

ANCHORAGE, ALASKA
AO No. 2020-79(S), As Amended

**AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS
3.20 AND 3.20 RELATING TO THE ORGANIZATION OF THE EXECUTIVE
BRANCH TO CREATE AN OFFICE OF EQUITY AND JUSTICE.**

WHEREAS, the Mayor's Office and the Anchorage Assembly are committed to achieving equity and justice in Anchorage;

WHEREAS, the municipality has demonstrated that commitment through its work over the past five years to become a more welcoming community that will be furthered through systematic changes to the municipality's governance infrastructure;

WHEREAS, inequities create barriers to educational success, economic opportunity and wellness, and undermine the collective prosperity of residents in the Municipality of Anchorage; and

WHEREAS, skin color, disability and LGBTQIA+ status is a major predictor of life experiences, including economic and health outcomes; and

WHEREAS, there are race-based disparities in tobacco use, chronic disease, such as cancer, diabetes, and COPD, alcohol-induced deaths, suicide, poverty, educational attainment and access, household wealth, life expectancy, environmental quality and exposure to environmental harms such as pollution, bankruptcy rates and insurance coverage; and

WHEREAS, according to the Brookings Institute, nationally, COVID-19 is already the third leading cause of death for Black Americans in 2020; and

WHEREAS, Alaska's suicide rate has been about twice the national average for years, with the suicide rate among Alaska Native people twice that of the Alaska average, and four times as high as the U.S. average, and nationally and statewide, has been increasing in recent years, among older adults, young adults and youth, and the suicide rate is a classic sociological indicator of overall social health or dysfunction; and

WHEREAS, the 2019 Financial Empowerment Blueprint showed that racial minority groups in Anchorage have higher poverty and unemployment rates; and

WHEREAS, in a single year, over half of the homeless youth served by Covenant House were Alaska Native, despite being only 12 percent of the Municipality's population, and Covenant House reported in 2017 that over one in four youth served in one year were survivors of human trafficking, and the largest risk factors for the

1 Office of Child Services (OCS) involvement in Anchorage are 1) the mother's
2 experience with homelessness and 2) poverty, making their family's involvement
3 with OCS over five times more likely, and the second highest risk factors were the
4 mother's age and education attainment, and if the mother did not finish high school,
5 involvement with OCS was four times more likely; and,
6

7 **WHEREAS**, many government policies and practices have historically been
8 designed to react to problems and crises in our communities after they arise, and
9 by examining the root causes of these problems and crises we can create solutions
10 that ultimately prevent the conditions that led to the crises and problems from
11 occurring; and
12

13 **WHEREAS**, in an effort to address long-standing equity issues that negatively
14 impact organizations and communities, many corporations and governments in the
15 U.S. are creating Diversity and Equity Officer positions, which are showing to be
16 most effective in making positive changes when granted authority within the
17 organization; and
18

19 **WHEREAS**, the Municipality of Anchorage Office of Equity and Justice has been
20 structured similar to the Office of Internal Audit, with appointees approved by the
21 Assembly and reporting directly to the Mayor; and
22

23 **WHEREAS**, making a shift from costly, crisis-oriented responses to health and
24 social problems to an investment approach that directs resources where most
25 needed and focuses on prevention and recovery can potentially reduce costs to
26 taxpayers; and
27

28 **WHEREAS**, collecting and analyzing data, establishing benchmarks, collaborating
29 with non-profits, churches and community partners requires staffing resources that
30 do not exist within the Municipality and can be provided at a yearly cost of .01 mil or
31 \$3.50 to the average taxpayer; and
32

33 **WHEREAS**, it is the intention of the Assembly that the Administration seek 50
34 percent matching funds through grants and foundations to leverage taxpayer dollars
35 for the Chief Equity Officer position and when the tax is in place to use alcohol tax
36 for 50 percent, and provide performance measures within three months of
37 appointment for annual evaluation by the Assembly;
38

39 **WHEREAS**, this ordinance creates an Office of Equity and Justice which shall
40 include the chief equity officer, office of equal opportunity director, and
41 compliance officer [BE LED BY THE CHIEF EQUITY OFFICER]; now, therefore,
42

43 **THE ANCHORAGE ASSEMBLY ORDAINS:**
44

45 **Section 1.** Anchorage Municipal Code section 3.20.010 is hereby amended to
46 replace the 2015 Executive Branch Organization chart with the 2020 Executive
47 Branch Organization chart, attached as Exhibit A:
48

1 **3.20.010 - Executive and administrative order; organizational chart.**
2

3 The executive branch of the municipal government shall be organized as
4 provided in this chapter and the following plan:
5

