

| Agenda Item | cover sheet

for consideration by the Apex Town Council

Item Type: CONSENT AGENDA

Meeting Date: May 24, 2022

Item Details

Presenter(s): Catherine Crosby, Linda Jones

Department(s): Administration; Office of Diversity, Equity, and Inclusion

Requested Motion

Motion to adopt an ordinance amendment to Chapter 3 of the Town Code, adopt a resolution permitting application of the Wake County Nondiscrimination Ordinance within the Town corporate limits, approve an Interlocal Agreement with Wake County outlining party responsibilities in enforcing the County Nondiscrimination Ordinance, approve an addendum to the Interlocal Agreement specific to Apex, and authorizing the Town Manager to execute the Interlocal Agreement and Addendum.

Approval Recommended?

Yes

Item Details

In June 2021 the Apex Town Council adopted a nondiscrimination ordinance applicable to Town operations and to employers and public accommodations within town limits. In October 2021 Wake County adopted a nondiscrimination ordinance applicable outside municipal jurisdictions but with the option for municipalities within Wake County to permit the enforcement of the County's ordinance within municipal jurisdictions upon adoption of an interlocal agreement. The benefit of applying the County ordinance is to allow a more consistent and uniform application of standards throughout Wake County as well as allowing the town to take advantage of the County's agreement with Campbell University to perform investigative and conciliatory services aimed at resolving claims made pursuant to the ordinance. The main difference between the Town's existing ordinance and application of the County's ordinance is the intake and resolution process. Claims will now go to the County manager's office to be processed through Campbell University rather than going directly to the Town manager. In order to apply the County ordinance, the Town must amend its ordinance to avoid conflicting language. The application of the Town's ordinance to Town operations will remain in place.

While the language of the interlocal agreement has been negotiated among multiple jurisdictions Apex is also requesting an addendum that will clarify that the Town ordinance, as amended, will still apply to

Town operations and to note the limitations on the application of the County ordinance to state and federal buildings already regulated by law. The addendum also requires the County to provide records of claims originating from within Apex town limits upon request by the Town. There is no cost to the Town associated with the Interlocal Agreement for the upcoming fiscal year. If the Town extends the agreement beyond June 30, 2023, a yet to be determined cost will be included.

Attachments

- Ordinance Amendment to Chapter 3
- Resolution permitting application of County Ordinance in town limits
- Interlocal Agreement with Wake County
- Addendum to Interlocal Agreement

