

Memorandum



CITY OF DALLAS

DATE February 14, 2014

TO Budget, Finance and Audit Committee Members: Jerry Allen, Chair, Jennifer S. Gates, Vice-Chair, Tennell Atkins (Mayor Pro Tem), Sheffie Kadane, and Philip Kingston

SUBJECT Exploring Opportunities to Broaden Inclusivity and Social Equity

On Tuesday, February 18, 2014, you will be briefed on Exploring Opportunities to Broaden Inclusivity and Social Equity. A copy of the briefing is attached.

Please let me know if you have any questions.

A handwritten signature in cursive script that reads "Theresa O'Donnell".

Theresa O'Donnell
Interim Assistant City Manager

c: The Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Rosa A. Rios, City Secretary
Warren M.S. Ernst, City Attorney
Craig Kinton, City Auditor
Daniel Solis, Administrative Judge, Municipal Court
Ryan S. Evans, Interim First Assistant City Manager
Forest E. Turner, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Joey Zapata, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor and Council

Exploring Opportunities to Broaden Inclusivity and Social Equity

Budget, Finance and Audit Committee

February 18, 2014



Time of Rapid Change

- Since June, a number of significant changes have occurred that impact same-sex marriage and the rights and protections construed by the legal recognition of marriage
- 17 states and Washington DC now allow same-sex marriages
 - Kentucky, Oklahoma, Nevada and Virginia are now in transition
- In addition to the Courts, Federal agencies have been at the forefront of changing rights and protections through policy directives, interpretations, and rule making.

Prior Committee Work

- On December 2, 2013, the Budget, Finance and Audit Committee was briefed on DOMA and marriage rights for LGBT citizens.
- On January 6, 2014, a follow-up briefing and discussion focused on two topics - the City's ENDA ordinances and the financial benefits and protections for legally married LGBT couples as a result of the Supreme Court ruling in the United States v. Windsor case and subsequent IRS administrative directives.

Prior Committee Work

- Today, Cathryn Oakley, the Legislative Counsel for State and Municipal Advocacy for the Human Rights Campaign will brief the Committee on the Municipal Equality Index project.
- Municipal Equality Index (MEI) ranks approx. 290 cities across the nation. The MEI is an evaluation of municipal laws and policies and an examination of how inclusive city services are toward LGBT people.

Committee Deliberation

- What should be the City's response to these changes and is now an appropriate time for a response?
- Are current ordinances and policies sufficient in light of this rapidly changing landscape?
- How can the City acknowledge and recognize LGBT individuals, couples, and families in response to concerns raised and requests expressed by the LGBT community leaders?

Informed Approach

- Committee has received a large volume of information and facts on the changing laws and application of laws since DOMA was struck down.
- Committee has engaged in respectful dialogue about concerns and issues impacting the LGBT community surrounding this evolving landscape.
- Committee has sought to understand requests for recognition and acknowledgement by LGBT community leaders.
- Committee has explored programs, protections or enforcement mechanisms that may be appropriate for future changes or action.

Potential Opportunities for Action

Three major categories identified:

- Dallas as an Employer - a welcoming place to work
- Dallas as a welcoming city for LGBT citizens and their families to live and visit
- Dallas as an advocate at the state and national level

Dallas as an Employer

- Civilian and police and fire pension plans
- Human Resource policies and administrative directives
 - LGBT employee group
 - Mandatory diversity training
 - LGBT recruitment efforts
 - Diversity and Inclusivity officer
- City's health care plan
 - FMLA - 1+
 - Transgender inclusive healthcare benefits

Dallas as a Welcoming Place to Live

Municipal Equality Index - Improving our score

- Relationship Recognition
 - Domestic Partnership registry opened to people outside city employment (Austin)
- Municipality as an Employer
 - FMLA - 1+
 - Transgender Inclusive Healthcare Benefits
 - LGBT Employee group
 - Mandatory Diversity Training
 - Transition Protocol
- Expand the duties of the Office of Fair Housing
- Strengthening relationship with LGBT Community
 - Appointment of the North Texas GLBT Chamber President to the CVB Board
 - Awareness of issues and support for LGBT youth

City as an Advocate

State and National levels

Support legislation designed to further civil rights for LGBT individuals, couples, and families -

- Anti-bullying ordinances for citywide ISDs
- State and Federal ENDA legislation
- Public Accommodations bill
- United Americans Family Act
- “Romeo and Juliet” defense equalization
- Removing unconstitutional and unenforceable laws
 - 21.06 of the Texas Penal Code
 - Similar provisions in the Health and Safety Code

Next Steps

Seek Committee direction and recommendation on a resolution that serves as a “Comprehensive Statement of Support” of the LGBT community. The resolution could include provisions that direct staff to take necessary steps to:

- Address the disparate treatment of LGBT employees with regards to the City’s pension plans
- Amend the City’s HR policies and health care plan to address inequities for LGBT employees and their families
- Take administrative actions necessary to improve the City of Dallas’ Municipal Equality Index score
- Lobby in support of state and federal legislation and administrative directives that further civil rights and prevent discrimination against LGBT individuals and families
- Provide quarterly updates on progress on these efforts