International Municipal Lawyers Association
2023 Annual Conference
La Quinta, California

September 28, 2023

Governing with Diversity, Equity and Inclusion as Fundamental Principles

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Governing with Diversity, Equity, and Inclusion as Fundamental Principles

Decades of policies and practices which were rooted in systemic structural barriers have created inequities in government services. It is imperative that local governments address these inequities, whether internal or external, to provide equal opportunity in government services. As such, many governments have placed diversity, equity, and inclusion ("DEI") among their top priorities. This paper will address the efforts of the City of St. Petersburg, Florida to address inequities in our community, along with any state preemptions and protests regarding these issues.

The City of St. Petersburg has implemented a comprehensive approach to advance equity for all, including people of color and others who have been historically affected by inequality or poverty. The approach includes strategies and efforts aimed at structural racism, discriminatory housing practices, discrimination in procurement, discrimination based on sexual orientation or gender identity, and inequities in the workplace. Decades of inequality cannot be erased in a short timeframe, but each step allows a government to inch closer to its goals. Success requires framing the issues, planning DEI strategies, and implementing DEI initiatives within all programs and services.

Framing - Mission and Leadership

An effective culture shift must be introduced by and emphasized through leadership. "St. Petersburg will be a city of opportunity where the sun shines on all who come to live, work and play. We will be an innovative, creative, and competitive community that honors our past while pursuing our future." – St. Petersburg Mayor Rick Kriseman, 2014. The City of St. Petersburg began a systematic examination of all policies and programs through an equity lens beginning with the first term of Mayor Rick Kriseman in 2014. His mission was that persons of any race, age, ability, sexual orientation, gender identity, income status, or any other status, could find equal access to city services. The City began to examine every activity from hiring and promotions to policy creation to service delivery. The mayor tasked each administrator and director with explaining how the activities and services under their leadership could be restructured with the goal of making the service more accessible to all.

When elected in 2021, Mayor Kenneth Welch emphasized the importance of equity in government. He stressed that diversity is only the starting point and inclusion creates a sense of belonging, but true equity in the form of tangible inclusive progress is the goal. In 2022, he set aside funding for the Office of Equity which is a part of the mayor's team. The "Chief Equity Officer is a key member of the mayor's leadership team who will ensure that equity and inclusion are fully integrated into City government policies, procedures, and practices. An accountable and responsive government is only possible when our commitment to equity is shown, not just through words, but through action." - Mayor Kenneth Welch, 2023.

Planning – DEI Strategies

Proper planning is crucial to the success of DEI efforts in government. Achieving equity requires a change in culture. Since culture is always evolving, DEI planning involves continuing education regarding leadership's beliefs and expected behaviors. With a clear plan, governments can activate equity in policy and regulation, procurement, and delivery of services. DEI strategies will look different for each governmental entity depending on its population, but it is always important to envision what equitable outcomes look like, potential challenges, actions to consider, the government's role, and examples of progress.

DEI strategies involve a mindset rather than a checklist. Equity must be built in line with a set of principles. First, the government must understand that equity requires a sustained commitment. The government cannot just host an annual DEI program and expect to reach equitable outcomes. DEI must be embedded into how the entity provides resources to the community. Second, the government must recognize and accept its shortfalls and challenges and commit to change. Acknowledging past discriminatory practices is essential to this step. Third, new behaviors must be developed to shape new values. Leadership must set clear expectations that each new program must be viewed through the lens of equity. Fourth, partnerships should be formed in order to reduce duplication of effort. Many community organizations are already addressing some of the issues and need the reach of government to expand services and programs. Finally, the government must exercise its power of spending in an equitable way by planning specific DEI goals and actions to implement those goals.