6 [Replace chart with Exhibit A]
7

8 (AO No. 79-27; AO No. 82-49; AO No. 88-82; AO No. 90-15(S); AO No. 91-
9 173(S); AO No. 94-135(S), § 2, 7-12-94; AO No. 2000-105(S), § 2, 6-27-00;
10 AO No. 2000-141(S), § 2, 9-26-00; AO No. 2002-130, § 4, 9-10-02; AO No.
11 2003-109, § 1, 9-9-03; AO No. 2004-136, § 1, 12-7-04; AO No. 2005-142, §
12 1, 10-25-05; AO No. 2009-21, § 1, 2-24-09; AO No. 2009-101, § 1, 8-25-09;
13 AO No. 2010-64, § 1(Exh. A), 9-28-10; AO No. 2010-93, § 1(Exh. A), 1-11-
14 11; AO No. 2011-22(S), § 1, 3-29-11; AO No. 2011-25, § 1, 5-24-11; AO No.
15 2012-106, § 1(Exh. A), 11-13-12; AO No. 2013-34, § 1(Exh. A), 2-26-13; AO
16 No. 2015-112(S), § 1, 1-1-16; AO 2018-108(S), § 1, 12-31-18)
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18 **Section 2.** Anchorage Municipal Code section 3.20.070, Executive branch
19 organization, is hereby amended to read as follows (*the remainder of the section is*
20 *not affected and therefore not set out*):
21

22 **3.20.070 - Executive branch organization.**
23

24 A. Within the office of the mayor and reporting to the mayor or [HIS]
25 designee are the following organizations:
26

27 1. Municipal attorney. The department of the municipal attorney is
28 responsible for providing legal services to municipal
29 government, managing all civil litigation to which the
30 municipality is a party, and providing judicial prosecution of
31 misdemeanor criminal offenses in direct support of
32 enforcement activities.
33

34 2. Office of equity and justice. ~~The office of equity and justice~~
35 ~~is responsible for developing, supporting, and~~
36 ~~implementing the municipality's equity agenda. The chief~~
37 ~~equity officer shall be appointed by the mayor and~~
38 ~~confirmed by the assembly.]~~
39

40 a. **Chief equity officer. The chief equity officer is**
41 **responsible for developing, supporting, and**
42 **implementing the municipality's equity agenda.**
43

44 b. **Office of Equal Opportunity (OEO) director. The OEO**
45 **director is responsible for municipal civil rights**
46 **compliance and the Disadvantaged Business**
47 **Enterprise (DBE) program. The director also serves**
48 **as the DBE Liaison Officer, Title VI program**

coordinator, Equal Employment Opportunity (EEO) officer, and is responsible for the implementation and continued development of the municipal small business program.

c. DBE compliance officer. The DBE compliance officer works under the supervision of the OEO director in implementing the DBE program and meeting DBE reporting requirements.

B. Within the office of the municipal manager and reporting to the municipal manager or [HIS] designee are [THE OFFICE OF EQUAL OPPORTUNITY,] the Office of Emergency Management, Risk Management Safety, Transportation Inspection, and the following departments:

*** *** ***

[15. THE OFFICE OF EQUAL OPPORTUNITY, RESPONSIBLE FOR OVERSIGHT OF DIVERSITY PROGRAMS, PROCESSING OF DISCRIMINATION COMPLAINTS, ADMINISTRATION OF MINORITY BUSINESS AND CONTRACT COMPLIANCE UNDER TITLE 7, AND OTHER EMPLOYMENT COMPLIANCE PROGRAMS, SHALL BE ADMINISTERED BY A DIRECTOR, APPOINTED BY THE MAYOR AND CONFIRMED BY THE ASSEMBLY.

A. ON PROGRAM AND POLICY MATTERS RELATING TO MINORITY BUSINESS AND CONTRACT COMPLIANCE AND EQUAL EMPLOYMENT OPPORTUNITY, THE DIRECTOR OF THE OFFICE OF EQUAL OPPORTUNITY SHALL HAVE DIRECT AND INDEPENDENT ACCESS TO THE MAYOR.]

