

AGENDA REQUEST FORM

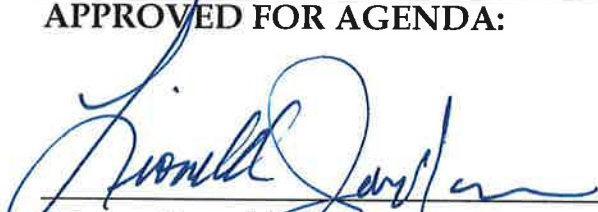
FOR: Council Meeting of May 4, 2021

FROM: Mayor Lioneld Jordan

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:


A RESOLUTION TO AFFIRM THE CITY OF FAYETTEVILLE'S COMMITMENT TO DIVERSITY, INCLUSION, AND PROTECTION OF OUR TRANSGENDER CITIZENS, RESIDENTS, AND VISITORS

APPROVED FOR AGENDA:



Mayor Lioneld Jordan

4/27/21
Date



Kit Williams
City Attorney

April 27, 2021
Date



OFFICE OF THE
CITY ATTORNEY

DEPARTMENTAL CORRESPONDENCE



Kit Williams
City Attorney

Blake Pennington
Assistant City Attorney

Jodi Batker
Paralegal

TO: **Mayor Jordan**
City Council

CC: **Susan Norton**, Chief of Staff

FROM: **Kit Williams**, City Attorney

A handwritten signature in blue ink, appearing to read "Kit Williams", with a long horizontal line extending to the right.

DATE: **April 27, 2021**

RE: **Reaffirming Fayetteville's Welcoming of All Persons**

Some of the Arkansas Legislature's recently passed bills have appeared to limit rights of persons whose gender identity may not match the gender assigned to the person at birth. Fayetteville voters rejected discrimination against transgender citizens and visitors when they voted to enact the **Uniform Civil Rights Protection** section into the *Fayetteville Code* in 2015.

The express **Purpose** section of the **Uniform Civil Rights Protection** states: "Fayetteville is a welcoming, fair, and tolerant city which endeavors to ensure that all of its citizens and visitors will be free from unfair discrimination" and specifically sought to extend civil rights protection "to lesbian, gay, bisexual, and transgender citizens and visitors."

The Fayetteville City Council has further expressed the welcoming and inclusive nature of Fayetteville and our residents by actions detailed in the proposed Resolution sponsored by Mayor Jordan and me. We believe this is an appropriate opportunity for the Fayetteville City Council to reaffirm Fayetteville's commitment to being a welcoming and tolerant community for all persons and visitors.

RESOLUTION NO. _____

A RESOLUTION TO AFFIRM THE CITY OF FAYETTEVILLE'S COMMITMENT TO DIVERSITY, INCLUSION, AND PROTECTION OF OUR TRANSGENDER CITIZENS, RESIDENTS, AND VISITORS

WHEREAS, on June 16, 2015, the Fayetteville City Council passed Ordinance No. 5781 and requested our citizens to vote to enact the **Uniform Civil Rights Protection** section into the *Fayetteville Code*; and

WHEREAS, the express **Purpose** section of **Uniform Civil Rights Protection** states: "Fayetteville is a welcoming, fair, and tolerant city which endeavors to ensure that all of its citizens and visitors will be free from unfair discrimination;" and

WHEREAS, the **Purpose** section specifically sought to extend civil rights protection "to lesbian, gay, bisexual, and transgender citizens and visitors;" and

WHEREAS, on September 8, 2015, the citizens of Fayetteville voted to approve and enact the **Uniform Civil Rights Protection** section which stated in part: "The right of an otherwise qualified person to be free from discrimination because of sexual orientation and gender identity is the same right of every citizen to be free from discrimination because of race, religion, national origin, gender and disability as recognized and protected by the Arkansas Civil Rights Act of 1993;" and

WHEREAS, although Arkansas Attorney General Leslie Rutledge sued the City of Fayetteville and after a three year litigation battle convinced the Arkansas Supreme Court to invalidate our citizen-passed **Uniform Civil Rights Protection** ordinance, Fayetteville's commitment to oppose discrimination against LGBT citizens, residents and visitors remains strong within our city and in the hearts of our citizens who voted to enact the ordinance; and

WHEREAS, on April 3, 2018, the Fayetteville City Council passed a Resolution to Approve and Adopt the Welcoming Fayetteville Plan presented by Mayor Jordan; and

WHEREAS, this Welcoming Fayetteville Plan affirmed that Fayetteville valued cultural diversity and sought to remove barriers that could impede any person from feeling welcomed and appreciated in Fayetteville; and

WHEREAS, on October 20, 2020 the Fayetteville City Council enacted a Hate Crime Component for the City prosecutions into the *Fayetteville Code* which provided protection for our LGBT citizens, residents, and visitors; and

WHEREAS, on February 18, 2021, the Fayetteville City Council unanimously passed Resolution 55-21 to support the **Hate Crime Act** which would protect LGBT victims which was being presented to the State Legislature by the Governor and many State Legislators.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas hereby affirms the City of Fayetteville's commitment to diversity and inclusion for all persons especially including our transgender neighbors and visitors.

Section 2: That the City Council of the City of Fayetteville, Arkansas hereby affirms our commitment to do everything in our power to honor and protect all persons regardless of their gender identity so that everyone will feel welcome and safe in Fayetteville.

PASSED and APPROVED this 4th day of May, 2021.

APPROVED:

ATTEST:

By: _____
LIONELD JORDAN, Mayor

By: _____
KARA PAXTON, City Clerk/Treasurer