

SYSTEMIC RACISM REVIEW COMMITTEE MINUTES - DRAFT

March 05, 2024 at 12:00 PM



Zoom Webinar

<https://juneau.zoom.us/j/92303909454> or: 1-253-215-8782 Webinar ID: 923 0390 9454

- A. **CALL TO ORDER** - *Chair Froehlich called the Systemic Racism Review Committee to order at 12:02p.m.*
- B. **LAND ACKNOWLEDGEMENT** – *read by Chair Froehlich*
- C. **ROLL CALL**

Present: Chair Ephraim Froehlich, Kelli Patterson, Ivan Nance, Jennifer Pemberton, and John Drips

Absent: Gail Cheney, and Anavera Morato

Staff/Other Attendees: Robert Barr, Nicole Lynch, and Di Cathcart

D. APPROVAL OF AGENDA

Agenda approved as presented.

E. APPROVAL OF MINUTES

Minutes approved as presented.

- 1. **February 6, 2024, SRRC Meeting Minutes - Draft**

F. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - *None*

G. CONSENT AGENDA

The following ordinances were up for introduction on the consent agenda at Monday night's Regular Assembly Meeting. A blank SRRC checklist is included in the packet if an ordinance is pulled for further discussion and committee members want to utilize that tool.

Recommended Motions:

"I move to approve the consent agenda as presented and ask for unanimous consent" OR "I move to approve the consent agenda as amended and ask for unanimous consent": [use this motion when items are pulled off consent for further discussion]

2. Legislation for Review by SRRC

[Ordinance 2023-14\(b\)\(Z\)](#) An Ordinance Appropriating \$76,130 to the Manager for the Energy Efficiency and Conservation Block Grant; Grant Funding Provided by the U.S. Department of Energy.

[Ordinance 2023-14\(b\)\(AE\)](#) An Ordinance Transferring \$250,000 from the RecycleWorks Fiscal Year 2024 Operating Budget to the River Road Junk Vehicle Cleanup Capital Improvement Project.

[Ordinance 2023-04\(b\)](#) An Ordinance Establishing a City and Borough of Juneau Whistleblower Act.

Mr. Barr read the ordinance titles into the record and gave a summary of each piece of legislation. Committee members discussed which ordinances to pull for further discussion.

MOTION: Mr. Froehlich moved to pull Ordinance 2023-04(b) and Ordinance 2023-14-(b)(AE) for additional discussion and approve the consent agenda as amended and asked for unanimous consent. ***Hearing no objection, motion passed.***

H. LEGISLATION PULLED FOR DISCUSSION

Legislation pulled from the consent agenda during the meeting for further discussion, questions or to walk through the SRRC checklist on a particular piece of legislation.

Sample Motions:

"I move to forward Ordinance xxxx-xx (or Resolution xxxx) to the full Assembly as presented and ask for unanimous consent" OR "I move the SRRC recommend to the Assembly it {fill in the recommendation} prior to taking action on proposed legislation."

Ms. Pemberton asked about Ordinance 2023-04(b) *An Ordinance Establishing a City and Borough of Juneau Whistleblower Act* and the unintended consequences of people not feeling comfortable to come forward who already face discrimination or job insecurity because of things like systemic racism; would this ordinance create an extra barrier to those bringing an issue forward.

Mr. Barr agreed and noted that it's normal for an employee to feel some anxiety when they are bringing forth a complaint or concern regarding a colleague, supervisor, or another individual in the organization to Human Resources, the Manager's Office, or other public body. We strive to care for those concerns when people bring complaints forward and be sensitive to those realities. It isn't easy to successfully navigate the outcome that is sought by the complainant as it's often complex situations that involve multiple competing perspectives. They often involve investigatory periods that can feel long, onerous, and burdensome and it isn't easy either to allay concerns that people have or to successfully navigate the complaint themselves, to come to the right outcome which isn't always the outcome that is sought by the complainant.

Ms. Pemberton was ok with passing this on to the Assembly and recommended that this would be a good item to look at in a worksession along with Human Resources policies and hiring practices in general.

MOTION: by Ms. Pemberton to forward Ordinance 2023-04(b) to the full Assembly as presented and ask for unanimous consent. ***Hearing no objection, motion passed.***

Mr. Froehlich had questions related to Ordinance 2023-14(b)(AE) *An Ordinance Transferring \$250,000 from the RecycleWorks Fiscal Year 2024 Operating Budget to the River Road Junk Vehicle Cleanup Capital Improvement Project* starting with, does CBJ often have private property CIP's.

