



City of San Antonio

Agenda Memorandum

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Agenda Item Number: {{item.number}}

Agenda Date: November 22, 2024

In Control: Community Health Committee

DEPARTMENT: Diversity, Equity & Inclusion Department

DEPARTMENT HEAD: Jennifer Mata

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

Expansion of the City of San Antonio's Non-Discrimination Ordinance

SUMMARY:

The Diversity, Equity, Inclusion & Accessibility Department will provide recommendations to update the City's Non-Discrimination Ordinance.

BACKGROUND INFORMATION:

The City of San Antonio's Non-Discrimination Ordinance (NDO) protects against discrimination in board/commission appointments, City of San Antonio employment, areas of public accommodation, and housing. Additionally, all contracts with the City of San Antonio require contractors' compliance with the NDO. Under the NDO, the City prohibits discrimination on the basis of race, color, religion, national origin, sex, sexual orientation, gender identity, veteran status, age, and disability, with certain exceptions according to law.

On October 21, 2021, Councilmember Jalen McKee-Rodriguez, former Councilmember Ana Sandoval, former Councilmember Mario Bravo, Councilmember Dr. Adriana Rocha Garcia, and Councilmember Melissa Cabello-Havrda submitted for Council Consideration the issue of expanding the NDO. Specifically, the Council Consideration Request (CCR) included a request for staff to review and determine the need for any amendments to expand the NDO in private employment, to improve the complaint process, to provide support for the complainants, and to explore increased enforcement penalties. The CCR further requested an awareness campaign to broaden public knowledge of rights and protections under the NDO.

Since the City Council voted to approve the Non-Discrimination Ordinance on September 5, 2013, several City departments have been reorganized or created, necessitating an update to the NDO consistent with current structure and practices. The DEIA Department presented a comparative analysis of the City's NDO with other cities in Texas along with recommended updates to the (formerly the Community Health, Environment, and Culture Committee) on March 6, 2023. The Committee members requested that DEIA discuss those updates with specific community groups. DEIA will provide an overview of those communications and additional recommendations. Since the last briefing, the Department has also done additional research on obtaining a complaint tracking system and developing a citywide Non-Discrimination Plan.

ISSUE:

The NDO process can be improved and updated. For example, the current NDO definitions can be updated with more correct terminology. The NDO also does not accurately reflect the City's processes, departments, and divisions, as significant structural changes have occurred over the ten years since its original passage.

FISCAL IMPACT:

None at this time.

ALTERNATIVES:

The NDO can remain in its current form.

RECOMMENDATION:

Staff recommends the updated NDO and will receive input from the committee on any further additions or changes.