

Offered by Councilors Brian Worrell, Julia Mejia, Tania Fernandes Anderson, Breadon, Durkan, FitzGerald, Flynn, Murphy, Pepen, Santana, Weber, Worrell and Louijeune



CITY OF BOSTON IN CITY COUNCIL

Ordinance to Establish RISE: Reshaping Inequities through Systematic Empowerment

WHEREAS: On June 12, 2020, the City of Boston declared racism a public health crisis and affirmed the need for proactive reinforcement of policies that promote a more equitable Boston; *and*

WHEREAS: In 2021, President Biden, through Executive Order 13985, set a powerful example by charging the Federal Government with advancing equity for all, including underserved communities, addressing systemic racism, and supporting and empowering all Americans, thereby setting a precedent for local governments to follow; *and*

WHEREAS: Reflecting on past city policies, programming, investments, and instances of negligence, we recognize that Boston's communities of color have been consistently disadvantaged and disinvested in, leading to their further marginalization and dismantling; *and*

WHEREAS: In response, former Mayor Martin J. Walsh issued an executive order affirming the role of the Equity & Inclusion Cabinet to instill resilience and racial equity throughout city government, mandating data collection, outreach, inter-agency collaborations, and capacity building across all City departments; *and*

WHEREAS: Building on this foundation, the City launched significant initiatives, including the establishment of the Equity & Inclusion Cabinet, the creation of a racial equity fund, the implementation of new zoning amendments, the Office of Cultural Affairs, and the formation of the Reparations Commission Taskforce; *and*

WHEREAS: The City of Boston has continued to make substantial strides in promoting racial equity through various initiatives and policies, including the Pilot E+I Academy training and the REAL training series, aimed at building trust, fostering belonging, and equipping employees with tools to better serve diverse populations, reflecting a broader national movement toward systemic empowerment and equitable practices; *and*

WHEREAS: In this spirit of continuous improvement and alignment with best practices, the District of Columbia implemented the "Racial Equity Achieves Results Amendment Act of 2020," requiring the Mayor to include a summary of how each

year's proposed budget "advances racial equity in the District, reduces disparate outcomes, and allocates resources to support equitable outcomes; *and*

WHEREAS: In 2021, the residents of Boston voted to give the City Council more budget oversight, empowering local governance to better address community needs and promote equity; *and*

WHEREAS: Recognizing this power, the government serves in the public's interest and is uniquely positioned to address racial systemic inequity and bias; *and*

WHEREAS: Addressing racialized societal inequities is essential for developing safe, resilient, and collaborative communities, and for preventing crime, violence, homelessness, and poor health outcomes; and

WHEREAS: Proactively pursuing racial equity strengthens government-community relationships and ensures fair opportunities for all, particularly in Black and Brown communities; and

WHEREAS: The City of Boston recognizes the need to implement clear, intentional strategies and practices to address racial disparities and promote equity in all aspects of city governance; and

WHEREAS: Including the employment of Minority and Women Business Enterprises (MWBs) in City contracting and promoting equity in public procurement is crucial, with regular reporting and disparity studies essential for monitoring and addressing inequities in city contracts;

WHEREAS: Through this Ordinance, the Boston City Council has made it a priority to examine how each department is addressing inequities; ***NOW THEREFORE***

Be it ordained by the City Council of Boston as follows:

That the City of Boston Code, Ordinances, 2-12 shall be amended by adding the following new sections and subsections after 2-12.5

Section One.

Section 2-12.6 Equity in Action

Section 2-12.6.1 Purpose:

This legislation intends to establish protocols to ensure that all city ordinances and budgetary decisions are informed by and adhere to principles of racial and social equity with the goal of closing racial wellness and achievement gaps and improving health, educational, economic, and societal outcomes for all residents.

