

PROPOSED

ORDINANCE NO. 2020-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, CREATING THE BROWARD COUNTY RACIAL EQUITY TASK FORCE; CREATING ARTICLE VII OF CHAPTER 1 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); PROVIDING FOR APPOINTMENT OF MEMBERS AND FOR MEETINGS; DESIGNATING A SUNSET DATE; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by Mayor Dale V.C. Holness)

WHEREAS, systemic racism persists in our nation and community, contradicting our foundational principles and negatively impacting the social, economic, political, and physical health and welfare of millions of Americans, including many in Broward County, and it must be dismantled;

WHEREAS, identifying and dismantling systemic racism and achieving greater racial equity require dedicated and focused effort, education, honest analysis, and cooperative action; and

WHEREAS, the Board of County Commissioners of Broward County finds that our community would benefit from the establishment of a Racial Equity Task Force, led by individuals affected by or able to recognize the racism that continues to exist in our institutions and society, to develop a countywide action plan detailing concrete steps that must be taken to finally overcome this pervasive, enduring, and damaging problem,

1 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
2 BROWARD COUNTY, FLORIDA:

3
4 Section 1. Article VII of Chapter 1 of the Broward County Code of Ordinances
5 is hereby created to read as follows:

6 [Underlining omitted]

7 **ARTICLE VII. BROWARD COUNTY RACIAL EQUITY TASK FORCE**

8 **Sec. 1-116. Creation.**

9 There is hereby created the Broward County Racial Equity Task Force ("Task
10 Force").

11 **Sec. 1-117. Purpose.**

12 The Task Force shall serve in an advisory capacity to the Board of Broward County
13 Commissioners ("County Commission"), making recommendations to the County
14 Commission to assist in identifying systemic and institutional racial inequities in Broward
15 County and in developing policy recommendations aimed at eliminating racism and
16 creating greater racial equity in Broward County.

17 **Sec. 1-118. Membership.**

18 (a) The Task Force shall consist of representatives of communities that have
19 been negatively impacted by systemic and institutional racial inequities, and organizations
20 and institutions that have a role to play in eliminating such racial inequities, as well as
21 individuals who have demonstrated a commitment to eliminating systemic racism and
22 creating greater racial equity.

23 (b) The Task Force shall be composed of the following nineteen (19) members
24 appointed by the County Commission:

- 1 (1) One (1) member nominated by the Broward Workshop;
- 2 (2) One (1) member nominated by the Broward League of Cities;
- 3 (3) One (1) member representing the banking or mortgage banking industry,
- 4 nominated by a County Commissioner;
- 5 (4) One (1) member nominated by the Greater Fort Lauderdale Alliance;
- 6 (5) One (1) member representing a chamber of commerce serving Broward
- 7 County, nominated by a County Commissioner;
- 8 (6) One (1) member representing an academic institution serving students in
- 9 Broward County, which individual has engaged in research or education
- 10 related to the advancement of racial equity, nominated by a County
- 11 Commissioner;
- 12 (7) One (1) member nominated by the Broward County Chiefs of Police
- 13 Association;
- 14 (8) One (1) member nominated by The School Board of Broward County;
- 15 (9) One (1) member nominated by the Broward County Sheriff;
- 16 (10) One (1) member nominated by the National Association for the
- 17 Advancement of Colored People ("NAACP");
- 18 (11) One (1) member nominated by the Urban League of Broward County;
- 19 (12) One (1) member nominated by the Office of the State Attorney for the
- 20 Seventeenth Judicial Circuit of Florida;
- 21 (13) One (1) member nominated by the Office of the Public Defender for the
- 22 Seventeenth Judicial Circuit of Florida;
- 23 (14) One (1) member nominated by the Chief Judge of the Seventeenth Judicial
- 24 Circuit of Florida;

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1 (15) One (1) member representing a nonprofit organization serving Broward
2 County, nominated by a County Commissioner;

3 (16) One (1) member representing a newspaper or other news media
4 organization that serves Broward County, nominated by a County
5 Commissioner;

6 (17) One (1) member nominated by Black Lives Matter;

7 (18) One (1) member nominated by New Florida Majority; and

8 (19) One (1) member nominated by the Community Foundation of Broward.

