

8/17/2017  
10/17/2017

**85-O-17**

**AN ORDINANCE**

**Creating Title 2, Chapter 12 of the Evanston City Code Forming an  
“Equity and Empowerment Commission”**

NOW BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF  
EVANSTON, COOK COUNTY, ILLINOIS, THAT:

**SECTION 1:** Legislative Statement. This Ordinance creates a City of Evanston Equity and Empowerment Commission whose primary function is to address issues of access, equity, and empowerment within the City. Diversity and inclusion are core values of the Evanston community. The City Council determines that it is in the best interest of the City to create an Equity and Empowerment Commission to achieve lasting change, leverage diversity, and actively practice inclusion.

Article VII, Section (6)a of the Illinois Constitution of 1970, which states that the “powers and functions of home rule units shall be construed liberally,” was written “with the intention that home rule units be given the broadest powers possible” (*Scadron v. City of Des Plaines*, 153 Ill.2d 164). Pursuant to 65 ILCS 5/1-2-1, the City may make all rules and regulations to carry into effect the powers granted to the City, such broad and general grant of authority complementing the City’s home rule powers. At meetings held in compliance with the provisions of the Illinois Open Meetings Act (5 ILCS 120/1 *et seq.*), the City Council considered this Ordinance, heard public comment, and made findings. It is well-settled law in Illinois that the legislative judgment of the City Council must be considered presumptively valid (*see Glenview*

*State Bank v. Village of Deerfield*, 213 Ill.App.3d 747(1991)) and is not subject to courtroom fact-finding (see *National Paint & Coating Ass'n v. City of Chicago*, 45 F.3d 1124 (1995)).

The City Council finds that creating an entity that proactively addresses issues of equity and empowerment in the City of Evanston is a priority. The City Council desires to amend the City Code to create an Equity and Empowerment Commission.

**SECTION 2:** Title 2, Chapter 12 of the Evanston City Code of 2012, as amended ("City Code"), is hereby created and shall read as follows:

## **CHAPTER 12 – EQUITY AND EMPOWERMENT COMMISSION**

### **2-12-1: PURPOSE.**

The purpose of the Equity & Empowerment Commission ("Commission") is to identify and eradicate inequities in the City of Evanston, including City services, programs, human resources practices, and decision-making processes. The Commission will work with community partners and businesses to promote equity and inclusion within the City and provide guidance, education, and assistance to City Departments to build capacity in achieving equitable outcomes and services. Further, the Commission will be transparent and collaborative with both internal and external individuals and entities, holding all accountable for measurable improvements and outcomes. Finally, the Commission will promote, support, and build capacity with laws, ordinances, and regulations related to equity and empowerment within the City.

### **2-12-2: MEMBERSHIP.**

The Commission consists of nine (9) members who serve without compensation and are residents of the City of Evanston. The members must include the following:

- (A) One (1) member who has the training and/or experience representing the needs of those who have a physical or mental disability;
- (B) Five (5) members who have experience in human rights, social justice advocacy, or similar areas;
- (C) One (1) member who is a bilingual Spanish speaker; and
- (D) One (1) member who is an Alderman.

The Commission's membership must reflect the demographic makeup of the City of Evanston population, including but not limited to: race, color, religion, national origin, sex, sexual orientation, gender identity, marital status, age, source of income, physical disability or mental disability.

**2-12-3: TERM.**

Commission members are appointed to three (3) year terms by the Mayor with the advice and consent of the City Council. Non-aldermanic members may serve for not more than two (2) full terms.

**2-12-4: POWERS AND DUTIES.**

In carrying out its responsibilities, the Commission must:

- (A) Evaluate, develop and recommend equity tools to be used to examine policies, practices, services and programs;
- (B) Develop ways to measure and monitor community relations, race relations, and civil rights issues, particularly those that are sources of intergroup conflict;
- (C) Study and investigate problems of prejudice, bigotry, and discrimination for the purpose of developing action strategies to eliminate these problems;
- (D) Develop strategies to improve quality of life, livability and equity for all residents of Evanston;
- (E) Submit an annual report to City Council on the goals, activities and accomplishments of the Commission; and
- (F) Create subcommittees, as necessary, in furtherance of the Commission's purpose.

**2-12-5: ADOPTION OF RULES; SELECTION OF A CHAIRPERSON.**

The Commission must annually elect a Chairperson from among its members. The Commission must also adopt rules and regulations necessary to exercise its responsibilities.

**SECTION 3:** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4:** This ordinance must be in full force and effect after its passage, approval, and publication in a manner provided by law.

**SECTION 5:** If any provision of this ordinance or application thereof to any person or circumstance is held unconstitutional or otherwise invalid, such invalidity

must not affect other provisions or applications of this ordinance that can be given effect without the invalid application or provision, and each invalid provision or invalid application of this ordinance is severable.

Introduced: September 29, 2017

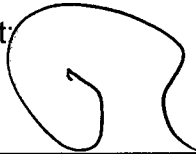
Adopted: October 16, 2017

Approved:

October 25, 2017

  
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Stephen H. Hagerty, Mayor

Attest:



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Devon Reid, City Clerk

Approved as to form:

  
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W. Grant Farrar, Corporation Counsel