

A Resource Guide for Historic Sundown Town Resolutions, Zoning Code Updates, and General Plan Policies

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City & Regional Planning

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Introduction

Introduction

James W. Loewen's book *Sundown Towns: A Hidden Dimension of American Racism*, released in 2005, calls out cities across the United States for their historically discriminatory practices of excluding Black and other non-white individuals from living within city borders, either through formal exclusionary policies or informal methods. Cities often enforced this exclusionary practice through violence and intimidation, leading to "all-white" communities throughout the United States. The belief was that these communities should be "sundown" or "sunset" towns, where people of color were not allowed after dark. Loewen's book and the following movement awakened individuals, companies, and entire cities to take action to acknowledge history and rewrite the future.

Sundown Towns have a long and painful history in the United States, dating back to the late 19th century and persisting well into the 20th century. Cities used these practices to enforce racial segregation and maintain white supremacy. Many cities and communities are actively working to confront and address their pasts and promote racial equity in their present and future. Today, the term Sundown Town describes any community with a history of racial exclusion and discrimination of minority groups especially after sunset. Loewen defined Sundown Towns as an organized jurisdiction that intentionally became "all white" by keeping African Americans or other groups from living there for decades (Loewen, 2018, p. 4).

Sundown Towns in California, like in other states, have a long and painful history of racial exclusion and discrimination. California has a diverse population but a history of discriminatory practices against certain groups, including African Americans, Asian Americans, and Latino Americans. In addition, many towns and cities in California had discriminatory practices that kept non-white individuals from living within their borders, either through formal exclusionary policies or informal rules enforced by local police power.

During the late 19th century and early 20th century, many towns in California had discriminatory housing covenants that restricted who could own or rent property within their borders. Additionally, many towns had discriminatory zoning laws that restricted the building of homes for non-white individuals.



California Sundown Towns

There are 111 confirmed Sundown Towns in California and at least 10,000 across the United States. Many community organizations across the United States have been working hard at removing racist policies within their cities. However, redlining, racial covenants, and exclusionary zoning are discussed daily in the planning world. City officials often unwritten Sundown Town policies, but the history and trauma people experienced are real.

Cities are places people call home, where people should feel safe and where people can thrive. Unfortunately, the racially exclusionary past of many cities hurts people and hinders their ability to truly call cities home, thrive, and feel safe in their cities. Taking the “acknowledge, amend, and atone approach,” cities can rewrite a better future for their city by admitting the wrongs done in their city and apologizing for what happened. However, impending policies and programs ensure that history never rewrites itself.

Out of the 111 Sundown Towns identified in California, only three have worked to confront and address their pasts and promote racial equity in their present and future. Communities can acknowledge Sundown Towns by adopting Sundown Town resolutions, including diverse perspectives in the city planning and development process, and investing in programs and initiatives that promote equity and inclusion. Zero Californian cities have updated their zoning code, and zero have added policies in their general plan regarding Sundown Towns.

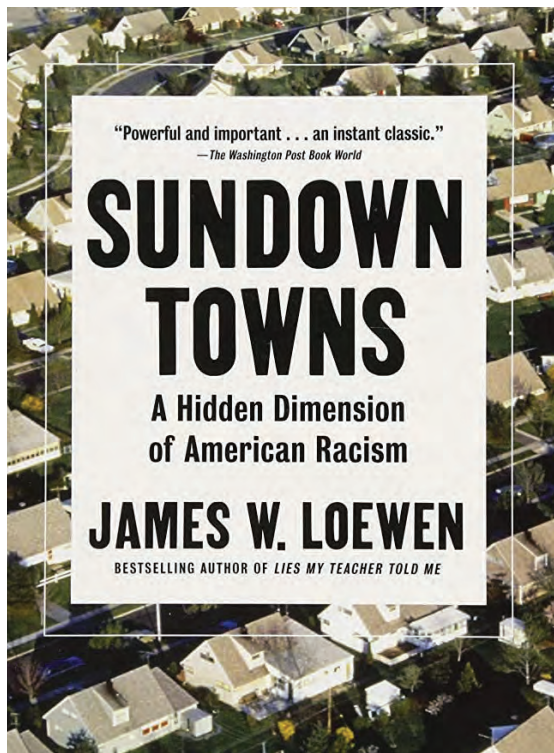


There is more work to be done. When developing resolutions, zoning code updates, and general plan policies, planners must research standards and understand what other jurisdictions are doing. The purpose of a resource guide is to provide planners with this information all in one place.

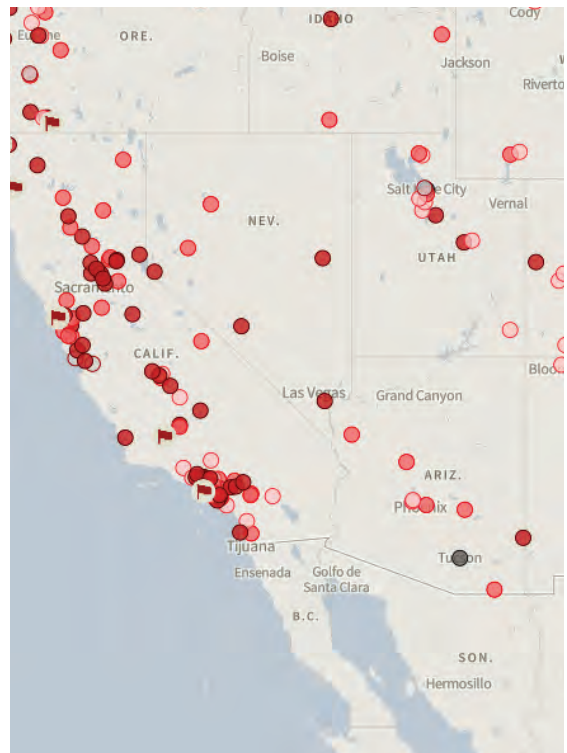
This resource guide will accomplish six main goals:

- 1 - Provide historical research on Sundown Towns
- 2 - Provide a standard procedure for confirming Sundown Towns
- 3 - Provide jurisdictional comparisons on resolutions, zoning code updates, and general plan updates surrounding Sundown Towns
- 4- Provide draft resolution “Whereas” clauses with standard language to be used in Sundown Town resolutions across the United States
- 5 - Discuss typical zoning code updates that need to be made to aid in amending historically racist policies
- 6 - Provide sample General Plan policies that can be adapted to atone Sundown Towns further

This resource guide will allow cities to acknowledge themselves as Sundown Town through the development of a resolution, amend exclusionary policies through zoning code updates, and atone for their past by updating their general plan goals and programs.



James Loewen's Book: Sundown Towns



Map of Sundown Towns

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The History of Sundown Towns

The History of Sundown Towns

Overview

The origins of Sundown Towns trace back to the aftermath of the Civil War when many southern states enacted laws that effectively segregated people of different races. This trend continued into the 20th century as black people migrated from the rural South to the urban North, searching for work. In many northern cities, African Americans faced discrimination and exclusion from white neighborhoods, leading to the development of Sundown Towns in some areas (Loewen, 2018, p. 17). Many towns explicitly labeled themselves as Sundown Towns, including signage at the city limit (Loewen, 2018, p. 3). In contrast, other Sundown Towns persisted through various means, including violence and intimidation, exclusionary zoning laws, and discriminatory real estate practices resulting in a sharp racial divide, with white communities in Sundown Towns remaining almost exclusively white while African American communities faced poverty and disinvestment. Despite the widespread prevalence of Sundown Towns, they remained largely unknown until the late 20th century, when scholars and activists began to research and document their history. One of the first and most influential works was James Loewen's "Sundown Towns: A Hidden Dimension of American Racism," published in 2005. Loewen's research documented the existence of Sundown Towns in many states, including California, Illinois, Indiana, Ohio, and Pennsylvania.

The legacy of Sundown Towns continues to shape American society today, as many African American communities experience disparities in income, education, and other measures of well-being compared to white communities. Efforts to address this legacy have included creating programs and policies to promote racial equality and reduce racial segregation and increasing awareness and education about the history of Sundown Towns.

The history of Sundown Towns is an important and often neglected aspect of American history that sheds light on the legacy of racial segregation and exclusion in the United States. While much work remains to address the ongoing effects of this history, recognizing and understanding Sundown Towns is a critical step in promoting racial equality and justice.



Pictured: Whites Only Graphic (Loewen, 2018, p. 5).

Post Civil War

The Civil War had far-reaching effects on the social and political landscape of the United States, including the creation of Sundown Towns. Sundown towns were essentially post-civil war slavery enforcement that excluded African Americans from living or being present after dark (Litwack, 1998, p. 428). The end of slavery and granting of citizenship and voting rights to African Americans during Reconstruction following the Civil War led to backlash and

resistance from white supremacists (Gates Jr., 2019, p. 12). This resistance took various forms, including violence and intimidation against African Americans, including lynchings and other acts of terrorism (Egerton, 2007, p. 360). In response to these threats, many African Americans fled to northern cities for safety and better opportunities (Hahn, 2003, p. 78). This migration, known as the Great Migration, created new challenges for African Americans, as they faced discrimination and prejudice in the North, including establishing Sundown Towns (Litwack, 1998, p. 483).