9 (c) The Task Force members nominated by a member of the County
10 Commission shall be at large members in accordance with the standard nomination
11 method established by the County Commission. The County Commission shall appoint
12 all members of the Task Force following receipt and consideration of nominations.

13 **Sec. 1-119. Term of appointment; conduct of Task Force.**

14 (a) The term for each member shall be two (2) years from the date of
15 appointment.

16 (b) Members of the Task Force shall serve in accordance with Section 1-233,
17 Broward County Code of Ordinances ("Code"), and are specifically exempt from the
18 requirements set forth in Section 1-233(b)(2) of the Code.

19 (c) Any member of the Task Force may be removed by the County Commission
20 for misconduct, incompetence, or neglect of duty. In addition, the County Commission
21 may remove any member of the Task Force upon recommendation approved by a
22 majority of the members of the Task Force.

1 (d) Members of the Task Force who no longer satisfy the requirements of their
2 position shall automatically cease to be members of the Task Force, and their positions
3 shall be declared vacant.

4 (e) The meetings, quorum, and attendance requirements of the Task Force
5 shall be as set forth in Section 1-233 of the Code.

6 (f) The Task Force shall elect a chair and such other officers as the Task Force
7 deems necessary for purposes of managing its activities and bringing direction and
8 leadership to the Task Force. Each officer shall serve for one (1) year or until their
9 successor is chosen, whichever is longer.

10 **Sec. 1-120. Functions, powers, and duties.**

11 The functions, powers, and duties of the Task Force are to serve in an advisory
12 capacity to the County Commission on the following matters:

13 (a) Identification of systemic and institutional racial inequities in Broward
14 County;

15 (b) Educating the public, government entities, businesses, and other
16 community organizations, about racial equity;

17 (c) Development of a plan containing detailed concrete steps to dismantle
18 identified systemic racism and create greater racial equity in Broward County;

19 (d) Research of, and recommendations for, standards for the collection,
20 analysis, and reporting of disaggregated data regarding racial equity; and

21 (e) Establishment of accountability measures and preparation of progress
22 reports to be provided annually to the County Commission.

1 **Sec. 1-121. Compensation and staff support.**

2 The members of the Task Force shall receive no compensation for the
3 performance of their duties hereunder. The Directors of the Human Services Department
4 and the Office of Economic and Small Business Development ("OESBD") shall provide
5 administrative support and guidance to the Task Force, unless the County Administrator
6 designates other County staff to perform this function. The Director of the Human
7 Services Department or an individual who reports directly to the Director of Human
8 Services and the Director of OESBD or an individual who reports directly to the Director
9 of OESBD shall attend all Task Force meetings.

10 **Sec. 1-122. Sunset provision.**

11 Sections 1-116 through 1-122 shall sunset on December 31, 2030, unless
12 reauthorized by the County Commission.

13
14 Section 2. Severability.

15 If any portion of this Ordinance is determined by any court to be invalid, the invalid
16 portion will be stricken, and such striking will not affect the validity of the remainder of this
17 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
18 legally applied to any individual, group, entity, property, or circumstance, such
19 determination will not affect the applicability of this Ordinance to any other individual,
20 group, entity, property, or circumstance.

21
22 Section 3. Inclusion in the Broward County Code of Ordinances.

23 It is the intention of the County Commission that the provisions of this Ordinance
24 become part of the Broward County Code of Ordinances as of the effective date. The

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1 sections of this Ordinance may be renumbered or relettered and the word "ordinance"
2 may be changed to "section," "article," or such other appropriate word or phrase to the
3 extent necessary in order to accomplish such intention.

4 Section 4. Effective Date.

5 This Ordinance is effective as of the date provided by law.

6
7 ENACTED

8 FILED WITH THE DEPARTMENT OF STATE

9 EFFECTIVE

PROPOSED

10
11 Approved as to form and legal sufficiency:
12 Andrew J. Meyers, County Attorney

13 By /s/ Kristin M. Carter 10/29/2020
14 Kristin M. Carter (date)
15 Assistant County Attorney

16 By /s/ Annika E. Ashton 10/29/2020
17 Annika E. Ashton (date)
18 Deputy County Attorney

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22 KMC/gmb
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