*** *** ***

(AO No. 21-76; AO No. 59-76; AO No. 283-76; AO No. 77-359; AO No. 78-82; AO No. 78-113; AO No. 78-121; AO No. 79-27; AO No. 80-5; AO No. 82-49; AO No. 83-159; AO No. 85-8; AO No. 86-204; AO No. 88-47(S); AO No. 88-82; AO No. 89-10; AO No. 89-18; AO No. 89-39; AO No. 90-15(S); AO No. 91-173(S); AO No. 92-79; AO No. 92-148; AO No. 94-135(S), § 8, 7-12-94; AO No. 95-141, § 1, 7-11-95; AO No. 96-47, § 2, 3-5-96; AO No. 98-115(S), § 3, 7-1-98; AO No. 2003-109, § 6, 9-9-03; AO No. 2004-132, § 2, 10-12-04; AO No. 2004-136, § 2, 12-7-04; AO No. 2005-142, § 2, 10-25-05; AO No. 2008-90(S), § 2, 1-1-09; AO No. 2009-21, § 2, 2-24-09; AO No. 2009-101, § 6, 8-25-09; AO No. 2010-64, § 2, 9-28-10; AO No. 2010-93, § 2, 1-11-11; AO No. 2011-40, § 1, 3-29-11; AO No. 2011-25, § 2, 5-24-11; AO No. 2012-106, § 3, 11-13-12; AO No. 2013-34, § 3, 2-26-13; AO No. 2015-112(S),

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1 § 5, 1-1-16 ; AO No. 2017-122(S) , § 4, 10-24-17; AO No. 2018-24 , § 3, 4-
2 10-18; AO No. 2018-108(S) , § 3, 12-31-18; AO No. 2018-118 , § 2, 1-1-19;
3 AO No. 2019-42 , § 2, 4-23-19; AO No. 2019-133 , § 1, 11-5-19; AO No.
4 2020-23 , § 2, 3-10-20; AO No. 2020-24 , § 1, 3-10-20)

5
6 **Section 3. Anchorage Municipal Code is amended by adding a new section**
7 **3.20.140, Office of equity and justice, to read as follows (*requiring no***
8 ***legislative formatting*):**
9

10 **3.20.140 - Office of equity and justice.**

11
12 **A. There is established an office of equity and justice including a**
13 **chief equity officer, office of equal opportunity director, and**
14 **disadvantaged business enterprise compliance officer.**

15
16 **1. Chief equity officer.**

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18 **a. The chief equity officer shall be appointed by the**
19 **mayor with the concurrence of a majority of the**
20 **assembly.**

21
22 **b. After the initial appointment effective immediately,**
23 **the term of office for the chief equity officer shall be**
24 **four years, ending on December 31, effective with**
25 **appointment to the term beginning January 1, 2021.**

26
27 **c. The chief equity officer may be dismissed by the**
28 **mayor only for cause shown, and only with the**
29 **concurrence of a majority of the assembly.**

30
31 **2. Office of equal opportunity director.**

32
33 **a. On program and policy matters relating to minority**
34 **business and contract compliance and equal**
35 **employment opportunity, the director of the office of**
36 **equal opportunity shall have direct and independent**
37 **access to the mayor.**

38
39 **B. The office of equity and justice shall have such assistants and**
40 **employees as are necessary to perform all required duties.**

41
42 **Cross reference—Executive branch organization, office of equity and**
43 **justice, § 3.20.070A.2.**
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46 **Section 4. [SECTION 3.] Anchorage Municipal Code 3.30.172 [3.20.172],**
47 **Classification, is hereby amended to read as follows (*the remainder of the section***
48 ***is not affected and therefore not set out*):**

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3.30.172 - Classification.

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F. The following classifications are assigned to Range 23E:

*** *** ***

26. Chief equity officer.

[Note to code revisor: new text should be inserted in alphabetical order
and the section renumbered as needed]

(AO No. 79-195; AO No. 91-96; AO No. 92-5(S); AO No. 92-111; AO No. 94-225, § 3, 12-6-94; AO No. 97-103, § 2, 7-1-97; AO No. 98-79, § 1, 5-19-98; AO No. 98-115(S), § 4, 7-1-98; AO No. 2000-101(S), § 1, 9-26-00; AO No. 2001-56, § 1, 2-1-01; AO No. 2001-98, § 1, 5-1-01; AO No. 2001-130, § 1, 8-1-01; AO No. 2001-132, § 1, 8-14-01; AO No. 2002-69, § 3, 5-14-02; AO No. 2002-100, § 1, 7-16-02; AO No. 2002-111, § 1, 8-6-02; AO No. 2002-130, § 1, 9-10-02; AO No. 2003-29, § 1, 2-11-03; AO No. 2004-3, § 1, 1-20-04; AO No. 2004-85, § 1, 5-18-04; AO No. 2004-87, § 1, 6-8-04; AO No. 2004-132, § 3, 10-12-04; AO No. 2005-6, § 1, 2-15-05; AO No. 2005-119, § 1, 9-27-05; AO No. 2005-151(S), § 1, 10-25-05; AO No. 2009-84, § 1, 7-7-09; AO No. 2015-112(S), § 6, 1-1-16 ; AO No. 2016-39, § 1, 4-12-16 ; AO No. 2017-107, § 1, 8-8-17; AO No. 2018-17 , § 1, 2-27-18; AO No. 2018-108(S), § 4, 12-31-18)

Section 5. [SECTION 4.] This ordinance shall be effective immediately upon passage and approval by the Assembly.