Section 2-12.6.2 Definitions:

For purposes of this section, the term:

- I. "Determinants of equity" refers to the social, economic, geographic, political, and physical environmental conditions in which people in our city are born, grow,

live, work, and age that lead to the creation of a fair and just society. Access to the determinants of equity is necessary to have equity for all people regardless of race, class, ethnicity, religion, disability status, sexual orientation, gender identity, language spoken, or perceptions thereof. Inequities are created when barriers exist that prevent individuals and communities from accessing these conditions, thereby preventing them from reaching their full potential. The determinants of equity include, but are not limited to:

- A. Community economic development that supports local ownership of assets including homes & businesses and assures fair access for all to business development & business retention opportunities;
- B. Community & public safety including services such as fire, police, emergency medical services, and code enforcement that is responsive to all residents so that everyone feels safe to live, work, and play in any neighborhood;
- C. A law & justice system that provides equitable access and fair treatment for all;
- D. Early childhood development that supports nurturing relationships, high-quality, affordable child care & early learning opportunities that promote optimal early childhood development and school readiness for all children;
- E. Education that is high quality, accessible, and culturally appropriate;
- F. Equity in practices that eliminate implicit bias and institutional racism in city activities in order to provide fair treatment for all employees, contractors, clients, community partners, residents, and others who interact with the jurisdiction;
- G. Food systems that support local food production and provide access to affordable, healthy, and culturally appropriate foods for all people;
- H. Health & human services that are high quality, affordable, accessible, culturally appropriate, and support the optimal well-being of all people;
- I. Healthy and accessible built & natural environments for all people that include mixes of land use that support: jobs; housing; amenities & services; trees & forest canopy; and clean air, water, soil, & sediment;
- J. Housing for all people that is safe, affordable, high quality, and supportive of good health;
- K. Job training and quality jobs that provide all residents with the knowledge & skills required to support their ability to make sufficient income to support themselves and their families with a decent standard of living;
- L. Neighborhoods that support all communities & individuals through strong social networks, trust among neighbors, and the ability to work together to achieve common goals that improve the quality of life for everyone in the neighborhood;
- M. Parks and natural resources that provide access for all people to safe, accessible, clean, and high-quality outdoor spaces, facilities, and activities that appeal to the interests of all communities; and

- N. Transportation that provides everyone with safe, efficient, affordable, accessible, convenient, and reliable mobility options including public transit, walking, and biking.
- II. "Equity" refers to the elimination of disparities such that race, class, ethnicity, religion, disability status, sexual orientation, gender identity, language spoken, or perceptions thereof no longer predict opportunities, outcomes, or the distribution of resources for residents of the City.
- III. "Budget Amendment Packet" refers to the collection of all individual budget amendments proposed by the individual City Councilors.

Section 2-12.6.3 Council Central Staff Committee on Equity:

There shall be established an independent Council Central Staff Committee on Equity (C-COE), composed of a Director and the Central Staff legislative liaisons. These individuals shall serve as research & legislative consultants for the offices of the City Councilors.

Section 2-12.6.4 Equity in Action:

Ordinances and Home Rule Petitions proposed by the Mayor or the individual Councilors shall include a written analysis of if and how the proposed ordinance:

- I. advances access to determinants of equity in the City;
- II. addresses disparities of access to the determinants of equity;
- III. reduces disparate outcomes resulting from an individual's or community's age, race, class, ethnicity, disability status, sexual orientation, gender identity, language spoken, or perception thereof;
- IV. and/or allocates resources to support improved individual and/or communal outcomes.

This analysis shall be created by the Mayor's Office or Primary Sponsor's Office with research support and in consultation with the Mayor's Office of Equity And Inclusion and C-COE, respectively, as requested.

This analysis shall be appended as a preamble to be included with the legislation upon initial submission.

Beginning in fiscal year 2026 and in each subsequent fiscal year, the Equity and Inclusion Cabinet will develop guidelines to aid policymakers in establishing a standardized framework for ensuring equity compliance.