Implementing DEI Initiatives

Workplace management

Most of our government entities are among the largest employers in our jurisdictions. Our employment practices can have a huge impact on hundreds of persons in our community. A review of the percentages of certain populations in the community versus the percentages in the municipal workforce is a good first step. In 2022, the City of St. Petersburg conducted an employee climate survey which revealed the population distributions among the city workforce as well as leadership. While population percentages were close to mirroring the city workforce, the same was not true for leadership positions. As such, the city began training managers to be more open-minded in all stages of the hiring and promotion process, including marketing opportunities, candidate consideration, interviews and offers. This cultural shift is required for all levels of hiring, promotion, and succession planning. The training includes looking at challenges to this mindset, including avoiding the following: (i) consideration of "cultural fit" which tends to lend toward hiring more of the same type of person; (ii) unconscious use of different

standards for marginalized individuals; (iii) hiring from the same school or group of schools; and (iv) utilizing unnecessary job requirements which tend to result in bias against certain individuals.

The City of St. Petersburg has implemented several strategies in the workplace including (i) re-evaluating every single job description to assure that unnecessary requirements are removed to provide equal access to positions; (ii) marketing positions on several different platforms to reach all citizens; (iii) identifying new sources of talent through apprenticeship programs and partnering with workforce organizations; (iv) hosting employment fairs within different areas in the community; (v) establishing formal mentorship programs; and (vi) developing transparent succession plans that reveal pipelines to leadership. By making a cultural shift, city leadership has noticed that the best candidate for the job can come from many different segments of the community.

Policy Making

The City of St. Petersburg has remained committed to equity, even in the era of Florida's "anti-woke" legislation. In 2022, Florida Governor Ron Desantis signed Florida House Bill 7 known as the "Stop WOKE Act," that placed strict limitations on the topics that schools and employers, including governments, could discuss regarding DEI. According to Governor Desantis, WOKE stands for "Wrongs to Our Kids and Employees." The Act prohibited employers from requiring an employee to participate in any form of training that "espouses, promotes, advances, inculcates, or compels such individual to believe" certain concepts. Concepts included, but were not limited to:

- An individual's moral character or status as either privileged or oppressed is necessarily determined by his or her race, color, sex, or national origin
- Members of one race, color, sex, or national origin cannot and should not attempt to treat others without respect to race, color, sex, or national origin
- An individual, by virtue of his or her race, color, sex, or national origin, should not be discriminated against or receive adverse treatment to achieve diversity, equity, or inclusion.
- Such virtues as merit, excellence, hard work, fairness, neutrality, objectivity, and racial colorblindness are racist or sexist, or were created by members of a particular race, color, sex, or national origin to oppress members of another race, color, sex, or national origin

The City of St. Petersburg continued its DEI principles in government, including employment, based on history, facts, and data. In 2021, the City of St. Petersburg commissioned a study to examine the historical and modern-day impact that structural racism has had on the lives of Black residents. Structural racism is defined as the framework of policies and practices that work together to perpetuate

racial group inequity. The study considered factors of structural racism that affect Black residents and communities in St. Petersburg related to education, health, the local economy, and criminal justice system, The study had the following objectives:

1. provide a historical overview and current data trends that illustrate how structural racism affects the various aspects of Black lives and communities in the City of St. Petersburg and impacts individual and public health.
2. provide recommendations for policies and practices that may help to dismantle structural racism in the City and
3. identify additional facets of structural racism impacting the Black residents and communities in St. Petersburg that need further research, documentation and funding.

In 2022, the Structural Racism Study report provided recommendations to the City for policies and practices that could be implemented to address the health and wealth inequities in the community which were forged by decades of targeted policies against Black residents. These recommendations included creating an Office of Equity, creating an effective accountability strategy to measure progress in equity throughout the City, creating an advisory committee geared solely toward racial equity, and evaluating the possibility of implementing reparative approaches for the documented loss of land and opportunity faced by generations of Black residents. *See Building Bridges & Supporting Racial Equity in St. Petersburg at* St. Petersburg (stpete.org). The City has created the Office of Equity and hired its first Chief Equity Officer who will oversee the policy direction of looking at all policies and services through the lens of equity. The other recommendations from the report will be handled by all employees of the city with direction from the Mayor and Chief Equity Officer.