PASSED AND APPROVED by the Anchorage Assembly this 26th day of August, 2020.



Chair

ATTEST:



Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2020-79(S)

Title: **AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE CHAPTERS 3.20 AND 3.30 RELATING TO THE ORGANIZATION OF THE EXECUTIVE BRANCH TO CREATE AN OFFICE OF EQUITY AND JUSTICE.**

Sponsor: **MAYOR**
 Preparing Agency: Office of Management and Budget
 Others Impacted:

CHANGES IN EXPENDITURES AND REVENUES:		(In Thousands of Dollars)				
	<u>FY20</u>	<u>FY21</u>	<u>FY22</u>	<u>FY23</u>	<u>FY24</u>	
Operating Expenditures						
1000 Personal Services						
2000 Non-Labor						
3900 Contributions						
4000 Debt Service						
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -	
Add: 6000 Charges from Others						
Less: 7000 Charges to Others						
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -	
REVENUES:				\$ -	\$ -	
CAPITAL:						
POSITIONS: 1 FT	\$ 60	\$ 180	\$ 180	\$ 180	\$ 180	

PUBLIC SECTOR ECONOMIC EFFECTS:

Adding one FT position, starting on or around 9/1/2020

PRIVATE SECTOR ECONOMIC EFFECTS:

N/A

Prepared by: Office of Management and Budget

Telephone: 907-343-4496



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 414-2020

Meeting Date: July 14, 2020

1 **From: MAYOR**

2
3 **Subject: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE**
4 **CHAPTER 3.20 RELATING TO THE ORGANIZATION OF THE**
5 **EXECUTIVE BRANCH TO CREATE AN OFFICE OF EQUITY AND**
6 **JUSTICE.**
7

8 The Mayor's Office and the Anchorage Assembly are committed to achieving
9 equity and justice in Anchorage. The municipality has demonstrated that
10 commitment through its work over the past five years towards becoming a more
11 welcoming and inclusive community. This progress will be furthered through
12 systematic changes to the municipality's governance infrastructure. The attached
13 ordinance creates an Office of Equity and Justice, led by the Chief Equity Officer.
14

15 The need for this office and this position has come into sharp focus as a direct
16 result of the COVID-19 pandemic. The pandemic has exposed persistent structural
17 inequities that have required municipal response to mitigate the disproportionate
18 social determinants of health and equity facing people of color and low-income
19 residents. The Office of Equity and Justice and the Chief Equity Officer will focus
20 on identifying and ensuring equal opportunities for health and wellbeing for all
21 residents, particularly in response to the impacts of the pandemic.
22

23 The Chief Equity Officer will work with the Mayor's Office, the Assembly, and
24 municipal agencies, including the heads of the Office of Equal Opportunity, the
25 Anchorage Equal Rights Commission, and the Office of the Ombudsman. The
26 Chief Equity Officer will also work with community stakeholders and residents to
27 center equity within municipal policies and procedures.
28

29 The Chief Equity Officer will be responsible for proactively working to advance
30 equity, focusing on eliminating inequities and increasing wellbeing and success for
31 all residents.
32

33 The Chief Equity Officer's responsibilities will include, in part:

- 34
- 35 • Co-lead Welcoming Anchorage initiative and ensure ongoing updates and
36 implementations;
 - 37 • Develop leadership opportunities for municipal staff and residents designed
38 to provide career advancement pathways for communities of color, the
39 disability community, immigrants and refugees, LGBTQ+ residents,
40 including continued hosting of an annual Civic Engagement Academy;
 - 41 • Provide leadership, guidance, training, and support to internal and external
42 partners in the development and delivery of equity programs and tools;