Section 2-12.6.5 Equity in Budgeting:

Beginning in fiscal year 2026 and for each subsequent fiscal year, the Mayor's budget submission package to the Council and the Council's proposed Budget Amendment Packets shall include a written analysis of if and how the proposed budget or amendment(s):

- I. Improves access to the determinants of equity in the City;
- II. Addresses disparities of access to the determinants of equity;
- III. Improves health, educational, economic, and societal outcomes for residents, particularly those from traditionally marginalized communities determined by an individual's or

community's age, race, class, ethnicity, disability status, sexual orientation, gender identity, language spoken, or perception thereof;

IV. Allocates resources to support equitable access and improved outcomes.

This analysis shall be created by the Mayor's Office or Primary Sponsor's Office with research support and in consultation with the Mayor's Office of Equity And Inclusion and C-COE, respectively, as requested. This analysis shall be included as a preamble to each Mayoral docket submission and each Councilor's Budget Amendment Packet.

Beginning in fiscal year 2026 and for each subsequent fiscal year as part of the annual budget process, the Office of Budget Management shall require each department to submit a written report that summarizes, at a minimum:

- I. Equity activity over the prior fiscal year
- II. Assessment of departmental capacity to fulfill the requirements of this ordinance
- III. Assessment of adherence to policies and procedures implemented to fulfill the requirements of this ordinance
- IV. Assessments of progress and deficits relating to the achievement of annual equity goals laid out in the previous year
- V. Establishment of new equity goals and objectives
- VI. Plans to fulfill deficits & meet said goals.
- VII. Demographic data relating to:
 - A. Procurements
 - B. Staffing
 - C. Compensation
 - D. Capital expenditures
 - E. Leadership & advancement
 - F. Grant disbursements
 - G. Contracts

These reports shall be included in budget materials to be shared with the Council and made available to the public for the purpose of identifying gaps and assessing the root causes of those gaps.

Beginning in the first quarter of fiscal year 2026, the City's Equity & Inclusion Cabinet and the Office of Budget Management shall develop, establish, and track metrics to measure the overall development and implementation of this ordinance. The City's Equity & Inclusion Cabinet will report on established metrics on a semiannual basis. Such reports shall be submitted to the Clerk and the Clerk shall docket the report and include the docket on the agenda of the next occurring meeting of the City Council.

Beginning in fiscal year 2026 and for each subsequent fiscal year, the City's Equity & Inclusion Cabinet shall design and publish an annual report for elected leadership, employees, and the public on the status & trends in equity in the City, measures of accountability for work plans, and

results related to implementation of this ordinance. The report shall be submitted to the Clerk and the Clerk shall docket the report and include the docket on the agenda of the next-occurring meeting of the City Council.

The Mayor's Office of Equity & Inclusion shall be empowered to establish and modify requirements and protocols for data collection relating to this ordinance in consultation with the Department of Innovation and Technology.

Section 2-12.6.6 Council Equity Task Force:

Upon passage and upon all swearings in of the Boston City Council, a task force shall be convened consisting of the City Council President, Chair of the City Council Committee on Government Operations, one representative from each of the remaining individual City Councilor offices, the C-COE Director, and in consultation with the Mayor's Office of Equity and Inclusion. The Council Equity Task Force shall be chaired by the C-COE Director and co-vice chaired by the City Council President and Chair of the City Council Committee on Government Operations and shall convene for the purpose of adopting appropriate standards by which to achieve the goals of 2-12.6.5. These standards shall include, but not be limited to:

- I. **Formats and Expectations:** Define specific formats and expectations for Ordinance, Home Rule Petition, and Budget Amendment Packet equity analyses
- II. **Engagement with Marginalized Communities:** Establish methods, mechanisms, and strategies to actively engage with marginalized communities experiencing racial and other disparities and individuals, promoting inclusivity and representation and increasing the influence of such communities in decision-making.
- III. **Guidelines for Committee Hearings:** Set clear guidelines for conducting committee hearings, both in Chamber and remote, to ensure fairness, inclusivity, and the consideration of diverse perspectives.

