



AN ORDINANCE

TO REPEAL AND REPLACE CHAPTER 2 (ADMINISTRATION), ARTICLE IV (BOARDS AND COMMISSIONS), DIVISION 11 (SPECIAL COMMISSION ON EQUITY, INCLUSION, AND RACIAL CONCILIATION) OF THE CODE OF THE CITY OF CHARLESTON AND ADOPT A NEW DIVISION 11, SECTIONS 2-206 THROUGH 2-210, CREATING A STANDING “HUMAN AFFAIRS AND RACIAL CONCILIATION COMMISSION” AND DESCRIBING ITS PURPOSE, DUTIES, RESPONSIBILITIES, AND ORGANIZATION. (AS AMENDED)

PREAMBLE

When Martin Luther King Jr. spoke at Marietta (Ohio) College on March 2, 1967, he ended with words from his classic "I Have a Dream" speech: "We will be able to hew out of the mountain of despair a stone of hope." Dr. King would rekindle hope by helping America and its leaders define and proclaim a new unifying quest that transcends temporal tumult. His words and life's example show all of us the power of a clear vision of a common good persistently pursued with patience and fortitude. Progress is possible only with change. To change anything, we must change ourselves. It is time to look and really see; listen and really hear; talk and have something important to say.

After the murder of George Floyd in the Summer of 2020, this country was forced to grapple not only with a pandemic but with the aftermath of centuries of racial injustice. The City of Charleston decided it was time to clearly see and address the role local government played and continues to play in creating racial inequities. Mayor John Tecklenburg and City Council voted on June 9, 2020, to create the Special Commission on Equity, Inclusion, and Racial Conciliation (SCEIRC). This Commission was charged with making the city's Apology for Slavery and Jim Crow more than just a promise, but rather a commitment to revealing and dismantling systemic racism through policy-level change.

SCEIRC was first given ninety days to develop a plan toward the creation of a racially equitable Charleston. However, the group spent well over a year meeting, discussing and developing recommendations for Council due to the enormity of the task at hand. The focus was on the creation of measurable outcomes, promotion of greater accountability, and coordination of community-wide efforts to achieve racial equity in the community.

Using the report generated by Avery Research Center: "The State of Racial Disparities in Charleston County Disparities Report" as a guide, the commission created seven subcommittees: (1) Criminal Justice; (2) Economic Empowerment; (3) Health Disparities and Environmental Justice; (4) History and Culture; (5) Housing and Mobility; (6) Internal Review; and (7) Youth and Education. City of Charleston staff from a variety of departments assisted with administrative support and provided immeasurable guidance. In all, the subcommittee chairs conducted 68 individual subcommittee meetings and the larger commission conducted 14 of its own meetings.

The effort culminated in a Final Report comprising over 125 recommendations which was presented to City Council in August of 2020. Following a brief presentation, the motion to receive the report and forward it to the appropriate standing committees for further consideration failed. Mayor Tecklenburg received the report on behalf of his office and forwarded it to the appropriate standing committees. The recommendations of the Commission are intended to create a path forward for the city toward positive change with input from the Mayor, Council members and citizens. By affirming the creation of this standing Commission, to be called the Human Affairs and Racial Conciliation Commission, this Council will not only acknowledge the work put into this report, but also ensure that its stated purpose, to eliminate the vestiges of Jim Crow and slavery in our City, is heard and fulfilled with patience and fortitude. Success for all today depends upon the ability to adapt and change.

BE IT ORDAINED BY THE MAYOR AND COUNCILMEMBERS IN CITY COUNCIL ASSEMBLED:

Section 1. Chapter 2, Article IV, Division 11 of the Code of the City of Charleston is hereby repealed and replaced as shown by the language that is stricken which shall read as, as amended, as follows:

“DIVISION 11. – “HUMAN AFFAIRS AND RACIAL CONCILIATION COMMISSION.”

Section 2. Chapter 2 of the Code of the City of Charleston is hereby amended as shown by the language that is stricken which shall read as follows:

“Sec. 2-206. - Establishment.

There is hereby established a standing Commission to be called the “City of Charleston Human Affairs and Racial Conciliation Commission. (hereinafter “HARCC”)

Section 3. Chapter 2 of the Code of the City of Charleston is repealed and replaced with the following:

“Sec. 2-207. - Purpose.