- 1 • Recruit and manage municipal boards and commissions to ensure
2 community representation;
- 3 • Actively monitor equity:
 - 4 • Establish baseline equity data targets/benchmarks in
5 collaboration with partners and establish goals and initiatives to
6 make progress and processes to track outcomes;
 - 7 • Develop methods to determine how disparate impacts will be
8 documented and evaluated;
 - 9 • Collect, evaluate, and analyze indicators and progress
10 benchmarks related to addressing systemic disparities.
 - 11 • Direct, evaluate, and coordinate analyses and recommendations
12 regarding race and equity policy issues and long-range plans to
13 address department and community needs and services;
 - 14 • Develop and coordinate reports and supporting materials to be
15 presented to the Mayor and Assembly for information or action;
- 16 • Ensure municipal compliance with Language Access laws;
- 17 • Work closely with the Office of Equal Opportunity, the Anchorage Equal
18 Rights Commission, the Ombudsman Office, and the Resilience Subcabinet
- 19 • Represent equity concerns throughout municipal efforts on housing equity,
20 food security, equitable climate action, legal rights and justice issues, and
21 economic equity
- 22 • Develop and deepen relationships with community members and non-
23 profits committed to racial equity work; and participates in community equity
24 collaborations on behalf of the Municipality to identify and address
25 cumulative impacts of institutional and structural inequities in the
26 Municipality

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28 A summary of economic effects is attached.

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30 **THE ADMINISTRATION RECOMMENDS APPROVAL.**

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32 Prepared by: Legal Department
33 Approved by: Kathryn R. Vogel, Municipal Attorney
34 Concur: Lance Wilber, Director, OMB
35 Concur: Alexander Slivka, CFO
36 Concur: William D. Falsey, Municipal Manager
37 Respectfully submitted: Ethan A. Berkowitz, Mayor



MUNICIPALITY OF ANCHORAGE

Assembly Memorandum

No. AM 414-2020(A)

Meeting Date: August 25, 2020

1 **From: MAYOR**

2
3 **Subject: S-VERSION OF AO NO. 2020-79, AN ORDINANCE AMENDING**
4 **ANCHORAGE MUNICIPAL CODE CHAPTERS 3.20 AND 3.30**
5 **RELATING TO THE ORGANIZATION AND CLASSIFICATIONS OF**
6 **THE EXECUTIVE BRANCH TO CREATE AN OFFICE OF EQUITY**
7 **AND JUSTICE.**
8

9 AO No. 2020-79 was introduced on July 14, 2020, for the purpose of establishing
10 an Office of Equity and Justice. Following a work-session, it became clear that
11 Assembly members were concerned with a stand-alone office because of issues
12 related to funding, staffing, and continuity between administrations. This S-version
13 adopts a model more similar to the Office of Internal Audit: appointment by the
14 Mayor with concurrence by a majority of the assembly, and removal for cause with
15 majority concurrence of the Assembly. And similar to the office of the Ombudsman,
16 the term of appointment would be for four years to span administrations.
17

18 In addition, the Office of Equity and Justice will include the Office of Equal
19 Opportunity (OEO). The OEO performs a vital municipal function, running
20 programs including the disadvantaged business enterprise program to ensure
21 program compliance. Per federal requirements, the OEO director must have direct
22 access to the mayor and serves as the point of contact for civil rights audits.
23

24 A summary of economic effects is attached and updated to reflect that the equity
25 officer position has not yet been filled.
26
27

28 **THE ADMINISTRATION RECOMMENDS APPROVAL.**

29
30 Prepared by: Legal Department
31 Approved by: Kathryn R. Vogel, Municipal Attorney
32 Concur: Lance Wilber, Director, OMB
33 Concur: Alexander Slivka, CFO
34 Concur: William D. Falsey, Municipal Manager
35 Respectfully submitted: Ethan A. Berkowitz, Mayor



MUNICIPALITY OF ANCHORAGE

Mayor

Assembly

Municipal Attorney

Equal Rights Commission

Management & Budget

Internal Audit

Information Technology

Office of Equity and Justice

Office of Equal Opportunity

Municipal Manager

Chief Fiscal Officer

Economic & Community Development

Emergency Management
Risk Management
Safety
Transportation Inspection

Finance
Controller
Property Appraisal
Public Finance
Treasury

Culture, Entertainment, & Arts Venues

Human Resources
Payroll

Purchasing

Development Services
Library
Parks & Recreation
Planning
Real Estate

Heritage Land Bank
Real Estate

Anchorage Fire Department
Anchorage Health Department
Maintenance & Operations
Anchorage Police Department
Project Management & Engineering
Public Transportation
Public Works Administration
Traffic

Board Managed
Anchorage Community
Development Authority

Utilities/Enterprise Activities
Anchorage Water & Wastewater
Merrill Field
Municipal Light & Power
Port of Alaska
Solid Waste Services

Board Managed
Police & Fire Retirement System