



MEMORANDUM

TO: Mayor and City Council

FROM: Mark Washington, Director, Human Resources and Civil Service

DATE: August 28, 2014

SUBJECT: Response to Resolution No. 20140417-048 – Source of Income (CIUR 1296)

BACKGROUND:

On April 17, 2014, the Department of Human Resources the Law Department, Equal Employment Office/Fair Housing Division EE/FHO, and the Neighborhood Housing and Community Development department (NHCD) were charged with the responsibility of hosting stakeholder meetings and developing a recommendation to amend Chapter 5-1 of the City Code to prohibit discrimination based on “Source of Income.”

Prior to drafting the ordinance, the EE/FHO coordinated two meetings to receive stakeholder input as directed by Council. During these meetings, staff presented information to explain the process, purpose, scope of work that would be completed in an effort to provide Council with the proposed ordinance amendment as requested. At the end of the presentation, stakeholders were provided an opportunity to provide input.

STAKEHOLDER PROCESS/INPUT:

EE/FHO presented the draft amendment to the Human Rights Commission (HRC) on July 28, 2014, and to the Community Development Commission (CDC) on August 12, 2014. The HRC voted in favor of the draft amendment with no changes. The CDC added language to further protect tenants, and submitted a draft to Council. EE/FHO also presented to the Commission on Veterans Affairs (information only) on August 19, 2014.

There were speakers who were opposed to the proposed code amendment. These stakeholders indicated that they were representing themselves and the interest of numerous property owners. Supporters of the proposed code amendment attended and shared their feedback. A listing of all the speakers, the feedback received, and the number of people in attendance at the stakeholder meetings is attached.

RECCOMENDATION:

Staff from NHCD and EE/FHO worked with the Law department to draft a concise Code amendment that would add “Source of Income” to existing protections, and define “Source of

Income” as any lawful, verifiable income but not including future gifts. Staff has given careful consideration to all of the concerns expressed. As a result, staff is recommending an amendment written in simple, broad terms that will allow EE/FHO to work with the Law Department to develop balanced, reasonable interpretations based on actual cases as they occur. A copy of the draft amendment is also attached.

cc: Marc A. Ott, City Manager
Assistant City Managers
Betsy Spencer, Director, Neighborhood Housing & Community Development
Karen Kennard, City Attorney, Law Department

Attachments