These standards shall aim to create a structured framework for promoting equity within the Boston City Council's operations and decision-making processes and shall be adopted within 30 business days of the passage of this ordinance or within 30 business days of the opening of the Council cycle, during which time the Council shall continue to operate under the rules adopted by the previous Council Equity Task Force.

Section 2-12.7 Equity in Implementation

Section 2-12.7.1 Development of Equity Toolkits:

By fiscal year 2027, the Mayor's Office of Equity & Inclusion and Department of Innovation Technologies shall work in consultation with the individual Departments, Boards, Commissions, Cabinets, and Offices to develop and design individual Equity Toolkits to, at a minimum:

- I. Identify clear strategic initiatives, objectives, and measurable outcomes;
- II. Develop metrics to measure progress in redressing disparate health, educational, economic, and societal outcomes in the City based on age, race, class, ethnicity, disability status, sexual orientation, gender identity, language spoken, or perception thereof, including:

- A. Pay equity analysis to identify and address pay disparities based on the above listed categories
 - B. Workforce demographic analysis to identify and address disparities in employment and promotional practices and procedures based on the above listed categories
 - C. Professional development analysis to monitor and enhance access to training and advancement opportunities to ensure equitable access to opportunities for career advancement
 - D. Accessibility audits to assess the accessibility of City facilities and services for individuals with disabilities identifying areas for improvement
 - E. Complaints and grievance analysis to identify and address patterns and disparities based on the above listed categories
- III. Examine potential unintended consequences of policy or programmatic decisions and develop a strategy to advance equity & mitigate unintended negative consequences;
 - IV. Track and measure how programmatic and policy decisions benefit or burden individuals and communities based on age, race, class, ethnicity, disability status, sexual orientation, gender identity, language spoken, or perception thereof; and
 - V. Evaluate the efficacy of the City's strategic initiatives and programs aimed at reducing disparate outcomes resulting from an individual's or community's race, class, ethnicity, disability status, sexual orientation, gender identity, language spoken, or perception thereof

Toolkits and initial reports shall be submitted by the individual Departments, Boards, Commissions, Cabinets, and Offices to the Clerk and the Clerk shall docket the report and include the docket on the agenda of the next occurring meeting of the City Council.

The Mayor's Office of Equity & Inclusion, Department of Innovation Technology, and individual Departments, Boards, Commissions, Cabinets, and Offices shall revisit these Toolkits no sooner than 120 days before and no later than 60 days before the end of the Council term, and shall submit a report detailing updates on improvements and changes to the Clerk and the Clerk shall docket the report and include the docket on the agenda of the next occurring meeting of the City Council.

Section 2-12.7.2 Policy and Program Equity Review:

By the start of fiscal year 2026, the Mayor's Office of Equity & Inclusion and the Department of Innovation Technologies shall work in consultation with the individual Departments, Boards, Commissions, Cabinets, and Offices to establish appropriate standards by which to review policy and programmatic impacts upon equity. Policies and programs shall be reviewed by the individual Departments, Boards, Commissions, Cabinets, and Offices annually thereafter to establish efficacy and impact.

Section 2-12.7.3 Council Equity Training:

The Staff Director and Council President shall schedule an annual training on Equity, Implicit Bias, and Operationalization of Equity Practices. Training shall be mandatory for all Council members, Council staff, & City Council Central Staff, and strongly encouraged for interns & volunteers. If a staff member misses a training, the Staff Director and Council President will

determine an acceptable action plan to ensure that all staff understand the information presented in the training.

Section 2-12.7.4 Executive Offices Equity Training:

The Mayor's Office of Equity & Inclusion shall schedule an annual training on Equity, Implicit Bias, and Operationalization of Equity Practices. Training will be mandatory for all Department, Board, Commission, Cabinet, & Office Chiefs and Deputies, and shall be made available to all City employees. If a staff member misses a training, the Mayor's Office of Equity & Inclusion will determine an acceptable action plan to ensure that all staff understand the information presented in the training.

Section Two.

If any provision of this shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

Section Three.

The provisions of this ordinance shall be effective upon passage.

Filed in City Council: August 5, 2024