

## Model Ordinance

### Template for legislation to establish a Racial Equity Office in your city, county or state (modeled on the City of Oakland legislation)

WHEREAS, [provide background as to the organizational structure of your city, county or state]; and

WHEREAS, [provide background related to similar pieces of legislation]; and

WHEREAS, [provide background as to the urgency of the moment and the reason why it is important for your jurisdiction from a values perspective]; and

WHEREAS, [provide information about your jurisdiction's historical relationship to the creation and maintenance of racial inequities]; and

WHEREAS, [provide information about the racial demographics of your jurisdiction]; and

WHEREAS, [provide information about the racial inequities in your jurisdiction]; and

WHEREAS, [provide information about any recent ways in which racial inequities have been in the public discourse]; and

WHEREAS, [provide any recent research about implicit bias or institutional and structural racism]; and

WHEREAS, because of the government's role in serving the public, government is uniquely positioned to address the pervasiveness of implicit bias, first by recognizing and acknowledging bias, and secondly by working to reduce bias, both individually and within government; and

WHEREAS, efforts to address implicit bias and proactively advance racial equity can repair and strengthen the relationship between government and communities; and

WHEREAS, we recognize the need to eliminate racial inequities; and

WHEREAS, [reference any recent related legislation that has been passed]; and

WHEREAS, we recognize the need to eliminate racial inequities; and

WHEREAS, [reference data that indicates that racial and ethnic disparities are deep and pervasive across all indicators for success]; and

WHEREAS, we recognize the need to implement clear strategies, actions and measures that lead with race; and

WHEREAS, race and equity are key priorities internally and with community based organizations, private businesses, non-government organizations, philanthropy, and academia; and

WHEREAS, achieving equity requires the intentional examination of policies and practices that, even if they have the appearance of fairness, may marginalize individuals or groups and perpetuate inequities, and

WHEREAS, working towards racial equity requires an understanding of our historical context and active investment in structures over time so that all communities can experience success; and

WHEREAS, achieving equity requires commitment, collaboration, and clear, transparent communication among Departments that serve as the primary structures for managing how resources are divided and how public services are provided; and

WHEREAS, advancing equity for everyone who lives, works and plays in our communities will require coordination with others, not only in government, but also in private business, nongovernment organizations, academia, community groups, and the media; and

WHEREAS, economic development, job creation, and the stable employment of people in our city are essential to achieving equity; and

WHEREAS, advancement of equity may require resources to be shifted and reallocated; and

WHEREAS, we commit to remove the structural barriers that prevent our society from being just and inclusive and towards one that cares about and provides justice for the lives of all people.

THE COUNCIL OF [your jurisdiction] DOES ORDAIN AS FOLLOWS:

SECTION 1. The Council finds and determines the foregoing recitals to be true and correct and hereby adopts and incorporates them into this Ordinance.

SECTION 2. Chapter xxx of the Code is hereby amended to read as follows:

Section [xxx]: Purpose.

The rendition of efficient and effective services in the [jurisdiction] is best accomplished

through the establishment of agencies, each of which shall function under the leadership of a single Director and shall consist of departments or divisions. Said Director and any department or division head shall serve as "department head" within the meaning of Article [xx] of the City Charter.

Section [xxx]: Race and Equity Office.

There is established in the government a Department of Race and Equity, which shall be under the supervision and administrative control of [city manager, county executive or other appropriate structure]. The powers, functions and duties of said Department shall be those assigned, authorized and directed by the [city manager, county executive or other appropriate structure]. The management and operation of the Race and Equity Office shall be the responsibility of the Director of the Race and Equity Office who shall serve as Director of said agency, subject to the direction of the Administrator. In the Race and Equity Office there shall be the following divisions [add depending on the resources being allocated – possibilities include workforce equity, contracting equity, training and capacity building, and community engagement].

SECTION [xxx]: Through adoption of this Ordinance the jurisdiction establishes the Race and Equity Office and will intentionally integrate, on a jurisdiction-wide basis, the principle of "equitable and just" in all the city does in order to achieve equitable opportunities for all people and communities. This ordinance establishes definitions and identifies the specific approaches necessary to implement and achieve the "equitable and just" principle that is embedded as a core element of the goals, objectives and strategies of the city.

A. "Community" means a group of people who share some or all of the following: geographic boundaries, sense of membership, culture, language, common norms and interests.

