

Presented by: The Manager

Presented: 03/20/2023

Drafted by: S. Layne

## ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2023-20

### **An Ordinance ~~Establishing~~ Amending the Duties of the Systemic Racism Review Committee.**

WHEREAS, discrimination based on race in institutional policies leads to systemic racism; and

WHEREAS, systemic racism creates disparities in the social and civic fabric of a community through legislation related to all aspects of society, including but not limited to education, criminal justice, employment, elections, housing, and political power; and

WHEREAS, systemic racism is as overt and covert as individual racism and it has similar emotional, economic, physical, and liberty consequences though it may be harder for individuals to see even when revealed in disparities and data; and

WHEREAS, systemic racism is similar to disparate impact discrimination, which is generally defined as a facially neutral act, practice, or policy that has a significant discriminatory impact on a protected group; and

WHEREAS, the Assembly would benefit from having a systemic racism review of legislation before a resolution or an ordinance is up for public hearing; and

WHEREAS, the Assembly would benefit from having a systemic racism review of policies and procedures to advise whether the policies likely perpetuate systemic racism; and

WHEREAS, the Assembly encourages racially diverse individuals to apply and encourages racial minority groups to nominate individuals to help advise the Assembly.

THEREFORE BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1. Classification.** This ordinance is a noncode ordinance.

**Section 2. Systemic Racism Review Committee Established.**

(a) **Establishment.** There is established a Systemic Racism Review Committee consisting of seven individuals.

- 1 (1) The Assembly shall appoint members of the Committee to staggered three-year  
2 terms. Members of the Committee shall serve at the pleasure of the Assembly.  
3 Terms shall commence on July 1. Appointments to fill vacancies shall be for the  
4 unexpired term. In the event a seat has six months or less remaining to the  
5 unexpired term, the Assembly, at its discretion, may choose to appoint the  
6 member to the remainder of the current term as well as to the full term  
7 immediately following the expiration date of the unexpired term. No member  
8 who has served for three consecutive terms or nine years shall again be eligible  
9 for appointment until one full year has intervened, provided, however, that this  
10 restriction shall not apply if there are no other qualified applicants at the time  
11 reappointment is considered by the Assembly.
- 12 (2) Members shall be selected to provide the most balanced representation  
13 possible. Members shall have experience identifying unlawful discrimination—  
14 including based on race, color, or national origin—experience identifying social  
15 justice inequity, or intimate knowledge of local cultures and practices,  
16 including tribal culture and practices.

17 (b) **Duties.** The Committee is charged with:

- 18 (1) Developing criteria to advise whether legislation, policies, or procedures likely  
19 includes ~~a systemic racism policy or implications~~. The Committee must present  
20 ~~the proposed legislative review criteria to the Assembly before substantively~~  
21 ~~reviewing any policies, procedures, or legislation, or perpetuate systemic racism.~~
- 22 (2) Reviewing legislation, selected at the discretion of the Committee ~~all ordinances~~  
23 ~~after introduction and before public hearing~~ to advise whether the ordinance  
24 likely includes a systemic racism policy or implication.
- 25 (3) ~~Reviewing all resolutions to advise whether the resolution likely perpetuates~~  
~~systemic racism.~~
- (3) ~~(4)~~ Reviewing current policies, selected at the discretion of the Committee, to  
advise whether the policies likely perpetuate systemic racism.
- (4) ~~(5)~~ Reviewing current procedures, selected at the discretion of the Committee, to  
advise whether the procedures likely perpetuate systemic racism.
- (5) ~~(6)~~ Presenting options for curing the potential or likely systemic racism or  
implications.
- (6) ~~(7)~~ Presenting the Committee's analysis and conclusions timely to the Assembly  
in a short statement for each item of legislation.

- 1 (c) **Procedure.** The Committee's procedure shall be governed by the Advisory Board  
2 Rules of Procedure, as such may be amended from time to time. Nothing in this  
3 Ordinance shall be read to preclude the Assembly from acting upon emergency  
4 ordinances and resolutions.
- 5 (d) **Officers, Meetings, and Quorum.** In accordance with the Advisory Board Rules  
6 of Procedure, the Committee shall select its own officers, and shall hold regular  
7 meetings on a schedule established by the Committee, as well as such special  
8 meetings as required to conduct business. The presence of four members constitutes  
9 a quorum and any action of the Committee requires four or more affirmative votes  
10 to be approved.
- 11 (e) **Staff Assistance.** Staff support to the Committee shall be provided by the City  
12 Manager, or designee, as available and appropriate.
- 13 (f) **Legislation Procedure.** The Committee should meet and send the legislative  
14 report to the Manager at least six days before the Assembly meeting (i.e.  
15 Wednesday for a Monday meeting). However, legislation may be scheduled for  
16 public hearing and the Assembly may adopt legislation that has not been reviewed  
17 by the Committee. If the Assembly adopts legislation before the Committee has  
18 reviewed it, the Committee should review the adopted legislation as soon as  
19 possible.

20 **Section 3. Sunset Clause.** The Committee created by Section 2 shall cease to exist and  
21 the provisions of Section 2 shall ~~automatically terminate August 31, 2023, three years from the~~  
22 ~~effective date of this ordinance~~ unless the Assembly extends the Committee to exist until  
23 disbanded by the Assembly. ~~In a joint meeting prior to December 31, 2021, the Committee and~~  
24 ~~the Assembly shall review the Committee's work product to date and the provisions of this~~  
25 ~~ordinance to determine if any changes are necessary.~~

**Section 4. Effective Date.** This ordinance shall be effective 30 days after its adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

\_\_\_\_\_  
Beth A. Weldon, Mayor

Attest:

\_\_\_\_\_  
Elizabeth J. McEwen, Municipal Clerk