

# Sparks fly over anti-bias measure

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SANTA CRUZ — The City Council is still a long way off from deciding on a proposed anti-discrimination ordinance, but local residents are already taking sides on whether the city should tell businesses and landlords how to hire, fire and rent.

The ordinance, which extends housing and employment protection to transsexuals, lesbians, gays and obese people, underwent its first reading by the council Tuesday night.

A public hearing on the ordinance is scheduled Feb. 11, and will be followed by a second reading.

Many people who spoke Tuesday did more than argue for or against wording of the ordinance written by Councilman Neal Coonerty, owner of Bookshop Santa Cruz. They argued against the ordinance itself.

"I think it's utopian and idealistic. Do you know what it's like running a business in Santa Cruz?" one speaker asked at the open session.

"This ordinance puts fear in the

employers. How do you create teamwork when you can't hire someone you want?"

Local business people at the packed meeting repeatedly voiced concern that they wouldn't be able to hire whom they want for fear of expensive civil lawsuits.

"We choose to open a business, then we no longer have the freedom to choose who will be in the enterprise with us," said businessman Noel Smith.

Councilman Louis Rittenhouse voiced concerns about the bounds of the ordinance as well.

"What if equal candidates are in

front of you and you hire the thin, clean one instead of the dirty, obese one?" said Rittenhouse. "You're going to be in court."

Supporters of the ordinance criticized local business people.

"These people are saying they want to be able to discriminate as much as they want because it's too expensive to change. But it's the fair and just thing," said Ed Davidson.

"If they don't want to do business here because of the ordinance, that's fine," he said. "We don't need that kind of business here."

Local representatives from the gay community came to voice support for the ground-breaking measure.

"It makes me sad to hear passionate applause against the very basic civil rights that I as a lesbian do not have. Even the governor thinks my rights are too expensive," said Wendy Chapkis. "I have no protection in jobs or housing."

For some, the "best person for the job" needed defining at Tuesday night's meeting.

"Who determines the best person?" asked one person.

Many of the business people who

spoke at the hearing said the proposed measure's wording left too much to subjective judgment.

"We should just enter applicants' qualifications in a computer and never interview them because we might discriminate," said one speaker.

Merrie Schaller of Queer Nation saw the business community's testimony as a defense for the ordinance.

"The reason this ordinance is needed is because of what you've heard tonight. I shouldn't have to hear that I don't have the right to

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work or live where I'm qualified to. I want to know what my rights are worth," said Schaller.

Local real-estate agent Ron Samson said, "You don't know how many times I've had prospective sellers discriminate against gay people. You don't know how painful that is."

While Santa Cruz would be the

first city in the state to establish such an ordinance, attorney Priscilla Winslow said it's not as far out as some make it seem.

"This ordinance is in the mainstream. It's not really altering anything drastic," she said. "I'm really impressed at the job that Mr. Coonerty has done."

Mayor Don Lane agreed. "I could tell a merchant wrote this

ordinance. I could see sensitivity to business concerns," he said. "It allows employers to maintain standards of personal appearance."

Under the ordinance, someone denied a job or housing could challenge the rejection through a city-designated mediator. Both sides would share costs. If no solution were reached, the person claiming bias could sue for damages or other redress.