Sundown towns were a means of maintaining white supremacy and preserving the racial segregation of the South in areas where African Americans had moved in large numbers. These towns, marked by signs at the city limits, warned African Americans to “stay out after sundown” (Litwack, 1998, p. 15). However, granting citizenship and voting rights to African Americans and the Migration of African Americans to northern cities in search of safety and better opportunities led to resistance and backlash from white supremacists, resulting in the creation of Sundown Towns as a means of preserving racial segregation and white supremacy (Gates Jr., 2019, p. 12).

The Green Book

The Green Book, also known as “The Negro Motorist Green Book,” was a travel guide published from 1936 to 1966 that helped African American travelers navigate the segregation and racism of mid-20th century America. It provided information on safe places for African Americans to stay, eat, and find gasoline and other services in an era when many businesses still enforced segregation practices (Green Book, 2018).

The Green Book was a response to the difficulties faced by African American travelers during and after the Civil War; despite the abolition of slavery and granting citizenship and voting rights to African Americans during Reconstruction, segregation, and racism persisted in many parts of the United States (Gates Jr., 2019, p. 10). As a result, African American travelers faced numerous obstacles and dangers, including the threat of violence, when traveling across the country. The Green Book helped to mitigate these dangers by providing information on places where African Americans were welcomed and could find safe harbor. The guide also helped to raise awareness of the challenges faced by African American travelers in Sundown Towns and other areas where segregation and racism were still prevalent (Green Book, 2018).

The Green Book and Sundown Towns were products of segregation and racism in the United States after the Civil War. Although the Green Book provided African American travelers with information on safe places to stay and find services, it also shed light on the challenges faced by African Americans in Sundown Towns and other areas where they were excluded and threatened (Green Book, 2018).

Redlining and Racial Coveting

Redlining and racial covenants were practices to exclude African Americans from specific neighborhoods and areas in the United States. In addition, these practices helped cities implement Sundown Town policies.

Redlining denies financial services and resources, such as loans and insurance, to

individuals and communities based on the racial makeup of their neighborhoods (Duncan et al., 1975, p. 512). As a result, this practice denied African American communities access to the resources and opportunities necessary to grow and prosper. In addition, it contributed to the unequal distribution of wealth and resources along racial lines (The National Community Reinvestment Coalition, 2021). Racial covenants were agreements on the titles of properties that restricted their sale to people of a particular race or ethnicity. These covenants restricted African Americans from owning or living in specific properties, further perpetuating segregation and exclusion in American society (Glaeser & Tobin, 2007, p. 34).

Both redlining and racial covenants ensured that African Americans remained excluded from specific areas, both through denial of resources and through exclusion from ownership or residency in specific properties leading to the creation and continuation of Sundown Towns.

No Cruising Ordinances

No cruising ordinances restricted drivers from repeatedly driving through a particular area for non-essential purposes. However, these ordinances were often used in Sundown Towns to enforce the exclusion of African Americans from these areas. They effectively prevented African Americans from lingering or gathering in these towns after dark (Armborst et al., 2021, p. 236).

No cruising ordinances served as a tool for enforcing this exclusion by making it difficult or impossible for African Americans to gather or linger in these areas after dark (Armborst et al., 2021, p. 236). No cruising ordinances helped reinforce Sundown Towns' exclusionary policies by making it more difficult for African Americans to remain in these areas or challenge the prevailing racial segregation and discrimination. Despite their controversial history, no cruising ordinances exist in many parts of the United States. Instead, these laws are enforceable through police checkpoints, which stop drivers and inspect their vehicles for evidence of cruising or other illegal activities (Armborst et al., 2021, p. 237).

Despite these criticisms, no cruising ordinances continue in many parts of the United States. In some cases, these laws address concerns about their discriminatory effects. However, they still exist in many communities to control traffic and reduce crime (Armborst et al., 2021, p. 237). Other cities do not enforce their cruising ordinance, but it still lives on in their zoning codes as a reminder of their discriminatory past such as the City of San Luis Obispo and the City of Glendale.

Modern Sundown Towns

Modern Sundown Towns refer to communities that still maintain a history of exclusion of African Americans and other minority groups through explicit policies or a pattern of racial segregation. Despite the legal ban on racial discrimination in housing and the decline of overt acts of racial prejudice, Sundown Towns persist in the 21st century, often in the form of "quiet" or "unspoken" Sundown Towns, where the exclusion of minority groups is maintained through implicit biases and discriminatory practices.

Characterized by racial segregation, a lack of diversity, and the absence of minority-owned businesses, modern Sundown Towns continue. Additionally, many Sundown Towns have high levels of income inequality and limited access to resources and opportunities for minority communities. Therefore, policy interventions are needed to promote fair housing and eliminate discrimination in housing and lending practices to address the persistence of

A photograph of the Golden Gate Bridge tower in San Francisco, showing the suspension cables and the tower's structure against a clear blue sky.

Case Study: Asian Americans in San Francisco

Asian Americans have faced discrimination and exclusion in many parts of the United States, including San Francisco. For example, in the late 19th and early 20th centuries, San Francisco was a Sundown Town for Asian Americans, meaning they could not live in certain areas after sunset (Chen, 2000, p. 84).

Anti-Asian sentiment drove San Francisco's Sundown Town policy, fueled by prejudice, racism, and economic competition. The anti-Asian sentiment was widespread in the United States then. It appeared in legislation such as the Chinese Exclusion Act of 1882, effectively banning Chinese immigration to the United States (Charles, 2003, p. 173). Chinese immigrants who lived in San Francisco faced violence from the community. In Yong Chen's book titled *Chinese San Francisco, 1850-1943*, he stated, "When he learned about a Chinese diplomat who had committed suicide after being humiliated by San Francisco police, the indignant minister urged the consul general and Chinese San Franciscans to fight hard" for justice" (Chen, 2000, p. 150). In San Francisco, Asian Americans faced widespread discrimination and exclusion, including segregated housing, employment discrimination, and social exclusion. The discrimination led to the establishment of sundown neighborhoods, where Asian Americans were not allowed to live, and sundown districts, where they were not allowed to be in after dark. (Charles, 2003, p. 179).

Despite the discriminatory policies of the past, today, San Francisco is home to a diverse and thriving Asian American community. However, many of the challenges faced by Asian Americans in the past continue to persist in different forms, and the past still haunts the city (Charles, 2003, p. 200). For example, as reported by CNN in January of 2022, hate crimes against Asian Americans and Pacific Islanders rose 567 percent last year (Associated Press, 2022).

Despite progress toward greater equality and inclusion, many challenges persist in San Francisco.

modern Sundown Towns, including policies to enforce fair housing laws, increase access to credit and capital for minority communities, and promote community diversity and integration (The National Community Reinvestment Coalition, 2021).

The lack of diversity in schools can contribute to modern Sundown Towns by perpetuating racial segregation and exclusion. Levesque states, “researchers reveal that for the past several years, schools have been segregated more racially than they were at the height of the desegregation effort, and the segregation continues to increase (Clotfelter, 2001, 2004). More than 70 percent of all African American and Latino students in the United States attend largely minority schools (Frankenberg, Lee, & Orfield, 2003)” (Levesque, 2018, p. 9). In addition, when schools lack diversity, they often reinforce existing racial segregation and exclusion patterns in housing and communities. The lack of diversity can result in a self-perpetuating cycle of segregation, where minority communities are excluded from accessing educational opportunities and resources, which limits their ability to access housing and job opportunities in more diverse and integrated communities (Levesque, 2018, p. 98).



Pictured: Sundowners Sign (Cheney, 2023).

Additionally, schools that lack diversity often suffer from a lack of cultural competence and an absence of a diverse perspective, which can lead to a failure to address the needs and concerns of minority students and communities. Levesque suggests, “cultural competency training for teachers could ensure that they recognize how their implicit biases may impact how they relate to and teach students from different backgrounds. Multicultural education practices could include the use of a multicultural curriculum. Professional development for teachers and staff could include learning to build classroom communities in which students respect each other’s differences and learn from each other’s diverse perspectives and experiences” (Levesque, 2018, p. 131). A lack of culture can result in educational disparities and unequal outcomes for minority students, further exacerbating the exclusion of minority communities in Sundown Towns.



Pictured: Exclusion Graphic (UU World, 2023)

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How to Confirm Sundown Towns

How to Confirm Sundown Towns

Overview

Confirming whether a town is a Sundown Town is a multi-step process involving gathering and analyzing various historical and contemporary data. While there is much research on the history of Sundown Towns, each city must take steps to confirm itself as a Sundown Town. One crucial step is to examine historical documents, such as newspaper articles, city council minutes, and real estate records, to identify patterns of exclusion and discrimination against minority groups. Another step is to conduct oral history interviews with long-time residents, particularly those from minority groups, to gather first-hand accounts of discriminatory practices and exclusionary policies. Additionally, data analysis of contemporary demographic and economic indicators, such as the racial composition of the population, housing patterns, and economic opportunities, can provide important information about the ongoing effects of past discrimination. Finally, it is essential to consider the presence of any racist or exclusionary signs or symbols, such as sundown signs or discriminatory real estate covenants. All these steps can help to confirm the presence of a Sundown Town.