Mr. Barr responded that normally CBJ does not; this project has been an on-going process starting with a confession of judgement and court proceedings related to the clean-up of junk cars from this property since at least 2018, with the root of the problem being a tow-truck associated with the property owner. There are safety concerns related to this property and staff have been threatened by the property owner. By moving the funds out of the operating budget and to a CIP means the funds will be there when CBJ is able to safely deal with this property and eventually with court permissions, to lien the property for costs incurred that are not reimbursed.

Mr. Froehlich recognized the argument related to public safety, community health and wellness and expressed concerns in giving a large amount of funds to private property clean-up. Those funds could go to CIP's the SRRC identified as providing essential recourses to areas in the community traditionally populated by larger densities of communities of color.

Mr. Drips shared the same concerns as Mr. Froehlich regarding private property clean-up using public funds; stating this seemed to pull away from the cause of justice. that Chair Froehlich noted.

Mr. Nance stated he didn't see how this related to SRRC's mission or how their input would have any relevance to this legislation that has to do with managing money.

Mr. Froehlich disagreed, acknowledging the SRRC's charge is all about money, where money flows is arguably one of the most systemically racist concerns.

Mr. Barr clarified that he didn't see a scenario where any of these funds would benefit the private property owner. CBJ has a confession of judgment (COJ) and we are collecting from that private property owner as much as we can for costs that we bear; and while Chair Froehlich is correct that this money will be tied up for some time, at the end of the day, these funds won't benefit the private property owner and because of that COJ we'll be able to successfully lien that property for any costs that are not reimbursed to the city after this cleanup eventually occurs.

Ms. Patterson commented that the ordinance title and presentation is misleading; she would have assumed this is city property if Mr. Froehlich hadn't mentioned something and felt that systemically this is an issue in the way it's written. She asked how this clean-up came about, was it initiated by CBJ or the neighborhood, living near this neighborhood and knowing the general neighborhood around the property tends to be rather prominent. If this property was in Switzer would CBJ still be willing to spend funds to clean it up.

Mr. Barr said most of these instances come from a code enforcement perspective. When citizens complain about an area then CBJ will investigate it; there is a junk yard in Lemon Creek that CBJ is also trying to deal with.

Mr. Froehlich appreciated Ms. Patterson asking this question and asked what members of our community are benefiting from this. CIP projects are meant to provide benefit to the widest array possible of community members so is that the right place to be drawing money from for this, and in in doing so, taking away funds, not forever, but for a significant period that could otherwise be used to make significant impacts in the lives of people.

Ms. Pemberton requested the committee receive more clarification of CIP's and the process at a future meeting.

Mr. Drips thought it would be good to add a comment to the Assembly, so they are aware of the SRRC's concerns.

MOTION: by Mr. Drips to forward Ordinance 2023-14(b)(AE) to the Assembly for action with the following comment from the SRRC added to the Manager's Report for this agenda item: *{this ordinance funds a private property cleanup and is worded in a manner which unintentionally obscures the use of public funds for the purpose of private property clean-up. Even if the city hopes to recoup the cost from the owner, the private property clean-up was identified through code enforcement report by community members. The committee discussed how public funds used for this purpose may be better served by other projects which could serve a broader segment of the community and enforcement based solely on reports by community members has the potential to further systemic racism}* asked for unanimous consent. **Hearing no objection, motion passed.**

I. STAFF REPORTS

Ms. Cathcart reminded the committee of the upcoming March 19 worksession.

J. COMMITTEE MEMBER / ASSEMBLY LIAISON COMMENTS AND QUESTIONS

Chair Froehlich asked the committee what topic(s) they would like to discuss at the March 19 Worksession. Ms. Pemberton requested a walkthrough of the CIP process and how CIPs are chosen, developed, and funded since that has been a repeat topic of discussion for this committee.

K. NEXT MEETING DATE

SRRC Worksession - Tuesday, March 19, 2024 at Noon via Zoom

Regular SRRC Meeting for legislation review - Tuesday, April 2, 2024 at Noon via Zoom

[Placeholder] SRRC Worksession - Tuesday, April 23, 2024 at Noon via Zoom

Regular SRRC Meeting for legislation review - Tuesday, April 30, 2024 at Noon via Zoom

L. SUPPLEMENTAL MATERIALS - None

M. ADJOURNMENT

There being no further business to come before the committee, meeting adjourned at 1:01p.m.