

ORDINANCE NO. XXXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF RICHMOND AMENDING SECTIONS 3.58.010, 3.58.020, AND 3.58.060 OF THE RICHMOND MUNICIPAL CODE TO ADD CASTE AS A PROTECTED CATEGORY WITHIN THE JURSDICTION OF THE CITY'S HUMAN RIGHTS AND HUMAN RELATIONS COMMISSION

WHEREAS, the City of Richmond is committed to promoting equity, inclusion, and equal protection for all people within its jurisdiction; and

WHEREAS, discrimination based on caste is a form of social stratification that can result in unequal treatment, exclusion, and harm in employment, housing, education, and access to public services; and

WHEREAS, the City's Human Rights and Human Relations Commission plays a critical role in addressing discrimination and promoting understanding among the City's diverse communities; and

WHEREAS, amending the Richmond Municipal Code to include caste within the Human Rights and Human Relations Commission's jurisdiction will further the City's commitment to civil rights and social justice.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RICHMOND,
CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

SECTION 1. Section 3.58.010 (Findings) of Chapter 3.58 (Human Rights and Human Relations Commission) of the Richmond Municipal Code is hereby amended to read as follows:

The City Council of the City of Richmond, California, hereby finds that:

- (a) The population of the City of Richmond, California, is composed of people of various racial, religious and ethnic groups.
- (b) In November of 2009, the City Council of the City of Richmond declared the City of Richmond to be a Human Rights City, adopting the Universal Declaration of Human Rights as guiding principles.
- (c) Discrimination based on the actual or perceived grounds of race, religion, color, sex, ancestry, caste, marital status, familial status, economic status, age, sexual orientation, gender identity, weight, height, place of birth or disability poses a substantial threat to the health, safety and general welfare of the City's residents.
- (d) There is a recognizable nexus between the spawning of discrimination, distrust, poverty and crime. These factors, along with a lack of education, contribute to human

rights violations and the breakdown of human relations.

- (e) The products of discrimination accumulate continuously, resulting in ever-widening social, economic, and educational gaps within the community. Consequently, the mere prohibition of present and future discrimination, while essential, will not greatly reduce the violations, inequalities and disadvantages which a history of discrimination has produced.
- (f) Affirmative remedial action must be initiated, encouraged and coordinated.
- (g) Experiences of other urban centers throughout the nation have proved the need for, and effectiveness of, commissions empowered to study community relations problems, to work with interested parties to develop programs to ameliorate tensions and reduce cultural, social and economic disadvantages and to encourage and coordinate implementation of such programs consistent with the needs and rights of all members of the community.

SECTION 2. Section 3.58.020 (Purpose) of Chapter 3.58 (Human Rights and Human Relations Commission) of the Richmond Municipal Code is hereby amended to read as follows:

- (a) The City of Richmond values the dignity and worth of all human beings and is committed to promoting human rights, justice, equity and an inclusive and peaceful environment by respecting cultural and individual diversity and fostering mutual understanding among all people regardless of race, religion, color, sex, ancestry, caste, marital status, familial status, economic status, age, sexual orientation, gender identity, weight, height, place of birth or disability.
- (b) It is the intent of the City of Richmond that all people have an equal opportunity to participate fully in the life of the City and that discriminatory barriers to equal participation be removed.
- (c) The City has a compelling interest in human rights education, in eradicating and preventing discrimination, and in ensuring equal opportunity.
- (d) The following sections of this chapter represent the least restrictive means of achieving the City's objectives.

SECTION 3. Section 3.58.060 (Duties and Functions) of Chapter 3.58 (Human Rights and Human Relations Commission) of the Richmond Municipal Code is hereby amended to read as follows:

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

- (a) The Commission shall investigate and/or receive and hear complaints of:

- (1) Community tensions;
- (2) Practices and effects of discrimination;
- (3) Acts of prejudice against any party because of race, religion, age, sex, ancestry, caste, marital status, familial status, economic status, sexual orientation, gender identity, weight, height, place of birth or disability;
- (4) Violations of basic human rights; or
- (5) Issues of environmental rights.

(b) The Commission shall attempt to resolve such matters through consultation with, or with the advice of, the City Council or City staff, and may refer such matters to appropriate agencies.

(c) The Commission shall provide assistance; consultation and mediation to such parties as shall request its help in matters, controversies or disputes which may arise between said parties and any department, agency or commission of the City of Richmond.

(d) In instances involving City officials or agencies, the Commission shall work toward facilitating communication, 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) The Commission shall promote a culture of peace within Richmond communities, contributing to violence prevention efforts, and building tolerance and understanding among diverse populations. To this end, the Commission shall partner with the City of Richmond's Police Department, Office of Neighborhood Safety, Mayor, City Manager, and other City departments, commissions, community groups, organizations, businesses and collaboratives.

(f) As deemed appropriate, the Commission may conduct any educational or informational programs, cultural exchanges or events which would promote human rights and build peaceful human relations in the City.

(g) As deemed appropriate, the Commission may prepare and disseminate educational and informational materials.

(h) The Commission shall consult with, and maintain contact with, other cities on human rights education and violence prevention efforts.

(i) In collaboration with other organizations, the Commission shall educate the City of Richmond and the City of Richmond business community about the benefit of developing employment practices that promote the hiring of Richmond residents and groups that are statistically identified as challenging to employ.

(j) The Commission shall consult with, and maintain contact with, other public agencies and with representatives of employers; labor unions; property owner associations; realtor associations; religious denominations and institutions; youth-based groups; professional

associations; national origin groups; corrections departments; community organizations concerned with interracial, interreligious and intercultural understanding; social service organizations; and such other public and private organizations and institutions as the Commission shall deem advisable to further the objectives of this chapter.

(k) As deemed appropriate, the Commission may initiate, coordinate, sustain and expand a strategically studied plan to reduce violations of human rights and to promote human relations.

(l) The Commission shall also perform any other duties as may be requested by the City Council.

SECTION 4. Severability. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance is for any reason held by to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of this Ordinance. The City Council hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance irrespective of the unconstitutionality or invalidity of any section, subsection, subdivision, paragraph, sentence, clause or phrase.

SECTION 5. California Environmental Quality Act (CEQA). The City Council finds that this ordinance is not a project subject to the California Environmental Quality Act pursuant to California Public Resources Code Section 21065 and Section 15378 of the CEQA Guidelines (14 California Code of Regulations Section 15378), because it has no potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment.

SECTION 6. Effective Date. This ordinance shall take effect 30 days after its final passage and adoption.

First introduced at a regular meeting of the City Council of the City of Richmond held on _____ and finally passed and adopted at a regular meeting held on _____ by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Clerk of the City of Richmond

(SEAL)

Approved:

Mayor

Approved as to form:

City Attorney