The Loewen Approach

James Loewen's research provides a comprehensive approach to confirming the existence of Sundown Towns. Loewen, a historian and sociologist, has studied Sundown Towns for many years and has developed a series of criteria for identifying and documenting them. According to Loewen, the first step in confirming the existence of Sundown Towns is to gather anecdotal evidence and oral history from the community. Confirming the existence of Sundown Towns can include interviewing residents, especially older residents who may have lived in the community for many years and have first-hand knowledge of its history (Loewen, 2005, p. 458).

One resident from Barnsdall, Oklahoma in 2006, shared, "on the outskirts of town, I saw a big white sign with black letters that said, "Nig-ger, do not let the sun set on your black ass in this town." I couldn't believe it...I stayed in Barnsdall [for] three months. I never saw a black, ever. When they were talked about, it was always "those niggers" or "those uppity niggers." I cringed every time I heard that word. If someone I knew used it, I just walked away. Mom had asked me please not to make waves" (Loewen, 2005, p. 244). Nevertheless, the stories of people's past are some of the most telling data we can gather.

Whether from old journals or oral history directly from those who experienced oppression, the reality of Sundown Towns prevails.

The second step is to examine historical records and archives, such as city directories, newspapers, and government documents. Examining historical records can provide valuable information on the community’s racial composition, as well as evidence of any discriminatory practices, such as zoning restrictions and housing covenants that excluded minorities (Loewen, 2005, pp. 458-459).

Loewen shares an example of a typical covenant from Montgomery County, Maryland, stating, “No persons of any race other than the Caucasian race shall use or occupy any lot or any building, except that this covenant shall not prevent occupancy by a domestic servant of a different race domiciled with an owner or a tenant” (Loewen, 2005, p. 258). Many of these covenants are still attached to property deeds. The lack of education about Sundown Town practices allows the history to continue.

The third step is gathering demographic data and performing statistical analysis to determine the community’s racial composition. Gathering data and performing analyses can include examining the distribution of race and ethnicity in a community and income, education, and access to resources and opportunities (Loewen, 2005, pp. 458-459).

Year	Total Population	Black Population	% Black
1870	2,731	0	0%
1890	3,817	0	0%
1910	8,287	2	0.02%
1930	28,368	9	0.03%
1950	36,846	16	0.04%
1970	41,061	18	0.04%
1990	30,938	73	0.23%
2000	28,006	146	0.52%

(Loewen, 2005, p. 268)

Because the makeup of the population consisted of less than 1% black for consecutive years from 1870-2000, one can assume Wyandotte is a Sundown Town. In addition, other research performed on the city confirmed the assumption.

Finally, Loewen suggests that it is vital to assess the current attitudes and practices of the community towards minorities. Assessing attitudes and practices can include surveying residents about their attitudes towards diversity and inclusion and examining discriminatory practices in the community, such as racial profiling, redlining, and other forms of racial discrimination (Loewen, 2005, pp. 458-459).

Loewen shares the attitudes of one city in Connecticut as he shares, “Sundown town rhetoric descends to its lowest point when speakers try to be funny. A recent graduate of Darien High School, the elite Connecticut suburb of New York City, noted that Darien’s whiteness allowed the kids to joke and maintain racist stereotypes. As a result, many of my friends came in with racist jokes, and you never had to worry about it” (Loewen, 2005, p. 310). These exclusionary attitudes were instilled in children at a young age and carried with them throughout their lives.

The Litwack Approach

While Litwack does not outline specific ways to confirm towns as Sundown Towns, his research in racial inclusionary practices alludes to similar methods to confirming Sundown Towns.

Litwack’s research suggests examining historical patterns of racial segregation and exclusion, including the history of housing and zoning policies, local customs, and attitudes towards minorities. Litwack discusses the housing and zoning conditions for people of color as he states, “The location of the black section of town, the condition of the streets, the state of sanitation, the quality of the housing, and the sharply limited access to what lay outside their neighborhood all attested dramatically to their “place” in the larger society. “We could look out the holes in the roof at the stars,” one youth recalled of the cabin in which he lived” (Litwack, 1998, p. 20). Looking into historical patterns can also involve reviewing historical newspaper articles and city directories and listening to community members determine the extent of racial exclusion in a community.

Another way to confirm the existence of Sundown Towns is to examine demographic data and racial segregation and exclusion patterns, which can include analyzing data on the distribution of race and ethnicity in a community and the distribution of income, education, and access to resources and opportunities. Furthermore, examining the pattern of residential segregation and discriminatory practices in housing and lending is crucial in confirming a town as a Sundown Town. Litwack states, “in the towns and cities, segregated residential patterns were now legally sanctioned, making it difficult for blacks of any class to move into a white block and accelerating the appearance or growth of a distinct district designated as ‘dark town’ or ‘niggertown.’ Whether by custom

or ordinance, the newer and most rapidly growing cities tended to be the most segregated; by the mid-1890s, racially exclusive sections characterized Atlanta, Richmond, and Montgomery” (Litwack, 1998, p. 235). Looking into patterns like those mentioned by Litwack can help confirm towns as Sundown Towns.

Finally, it is essential to assess the current attitudes and practices of the community towards minorities. Litwack quotes a community member in his book saying, “To hold an attitude of antagonism or distrust toward Jews was bred in us from childhood; it was not merely racial prejudice, it was a part of our cultural heritage” (Litwack, 1998, p. 22). Therefore, surveying residents’ attitudes towards diversity and inclusion and examining discriminatory practices in the community, such as racial profiling, redlining, and other forms of racial discrimination, can help confirm towns as Sundown Towns.

Setting the Standard

Based on research, the most efficient and effective way to confirm a Sundown Town is threefold: Comprehensive Census Research, Analysis of Local Histories, Archives, and Newspapers, and Exploration of Community Attitudes and Oral History.

Census Research

Census research can significantly confirm the existence of Sundown Towns, which excluded African Americans and other minority groups from living or visiting after sunset. In addition, the U.S. Census provides detailed data on the demographic composition and distribution of populations in different geographic areas, making it an essential resource for researchers studying Sundown Towns and other forms of racial segregation. Therefore, the researcher shall conduct a comparative analysis of multiple records from 1870 to today when examining census records.

Researchers use census data to confirm Sundown Towns by analyzing the demographic composition of different neighborhoods and towns over time. For example, researchers can compare the racial makeup of a community in one census to the next, looking for evidence of changes in the racial composition or segregation patterns that suggest the presence of Sundown Towns (Loewen, 2005, pp. 458-459).

Another way researchers use census data to confirm Sundown Towns is by looking at the distribution of populations within a community. For example, researchers can examine the distribution of African American residents within a town or

city, looking for patterns of racial segregation that suggest the presence of sundown neighborhoods or areas where African Americans were excluded (Loewen, 2005, pp. 458-459).

In addition to demographic data, census records can provide information on housing and residential patterns to confirm Sundown Towns. For example, researchers can examine the distribution of African American residents within a community, looking for patterns of racial segregation in housing that suggest the presence of sundown neighborhoods or areas where African Americans were excluded (Loewen, 2005, pp. 458-459).

Finally, qualitative research can also be used with census data to confirm Sundown Towns. For example, oral histories, local newspapers, and other historical records can provide additional evidence of the existence and enforcement of Sundown Town policies (Loewen, 2005, pp. 458-459).

Local Histories, Archives, and Newspapers

Local histories, archives, and newspapers can provide valuable evidence for confirming the existence of Sundown Towns. In addition, these sources offer a wealth of qualitative information about a community's attitudes, beliefs, and practices, providing insight into the experiences of individuals who lived when Sundown Towns were prevalent.

Local histories can provide a detailed understanding of the history of a particular community and its attitudes toward race and ethnicity. For example, local histories can detail the experiences of African Americans and other minority groups within a Sundown Town, providing insight into the discriminatory practices and exclusionary policies that were in place (Loewen, 2005, pp. 458-459).

Archives, including government and institutional records, can also be valuable sources of information for confirming Sundown Towns. For example, government records can provide evidence of discriminatory policies and practices, such as zoning regulations, real estate covenants, and documented local laws that exclude African Americans from living in certain areas.

