

To: LGBTQ Commission
From: Craig Wiesner, LGBTQ Commissioner
Re: City of San Mateo City Municipal Code Language
August 4, 2020 LGBTQ Commission Meeting

To My Colleague Commissioners,

Caiti Bush, who lives with her wife in San Mateo and is currently serving as a clerk at the California Supreme Court, took note of the City of San Mateo raising the Pride Flag and issuing a proclamation this year and was motivated to take action to make the City of San Mateo even more inclusive. She reached out to Council Member Amourance Lee who reached out to me. Specifically, Caiti wants *to help the city make its municipal code language more inclusive*. In her research, she noticed that the Code consistently uses the pronouns "he/she" (and their variants, his or hers, him or her). Given our dedication to diverse communities, we know that many in the LGBTQ community do not use he/she pronouns. At present, San Mateo's municipal code does not account for these individuals. An example that is particularly problematic:

Article VII of the Municipal Code governs City elections. Section 7.04 discusses the requirements for the nomination papers a candidate for City Council must file with the city clerk. A candidate's nomination papers must include, for example: "1. His/her name; 2. The office for which he/she is a candidate; 3. His/her present residence and occupation..." And the list goes on, using gendered pronouns in all 11 of the stated requirements. This example is troubling because it appears to exclude people who do not use such pronouns from participating in the City's most important function. People who do not use these pronouns might read this section and think to themselves that they are not individuals that the City welcomes to run for City Council.

Caiti is willing to do all the work involved in revising the city code to be more inclusive and has the legal background and experience to do the work. City staff, of course, would have to review the changed language and there would be a small cost to the city for publishing the newly revised code. In her research she found that in July 2019, Berkeley changed its code to use only gender-neutral language, as she proposes the City of San Mateo should do. Estimated cost was \$600 for publishing the new code. Article here: <https://www.berkeleyside.com/2019/07/16/city-council-to-consider-abolishing-gender-specific-pronouns-in-berkeley-municipal-code>

The State Assembly recently passed a resolution encouraging the Legislature to use gender-neutral language in laws moving forward. <https://thepridela.com/2018/08/bill-for-gender-neutral-pronouns-in-state-statutes-policies-passes-assembly-judiciary-committee/>

Caiti is asking that we as a commission encourage the San Mateo City Council to support this project. I would like us to vote to send a letter to the city council encouraging them to listen to and consider Caiti's proposal.

Thank you for considering this! I believe that this can be a template that other cities use for revising their codes to be more inclusive.