



City of San Antonio

Agenda Memorandum

File Number:
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Agenda Item Number: 2

Agenda Date: October 19, 2022

In Control: Governance Committee Meeting

DEPARTMENT: Office of the City Attorney

DEPARTMENT HEAD: Andy Segovia

COUNCIL DISTRICTS IMPACTED: Citywide

SUBJECT:

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

SUMMARY:

The City Attorney's Office in conjunction with the Diversity Equity Inclusion and Accessibility Department will provide the Governance Committee with an update of the status of the City's Non-Discrimination Ordinance in its current implementation and relative to comparator Cities' ordinances in response to the Council Consideration Request. Cities used for comparison included Houston, Dallas, Austin, Corpus Christi, Arlington, El Paso and Fort Worth.

BACKGROUND INFORMATION:

The City of San Antonio's Non-Discrimination Ordinance (NDO) protects against discrimination in areas of board/commission appointments, employment, and places 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 or disability, with exemptions in accordance with the law.

On October 21, 2021, Councilmember Jalen McKee-Rodriguez, Councilmember Ana Sandoval, Councilmember Mario Bravo, Councilmember Adriana Rocha-Garcia and Councilmember Melissa Cabello-Havrdá 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 creating a need for update.

ISSUE:

In order to align the NDO with the current City configuration, an update is warranted.

Within that update additional NDO processes can be improved. For example, the current NDO captures internal City of San Antonio employment goals and data by referencing an affirmative action plan in Section 2-591. A broader committee such as a Human Rights Commission could accomplish the work of the current Affirmative Action Advisory Committee and expand its jurisdiction to include increasing awareness and public knowledge of rights and protections under the NDO. This could replace and expand the current jurisdiction of the Affirmative Action Advisory Committee. Other considerations could include joint work with City Commission on Veterans Affairs, City/County Joint Commission on Elderly Affairs, Climate Ready-Climate Equity Advisory Committee, Disability Advisory Committee, Mayor's LGBTQ Task Force and Mayor's Commission on the Status of Women.

FISCAL IMPACT:

No Fiscal Impact at this time.

ALTERNATIVES:

The City Council could choose to maintain the status quo with no update to the Non-Discrimination Ordinance.

RECOMMENDATION:

Staff recommends sending the item for (1) discussion on updating the NDO and (2) discussion in the areas that involve creation of a Human Rights Commission and its corresponding jurisdiction.