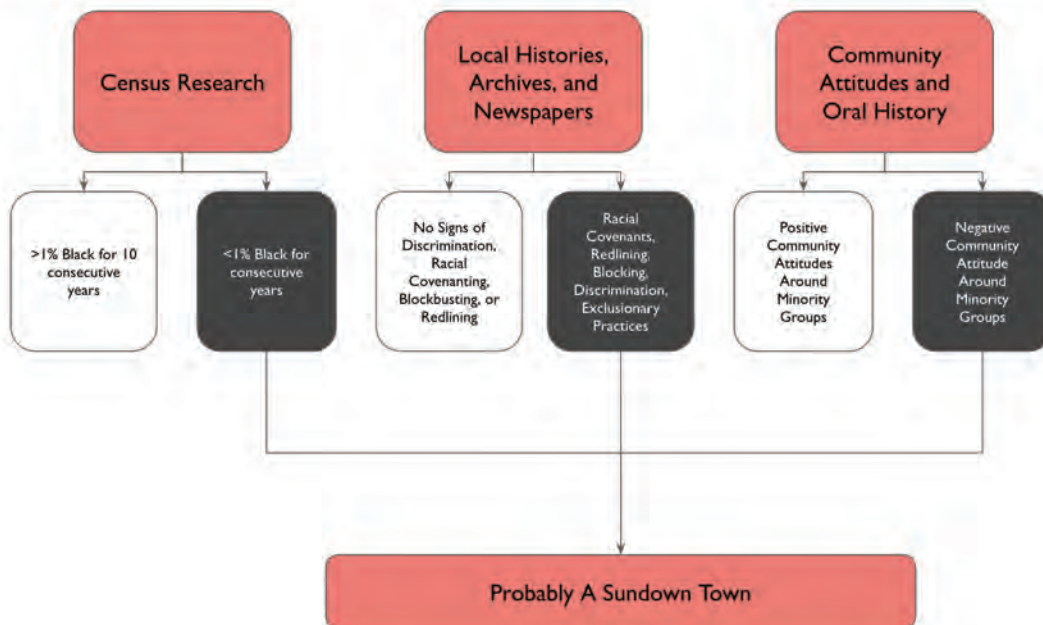
Newspapers can also provide valuable evidence for confirming Sundown Towns. For example, newspaper articles can detail the experiences of African Americans and other minority groups within a Sundown Town, including incidents of violence, discrimination, and exclusion. Additionally, local newspapers can provide valuable information about community attitudes toward race and ethnicity, including public debates or discussions about Sundown Towns (Loewen, 2005, pp. 458-459).

Community Attitudes and Oral History

Community attitudes and oral history can provide valuable insight into the existence of Sundown Towns, which excluded African Americans and other minority groups from living or visiting after sunset. In addition, these sources offer a qualitative understanding of the attitudes, beliefs, and experiences of individuals who lived when Sundown Towns were prevalent.

Community attitudes can provide evidence of the existence of Sundown Towns by offering insight into the beliefs and values of a particular community. For example, community attitudes can provide evidence of discriminatory practices, such as exclusionary policies or real estate practices, that prevent African Americans from living or visiting a community after sunset (Loewen, 2005, pp. 458-459). Community attitudes can also provide insight into the level of prejudice and racism within a community, offering evidence of the motivations behind the creation and enforcement of Sundown Towns.

Oral history can also provide valuable evidence for confirming Sundown Towns. By collecting the stories and experiences of individuals who lived in a particular community, oral history can offer a rich and detailed understanding of the attitudes, beliefs, and practices of a community, providing insight into the experiences of African Americans and other minority groups within a Sundown Town (Loewen, 2005, pp. 458-459).



How To Confirm A Sundown Town Graphic

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Jurisdictional Comparisons on Resolutions, Zoning Code Updates, and General Plan Policies

Case Study: Glendale, California

Glendale, California

Glendale, California, is the third largest City in Los Angeles County and is known for its beautiful neighborhoods, bustling downtown area, and excellent school system. Glendale is home to a thriving business community and various cultural attractions, but it was not always that way; Glendale has an ominous history that dates back to the early 1900s (Nochez, 2020). Early Glendale was known for discrimination against various communities, including African Americans, Latinos, and Armenians. However, one of the most significant examples of racism in Glendale's history is the 1920s Ku Klux Klan (KKK) presence in the city. The KKK was a white supremacist organization that advocated for the supremacy of the white race and promoted racism and violence against non-white individuals (Salisbury, 2006). During this time, the KKK held rallies and marches in Glendale, and many city officials, including the police chief, were known members of the organization.

In the early 1900s, Glendale, like many other cities in the United States, had laws and policies that enforced racial segregation (Nochez, 2020). For example, the city's zoning laws prohibited non-white residents from living in specific neighborhoods, and the Glendale School District practiced segregation until the mid-1950s. In addition, the police captain in the 1960s said that the police would pull over anyone who did not look like they belonged in Glendale, a tool to discriminate against African Americans. Anecdotal evidence confirmed Glendale's reputation as a hostile place for black people (N. Pasini & G. Schaffer, personal communication, February 23, 2023).

In the mid-20th century, African Americans migrated to California for better opportunities and faced discrimination in housing and employment in Glendale. For example, many real estate agents refused to sell or rent homes to Black families, and some employers discriminated against Black job applicants (Salisbury, 2006). More recently, Glendale has faced criticism



Pictured: Glendale, CA (The City of Glendale, 2023).

for its treatment of Armenian Americans, who make up a significant portion of the city's population. In 2019, a report by the Armenian National Committee of America accused the Glendale Police Department of racial profiling and targeting Armenian Americans (Tchekmedyan, 2019). The report cited data showing that Armenian Americans were disproportionately stopped and searched by police compared to other racial and ethnic groups.

Glendale's Sundown Town Resolution is essential to acknowledging and addressing the city's history of racism and exclusion. The resolution was prompted by a group of community members known as "Black in Glendale" and the social justice protests following George Floyd's murder. The city recognized the need to address this issue and passed the resolution along with building an entire library exhibit to educate the city on its past. Glendale was the first city in California to pass a Sundown Town resolution; Burbank and South Pasadena followed suit (N. Pasini & G. Schaffer, personal communication, February 23, 2023).

Gary Schaffer and Nicole Pasini are two people behind the writing of Glendale's Sundown Town Resolution. Gary is the director of Glendale Library, Arts & Culture, and the University of Southern California's Assistant Dean of USC Libraries; Nicole Pasini is the Assistant Director of Library, Arts & Culture.

During their research to confirm Glendale as a Sundown Town, Gary, and Nicole put together a virtual exhibit called "Reckoning: Racism & Resistance in Glendale." This exhibit allows anyone to explore Glendale's history as a racist city. They also mentioned that people had only seen one little story and assumed the city was racist, but everything needed to be shown. The exhibit includes six episodes, including information about the Ku Klux Klan and Nazis in Glendale. It is a thought-provoking installation that challenges viewers to confront the harsh realities of the world and the realities in Glendale. Gary said they received good feedback from the community on the exhibit, which was well-received, with no negative feedback (N. Pasini & G. Schaffer, personal communication, February 23, 2023).

When asked how the city confirmed itself as a Sundown Town, Nicole said that looking at the city's Real Estate practices fueled their research. Redlining, racial coveting, and blockbusting processes all played a role in the city's Sundown Town policies. Nicole suggested that other cities should dig in on evidence in their developments and the stance of their real estate board to see if there was systemic racism in their history. This involved examining the realty board, state realty board, and interactions with the California State Realty board, which turned out to be a significant lobbying organization for Antifa Housing in the 1960s. The American Nazi Party's headquarters were in Glendale. Gary and Nicole shared stories about how the city had illegally cut off the electricity and water supply to the American Nazi Party's headquarters in a rented house in the 1960s (N. Pasini & G. Schaffer, personal communication, February 23, 2023).

In building a resolution, Glendale aimed resources at three main research methods: Census Research, city Archives, and Community Stories. Gary and Nicole worked with their team to pull Census Data from 1840-today to see the demographic change. From 1840-the late 1900s, Glendale was less than 1% black. This information played a part in confirming Glendale as a Sundown Town. While no information was documented in city codes, information about the Nazi Headquarters in Glendale and the presence of the Ku Klux Klan was documented in public records and newspapers. Community members in Glendale shared many stories about feeling excluded in their hometown. Nicole mentioned that “missing data” can reveal part of the story. Drawing inferences from what is absent can help confirm Sundown Towns (N. Pasini & G. Schaffer, personal communication, February 23, 2023).

Glendale took the acknowledge, amend, atone approach when writing their resolution. They included “whereas” clauses summarizing their research and accomplished their approach into a two-page resolution. The critical statements included:

- WHEREAS the U.S. Census reported that the Black or African American population of Glendale in 1920 was 0.16% and in 2019 was 1.6%;
- WHEREAS, the Ku Klux Klan and other white supremacist organizations established themselves and held meetings in Glendale;
- WHEREAS, many real estate subdivisions created in Glendale adopted and enforced racially restrictive covenants and deed restrictions that kept African Americans and people of color from purchasing property and living in those subdivisions for several decades in the 20th century in Glendale;
- WHEREAS redlined maps of Glendale established the risk of lending to particular neighborhoods in south Glendale based on the presence of minorities;
- NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE does hereby resolve, declare, and determine as follows:
- (A) The City of Glendale acknowledges, apologizes for, and condemns all racially-motivated, discriminatory, or exclusionary aspects of the City’s history and deeply regrets the pain, hurt, and suffering such policies have caused;
- (D) The City of Glendale will review and revise its policies, procedures, ordinances, values, goals, and missions through an anti-racism lens to foster an unbiased and inclusive environment that is free of discrimination and harassment toward any person or group;
- (D) The City of Glendale has launched a year-long series of educational programming to enhance and elevate culturally diverse artistic voices and to bring additional focus on systematic racism by amplifying cultural voices through a lens of diversity, equity, and inclusion;
- (Glendale’s Sundown Town Resolution, 2020)

Gary and Nicole brought their resolution to the Council. The Council meeting to pass

the resolution was unanimous, and community members who had pushed for it were present at the meeting. Gary emphasized the importance of taking responsibility for the past and rectifying wrongs (N. Pasini & G. Schaffer, personal communication, February 23, 2023). He argued that the current City officials are not responsible for the past, but they do have a responsibility to acknowledge and address it. Otherwise, they become a part of the problem by allowing discrimination to continue.

