



AGENDA ITEM SUMMARY

City Council

STAFF

Rachael Johnson, Senior Equity Specialist
Claudia Menendez, Equity Officer
Jenny Lopez Filkins, Legal

SUBJECT

Second Reading of Ordinance No. 152, 2022, Amending the Definition of Discrimination in City Code Chapter 13 to Prohibit Discrimination on the Bases of Sexual Orientation, Gender Identity and Gender Expression.

EXECUTIVE SUMMARY

This Ordinance, adopted 6-0 on December 20, 2022, modifies anti-discrimination language in City Code Chapter 13, Article II, to prohibit discrimination on the bases of “sexual orientation, gender identity and gender expression.” Absent this new language, our residents in these classes feel unprotected from discrimination, resulting in not including “all” in our growing community. The amendment advances the City of Fort Collins’ vision to be a safe and welcoming community for all.

STAFF RECOMMENDATION

Staff recommends adoption of the Ordinance on Second Reading.

BACKGROUND / DISCUSSION

The State of Colorado has already modified its discrimination language to include these protected classes. On May 19, 2021, Governor Polis signed into law HB21-1108, the Gender Identity Expression Anti-Discrimination Act, that amended the current definition of sexual orientation with adding gender identity and gender expression into 48 areas of state law that prohibit discrimination against members of a protected class.

HRC submitted a letter of recommendation to Council on December 1, 2022. During Other Business at the December 6, 2022, Council several Councilmembers requested that staff bring forward this item for their consideration.

CITY FINANCIAL IMPACTS

Financial impacts are unknown at this time.

BOARD / COMMISSION / COMMITTEE RECOMMENDATION

The HRC respectfully requests that the City's Municipal Code, Chapter 13, Article II, be amended to include "sexual orientation, gender identity or gender expression," which would not only match the State's non-discrimination language but, more importantly, protect these significant members of our community from acts of discrimination. Therefore, the proposed new protected class language would read: “...**race, color, religion, national origin, sex, sexual orientation, gender identity, gender expression or marital status....**” Their recommendation to Council is included as an attachment.

PUBLIC OUTREACH

There has been a high level of engagement with the Human Relations Commission on this topic.

ATTACHMENTS

First Reading attachments not included.

1. Ordinance for Consideration