The purpose of HARCC is to promote equity, inclusion, and racial conciliation through meetings, presentations, and research regarding all forms of institutional and community discrimination and assist in implementing any recommendations from the Mayor and Council through its standing committees to the public, assist with education and implementation of any directive from Council.

HARCC will prioritize racial equity and will work with city government and partner with outside agencies, in an effort to encourage and ensure diversity, fairness, equity, and inclusion throughout the city.”

HARCC will act in an advisory role to the Mayor, City Council and City Departments in the duties and responsibilities outlined in Sec.2-208. Nothing in the ordinance authorizes HARCC to enact, implement, or mandate, any laws, policies, or procedures.

Section 4. Chapter 2 of the Code of the City of Charleston is hereby repealed and replaced with following:

“Sec. 2-208. – Duties and Responsibilities.

1. Provide recommendations to the Mayor and City Council on development of a racial equity framework that will serve as a tool and processes to analyze, influence, and improve internal decision-making in a way that supports racial equity within the City as an organization and through its services;
2. Assist city staff and participate in conjunction with the City in public engagement, education and outreach activities that promote equity, inclusion, racial conciliation, and engagement;
3. Provide educational and outreach support to established programs and organizations in the community to promote a more inclusive and equitable city;
4. Identify and provide active assistance toward training and resources to educate community members about the importance of and helpful guidance toward respectful and meaningful conversation;
5. Provide any needed resources and support to city’s office of Equity, Inclusion, and Racial Conciliation;
6. Work with City staff toward the development of a strategic outreach plan to engage a broad spectrum of community members to provide input to the Mayor and City Council;
7. At the direction of the Mayor and Council, meet and collaborate with community partners such as educational institutions, civil rights organizations, business organizations, local Chambers of Commerce,

Charleston Regional Development Alliance, and Lowcountry Local First for input and assistance toward its goals;

8. They will fully vet whether to become a Community Relations Council in partnership with SC Human Affairs Commission.
9. Report annually to the City Council on the status of its work, its recommendations, and any activities related to carrying out the duties and responsibilities of the Commission on Equity, Inclusion, and Racial Conciliation;
10. Assist in the review and provide recommendations in any other areas of equity, inclusion, and racial conciliation, as needed, and engage the Mayor and City Council as needed in furtherance of the welfare of the city; and
11. At the direction of the Mayor and Council, carry out any other issue that they deem necessary to carry out its duties, and responsibilities.

Section 5. Chapter 2 of the Code of the City of Charleston is hereby repealed and replaced with the following:

“Sec. 2-209. - Organization.

- (a) **Membership.** The Mayor shall appoint four (4) city councilmembers and five (5) members of the community to the Commission for staggered two-year terms.
- (b) **Management.** The Commission shall be supported by the City’s Manager of Equity, Inclusion, and Racial Conciliation and other City staff and consultants as needed.
- (c) **Subcommittees.** The Commission will have the authority to designate subcommittees on matters including but not limited to housing, health care, criminal justice, small business and economic development, and communications.
- (d) **Meetings and minutes.** The Commission shall establish a regular time and place of meeting and shall hold at least one regular meeting every month. For purpose of action, a quorum of the Commission shall consist of five (5) members of the commission in attendance. The Commission shall keep a written record of its proceedings and file the record with the Clerk or Council after the completion of any meeting.”
- (e) **Procedure.** The Commission shall make and alter rules governing its organization and procedures that are not inconsistent with any city ordinance or Roberts Rules of Order.

- (f) **Periodic Review by Council.** Council shall have the opportunity to review and reauthorize HARCC every three (3) years to ensure that it is meeting its goals and objectives and make amendments as necessary.
- (g) **Transition Period of New Members.** Upon appointment of new members, a transition period of ninety (90) days wherein the outgoing members are to advise, brief and update the incoming members on any old, ongoing and new business of HARCC.

Section 6. Chapter 2 of the Code of the City of Charleston is hereby repealed and replaced with the following:

“Sec. 2-210. - Intragovernmental relations.
All City departments shall cooperate with and provide any needed information to HARCC in the performance of its duties.

Section 7. This Ordinance shall become effective upon ratification.

Ratified in City Council Chambers this _____
Day of _____, 2022, in the ____ year of
the Independence of the United States of America.

John J. Tecklenburg, Mayor

(ATTEST) _____
Jennifer Cook
Clerk of Council