When asked about specific measures and actions that Glendale takes to address issues related to Sundown Towns, Gary, and Nicole expressed the importance of educating the city on its past, hoping to avoid repeating it in the future. Gary and Nicole discussed their actions to promote diversity and inclusion within the city. They mention a book festival they are organizing that will feature BIPOC authors and food trucks from different ethnic groups. They also mention developing an inclusion, diversity, equity, and anti-racism plan and investing in staff training (N. Pasini & G. Schaffer, personal communication, February 23, 2023).

When asked how they plan to measure the effectiveness of the resolution, Gary and Nicole said that they would focus on the aspects they have agency over and that they directly control, such as the inclusion, diversity, equity, and anti-racism plan and staff training at the library. They also mention that they are urging City officials to work on updating policies, and policies will be reviewed through a race and equity lens. However, when asked about zoning code updates and general plan amendments to resolve and align with their goals for diversity and inclusion, Gary and Nicole were unsure if the city had any plans to do so (N. Pasini & G. Schaffer, personal communication, February 23, 2023).

Glendale's Sundown Town Resolution is exemplary and a much-needed action step to acknowledge, amend, and atone Glendale's history. By acknowledging and confronting the harsh realities of Glendale's past, the city can begin to heal and move towards a more equitable future. In addition, the resolution serves as a model for other cities to follow, demonstrating the importance of addressing systemic racism and exclusion in our communities. The virtual exhibit, "Reckoning: Racism & Resistance in Glendale," further highlights the importance of education and awareness in understanding the city's history and moving towards a more just and inclusive future. Overall, the Glendale Sundown Town Resolution and the accompanying exhibit are crucial steps toward creating a more equitable and just society for all.

Case Study: Burbank, California

Burbank, California

Burbank, California, located in Los Angeles County, is known as the “Media Capital of the World” and is home to major entertainment companies like Disney, Warner Bros, and NBCUniversal. The city’s rich history in the entertainment industry dates back to the 1920s when the first film studio, First National Pictures, was established. However, it has a reputation for discrimination and racist practices.

In the mid-20th century, by implementing discriminatory practices, Burbank’s real estate market limited housing opportunities for people of color. As a result, the city’s population was predominantly white. A report by the Urban Displacement Project at UC Berkeley stated, “Burbank has a long history of racial segregation and discriminatory housing practices, with many of the most exclusionary practices occurring during the post-World War II period of suburbanization” (Urban Displacement Project, 2021).

Burbank is a historically racist city; in 1942, during World War II, the U.S. government forced over 120,000 Japanese Americans into internment camps, including many who lived in Burbank. As a result, the city’s Japanese American population was forced to leave their homes and businesses and sent to live in cramped, often squalid conditions in camps for the duration of the war (Inouye & Miyake, 2017). In a 2017 report by the Advancement Project California, the organization found that Burbank had a “disproportionately low percentage of Black, Latino, and other residents of color” (Advancement Project California, 2017). In addition, it noted the city’s history of housing discrimination. The report also noted that Burbank was “a former Sundown Town, where people of color were not welcome after dark” (Advancement Project California, 2017). In addition, a 2020 article in the Los Angeles Times examined the history of Japanese American internment in Burbank, highlighting the experiences of families who forcefully left their homes and businesses. The article notes that “Burbank officials played a leading role in forcibly removing Japanese Americans from their homes and businesses” and that the city was “one of the most aggressive in the state in enforcing the internment order” (Masunaga, 2020).

While progress in recent years has occurred, it is essential to acknowledge and confront this history to create a more just and equitable community. Organizations like the Burbank Human Relations Council have played a big part in creating change in Burbank. The Burbank

Human Relations Council is a community-based organization that promotes diversity, equity, and inclusion in Burbank, California. Established in 1952, the council has advocated for social justice, addressing discrimination, and fostering community understanding. The council's initiatives include educational programs, community events, and partnerships with local organizations and businesses. Through its work, the Burbank Human Relations Council strives to create a welcoming and inclusive environment for all residents, regardless of race, ethnicity, religion, gender, or sexual orientation. In addition, the Burbank Human Relations Council initiates Burbank's Sundown Town Resolution. Suzanne Werts is on the board of Burbank Human Relations and led the effort to write the resolution. Suzanne agreed to an interview to share more information about her project.

In writing Burbank's Sundown Town resolution, Suzanne looked to a neighboring city, Glendale, for support. She used many materials that Glendale provided in their exhibit, Reflect Space. Suzanne's research stemmed from gathering the stories of residents, looking at city archives, anecdotal evidence, and real estate history. She used much of Glendale's research as Glendale and Burbank are neighboring cities; one can infer that since the cities are so close, they share local histories. Suzanne mentioned that she did look into the Census archives but needed help finding information significant enough to include, plus she felt that there was already enough anecdotal evidence to prove her point to the city council. Suzanne mentioned that she and the board also searched through old family archives. She recalled finding a journal about a relative's experience living in Glendale during the early 1900s. (S. Werts, personal communication, February 27, 2023).

Burbank also took the acknowledge, amend, and atone approach when writing their resolution. In addition, they included statements summarizing their research and accomplished their approach into a three-page resolution backed with multiple pages of community signatures (discussed below). The critical statements included:

- Historically some of our citizens and institutions actively discouraged – often by social and cultural means – members of non-white racial and ethnic groups, particularly Black people, from settling and living here using “Sundown Town” activities, where members of non-white racial groups were discouraged from being within the city limits after sundown.
- Many real estate subdivisions created in Burbank adopted and enforced racially restrictive covenants and deed restrictions that kept Black people and people of color from purchasing property and living in those subdivisions for several decades in the 20th century.
- In the city of Burbank, core community members, faith leaders, businesses, social service organizations, and educational institutions are working together to tell the compelling stories of our increasingly diverse community – including acknowledging our community's failings – all for the good of Burbank now and in the future.
- **NOW, THEREFORE, WE, THE CITY COUNCIL OF THE CITY OF BURBANK**
- **RESOLVES TO:**
- Acknowledge, apologize for, and condemn all racist, discriminatory, or exclusionary aspects of

Burbank's history, and deeply regrets the pain and suffering such policies have caused.

- Review and assess city policies, procedures, ordinances, values, goals, and missions through an anti-racism lens to foster an unbiased and inclusive environment free of discrimination, retaliation, and harassment toward any person or group.
- Pledge to work toward the common good in building a warm and welcoming community where all people of goodwill – regardless of race, color, gender identity or expression, religion, sexual orientation, national origin or ancestry, age, disability, marital status, physical appearance, political activity, and familial status – can live, be free, and pursue happiness.

The City Council unanimously passed the resolution.

Suzanne took steps after the resolution passed to help educate the community on its past. She brought the resolution to multiple community events and asked members to add their signatures, committing to a better future in Burbank. The implementation of the resolution did not involve the City Planning Department. However, it aligns with the city's overall vision and goals for racial equity and social justice. The council members who signed the resolution as community members are now serving on the City Council, which may facilitate its continued implementation. The council plans to remind City Council members of the resolution as various related topics arise (S. Werts, personal communication, February 27, 2023).

Suzanne ended the interview by sharing her inspiration to join the Burbank Human Relations Council. She liked its mission of creating a sense of togetherness in the community and standing up against discrimination and hate crimes. The organization has also worked to spread love and kindness through signs posted in yards, which gained popularity during the pandemic. She is committed to building a sense of togetherness in the community and ensuring everyone's voice has a place. Suzanne mentioned a personal experience of family members who were victimized during the pandemic and the rise of hateful rhetoric since 2016. Suzanne believes that shining a light on these issues is a countermeasure against hate and discrimination (S. Werts, personal communication, February 27, 2023).



Pictured: Burbank, CA (The City of Burbank, 2023).

Case Study: South Pasadena, California

South Pasadena

South Pasadena, located in Los Angeles County, California, has a population of approximately 25,000 people (US Census Bureau, 2020). South Pasadena has a complex history as a “Sundown Town” known for enforcing racial segregation and exclusionary practices, particularly against Black Americans.

In the early 20th century, South Pasadena, like many other cities in California, implemented strict zoning laws that restricted where Black people and other people of color could live (Davis, 1990). These laws effectively kept Black Americans out of South Pasadena and other communities, creating de facto segregated neighborhoods and schools. Despite the passage of civil rights legislation in the 1960s, South Pasadena remained largely homogeneous and continued to be known as a “Sundown Town” well into the 21st century. A 2010 report by the NAACP found that South Pasadena had one of the lowest percentages of Black residents of any city in Los Angeles County (NAACP, 2010).

In recent years, however, South Pasadena has tried to acknowledge and address its history of exclusionary practices. In 2017, the city council passed a Sundown Town resolution apologizing for its past treatment of Black residents and committing to promoting diversity and inclusion (City of South Pasadena, 2017). The Anti-Racism Committee of South Pasadena (ARC) developed and proposed this resolution. According to their website, “the Anti-Racism Committee (ARC) of South Pasadena is a grass-roots organization committed to addressing the deep wounds of systemic racism in our City as well as working towards racial justice in government policy, public safety, education, housing, art, and community services, among others. ARC works in partnership with all communities to help foster accountability, equity, restorative justice, and empathic exchange” (ARC, 2023).

