

SCOTTSDALE CITY COUNCIL
WORK STUDY SESSION MINUTES
TUESDAY, MARCH 31, 2015



CITY HALL KIVA
3939 N. DRINKWATER BOULEVARD
SCOTTSDALE, AZ 85251

CALL TO ORDER

Mayor W.J. "Jim" Lane called to order a Work Study Session of the Scottsdale City Council at 5:01 P.M. on Tuesday, March 31, 2015 in the City Hall Kiva.

ROLL CALL

Present: Mayor W.J. "Jim" Lane
Vice Mayor Linda Milhaven
Councilmembers Suzanne Klapp, Virginia L. Korte, Kathleen S. Littlefield,
Guy Phillips, and David N. Smith

Also Present: City Manager Fritz Behring, City Attorney Bruce Washburn, City Treasurer Jeff Nichols, City Auditor Sharron Walker, and City Clerk Carolyn Jagger

MAYOR'S REPORT

Mayor Lane requested a moment of silence in memory of motorcycle accident victims Al and Samantha Barela.

1. Non-Discrimination

Request: Presentation, discussion and possible direction to staff regarding the City's current policies and possible future actions pertaining to discrimination on the basis of sexual orientation, gender identity or gender expression.

Presenter(s): Sharon Cini, Diversity Liaison; Brent Stockwell, Strategic Initiatives Director

Staff Contact(s): Sharon Cini, Diversity Liaison, 480-312-2727, scini@scottsdaleaz.gov

The following spoke in support of a non-discrimination ordinance:

- Angela Hughey, One Community representative
- Steve Hart, Marriott representative
- Robert Hoshibata, Scottsdale resident

The following spoke in opposition to a non-discrimination ordinance:

- David Friend, Scottsdale resident
- Brian Leonard, Scottsdale resident

NOTE: MINUTES OF CITY COUNCIL MEETINGS AND WORK STUDY SESSIONS ARE PREPARED IN ACCORDANCE WITH THE PROVISIONS OF ARIZONA REVISED STATUTES. THESE MINUTES ARE INTENDED TO BE AN ACCURATE REFLECTION OF ACTION TAKEN AND DIRECTION GIVEN BY THE CITY COUNCIL AND ARE NOT VERBATIM TRANSCRIPTS. DIGITAL RECORDINGS AND CLOSED CAPTION TRANSCRIPTS OF SCOTTSDALE CITY COUNCIL MEETINGS ARE AVAILABLE ONLINE AND ARE ON FILE IN THE CITY CLERK'S OFFICE.

Diversity Liaison Sharon Cini gave a PowerPoint presentation (attached) on the definition, laws, and the City's efforts related to non-discrimination.

Councilwoman Littlefield read the following excerpts from the individual and business Unity Pledges into the record:

Individual Unity Pledge: "I believe that diversity is our strength and that all Arizonans deserve fair and equal treatment."

Business Unity Pledge: "We also understand that if our travel and tourism industry wants to be competitive – if Arizona wants to be competitive on a national and international level – we must support all of our diverse communities. It's time for LGBT inclusive non-discrimination policies in the workplace, in housing, and in public accommodations including restaurants and hotels."

MOTION NO. 1

Councilmember Korte made a motion to direct staff to initiate a public outreach process as soon as possible with the intent to bring back the results and an ordinance to the Council for future action. Vice Mayor Milhaven seconded the motion. There was no vote taken on the motion.

MOTION NO. 2

Mayor Lane made a motion to direct staff to promote the Unity Pledge, including a public outreach process to encourage participation from the business community, hotel community, and others; to monitor the success of that continued effort; and to evaluate its ability to respond to the LGBT community's concerns and issues. Councilwoman Klapp seconded the motion. There was no vote taken on the motion.

There was general Council direction to staff to:

- Actively promote Scottsdale's Unity Pledge to the public and the business and hotel communities, including, but not limited to, posting information on the City's website and using letters, flyers, and other communications to seek support.
- Provide the Council with an update on the City's activities to promote the Unity Pledge and a status report on the number of businesses and individuals who support it, along with suggestions on how the City can garner greater acceptance of the Unity Pledge.
- Evaluate the outreach program and provide recommendations to enhance the Unity Pledge program's success.

