



**TOWN OF LOS GATOS
COUNCIL AGENDA REPORT**

MEETING DATE: 08/17/2021

ITEM NO: 14

DATE: August 17, 2021
TO: Mayor and Town Council
FROM: Laurel Prevetti, Town Manager
SUBJECT: Introduction and First Reading of an Ordinance Amending the Los Gatos Town Code to Include Gender-Neutral Pronouns by Eliminating any Gender Preference Language Within the Los Gatos Town Code and Amending Sections Regarding Grammatical Interpretation to Indicate that Whenever a Gender-Neutral Personal Pronoun is Used, it Shall be Deemed to Include the Feminine and Masculine Also

RECOMMENDATION:

Accept public comment and then move for the introduction and first reading of an Ordinance, by title only, amending the Los Gatos Town Code to include gender-neutral pronouns by eliminating any gender preference language within the Los Gatos Town Code and amending sections regarding grammatical interpretation to indicate that whenever a gender-neutral personal pronoun is used, it shall be deemed to include the feminine and masculine also.

BACKGROUND:

In 2017, in recognition of growing gender equality awareness, the California Legislature introduced and passed Senate Bill 179 Gender Identity: female, male, or non-binary, which was signed into law and took effect in 2019. SB 179 provided for a third gender option on the state driver's license, identification card, and birth certificates.

The League of California Cities saw the need to develop a Best Practices guide for city officials and city staff related to new state laws, policies, and practices that promote inclusive workplaces. Included in the list of recommendations is for municipalities to replace all gendered terms within their Municipal Code with gender-neutral terms.

PREPARED BY: Shelley Neis
Town Clerk

Reviewed by: Town Manager, Assistant Town Manager, and Town Attorney

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SUBJECT: Introduce Amendments to the Town Code to Include Gender-Neutral Pronouns
by Eliminating any Gender Preference Language

DATE: June 25, 2021

DISCUSSION:

At the January 26, 2021 Strategic Priorities Setting session, Council adopted the Town Attorney's Potential Ordinances and Policies list which ranked gender neutralization of the Town Code fourth in priority.

The Town Clerk contracted with Municipal Code Corporation, the Town's codifier, to review the Town Code and provide a Gender-Neutral Report (Attachment 2) and draft ordinance (Attachment 1) that incorporates the suggested changes. If adopted, subject to approval by the Town Attorney, Municipal Code Corporation has authority to degenderize the Los Gatos Town Code to update pronouns when appropriate and update future ordinances by making changes such as the following:

- Gendered subject (he, she, etc.), object (him, her, etc.), and possessive (his, hers, etc.) pronouns shall be replaced by a gender-neutral description of the pronoun referent's title of office, employment, or descriptor. For example, where a code section refers to a "Director" all subsequent gendered pronouns shall be replaced by "the Director" in subjective case, "that Director" in the objective case, and "the Director's" in the possessive case.

CONCLUSION:

After accepting public comment, staff recommends that Council move for the introduction and first reading of an Ordinance, by title only, amending the Los Gatos Town Code to include gender-neutral pronouns by eliminating any gender preference language within the Los Gatos Town Code and amending sections regarding grammatical interpretation to indicate that whenever a gender-neutral personal pronoun is used, it shall be deemed to include the feminine and masculine also.

COORDINATION:

This report was coordinated with the Town Attorney's Office and the Town Manager's Office.

FISCAL IMPACT:

Phase I for Municode to conduct a complete review of the Town Code to identify all Code language in need of gender-neutral revision is \$5,100, to be paid in FY 2020/21. Phase II to codify the Town Code to incorporate the revisions is \$3,400, to be paid in FY 2021/22. Funds have been budgeted.

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ENVIRONMENTAL ASSESSMENT:

This is not a project defined under CEQA, and no further action is required.

Attachments:

1. Draft Ordinance
2. Gender-Neutral Report by Municode