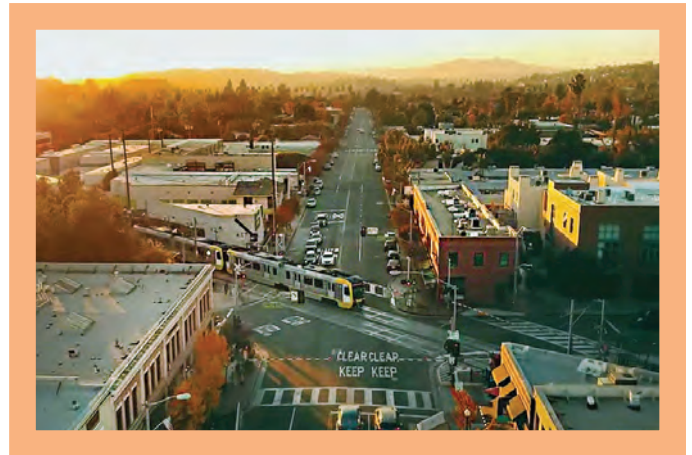
As the director of the Anti-Racism Committee (ARC) of South Pasadena, Will Hoadley-Brill has been instrumental in advocating for racial equity and social justice in his community. Inspired by the murder of George Floyd in the summer of 2020, Hoadley-Brill and three other community members founded ARC in partnership with city officials to address racism in South Pasadena. Hoadley-Brill responded to Anna on April 10, 2023, discussing the organization and its developed instrumental resolution.

One of ARC’s significant achievements has been the passage of the Sundown Town Resolution, which acknowledges and reconciles South Pasadena’s history as a Sundown Town. The resolution, which the City Council passed with support from the community, recognizes the need for accountability and measures to implement the resolution effectively. However, Hoadley-Brill acknowledges that the need

for a formal structure for accountability has been a challenge in the implementation process.

ARC and the city planning department have been actively involving community members, including members of marginalized groups, in implementing the Sundown Town resolution. Through coalition-building events, partnerships with local organizations, community dialogues, book clubs, and other initiatives, ARC has focused on storytelling and community education to shift South Pasadena's culture toward one that recognizes and addresses its harmful history.

Regarding measuring the resolution's effectiveness, Hoadley-Brill acknowledges that it will be an ongoing conversation between the city and constituents, as the measures of success outlined in the resolution are not primarily quantitative. However, ARC remains committed to working with the city planning department and other stakeholders to evaluate progress and hold the city accountable for complying with the vision outlined in the resolution.



Pictured: South Pasadena, CA (The City of South Pasadena, 2023).

When asked about potential updates to the Zoning Code and General Plan to reflect the points brought about in the resolution, Hoadley-Brill indicates that he needs to be made aware of any specific plans. However, he emphasizes that he cannot comment on the city's considerations in these processes as he is not a city employee or an elected official.

Regarding partnerships and collaborations with the city planning department, Hoadley-Brill mentions that ARC has worked directly with the lead staff member who drafted and championed the resolution. The staff member has been communicative and responsive to ARC's concerns, and ARC has also engaged in public comment campaigns and legislative advocacy to further its initiatives.

Looking to the future, Hoadley-Brill and ARC plan to continue advocating for racial equity and social justice in South Pasadena. While specific initiatives and plans may evolve, Hoadley-Brill's commitment to addressing racism in his community remains unwavering.

In conclusion, as the director of ARC, Will Hoadley-Brill has played a pivotal role in advancing the organization's initiatives, including the passage of the Sundown Town Resolution in South Pasadena. His dedication to addressing racism and promoting racial equity and social justice

is evident in ARC's efforts to involve community members, advocate for accountability, and collaborate with the city planning department. With ongoing plans and initiatives, Hoadley-Brill and ARC continue to make strides in their mission to combat racism in South Pasadena and create a more inclusive and equitable community.

See Appendix A For Full Comparison Chart

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Resolutions and Sundown Towns

Resolutions and Sundown Towns

Overview

Acknowledging historical wrongdoings through resolutions is an essential process of truth-telling and recognition. Resolutions are a powerful tool for cities to acknowledge their past members' historical wrongdoings, attitudes, and actions. They represent a crucial first step towards recognizing and addressing the impact of historical injustices and creating a path for healing, reconciliation, and progress. Cities can publicly acknowledge and take responsibility for the harmful actions of the past, educate their communities about historical events, and strive to prevent similar mistakes from being repeated in the future. Resolutions require cities to continuously work towards acknowledging historical injustices, educating their communities, and taking actions to atone for past wrongs, including ongoing community engagement, regular reporting on progress, and accountability measures to ensure that the commitments made through resolutions are being fulfilled. They represent a crucial first step towards recognizing the impact of historical injustices and creating a path for healing, reconciliation, and progress. Resolutions facilitate acknowledgment, education, accountability, and policy reforms, allowing cities to atone for past wrongs.

The Defending Rights & Dissent Organization's Guide to Writing Effective Resolutions and Ordinances

Tips for Writing and Passing an Effective Resolution

- **Build a Broad Coalition.** Writing the resolution should not be the starting point. First, it is critical to build a diverse group of community members who support your efforts. This enables your group to demonstrate to your local legislative body that your concerns are valid and important and that local community members are educated on the issues. Building public support also helps to demonstrate to your legislative body why it is a local issue. Additionally, if you choose to have a resolution or ordinance to increase monitoring about how the USA PATRIOT Act is being implemented, it is best to obtain the prior approval of the government agency that will be doing the monitoring. Many communities have Human Rights Commissions that may be willing to carry out monitoring.
- **Study legislative processes in your town or city.** Some cities may require you to have a councilperson introduce the resolution while in other cities you may be able to put the resolution on the agenda. As an initial step, your group should build a relationship with

members on your local legislative body. If the body feels that the resolution is a joint effort, there will be a greater chance that the resolution will pass. You may want to even approach a member to draft the resolution, which you can collaboratively revise. Feel free to show the members a list of cities that have passed resolutions and to give them a sample resolution. Also, in most locations, resolutions will not have lasting legal effect and if this is the case you may want to consider passing a city ordinance or other local legislation (see the explanation of resolutions and ordinances above).

- Focus on using mandatory language (“shall” “must” “will”, etc.) versus discretionary language (“we encourage x body to...” “may”, etc.). Mandatory language helps to create a legally binding duty for the adopting body and those bodies it has jurisdiction over (such as local police departments). However, your resolution cannot have legally binding authority over other bodies that your adopting body does not have jurisdiction over, such as Congress or the President- for these bodies the resolution can only “urge” them to act. Like all legal language, the more specific you make the duty, the easier it will be to enforce.
- Be textually accurate. In describing all laws and regulations, try to quote textual language or summarize directly from the textual language, citing the relevant section of the Act. Avoiding sweeping allegations or broad textual summaries will bring credibility and factual accuracy to your resolution and will also steer the discussion away from rhetoric towards meaningful discourse. Complete text of the USA PATRIOT Act
- Allow for revisions. It is important to have some flexibility for compromises that may be necessary to pass the resolution in your legislative body.
- Maintain your community network. As you may have to play watchdog to make sure the provisions or your resolution or ordinance are properly implemented, it is vital to keep your group connected and continuously informed. Additionally, as you probably know, new threats to our civil liberties arise all the time and keeping your network together will help your community address them in the future. Passing a resolution is just the first step towards protecting your civil rights and liberties.

(Defending Rights & Dissent, 2021).

See Appendix D For Full Article

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Municipal Codes and Sundown Towns

Municipal Codes and Sundown Towns

Overview

Historically, cities enforced Sundown Town policies through city zoning codes. They specified the allowed use of the land, what types of buildings and structures are permitted, and other related regulations such as setbacks, height limits, density, and parking requirements. Zoning codes are intended to guide and regulate land use to promote orderly and compatible development, protect public health and safety, and maintain the character and integrity of a community (APA, 2019). However, discriminatory zoning practices regulated the racial composition of neighborhoods and enforced segregation, contributing to the exclusion of minority communities, especially in Sundown Towns. Sundown town practices enforced by zoning codes included racially-based, restrictive zoning and no cruising ordinances.

Racially-Based, Restrictive Zoning

In Sundown Towns, cities used racially-based zoning to designate specific areas exclusively for white people, preventing people of other races from living there. (Loewen, 2005, p. 252). In addition, some zoning ordinances were explicitly discriminatory, prohibiting people of certain races from living in certain zones and contributing to the racial segregation and exclusion of minority communities while creating and maintaining racially homogeneous neighborhoods and preventing the integration of minority communities. (Rothstein, 2017, p. 32). These ordinances were forms of redlining, racial covenanting, and blockbusting, often written into municipal code or home deeds.

