terms of office.

The term of each member of the commission shall be for three years. No member shall serve for more than three consecutive full terms.

3.58.050 Officers.

~~The commission shall meet within thirty days after their appointment by the mayor and the city council and from their own number elect a chairman and vice-chairman. The commission shall elect from their own number a chairperson and vice-chairperson.~~ The commission shall elect from their own number a chairperson and vice-chairperson. Said officers shall serve a period of one year. In the case of a vacancy in the position of chairperson or vice-chairperson, the commission shall elect a successor who shall serve for the balance of the predecessor's term. The commission shall appoint a secretary who may be, but need not be, a member of the commission.

3.58.060 Meetings.

The commission shall fix the time and place of regular meetings of the commission which shall not be less frequent than once each month. All meetings of the commission shall be open to the public.

3.58.070 Rules and records.

The commission shall adopt rules for the transaction of the business of the commission, which rules shall, among other things, include the term of the secretary of the commission, the manner of calling and giving notices of special meetings and hearings, and the appointment and powers of standing committees. The commission shall keep records which shall be open to the public of its resolutions, transactions, motions, orders, findings and determinations.

3.58.080 Absence from meetings.

The absence of any member of the commission from more than three regularly scheduled meetings ~~of the commission within any twelve-consecutive month period~~ in a calendar year shall constitute an automatic resignation from the commission. Such a resignation shall not, however, disqualify an individual from subsequently being appointed to the same or any other city commission or board. In the event of any such resignation, the vacancy shall be filled by appointment for the unexpired port of the term of the appointee's predecessor in the manner prescribed in 3.58.030.

3.58.090 Relations with city departments and agencies

So far as practicable and subject to the approval of the city manager, the services of all other city departments and agencies shall be made available by their respective heads to the commission for the purpose of carrying out the responsibilities of said commission. The city attorney may assign legal counsel to assist the commission in the conduct of its investigations or hearings. (Source: Ordinance No. ~~12-87 N.S.~~ _____)

SECTION 2. Any provisions of the Richmond Municipal Code, or appendices thereto, or any other ordinances of the City inconsistent herewith, to the extent of such inconsistencies and no further, are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the ordinance. The City Council hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause, and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared invalid or unconstitutional.

SECTION 4. This Ordinance shall be effective 30 days after passage and adoption.

First introduced at a regular meeting of the City Council of the City of Richmond held on February 6, 2007 and finally passed and adopted at a regular meeting held on February 20, 2007 by the following vote:

AYES: Councilmembers Bates, Butt, Lopez, Marquez, Rogers, Sandhu, Thurmond, Virmontes, and Mayor McLaughlin

NOES: None

ABSTENTIONS: None

ABSENT: None

DIANE HOLMES
CLERK OF THE CITY OF RICHMOND

(SEAL)

Approved:

GAYLE McLAUGHLIN
Mayor

Approved as to form:

JOHN EASTMAN
City Attorney

State of California }
County of Contra Costa : ss.
City of Richmond }

I certify that the foregoing is a true copy of Ordinance No. 6-07 N.S., finally passed and adopted by the Council of the City of Richmond at a meeting held on February 20, 2007, published in accordance with law.