

ORDINANCE NO. 1952

AN ORDINANCE OF THE CITY OF PALM SPRINGS,  
CALIFORNIA, AMENDING CHAPTER 2.55 OF THE PALM  
SPRINGS MUNICIPAL CODE RELATING TO THE OFFICE  
OF NEIGHBORHOOD INVOLVEMENT.

**City Attorney's Summary**

*This Ordinance amends in its entirety Chapter 2.55 of the City's Municipal Code relating to the Office of Neighborhood Involvement, which is renamed the Office of Neighborhoods. It provides that the city manager will have a consultative role with Organized Neighborhoods of Palm Springs ("ONE-PS") on neighborhood boundaries. ONE-PS will be responsible for its own guidelines and procedures on neighborhood organization bylaws, recognition, de-recognition and inactive status, as opposed to the city manager having final approval authority on those matters, as is currently the case. In addition, the Ordinance repeals the requirements of a neighborhood involvement plan and a neighborhood empowerment program, as they are no longer necessary to be statutorily prescribed. Neighborhood organization meetings will continue to be open and public and permit every person eligible for membership in the neighborhood organization to participate. ONE-PS will continue to receive notification of city actions that may affect residents and/or businesses.*

THE CITY COUNCIL OF THE CITY OF PALM SPRINGS ORDAINS:

SECTION 1. Chapter 2.55 of the Palm Springs Municipal Code is amended in its entirety to read:

OFFICE OF NEIGHBORHOODS

Sections:

- 2.55.010 Purpose.
- 2.55.020 Limitations.
- 2.55.030 Definitions.
- 2.55.040 Findings.
- 2.55.050 Office of Neighborhoods.
- 2.55.060 Membership and meetings of neighborhood organizations.
- 2.55.070 Funding.
- 2.55.080 ONE-PS.
- 2.55.090 Neighborhood organization reports.

2.55.010 Purpose.

This chapter is intended to create a framework to include the people of the city of Palm Springs in civic affairs to work to improve the livability and character of their

neighborhoods and the city. This chapter sets forth the basis for recognition of neighborhood organizations and the responsibilities and benefits accruing thereto, as well as the manner in which Organized Neighborhoods of Palm Springs ("ONE-PS") will receive notification of city actions that may affect residents and/or businesses. There are a variety of projects undertaken by the city, or subject to the city's approval, or otherwise affecting the quality of life for Palm Springs residents and/or businesses, which ONE-PS will receive notice of, and ONE-PS will communicate that information to the neighborhood organizations in accordance with its policies and procedures.

The purpose of this chapter is to foster partnerships of open communication by establishing a mechanism for two-way communication between the city and ONE-PS, to allow for direct participation and education of the city's residents, and to encourage diverse perspectives, which is intended to lead to innovative solutions and consensus. (Ord. 1952 § 1, 2018; Ord. 1666 § 2, 2005)

#### 2.55.020 Limitations.

Nothing herein is intended in any way to limit or govern the rights of residents or property owners to associate or to form groups or nonprofit entities as they desire. This chapter is merely intended to create a process so that ONE-PS and neighborhood organizations can be given notice of city actions that may affect the city's residents. This process is not a substitute for the notification required by law, but is in addition to such requirements and city officials shall continue to separately meet all requirements for notice provided by state and local laws. (Ord. 1952 § 1, 2018; Ord. 1666 § 2, 2005)

#### 2.55.030 Definitions.

"City actions" that are subject to this chapter are those events, actions of City Council, city boards, commissions, agencies or departments and other occurrences regarding public safety and general interest and welfare that affect the City's residents and/or businesses. The city manager, in consultation with ONE-PS, shall work with the various departments of the city to develop a detailed list of what shall be considered city actions under this chapter, pursuant to Section 2.55.050(4). Examples of city actions include, but are not limited to, development projects; public works projects of interest because they affect public access or use of public facilities; special events conducted by either the city or private entities subject to the city's approval that may affect specific neighborhoods; the abatement of nuisances; public safety issues; and the adoption of ordinances and regulations that may affect residents and/or businesses.

"Map of neighborhood organization areas" means the map drawn by ONE-PS in consultation with the city manager to establish the areas of representation for the neighborhood organizations, pursuant to Section 2.55.050(1).

"Neighborhood" means a geographically contiguous community with an historic identity and/or commonality of interests.

"Neighborhood boundaries" means the boundaries of each neighborhood as established in the map of neighborhood organization areas.

“Neighborhood organization” means an autonomous organization, whether incorporated or not, formed voluntarily by property owners, residents and businesses of a neighborhood for the purpose of considering and acting on issues affecting livability and quality of their neighborhood and encouraging neighborhood identity and participation, which is recognized by and serves as a member of ONE-PS.

“ONE-PS” means Organized Neighborhoods of Palm Springs (“ONE-PS”), the California nonprofit public benefit corporation that is recognized as exempt from tax under Section 501(c)(4) of the Internal Revenue Code of 1986, as amended, created by the neighborhood organizations, which is composed of one or more representative(s) of each neighborhood organization, as further described in Section 2.55.080, and which receives information from the city to be disseminated to the neighborhood organizations.