Cities justified these ordinances by maintaining property values or preserving white neighborhoods' "racial purity" (Rothstein, 2017, p. 45). Zoning codes often set minimum lot sizes or housing costs that prevent lower-income individuals, especially people of color, from residing in specific neighborhoods. By setting sizable minimum lot sizes or housing costs, Sundown Towns made it economically unfeasible for minority communities to live in certain areas, effectively enforcing racial segregation based on economic status. Requiring a minimum lot size for homes can result in certain areas mainly having expensive and large homes, leading to the separation of different income groups and excluding households with lower incomes.

In many cities and communities, strict zoning codes limit or prevent the development of multifamily housing options like apartment buildings or condominiums. This is a common practice known as restrictive zoning for multifamily housing. These zoning practices can significantly impact housing affordability, diversity, and availability and contribute to patterns of residential segregation and exclusion (Rothstein, 2017). Studies indicate that placing restrictions on multifamily housing through zoning laws can worsen affordable housing issues, reducing the availability of economical rental or ownership choices for households with lower incomes. (Rothstein, 2017). These zoning practices can also perpetuate residential segregation. They can concentrate multifamily housing in lower-income or minority-majority areas while excluding them from more affluent or predominantly single-family areas contributing to Sundown Towns.

Some zoning codes and home deeds still contain provisions limiting the location of affordable or multifamily housing options in predominantly white or affluent neighborhoods while allowing them in minority or lower-income areas. Historical zoning practices still leave neighborhoods separated by race and income level.

Cities can look at their zoning maps, zoning codes, and local home deeds to find policies that apply to them. They can then use the recommendations in the “Amend” section to update city policy.

No Cruising Ordinances

Sundown town policies were also enforced through city zoning codes through “no cruising” ordinances. “No cruising” ordinances targeted and discriminated against minority communities, particularly Black communities, by restricting the movement of individuals in certain areas. These ordinances typically prohibited or limited driving or walking in certain areas or on specific roads during certain times and were used to target and harass people of color perceived as “out of place” or “undesirable” in predominantly white neighborhoods. Studies have found that communities of color, particularly African American and Latino communities, are more likely to be subjected to discriminatory enforcement of “No cruising” ordinances, leading to harassment, unfair treatment, and disproportionate fines or penalties (Armborst et al., 2021, p. 237). In addition, these ordinances can disproportionately affect low-income communities and communities of color, as they may limit social and recreational activities essential for community cohesion and well-being (Austin, 1998, p. 669).



Pictured: No Cruising Zone Sign

It is essential for local governments and law enforcement agencies to carefully review and assess the impact of “No cruising” ordinances to ensure they are not a pretext for discriminatory practices, primarily because they were used to enforce Sundown Towns. Cities should promote fair and unbiased enforcement and engage with affected communities to address concerns or issues related to “No cruising” ordinances. In addition, cities can explore alternative traffic management and public safety strategies to avoid discriminatory impacts on minority communities.

Zoning codes enforced these ordinances by designating certain areas as “no cruising” zones and imposing fines or penalties for violations. Updating zoning codes to reverse Sundown Town policies would promote inclusive and equitable access to public spaces without discrimination based on race, ethnicity, or other protected characteristics by ensuring that any restrictions on movement or access to public spaces are based on legitimate and non-discriminatory reasons, such as public safety or traffic management, and are applied uniformly and without bias.

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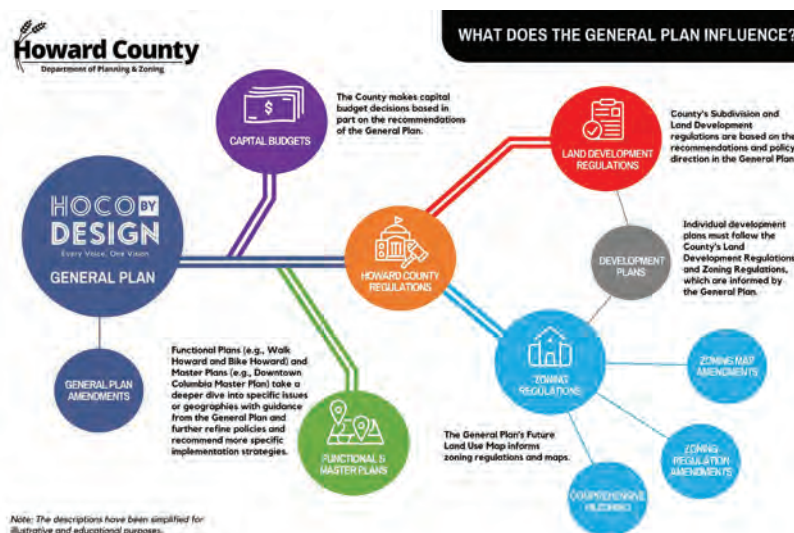
General Plans and Sunset Towns

General Plans and Sundown Towns

A general plan is a comprehensive, long-range planning document that outlines the vision, goals, and policies for a city or region's physical, social, and economic development. It typically includes various elements covering land use, transportation, housing, conservation, economic development, public services, community design, and implementation measures. General plans serve as a policy guide for future development and decision-making within a jurisdiction (OPR, 2019). General plans include specific goals, policies, and programs that they implement over a given period. The general plan includes seven main chapters:

- Land Use Element
- Circulation Element
- Housing Element
- Conservation/Open Space Element
- Economic Development Element
- Public Services and Facilities Element
- Community Design Element

Each chapter of the general plan is an opportunity to create a more inclusive community while acknowledging, amending, and atoning historic Sundown Town policies. The text below outlines an example goal and strategy that cities can implement into each chapter to enact resolutions and zoning code updates. The examples intentionally mention the history of Sundown Towns as a way to recognize the city's past. By implementing these strategies into the General Plan, cities are making a written commitment to work towards eliminating Sundown Town policies once and for all.



Pictured: General Plan Graphic (The City of Howard, 2019)

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The Acknowledge, Amend, Atonement Approach

The Acknowledge, Amend, Atone Approach

Overview

Coined by the City of Glendale, the “acknowledge, amend, atone” approach is crucial for reconciling historical injustices such as Sundown Towns (N. Pasini & G. Schaffer, personal communication, February 23, 2023). It is a three-step process that includes acknowledging the existence and impact of historical injustices, amending or rectifying the harm caused, and atoning or taking responsibility for past actions.

Acknowledge

Acknowledging the historical injustices and harms inflicted on minority populations is a crucial first step towards the reconciliation of Sundown Towns. The approach includes recognizing and admitting the wrongs committed, acknowledging the suffering and trauma experienced by people, and accepting responsibility for past actions and their ongoing effects. Cities can acknowledge historical injustices by issuing official apologies, erecting historical markers or memorials, conducting education and awareness campaigns, engaging in community consultation, implementing policy changes and reforms, and supporting cultural preservation and revitalization. The critical way cities can acknowledge their history as a Sundown Town in a public way is by writing a resolution acknowledging the wrongs committed by the city. This guide provides a draft resolution for use.

Amend

Concrete actions to amend the injustices and address the ongoing effects of historical harm need to be taken as part of the work to resolve past injustices. Amending historical practices involves implementing policies, programs, and measures that promote equality, social justice, and empowerment for people. It may also include reforms to laws, institutions, and practices perpetuating discrimination or disadvantage. Cities can amend historical injustices by implementing policy reforms, providing reparations, establishing redress mechanisms, implementing education and awareness programs, engaging in community consultation and participation, making institutional changes, and implementing restorative justice practices. These actions aim to address systemic issues, promote equality and social justice, restore

dignity to those affected, and facilitate healing, accountability, and reconciliation. It is essential to work in partnership with affected communities, prioritize their voices and perspectives, and tailor actions to the specific nature of the injustices and the communities needs. The critical way to amend prior policies from a city planning perspective is to update current zoning code policies. This guide provides draft zoning code updates for use.

Atone

Atonement goes beyond mere apologies or reparations; it involves genuine efforts to repair the harm caused and restore relationships of trust and respect. Cities can atone for historical injustices through various approaches such as reparations, public apologies, memorials and commemorations, education and awareness programs, restorative justice practices, policy reforms, and community engagement. These efforts aim to acknowledge the wrongs of the past, promote healing, accountability, and reconciliation, and address systemic issues related to historical injustices. Cities need to partner with affected communities, prioritize their voices and perspectives, and ensure that justice, equity, and inclusionary principles guide the atonement process. The critical way to atone Sundown Town policies is to embed language into the city's General Plan, resetting the city's tone and providing a framework for the foreseeable future. This guide provides attainable General Plan updates to atone Sundown Down policies.

Restorative justice is not about punishing offenders but instead involves a process of healing, accountability, and reconciliation that seeks to restore relationships and communities. While there are challenges and limitations to implementing this approach, including addressing power imbalances, overcoming resistance to change, and navigating cultural complexities, the effort behind this approach and the continuous effort to make a change in communities is impactful.