Additionally, the City of St. Petersburg takes its policy making efforts on the road. The Mayor and City Council members host several "City Hall on Tour" events. These community center events are staffed by dozens of city administrators, directors, and employees who discuss and answer questions regarding city policies, community safety, budgets, and community impact. The Mayor also hosts "Community Conversations" on specific topics in all areas of the community.

Procurement

Government entities collectively spend billions of dollars on procurement. Equity in government procurement can have an exponential effect on businesses in the community. Examining the causes of previous inequities is vital to assist governments in creating policies and strategies to mitigate the inequities. Additionally, for any race-based governmental efforts, examining the root causes of inequities are required. For example, courts review preferences in government contracting based on race pursuant to a strict scrutiny review. *See City of Richmond v. Croson*, 488 U.S. 469 (1989). In order to sustain such equity programs, the

government must demonstrate a compelling interest in remedying past discrimination and demonstrate that the program is narrowly tailored to a achieve the desired equity outcomes.

In 2019, the City of St. Petersburg commissioned a disparity study to determine whether contracting disparities existed in city contracting. This was a vital step in demonstrating a compelling state interest for a Minority and Women Business Enterprise ("MWBE") program. The disparity study was completed in 2022 and revealed that there were statistically significant disparities for women, African Americans, and Hispanic Americans in construction and goods and services. In response, the City created the Office of Supplier Diversity to "promote fair and equal business opportunities through the intentional implementation of diversity programs to ensure equity in contracts and procurement for all members of our community who want to do business with the City of St. Petersburg." - Mayor Kenneth Welch, 2022.

In line with court decisions since *Croson,* St. Petersburg had to assure that its response was narrowly tailored to reach its goal of dismantling the disparities in contracting. Its proposed MWBE ordinance for minority-owned business enterprises and women-owned business enterprises provides the authority for implementation of programs targeting specific disparities in specific industries documented by the disparity study. See the St. Petersburg Disparity Study at https://www.stpete.org/business/procurement/supplier_diversity.php. The City of St. Petersburg's MWBE program provides bidding discounts for goods and services, provides sheltered markets for MWBEs in industries with significant disparities, and establishes contract goals for the utilization of MWBEs on a project-by-project basis.[1]

The City of St. Petersburg also continues its gender and race neutral Small Business Enterprise ("SBE") program which is coordinated by the Office of Supplier Diversity. The SBE program gives small businesses the opportunity to gain exposure to large-scale projects and experience working with bigger companies. The SBE program is open to any local business which is independently owned, has been in operation for one year, has less than 50 full time employees, and does not have an annual sales volume of more than $5,000,000 (goods and services) or $8,000,000 (construction).

[1] The City of Asheville, North Carolina also recently conducted a disparity study. In 2020, Asheville's study revealed contract disparities, including that 87.2% of public money paid to businesses between 2012 – 2017 went to firms owned by white men. The City Council approved a race-conscious policy effective January of 2021 that sets aspirational goals for minority business contracting and contract-by-contract subcontracting goals for women-owned and minority-owned businesses.

Affordable Housing

To address the affordable housing crisis, the City created the Housing Opportunities for All Plan. The plan aims to produce new affordable units, preserve existing affordable housing, and protect tenants. The City created a Community Benefits Agreement ("CBA") program that requires developers to provide community benefits for projects that receive public assistance greater than 20% of the overall construction cost for projects valued at more than $2 million. Such projects must provide benefits to the community that may include:

- affordable or workforce housing
- environmental resiliency and sustainability
- public infrastructure
- equitable workforce development
- neighborhood health and safety and
- equitable economic opportunities

The developer's required community benefits package is determined through collaboration with the Community Benefits Advisory Council ("CBAC") and community meetings with citizens. The CBAC is a city board with four standing members, two appointed by the Mayor and two appointed by City Council; four ad-hoc members which are residents within one mile of the project location; and one City Council member chosen on a project-by-project basis. The City Council grants final approval of the CBA. See more at St. Petersburg (stpete.org).

