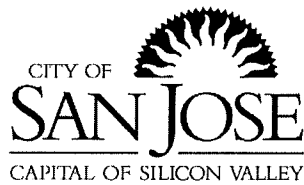


COUNCIL AGENDA: 5-17-16  
ITEM: 3.6



# Memorandum

**TO:** CITY COUNCIL

**FROM:** Mayor Sam Liccardo  
Vice Mayor Rose Herrera  
Councilmember Ash Kalra  
Councilmember Magdalena Carrasco  
Councilmember Tam Nguyen

**SUBJECT:** SEE BELOW

**DATE:** May 13, 2016

Approved

*Ash Kalra* *Rose Herrera* *Sam Liccardo* *Magdalena Carrasco* *Tam Nguyen* *5.13.16*

**SUBJECT:** Resolution to Ban All Non-Essential City Travel or Business with North Carolina and Mississippi.

## RECOMMENDATION

Approve a resolution banning non-essential city travel and business within the states of North Carolina and Mississippi and prohibiting the use of City Funds in travel to North Carolina and Mississippi for attendance of conventions, meetings, or other events.

## DISCUSSION

In recent months, North Carolina passed House Bill 2 and Mississippi signed the "Protecting Freedom of Conscience from Government Discrimination Act" into law, allowing discrimination based on sexual orientation. These legislative actions undermine the values of equality and diversity that we embrace in the City of San José. A ban on non-essential City travel to these two states clearly communicates that San José does not support discriminatory policies.

After discussing this measure with several LGBTQ community leaders, we believe the City should decline to impose restrictions upon the purchases of goods and services from companies headquartered in either of these two states. Defining the origins of business ownership, particularly industries with extensive supply chains, complicates the purchasing process and burdens City staff without significant benefit. Moreover, there appears a high likelihood that even diligent efforts by City staff to comply will result in violations of this policy, creating unrealistic expectations and unnecessary episodes of "gotcha" politics. Finally, our procurement process

already suffers from extensive bureaucratic requirements that render the City unable to nimbly address the fast-changing demands of our workforce and our community.

Limiting the City's ban to essential travel and business aligns with a Resolution adopted by Santa Clara County and with AB 1887, the state-funded travel ban to states that have enacted anti-LGBT legislation. Equality California and the National Center for Lesbian Rights sponsored the state bill and it passed the Assembly on a bi-partisan 54-21 vote on May 9, 2016. In both of these cases, legislators discussed bans on doing business but did not take action for similar reasons identified here, and in order to support the efforts of the many corporations that swiftly taken a stand against new anti-LGBT laws.