MAYOR AND COUNCIL ITEMS – None

ADJOURNMENT

The Work Study Session adjourned at 6:26 P.M.

SUBMITTED BY:



**Carolyn Jagger
City Clerk**

Officially approved by the City Council on

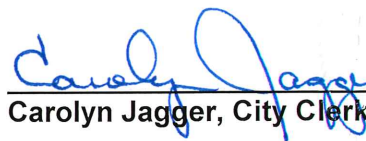
April 28, 2015

CERTIFICATE

I hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Work Study Session of the City Council of Scottsdale, Arizona held on the 31st day of March 2015.

I further certify that the meeting was duly called and held, and that a quorum was present.

DATED this 28th day of April 2015.



Carolyn Jagger, City Clerk

Non-Discrimination Work Study Session

March 31, 2015

Tonight's Item

Presentation, discussion and possible direction to staff regarding the city's current policies and possible future actions pertaining to discrimination on the basis of sexual orientation, gender identity or gender expression.

Tonight's presentation

- What is the issue?
- What is considered discrimination?
- Isn't it already illegal to discriminate?
- What has Scottsdale already done to address this issue?
- What are the options and next steps?
- What is the impact on citizens, businesses and city?

What is discrimination?

In general, discrimination is:
to deprive someone of a benefit
or treat a person differently
based on membership in a protected class.

What is covered and not covered?

Federal and state law prohibit discrimination based on race, color, religion, sex, national origin, age, or disability.

Federal and state law do not prohibit discrimination based on sexual orientation, gender identity, or gender expression.

What areas are typically covered by non-discrimination laws?

- Private employment
- Public housing
- Public accommodations
- Government services and contracts

What is the key issue?

Should it be illegal to discriminate against LGBT individuals in Scottsdale on the basis of **sexual orientation, gender identity or gender expression?**

What has the city already done to address discrimination?

In 2007:

- The City Council extended employment protections in city employment to sexual orientation and gender identity
- Sexual orientation and gender identity included in anti-discrimination and non-harassment policy

What has the city already done to increase awareness?

In 2014:

- Human Relations Commission hosted Civil Dialogue on Understanding the LGBT Experience in April
- City Manager and Police Chief appointed LGBT liaisons in July
- City Council approved signing the Unity Pledge in August

What else could be done?

The Unity Pledge states: "It's time for LGBT inclusive non-discrimination policies in the workplace, housing, and public accommodations including restaurants and hotels."

Scottsdale Human Relations Commission unanimously recommended in June 2014 that the City Council adopt an ordinance prohibiting discrimination on the basis of sexual orientation, gender identity, and gender expression.

Why is this needed?

In Scottsdale, it is **not illegal** to discriminate based on sexual orientation, gender identity, or gender expression.

This means that lesbian, gay, bisexual and transgender (LGBT) individuals can be:

- Denied employment
- Fired from their job
- Denied service
- Denied housing

How often does this occur?

We don't know, since it's not currently illegal.

What are the impacts of non-discrimination laws?

- Covers local businesses and employers
- Requires owners, employees, contractors to comply
- Provides a mechanism for responding to complaints
- Violators could be subject to a fine

What are the benefits of non-discrimination laws?

- Everyone is welcome and treated fairly
- Provides protections to residents and visitors
- Helps attract and retain businesses and employees
- Promotes Scottsdale as inclusive tourist destination

**What other communities have a
LGBT inclusive non-discrimination ordinance?**

225 cities or counties nationwide including:

- Phoenix, Tempe, Tucson and Flagstaff
- Austin, Texas
- Palm Springs, California
- San Diego, California
- Myrtle Beach, South Carolina
- Orlando, Florida
- Palm Beach, Florida

Tonight's Item

Presentation, discussion and possible direction to staff regarding the city's current policies and possible future actions pertaining to discrimination on the basis of sexual orientation, gender identity or gender expression.

Possible direction to staff:

- A. Take no further action
- B. Begin public outreach process
- C. Schedule adoption of a non-discrimination ordinance