The City also enacted a Tenants Bill of Rights which required notice to tenants on a variety of actions by landlords, including eviction and rent increases. Unfortunately, the Florida Legislature preempted the field of landlord-tenant relations this year with the passage of House Bill 1417 and the city's Tenant Bill of Rights was repealed in June of 2023. However, many other initiatives survived including the city's Affordable Single-Family Homeownership Program, Affordable Multifamily Housing Development Program, Lot Disposition Program, Housing Rehabilitation Assistance Program, Affordable Residential Improvement grants, and Workforce Housing Density Bonus Programs. Additionally, process improvements include the changing of fee structures for zoning reviews and reducing fees for workforce housing applications, allowing more accessory dwelling units, establishing a Community Housing Policy group, and instituting an expedited permit review policy for affordable housing developments.

In the past two years, the City of St. Petersburg has increased the number of affordable housing units by 1,000 and dedicated new local, state, and federal funding to help meet the urgent need. The City partnered with Habitat for Humanity to develop affordable townhomes for residents earning 80 percent of area median income (AMI). The City also partnered with the county and the federal government on rental assistance efforts to distribute more than $2.6 million to 435 families. Further, utilizing Community Redevelopment Area (CRA) funding, as

well as other city funds, the City invested more than $35 million for the construction of affordable housing units for residents earning 80 percent of AMI.

Development

The City of St. Petersburg has made equitable and inclusive economic development a cornerstone of its equity efforts as evident with its CBA program. Additionally, the City is intentional with certain development based on the history of the land involved. For example, nearly 40 years ago, members of the Gas Plant community were displaced by the City to construct Tropicana Field, home to the Tampa Bay Rays baseball team. The Gas Plant community was a Black neighborhood that developed in part because of a city ordinance which forbade Black residents from living north of Central Avenue. At the time of displacement, Black residents were promised jobs and opportunities for equitable development which did not materialize.

For the last decade, the redevelopment of the area has been discussed and re-imagined as the baseball team contemplates leaving the area. Until Mayor Welch renamed the development project, it was known as the Tropicana Field project. To honor the neighborhood, Mayor Welch renamed it as the Historic Gas Plant Redevelopment project. The renaming, along with identifying clear priorities for the redevelopment, set a tone for the project. Priorities include affordable housing, prominent historical recognition, and minority business creation and expansion, among others.

The City also required a substantial and sustainable finance package of community benefits from the developer of the Historic Gas Plant Redevelopment project to fulfill the promises of shared economic benefit that the area was promised when the land was initially taken to make way for Tropicana Field. It is hopeful that these community benefits will drive restoration of the economic vitality and entrepreneurial opportunities that existed in the Gas Plant area prior to its demolition. See Historic Gas Plant Redevelopment Proposal Executive Summary.

LGBTQ+ Initiatives

The City of St. Petersburg consistently ranks among the top cities for persons who identify as LGBTQ+ to live and visit. Since 2014, St. Petersburg has earned a perfect score on the Human Rights Campaign's Municipal Equality Index (MEI), which examines the laws, policies, and services of municipalities and rates them on the basis of their LGBTQ+ community initiatives. To assure that the rights of this community are protected, since 2014, the Mayor's Office has included a LGBTQ+ Liaison to advance equity initiatives including recognizing LGBTQ+ small businesses and providing assistance to the businesses identified. The Police

Department also has an LGBTQ+ Liaison to serve as a direct line of communication from this community to the police department.