“Special events” include events conducted by either the city or private entities subject to city approval that may affect surrounding property. When there is a series of linked events, one notice may be given listing all of the applicable dates. (Ord. 1952 § 1, 2018; Ord. 1666 § 2, 2005)

#### 2.55.040 Findings.

The City Council finds that there is a need to maintain strong channels of communication with the residents and businesses of Palm Springs on matters affecting the livability of their neighborhoods. It is the intent of the City Council, through the recognition of ONE-PS, to foster a partnership of open communication between the city and its neighborhoods; to enhance the environment in which residents and businesses are afforded an opportunity to participate in governmental decisions; to foster cooperation and consensus among diverse interests; to assist the city and neighborhood residents and businesses in developing solutions to mutual concerns; and to foster within the city government a service orientation towards its citizens and to develop in the citizens a sense of personal pride and responsibility for their neighborhoods. The City Council has recommended that recognized neighborhood organizations, through ONE-PS, be included in the formation of policies and procedures relating to the governance of the city. It is the intent of City Council to assign a councilmember as liaison to further communication between City Council and ONE-PS.

Due to the difficulties inherent in communicating with the numerous organizations, ONE-PS serves as the clearinghouse for all information. The city shall provide notice hereunder to ONE-PS, consisting of the representatives of the neighborhood organizations, and the representatives shall be responsible for communicating with their respective organizations. Neither ONE-PS nor the neighborhood organizations shall be subject to the Brown Act, as they were not created by the City Council, nor do they exercise any authority that may lawfully be delegated by the City Council to them. (Ord. 1952 § 1, 2018; Ord. 1666 § 2, 2005)

2.55.050 Office of Neighborhoods.

The city manager shall establish an Office of Neighborhoods. The city manager, or his or her designee, will be responsible for the efficient administration of the Office of Neighborhoods and shall exercise those functions, as further described in this section. It shall be the duty of the city manager and he or she shall have authority:

- (1) To consult with ONE-PS on the neighborhood boundaries as set out in the map of neighborhood organization areas and any revisions thereto;
- (2) To establish procedures for the departments of the city to give notice to ONE-PS, with a reasonable opportunity for ONE-PS to respond prior to city actions being undertaken by any agency or department of the city, any board or commission of the city or the City Council as outlined in subdivision (4);
- (3) To certify neighborhood organizations that have been recognized by ONE-PS;
- (4) On an as-needed basis, to meet with the various departments of the city that communicate with citizens who will be affected by the department's actions and, if necessary, to discuss with such departments strategies to improve such communications. The city manager shall develop a list of activities which shall be considered city actions hereunder and what notice is recommended for such city action;
- (5) To meet with ONE-PS at least semi-annually to evaluate from the perspective of ONE-PS whether the city has provided timely notice to ONE-PS of city actions and whether the city was responsive to ONE-PS;
- (6) To work with ONE-PS and the neighborhood organizations to establish the standards for reasonable notice, openness and participation in neighborhood organization meetings, as further described in Section 2.55.060;
- (7) To make every effort to the extent possible to attend ONE-PS monthly meetings and to direct staff to make every effort to the extent possible to attend ONE-PS monthly meetings and neighborhood organization annual meetings as needed or requested;
- (8) To keep the City Council fully advised as to the needs of the neighborhood organizations as communicated by ONE-PS and to recommend to the City Council for adoption necessary measures and ordinances; and
- (9) To perform such other duties and exercise such other authority as may be delegated from time to time by ordinance or resolution of the City Council. (Ord. 1952 § 1, 2018; Ord. 1666 § 2, 2005)

2.55.060 Membership and meetings of neighborhood organizations.

The membership of neighborhood organizations shall be open to all residents (including business occupants) and owners of property within the neighborhood boundaries. The neighborhood organization must give reasonable notice of all its meetings to all property owners and residents within its boundaries. The neighborhood organization's bylaws shall guarantee that all meetings will be open and public and will permit, to the extent feasible, every person eligible for membership to participate in the conduct of business, deliberation and decision-making at such meetings.

