



City of San Antonio

Agenda Memorandum

File Number:
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Agenda Item Number: 3

Agenda Date: March 15, 2023

In Control: Community Health, Environment and Culture 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, and Accessibility Department will provide the Community Health, Environment, and Culture Committee with an update of the City's Non-Discrimination Ordinance. Its update will include current implementation, recommended changes, and comparison to other Texas cities. Cities used for comparison include 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 the areas of board/commission appointments, City of San Antonio employment, areas of public accommodation, and in 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, 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 creating a need for updating the NDO to be consistent with current structure and practices.

ISSUE:

The NDO does need to be updated.

Within that update additional NDO processes can be improved. 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 there have been significant structure changes in the last ten years since its original passage.

Additionally, a newly created Human Rights Commission could assist with inclusivity in policies by creating a space for existing boards and commissions to discuss intersectional issues. Identified boards and commissions may include the Veterans Advisory Commission, City/County Joint Commission on Elderly Affairs, SA Climate Ready Equity Advisory Committee, Disability Access Advisory Committee, Mayor's Commission on the Status of Women, San Antonio Dr. Martin Luther King, Jr. Commission, and Small Business Economic Development Advocacy (SBEDA) Committee.

FISCAL IMPACT:

None at this time.

ALTERNATIVES:

Not applicable.

RECOMMENDATION:

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