These initiatives have become increasingly important with the rise of anti-LGBTQ+ laws in Florida. The Florida Legislature passed House Bill 1557 titled the "Parental Rights in Education Bill" which others labeled the "Don't Say Gay" Bill which prohibits instruction about gender identity in the classroom. While many books have been banned in public schools pursuant to the bill, City libraries continue to have such books available to any resident. Additionally, the Florida Legislature passed Senate Bill 1438 which bars governments from issuing permits to conduct a performance which would allow children to view an "adult live performance" which has been interpreted to prevent family style drag shows. There was concern that the bill would be applied to Pride Parades and events. The City has one of the largest Pride Parades in the Southeast. At present, the bill has been suspended pursuant to the judge's order granting a preliminary injunction finding that the bill is likely unconstitutional. See June 23, 2023 order in *HM Florida-Orl, LLC v. Melanie Griffin*, Case No. 6:23-cv-950-GAP-LHP, June 23, 2023.

Further, the Florida Legislature passed Senate Bill 1674 called the "Safety in Private Spaces Act" (which others have labeled the "anti-trans bill") which requires each government employer to establish disciplinary procedures for any employee who willfully enters a restroom or changing facility designated for the opposite sex in a public building and refuses to depart when asked to do so by any other employee of the governmental entity. The City of St. Petersburg has since enacted a policy that restrooms and changing facilities at City facilities that are intended for a single occupant or family must be made available for all genders and marked accordingly. Despite initiatives aimed at less education and exposure to this community, the City of St. Petersburg has continued all legal avenues to make our city welcoming to all.

Accessibility Initiatives

The City of St. Petersburg has a longstanding commitment to the goals of the Americans with Disabilities Act (ADA). In 1972, the City of St. Petersburg created the Committee for Assistance to the Physically Impaired which was renamed the Committee to Advocate for Persons with Impairments ("CAPI") in 1995. CAPI is a citizen advisory committee which advises the Mayor and City Council on accessibility issues to ensure that the City's programs, services, and activities are accessible for persons with disabilities. Additionally, all City of St. Petersburg departments and agencies work to ensure accessibility in all programs. Each department is required to appoint an accessibility liaison who works with the City's ADA coordinator. The ADA coordinator is available to provide information on the accessibility of government buildings, facilities, programs, and services. Recently, the City revisited its Transition Plan and updated the plan to emphasize its commitment to continued accessibility, especially in light of new guidance

regarding government websites. The City's goal is that all website content is accessible to persons with disabilities. As such, all documents submitted to City Council must be ADA compliant in order to be placed on the electronic agenda.

Additionally, the City instituted its Community Assistance and Life Liaison ("CALL") program in 2021. The City entered into an agreement with Gulf Coast Jewish Family and Community Services, Inc. to provide a human services response model, wherein trained mental health professionals, in lieu of law enforcement officers, respond to noncriminal and nonviolent calls for service to provide situationally appropriate interventions to individuals who may be experiencing mental health crisis rather than overt criminal behaviors. The CALL program also responds to calls such as disorderly intoxication, drug overdose, suicide intervention, truancy, and homeless complaints. CALL has been an overwhelming success. The CALL program has changed the way the City responds to mental health concerns and has destigmatized mental health issues and mental illness. At present, 95% of all non-violent calls are handled through the program. CALL has become a national model for law enforcement alternatives. See more at Community Assistance and Life Liaison (CALL) (stpete.org).

The City of St. Petersburg is also committed to making sure vital program access is available to all citizens. As required by Title VI of the Civil Rights Act of 1964, as a recipient of federal funds, the City has taken reasonable steps to ensure Limited English Proficiency ("LEP") persons have meaningful access to important information and services. LEP is a term used to describe persons who do not speak English as their primary language and who have a limited ability to read, write, speak or understand English. Persons in need of language translation to access City programs or services may contact the City's Diversity Coordinator. Many vital documents in St. Petersburg are automatically available in Spanish or indicate in Spanish that alternative translation is available. The City's website can also be translated into Spanish as well as many other languages.