B. "Determinants of equity" means the social, economic, geographic, political and physical environment conditions in which people in our city are born, grow, live, work and age that lead to the creation of a fair and just society. Access to the determinants of equity is necessary to have equity for all people regardless of race, class, gender or language spoken. Inequities are created when barriers exist that prevent individuals and communities from accessing these conditions and reaching their full potential. The determinants of equity are:

1. Community economic development that supports local ownership of assets, including homes and businesses, and assures fair access for all to business development and business retention opportunities;
2. Community and public safety that includes services such as fire, police, emergency medical services and code enforcement that are responsive to all residents so that everyone feels safe to live, work and play in any neighborhood;
3. A law and justice system that provides equitable access and fair treatment for all;
4. Early childhood development that supports nurturing relationships, high-quality

affordable child care and early learning opportunities that promote optimal early childhood development and school readiness for all children;

5. Education that is high quality and culturally appropriate;
6. Equity in practices that eliminates implicit bias and institutional racism in city activities in order to provide fair treatment for all employees, contractors, clients, community partners, residents and others who interact with the jurisdiction;
7. Food systems that support local food production and provide access to affordable, healthy, and culturally appropriate foods for all people;
8. Health and human services that are high quality, affordable and culturally appropriate and support the optimal well-being of all people;
9. Healthy built and natural environments for all people that include mixes of land use that support: jobs, housing, amenities and services; trees and forest canopy; and clean air, water, soil and sediment;
10. Housing for all people that is safe, affordable, high quality and healthy;
11. Job training and jobs that provide all residents with the knowledge and skills with the ability to make sufficient income for the purchase of necessities to support them and their families;
12. Neighborhoods that support all communities and individuals through strong social networks, trust among neighbors and the ability to work together to achieve common goals that improve the quality of life for everyone in the neighborhood;
13. Parks and natural resources that provide access for all people to safe, clean and quality outdoor spaces, facilities and activities that appeal to the interests of all communities; and
14. Transportation that provides everyone with safe, efficient, affordable, convenient and reliable mobility options including public transit, walking, car pooling and biking.

C. Racial Equity means that one's race does not predict how well one will fare, and outcomes improve for all groups.

D. "Race and social justice foundational practices" means those practices that can increase the jurisdiction's influence on access to the determinants of equity when applied to actions in: siting and delivery of services; policy development and decision making; education and communication within government; and community engagement and partnerships. Race and social justice foundational practices are goals for all governmental actions; across citywide strategic goals, objectives and strategies; and across agencies, programs and services. The race and social justice foundational practices are efforts to:

1. Raise and sustain the visibility of the vision of "equitable and just" principles and race and social justice values, policies and foundational practices;
2. Increase focus on the determinants of equity in order to make progress in the elimination of the root cause of racial inequities;
3. Consider race and social justice impacts in all decision-making so that decisions increase

fairness and opportunity for all people, particularly for people of color, low-income communities and people with limited English proficiency or, when decisions that have a negative impact on equity and opportunity are unavoidable, steps are implemented that mitigate the negative impacts;

4. Foster an organizational culture that promotes racial equity;
5. Collaborate across departments and with other organizations and community;
6. Build capacity to engage all communities in a manner that: promotes and fosters trust among people across geographic, race, class and gender lines; results in more effective policies, processes and services; and supports communities' efforts to develop solutions.

F. "Equitable and just" means the jurisdiction serves all residents by promoting equity and opportunity and eliminating inequities through actions to which race and social justice foundational practices are applied.

G. "Inequity" means differences in well-being that disadvantage one group in favor of another. These differences are systematic, patterned and unfair, and can be changed. Inequities are not random; they are caused by past and current decisions, systems of power and privilege, policies and the implementation of those policies.

H. "Racial justice" means all aspects of justice, including legal, political and economic, and requires the fair distribution of public goods, institutional resources and life opportunities for all people.

SECTION [xxx]: To achieve the fair and just principle embedded within the citywide goals, objectives and strategies, the jurisdiction shall:

A. Apply race and social justice foundational practices to decisions and actions and endeavor to integrate these practices into the jurisdiction's strategic, operational and business plans; management and reporting systems for accountability and performance; and budgets in order to eliminate inequities and create opportunities for all people and communities;

B. Establish an interdepartmental team to facilitate accountability of and coordination by all departments, agencies, and offices of the jurisdiction regarding implementation of the fair and just principles. The Race and Equity Office shall be responsible for leading the effort. The inter-branch team shall be composed of the directors of all branches, departments, agencies and offices of government. Further the Administrator shall support the application of race and social justice foundational practices through:

1. Development of analytical tools to support all departments and agencies in identifying the equity impacts of policies and decisions and ways in which to amplify positive impacts and mitigate negative impacts;
2. Development of guidelines which can be implemented across all departments and

agencies for outreach, communication and community engagement to improve the scope and effectiveness of efforts to ensure that all communities receive information and have the opportunity to shape policies and services;

3. Identifying focus areas and supporting the development of policies and actions that improve fairness and opportunity in government organizational practices, including all employment practices such as hiring, training, retention and promotion and business practices such as contracting, procurement and grant writing;
4. Providing a forum for exchange of information and identification of opportunities for collaboration across departments and agencies on race and social justice foundational practices; and
5. Supporting the development of annual racial equity work plans by departments and agencies, using racial and social justice tools; and

C. Design and publish an annual report for elected leadership, employees and the public on the status and trends in equity in the city and measures of accountability for work plans and results related to implementation of this ordinance.