All members of the neighborhood organization may actively participate in neighborhood events, activities and meetings, and may exercise voting rights pursuant to the bylaws, without regard to their actual or perceived race, color, religion, ancestry, national origin (as such term is defined in Section 2.45.010 of the Palm Springs Municipal Code), disability, medical condition, marital status, domestic partner status, sex, gender, gender identity, gender expression, or sexual orientation or as a member of any other protected class. The neighborhood organization will be responsible for maintaining records to show its efforts at outreach, the level of participation in the organization and the organization's activities. (Ord. 1952 § 1, 2018; Ord. 1666 § 2, 2005)

2.55.070 Funding.

Membership dues, when established by the bylaws of a neighborhood organization, shall be voluntary and shall not bar any resident, business occupant or property owner from neighborhood organization participation. Voluntary dues, contributions, contracts, grants or subscriptions may be used by a neighborhood organization as provided for in the neighborhood organization's bylaws. (Ord. 1952 § 1, 2018; Ord. 1666 § 2, 2005)

2.55.080 ONE-PS.

The recognized neighborhood organizations shall be members of ONE-PS, which shall serve as a clearinghouse for information from the city to the neighborhood organizations and carry out such other functions as it deems appropriate in accordance with its articles of incorporation and bylaws. Each recognized neighborhood organization shall have equal representation on ONE-PS and shall determine its elected or appointed representatives to ONE-PS in accordance with the neighborhood organization's bylaws. ONE-PS will have regular, open meetings as determined by its members and set out in its bylaws, guidelines and procedures. (Ord. 1952 § 1, 2018; Ord. 1666 § 2, 2005)

2.55.090 Neighborhood organization reports.

Each recognized neighborhood organization shall submit the minutes of its annual meeting and any special meetings, as well as the list of the members of its governing body in exercise following the annual meeting and the expiration dates of their terms of office, to the Office of Neighborhoods within thirty days of such meeting. Additionally, the neighborhood organization shall file all changes to its bylaws with the Office of Neighborhoods within 30 days of their adoption. (Ord. 1952 § 1, 2018; Ord. 1666 § 2, 2005)

SECTION 2. If any section or provision of this Ordinance is for any reason held to be invalid or unconstitutional by any court of competent jurisdiction, or contravened by reason of any preemptive legislation, the remaining sections and/or provisions of this Ordinance shall remain valid. The City Council hereby declares that it would have adopted this Ordinance, and each section or provision thereof, regardless of the fact that any one or more section(s) or provision(s) may be declared invalid or unconstitutional or contravened via legislation.

SECTION 3. The Mayor shall sign and the City Clerk shall certify to the passage and adoption of this Ordinance and shall cause the same, or the summary thereof, to be published and posted pursuant to the provisions of law and this Ordinance shall take effect thirty (30) days after passage.

## Chapter 2.55 OFFICE OF NEIGHBORHOODS

### 2.55.010 Purpose.

This chapter is intended to create a framework to include the people of the city of Palm Springs in civic affairs to work to improve the livability and character of their neighborhoods and the city. This chapter sets forth the basis for recognition of neighborhood organizations and the responsibilities and benefits accruing thereto, as well as the manner in which Organized Neighborhoods of Palm Springs ("ONE-PS") will receive notification of city actions that may affect residents and/or businesses. There are a variety of projects undertaken by the city, or subject to the city's approval, or otherwise affecting the quality of life for Palm Springs residents and/or businesses, which ONE-PS will receive notice of, and ONE-PS will communicate that information to the neighborhood organizations in accordance with its policies and procedures.

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neighborhood residents and businesses in developing solutions to mutual concerns; and to foster within the city government a service orientation towards its citizens and to develop in the citizens a sense of personal pride and responsibility for their neighborhoods. The City Council has recommended that recognized neighborhood organizations, through ONE-PS, be included in the formation of policies and procedures relating to the governance of the city. It is the intent of City Council to assign a councilmember as liaison to further communication between City Council and ONE-PS.

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- (6) To work with ONE-PS and the neighborhood organizations to establish the standards for reasonable notice, openness and participation in neighborhood organization meeting, as further described in Section 2.55. 060;



- (7) To make every effort to the extent possible to attend ONE-PS monthly meetings and to direct staff to make every effort to the extent possible to attend ONE-PS monthly meetings and neighborhood organization annual meetings as needed or requested;
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PASSED, APPROVED, AND ADOPTED BY THE PALM SPRINGS CITY COUNCIL THIS 7<sup>TH</sup> DAY OF FEBRUARY, 2018.



ROBERT MOON, MAYOR

ATTEST:

  
ANTHONY J. MEJIA, MMC  
CITY CLERK

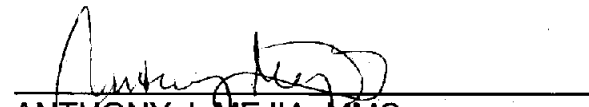
CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF RIVERSIDE ) ss.  
CITY OF PALM SPRINGS )

I, ANTHONY J. MEJIA, City Clerk of the City of Palm Springs, California, do hereby certify that Ordinance No. 1952 is a full, true, and correct copy, and introduced by the City Council at a regular meeting held on Wednesday the 24<sup>th</sup> day of January, 2018, and adopted at a regular meeting of the City Council held on the 7<sup>th</sup> day of February, 2018 by the following vote:

- AYES: Councilmembers Holstege, Kors, Middleton, Mayor Pro Tem Roberts, and Mayor Moon
- NOES: None
- ABSENT: None
- ABSTAIN: None

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of Palm Springs, California, this 12<sup>th</sup> day of February, 2018.

  
ANTHONY J. MEJIA, MMC  
CITY CLERK