

File No. 190257

Committee Item No. _____

Board Item No. 28

COMMITTEE/BOARD OF SUPERVISORS

AGENDA PACKET CONTENTS LIST

Committee: _____
Board of Supervisors Meeting

Date: _____
Date: March 12, 2019

Cmte Board

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| <input type="checkbox"/> | <input type="checkbox"/> | Motion |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Resolution |
| <input type="checkbox"/> | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | <input type="checkbox"/> | Legislative Digest |
| <input type="checkbox"/> | <input type="checkbox"/> | Budget and Legislative Analyst Report |
| <input type="checkbox"/> | <input type="checkbox"/> | Youth Commission Report |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | introduction Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Department/Agency Cover Letter and/or Report |
| <input type="checkbox"/> | <input type="checkbox"/> | MOU |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Information Form |
| <input type="checkbox"/> | <input type="checkbox"/> | Grant Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Subcontract Budget |
| <input type="checkbox"/> | <input type="checkbox"/> | Contract/Agreement |
| <input type="checkbox"/> | <input type="checkbox"/> | Form 126 – Ethics Commission |
| <input type="checkbox"/> | <input type="checkbox"/> | Award Letter |
| <input type="checkbox"/> | <input type="checkbox"/> | Application |
| <input type="checkbox"/> | <input type="checkbox"/> | Public Correspondence |

OTHER

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Prepared by: Lisa Lew
Prepared by: _____

Date: March 8, 2019
Date: _____

1 [Declaring San Francisco an "Open to All" City]

2
3 **Resolution stating the City and County of San Francisco's support of the national**
4 **"Open to All" campaign; urging San Francisco businesses to sign the "Open to All"**
5 **Pledge; declaring the City and County of San Francisco an "Open to All" City; and**
6 **urging the California State Legislature to enact legislation in support of the "Open to**
7 **All" campaign.**

8
9 WHEREAS, Federal law provides that when a business opens its doors to the public, it
10 should be open to everyone on the same terms regardless of race, color, religion, creed,
11 national origin, ancestry, sex, age, physical or mental disability, veteran status, genetic
12 information or citizenship; and

13 WHEREAS, The State of California provides that businesses also should not
14 discriminate on the basis of gender, sexual orientation, gender identity, gender expression or
15 marital status; and

16 WHEREAS, Even when anti-discrimination laws are in place, people are often still
17 harassed, policed, and even denied goods or services based on their race, color, religion,
18 creed, national origin, ancestry, sex, age, physical or mental disability, veteran status, genetic
19 information, citizenship, gender, sexual orientation, gender identity, gender expression or
20 marital status; and

21 WHEREAS, In 2018, the United States Supreme Court in Masterpiece Cakeshop v.
22 Colorado Civil Rights Commission ruled that owners of a public-serving business could be
23 granted an exemption from anti-discrimination laws based on religious beliefs, thus protecting
24 the business' right to refuse to make a wedding cake for a gay couple, and leaving open the
25

1 larger question of whether the First Amendment protects the right of businesses to
2 discriminate based on sexual orientation; and

3 WHEREAS, Many Americans still face legal discrimination under state law; today, only
4 20 states provide full legal protection from discrimination in employment, housing, and public
5 accommodations on the basis of sexual orientation and gender identity; and

6 WHEREAS, Far too often, we read accounts of discrimination, such as a gay couple
7 being kicked out of an Uber, people of color facing abuse and violence in a diner, Muslim
8 women being ordered to leave a café, or people with disabilities being harassed in a
9 restaurant; and

10 WHEREAS, More than 1,500 businesses across the country have joined together to
11 oppose discrimination and declare that they are Open to All regardless of race, color, religion,
12 creed, national origin, ancestry, sex, age, physical or mental disability, veteran status, genetic
13 information, citizenship, gender, sexual orientation, gender identity, gender expression or
14 marital status; and

15 WHEREAS, "Open to All" is a nationwide campaign to build awareness and
16 understanding about the importance of protecting people from discrimination and the bedrock
17 principle that when businesses open their doors to the public, they should be Open to All; and

18 WHEREAS, The "Open to All" campaign is supported by a coalition of more than 200
19 nonprofit organizations committed to civil rights; racial justice; lesbian, gay bisexual,
20 transgender (LGBT) equality; health and healthcare; and disability rights; and

21 WHEREAS, Though San Francisco and California already have strong
22 nondiscrimination laws and policies in place, participating in Open to All will encourage other
23 municipalities to join the campaign; and

