

ADDITIONAL MATERIAL

Regular Meeting
NOVEMBER 10, 2020

SUBMITTED AT THE REQUEST OF

MAYOR DALE V.C. HOLNESS

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, and physical health and welfare, and housing, employment, and educational opportunities, 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;

WHEREAS, the failure to close the racial inequality gaps experienced by Black Americans in the areas of higher education, wages, and access to credit for housing and business creation has cost the United States' economy an estimated \$16 trillion over the last twenty (20) years, and closing these gaps would add an estimated \$5 trillion of additional Gross Domestic Product (GDP) over the next five (5) years, according to a September 2020 study conducted by global financial company Citi; 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

1 institutions and society, to develop a countywide action plan detailing concrete steps that
2 must be taken to finally overcome this pervasive, enduring, and damaging problem,

3
4 BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
5 BROWARD COUNTY, FLORIDA:

6
7 Section 1. Article VII of Chapter 1 of the Broward County Code of Ordinances
8 is hereby created to read as follows:

9 [Underlining omitted]

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

11 **Sec. 1-116. Creation.**

12 There is hereby created the Broward County Racial Equity Task Force ("Task
13 Force").

14 **Sec. 1-117. Purpose.**

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

20 **Sec. 1-118. Membership.**

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

1 creating greater racial equity. Upon appointment, Task Force members shall participate
2 in an onboarding process developed by the Human Services Department, Equity and
3 Community Investment Section.

4 (b) The Task Force shall be composed of thirty-five (35) members appointed
5 by the County Commission, with each County Commissioner nominating one (1) member
6 and the remaining members nominated in the following manner:

- 7 (1) One (1) member nominated by the Broward Workshop;
- 8 (2) One (1) member nominated by the Broward League of Cities;
- 9 (3) One (1) member nominated by The School Board of Broward County;
- 10 (4) One (1) member nominated by the Broward County Sheriff;
- 11 (5) One (1) member nominated by the National Association for the
12 Advancement of Colored People ("NAACP");
- 13 (6) One (1) member nominated by the Urban League of Broward County;
- 14 (7) One (1) member nominated by Hispanic Unity of Florida;
- 15 (8) One (1) member nominated by the Office of the State Attorney for the
16 Seventeenth Judicial Circuit of Florida;
- 17 (9) One (1) member nominated by the Office of the Public Defender for the
18 Seventeenth Judicial Circuit of Florida;
- 19 (10) One (1) member nominated by Black Lives Matter;
- 20 (11) One (1) member nominated by New Florida Majority;
- 21 (12) One (1) member nominated by the Community Foundation of Broward;
- 22 (13) One (1) member nominated by the Broward County Black Chamber of
23 Commerce;
- 24 (14) One (1) member nominated by the Fort Lauderdale Chamber of Commerce;

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underscoring type are additions.

- 1 (15) One (1) member nominated by the United Way of Broward County;
- 2 (16) One (1) member nominated by the Greater Fort Lauderdale Alliance;
- 3 (17) One (1) member nominated by the Children's Services Council of Broward
4 County;
- 5 (18) One (1) member nominated by Broward Health;
- 6 (19) One (1) member nominated by Memorial Healthcare System;
- 7 (20) Four (4) Broward County residents who are engaged in racial equity work
8 in one of the County's systems of care for child welfare, housing, and
9 homelessness, or health care services, each nominated by the Human
10 Services Department;
- 11 (21) One (1) member representing the banking industry, nominated by a County
12 Commissioner;
- 13 (22) One (1) member representing a post-secondary academic institution
14 serving a majority of students in Broward County, which individual has
15 engaged in research or education related to the advancement of racial
16 equity, nominated by a County Commissioner; and
- 17 (23) One (1) member representing a newspaper or other news media
18 organization that serves Broward County, nominated by a County
19 Commissioner.

20 (c) The County Commission shall appoint all members of the Task Force
21 following receipt and consideration of nominations. The members for the categories
22 identified in Sections 1-118(b)(21) through 1-118(b)(23) may be nominated by any County
23 Commissioner. In nominating members of the Task Force, County Commissioners
24 should consider persons representing Broward College, Nova Southeastern University,

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1 Florida Atlantic University, Florida International University, large municipalities, the
2 judiciary, religious institutions, large corporate or business entities with a substantial
3 presence in Broward County, chambers of commerce, labor unions that represent
4 significant numbers of black workers in Broward County, and residents engaged in racial
5 equity work as described in Section 1-118(b)(20).

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

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

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

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

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

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

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

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

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

4 (a) Identification of systemic and institutional racial inequities in Broward
5 County;

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

8 (c) Development, and assistance with implementation, of a plan containing
9 detailed concrete steps to help dismantle identified systemic racism and create greater
10 racial equity in Broward County;

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

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

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

16 The members of the Task Force shall receive no compensation for the
17 performance of their duties hereunder. The Directors of the Human Services Department
18 and the Office of Economic and Small Business Development ("OESBD") shall provide
19 administrative support and guidance to the Task Force, unless the County Administrator
20 designates other County staff to perform this function. The Director of the Human
21 Services Department or an individual who reports directly to the Director of Human
22 Services and the Director of OESBD or an individual who reports directly to the Director
23 of OESBD shall attend all Task Force meetings.

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

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

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5 Section 2. Severability.

6 If any portion of this Ordinance is determined by any court to be invalid, the invalid
7 portion will be stricken, and such striking will not affect the validity of the remainder of this
8 Ordinance. If any court determines that this Ordinance, in whole or in part, cannot be
9 legally applied to any individual, group, entity, property, or circumstance, such
10 determination will not affect the applicability of this Ordinance to any other individual,
11 group, entity, property, or circumstance.

12

13 Section 3. Inclusion in the Broward County Code of Ordinances.

14 It is the intention of the County Commission that the provisions of this Ordinance
15 become part of the Broward County Code of Ordinances as of the effective date. The
16 sections of this Ordinance may be renumbered or relettered and the word "ordinance"
17 may be changed to "section," "article," or such other appropriate word or phrase to the
18 extent necessary in order to accomplish such intention.

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Section 4. Effective Date.

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

ENACTED
FILED WITH THE DEPARTMENT OF STATE
EFFECTIVE

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

By /s/ Kristin M. Carter 11/09/2020
Kristin M. Carter (date)
Assistant County Attorney

PROPOSED

By /s/ Annika E. Ashton 11/09/2020
Annika E. Ashton (date)
Deputy County Attorney

KMC/gmb
Racial Equity Task Force Ordinance.doc
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