

**CITY OF EL PASO, TEXAS
AGENDA ITEM
AGENDA SUMMARY FORM**

DEPARTMENT: MAYOR AND COUNCIL

AGENDA DATE: September 12, 2023

CONTACT PERSON NAME AND PHONE NUMBER:

City Representative Aleksandra Annello, 212-0002

DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: Goal 4: Enhance El Paso's Quality of Life Through Recreational, Cultural & Educational Environments

SUBJECT:

APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what? Be descriptive of what we want Council to approve. Include \$ amount if applicable.

Discussion and action to approve a resolution to direct the City Manager to create a policy that ensures access for transgender individuals to freely use City facilities consistent with their gender identity and/or expression in City-owned buildings, and to direct the City Attorney to create an ordinance amending Title 5 of the City Code of Ordinances relating to single-user restrooms to require single-user restrooms to have gender-neutral signage.

BACKGROUND / DISCUSSION:

Discussion of the what, why, where, when, and how to enable Council to have reasonably complete description of the contemplated action. This should include attachment of bid tabulation, or ordinance or resolution if appropriate. What are the benefits to the City of this action? What are the citizen concerns?

N/A

PRIOR COUNCIL ACTION:

Has the Council previously considered this item or a closely related one?

N/A

AMOUNT AND SOURCE OF FUNDING:

How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?

N/A

*****REQUIRED AUTHORIZATION*****

RESOLUTION

WHEREAS, President Joe Biden became the first American President to designate the Transgender Day of Visibility with a White House proclamation: “this designation recognizes the generations of struggle, activism, and courage that have brought our country closer to full equality for transgender and gender non-binary people that has given countless transgender individuals the bravery to live openly and authentically; shaping an increasingly accepting world in which peers at school, teammates and coaches on the playing field, colleagues at work, and allies in every corner of society are standing in support and solidarity with the transgender community”; and

WHEREAS, despite the advances made towards equality and acceptance, the Texas Legislature has recently enacted legislation that has unfairly targeted and attacked the transgender community, and these legislative actions have created barriers and discriminatory practices that infringe upon the rights and dignity of transgender individuals, stifling their ability to freely express themselves, be themselves, and feel accepted and seen in our society; and

WHEREAS, discriminatory and negligent attitudes towards the transgender community, especially against black, indigenous, and other women of color, foster high rates of violence, homelessness, and economic instability, and it is essential to develop policies that support the transgender community, develop public education to dispel misinformation and stigmas, myths, and to increase understanding of humanizing transgender people; and

WHEREAS, affirmation of their gender identity and freedom of expression is vital to how children, teens, and adults are respected in their communities and ensures a positive quality of life; and

WHEREAS, in July 5, 2022, the City Council pledged to keep working to protect transgender rights by adopting policies that protect transgender individuals from employment discrimination in the City of El Paso, and enhanced existing housing policies to protect individuals from housing discrimination; and

WHEREAS, the City Council of the City of El Paso recognizes the importance of the act of correctly identifying an individual’s gender and is committed to taking serious steps towards recognizing an individual’s correct gender; and

WHEREAS, these policies include the same safeguards from discrimination that all Americans seek in employment, housing, healthcare, education, the justice system, and use of public facilities; and

WHEREAS, the City of El Paso will continue to promote and advocate for safe spaces within our facilities that welcome all transgender residents seeking help and services; and

WHEREAS, transgender individuals have always been a part of the fabric that makes El Paso beautiful and through visibility and acceptance that we continue to support the values of our community are an increasingly visible part of the fabric that makes El Paso what it is.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

The City Manager or designee is directed to create a policy that ensures access for transgender individuals to freely use City facilities consistent with their gender identity and/or expression in City agency offices, public parks, pools, playgrounds, Sun Metro Transit stations, museums, and recreation centers, and any other City-owned facility.

BE IT FURTHER RESOLVED:

All City Departments shall post the new facility policy in conspicuous locations for employees and members of the public to see within three months.

BE IT FURTHER RESOLVED:

City Departments will train managers on the policy within one year and frontline staff within two years, will update agency Equal Employment Opportunity (EEO) plans to incorporate training requirements within three months, and will report on steps taken to comply with this resolution by the last meeting in October 2023.

BE IT FURTHER RESOLVED:

The City Attorney is directed to return to Council no later than the last meeting in October 2023 with an ordinance amending City Code Title 5 to add a chapter relating to signage for single-user restrooms, with penalty.

- This article shall apply to single-user restrooms within commercial facilities that are not private or private use restrooms. This article shall be an additional requirement to those already required by the City Code.
- A single-user restroom subject to this article must have gender-neutral signage.
- A person with control over a commercial facility with at least one single-user restroom shall install and maintain gender-neutral signage for each single-user restroom.

APPROVED this _____ day of September, 2023.

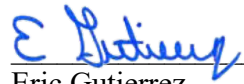
THE CITY OF EL PASO:

Oscar Leoser
Mayor

ATTEST:

Laura D. Prine
City Clerk

APPROVED AS TO FORM:



Eric Gutierrez
Senior Assistant City Attorney