24 WHEREAS, Businesses can sign an "Open to All" pledge, agreeing to maintain a
25 welcoming and safe environment for employees, visitors, customers, vendors and clients

1 regardless of race, ethnicity, national origin, sex, gender, religion, disability, sexual orientation,
2 gender identity, or gender expression and agreeing not to discriminate against any individuals
3 or deny them goods or services based on any of these characteristics, and to provide all
4 goods and services to everyone on the same terms; and

5 WHEREAS, Businesses can show their support for the "Open to All" campaign by
6 displaying the "Open to All" sign in their storefront windows or in a place visible to customers;
7 and

8 WHEREAS, As Open to All expands nationally, the public and other policymakers will
9 see the values of inclusion embraced by San Francisco and its businesses, not just buried in
10 nondiscrimination policies, but as a visible statement reflected on websites and brick and
11 mortar buildings across America; and

12 WHEREAS, This helps drive cultural change and reassures the millions of Americans,
13 Californians, and San Franciscans who never quite know where they'll be welcome that they
14 are welcome here in San Francisco; now, therefore, be it

15 RESOLVED, That the Board of Supervisors believes that no one should have to worry
16 about whether they will be denied goods or services or face hostility or discrimination as they
17 go about their daily lives because of their race, color, religion, creed, national origin, ancestry,
18 sex, age, physical or mental disability, veteran status, genetic information, citizenship, gender,
19 sexual orientation, gender identity, gender expression or marital status; and, be it

20 FURTHER RESOLVED, That the Board of Supervisors wholeheartedly supports the
21 "Open to All" campaign and its principles of inclusivity; and, be it

22 FURTHER RESOLVED, That the City and County of San Francisco should be the first
23 major American city to sign the "Open to All" pledge; and, be it

24 FURTHER RESOLVED, That the Board of Supervisors hereby declares the City and
25 County of San Francisco an "Open to All" City; and, be it

1 FURTHER RESOLVED, That the Board of Supervisors urges San Francisco
2 businesses to sign the "Open to All" pledge; to display the "Open to All" sign in their storefront
3 windows or in a place visible to customers; and otherwise to advise their employees, visitors,
4 customers, vendors and clients that they maintain a welcoming and safe nondiscriminatory
5 environment; and, be it

6 FURTHER RESOLVED, That the San Francisco Board of Supervisors urges the
7 California State Legislature to enact legislation supporting the "Open to All" campaign; and, be
8 it

9 FURTHER RESOLVED, That the Board of Supervisors hereby directs the Clerk of the
10 Board to transmit copies of this Resolution to Governor Gavin Newsom; State Senator Scott
11 Wiener, Assemblymember David Chiu; Assemblymember Phil Ting; the Golden Gate
12 Business Association; Golden Gate Restaurant Association; and San Francisco Chamber of
13 Commerce.

Introduction Form

By a Member of the Board of Supervisors or Mayor

RECEIVED
BOARD OF SUPERVISORS
SAN FRANCISCO

2019 MAR -5 PM 1:28

Time stamp
or meeting date

BY *JA*

I hereby submit the following item for introduction (select only one):

- 1. For reference to Committee. (An Ordinance, Resolution, Motion or Charter Amendment).
- 2. Request for next printed agenda Without Reference to Committee.
- 3. Request for hearing on a subject matter at Committee.
- 4. Request for letter beginning : "Supervisor [] inquiries"
- 5. City Attorney Request.
- 6. Call File No. [] from Committee.
- 7. Budget Analyst request (attached written motion).
- 8. Substitute Legislation File No. []
- 9. Reactivate File No. []
- 10. Topic submitted for Mayoral Appearance before the BOS on []

Please check the appropriate boxes. The proposed legislation should be forwarded to the following:

- Small Business Commission
- Youth Commission
- Ethics Commission
- Planning Commission
- Building Inspection Commission

Note: For the Imperative Agenda (a resolution not on the printed agenda), use the Imperative Form.

Sponsor(s):

Supervisor Rafael Mandelman

Subject:

Declaring San Francisco an "Open to All" City

The text is listed:

Resolution stating the City and County of San Francisco's support of the national "Open to All" campaign; urging San Francisco businesses to sign the "Open to All" Pledge; declaring the City and County of San Francisco an "Open to All" City; and urging the California State Legislature to enact legislation in support of the "Open to All" campaign.

Signature of Sponsoring Supervisor: *RJ*

For Clerk's Use Only