Pictured: Restorative Justice Graphic (Odyssey, 2023)

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Acknowledge: Draft Resolution Standards for Acknowledging Sundown Towns

Draft Resolution

This resolution is a draft that can be modified to meet any city's needs. Appendix B contains exemplary Sundown Town Resolutions.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
[INSERT CITY HERE], CALIFORNIA ACKNOWLEDGING [INSERT CITY HERE]'S
RACIALLY EXCLUSIONARY PAST AS A 'SUNDOWN TOWN'

WHEREAS, in the 20th century, many towns throughout the state of California, along with towns and cities in many other states became known as “Sundown Towns” because of their practice of excluding members of non-white racial and ethnic groups, from living in said jurisdictions or even being inside the city limits after sundown, often by social and cultural means, and through government action, including police profiling and enhanced enforcement;

WHEREAS, racial disparities have existed since the birth of this nation, to the detriment of Black communities and people of color, and persist across wealth, health, education, the criminal justice system, and beyond; and

WHEREAS, various practices and events in the history of the City of [CITY] have been identified as creating such a circumstance to identify the City of [CITY] as having been a Sundown Town;

WHEREAS, such circumstances and events include the following:

- [INSERT EVENTS THAT OCCURRED FROM RESEARCH]
- [INSERT EVENTS THAT OCCURRED FROM RESEARCH]
- [INSERT EVENTS THAT OCCURRED FROM RESEARCH]

WHEREAS, the U.S. Census reported that the Black or African American population of [CITY] in [YEAR(s)] was [PERCENTAGE LESS THAN 1%]; and

WHEREAS, {if true} although no official ordinance or law of the City of [CITY] has been found imposing sundown restrictions, oral and written history, public accounts, and newspaper articles plainly demonstrate [CITY]'s history as a “Sundown Town” for a significant portion of the [TIME];

WHEREAS, such Sundown Towns throughout the state of California, along with towns and cities in many other states, excluded—often by social and cultural means, including police profiling—members of non-white racial and ethnic groups, particularly African Americans, from living in said jurisdictions or even being inside the city limits after sundown;

WHEREAS, the {if true} [INSERT WHITE SUPREMACIST ORGANIZATIONS] established themselves and held meetings in [CITY];

WHEREAS, many real estate subdivisions created in [CITY] adopted and enforced racially restrictive covenants and deed restrictions that kept African Americans and people of color from purchasing property and living in those subdivisions for several decades in the 20th century in [CITY];

WHEREAS individuals who were not white were prohibited from [INSERT EXCLUSIONARY PRACTICE] until the [INSERT YEAR];

WHEREAS redlined maps of [CITY] established risk of lending to particular neighborhoods in [PART OF CITY] based on the presence of minorities;

WHEREAS, the City of [CITY] understands the importance of examining what role it has played in institutional racism, both historically and currently, and is ready to embark on a journey towards racial literacy; and

WHEREAS, the City Council of the City of [CITY] envisions a city in which each person regardless of their racial or ethnic background has equal opportunity to thrive;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF [CITY] does hereby resolve, declare, and determine, as follows:

(A) The City of [CITY] acknowledges, apologizes for, and condemns all racially-motivated, discriminatory, or exclusionary aspects of the City's history, and deeply regrets the pain, hurt, and suffering such policies have caused;

(B) The City of [CITY] City Council and staff will continue to engage in individual and collective work to understand bias and train on diversity, equity, and inclusion practices;

(C) The City of [CITY] will continue to examine the historical role that racism has played in [CITY] by committing resources to draft a historical context statement with a racial/ethnic theme to better understand and address historical development

patterns within [CITY];

(D) The City of [CITY] will review and revise its policies, procedures, ordinances, values, goals, and missions through an anti-racism lens, including the City Zoning Code and General Plan, to foster an unbiased and inclusive environment that is free of discrimination and harassment toward any person or group;

(E) The City of [CITY] will promote inclusion and equity, and will stand up to bigotry, hatred, intolerance, racism, and violence; and

(F) The City of [CITY] unequivocally rejects racism in all its forms and is committed to working towards building an anti-racist [CITY] where people of all races and cultural backgrounds are welcome to live and prosper.

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**Amend:
Recommendations for
Zoning Code Updates to
Amend Sundown Towns**

Zoning Code Updates

This section provides steps for updating zoning codes to further amend Sundown Towns. Providing the resolution is just the first step, now cities have the research to back changes to their zoning code. By amending policies and rezoning land, cities are working towards a more inclusive future. Appendix C contains a document by the City of San Francisco on updating legislation.

Overturn No Cruising Ordinances and Update City Municipal Code

Overturning no cruising ordinances is a very simple process. Cities can start by identifying where in their zoning code the no cruising ordinance lies. For example, the city of Vacaville, California has a no cruising ordinance published in the Streets, Sidewalks and Public Places section of their municipal code. The section titled “Cruising and Loitering In No Cruising Zones” outlines a code written in 1988 prohibiting cruising. The code is as follows:

Chapter 12.17: Cruising and Loitering In No-Cruising Zones

Sections:

ARTICLE I. Regulation of Cruising

- 12.17.010 Cruising prohibited.
- 12.17.020 Cruising defined.
- 12.17.030 Congested traffic defined.
- 12.17.040 Green light cycle defined.
- 12.17.050 Traffic-control point defined.
- 12.17.060 Warning against cruising.
- 12.17.070 Violation of this article.
- 12.17.080 Posting of signs.
- 12.17.090 Penalty for violation.

ARTICLE II. Loitering In No-Cruising Zones

- 12.17.100 Prohibition against loitering in no-cruising zones.

ARTICLE I. Regulation Of Cruising

- 12.17.010 Cruising prohibited.

No person shall engage in the activity known as “cruising,” as defined in this article, on the public streets, alleys or highways of the city in any area which has been posted as a no-cruising zone. (Ord. 1360 §1 (part), 1988).

12.17.020 Cruising defined.

For purposes of this article, “cruising” means and is defined as the repetitive driving of any motor vehicle past a traffic-control point in traffic which is congested at or near the traffic-control point. (Ord. 1360 §1 (part), 1988).

12.17.030 Congested traffic defined.

A. For the purposes of this article, “congested traffic” means traffic on any public street, alley or highway which is delayed to the point that:

1. Motor vehicles cannot move through a one-hundred yard approach corridor to an intersection controlled by a traffic light within two complete green light cycles where the delay in forward movement is due to the position of other motor vehicles; or

2. Motor vehicles cannot move through a one-hundred yard approach corridor to an intersection controlled by a traffic light within a five minute period of time where the delay in forward movement is due to the position of other motor vehicles; or

3. Motor vehicles cannot readily move forward on portions of public streets, alleys or highways between intersections because traffic speed has slowed to less than five miles per hour, and the delay in movement is due to the position of other motor vehicles.

B. The determination that a street, alley or highway is congested shall be made by the ranking peace officer on duty within the affected area. (Ord. 1360 §1 (part), 1988).

12.17.040 Green light cycle defined.

For purposes of this article, a “green light cycle” means the period commencing upon the switching of a red light to a green light through to the return of a red light. (Ord. 1360 §1 (part), 1988).

12.17.050 Traffic-control point defined.

For purposes of this article, “traffic-control point” means a location along a public street, alley or highway utilized by a peace officer on duty within the affected area as an observation point in order to monitor traffic conditions for potential violations of this article. (Ord. 1360 §1 (part), 1988).

12.17.060 Warning against cruising.

A peace officer shall issue a written notice to any person operating or occupying any motor vehicle passing a traffic-control point that any subsequent passage past the traffic-control point within the next succeeding four hours will be a violation of this article. (Ord. 1360 §1 (part), 1988).

12.17.070 Violation of this article.

Any person who, after having received a written notice as described in Section 12.17.060, subsequently drives past the same traffic control point within the next succeeding four hours shall be in violation of this article. (Ord. 1360 §1(part), 1988).

12.17.080 Posting of signs.

This article will be enforced in any area which has been posted as a no-cruising zone. No-cruising signs shall be posted at the beginning and end of any public street, alley or highway or portion thereof which is a no-cruising zone. The signs shall reference California Vehicle Code Section 121100(k) and this chapter. (Ord. 1360 §1(part), 1988).

12.17.090 Penalty for violation.

Violation of this article is an infraction. (Ord. 1769, Amended, 9/12/2006; Ord. 1360 §1(part), 1988).

(City of Vacaville Municipal Code, 2006).

Amending this code requires meeting with a city attorney and preparing a document for the city council requesting the change. The document would outline the changes and contain the current code with the proposed changes strike through and any additions underlined (Board of Supervisors City and County of San Francisco, 14).

One format, as recommended by the City of San Francisco, to use could be as follows:

LEGISLATIVE DIGEST

[Insert Plain English Short Title --no longer than 250 characters]

Insert complete title of ordinance in bold using lower case letters.

Existing Law

Insert summary of current provisions of law being amended

Amendments to Current Law

Insert summary of amendments to current law being made by the ordinance

Here is where a statement could be made that the law is to be completely overturned.

Background Information

Insert background information to assist reader in understanding the legislative history or rationale for the legislation.

Here is where this research done around historic Sundown Town Policies could be referenced.

(Board of Supervisors City and County of San Francisco, 14).

Appendix C provides more information, from the city of San Francisco, for updating legislation.

Revisit and Update Zoning Map

The city's zoning code and maps should be reviewed thoroughly as the first step to promoting inclusion through zoning. This analysis aims to highlight any rules that may continue to cause segregation or restrict the chances of low-income and minority residents. To properly analyze the situation, involving community members and performing a racial equity impact evaluation of the existing zoning code and maps may be necessary (Freeman, 2021). After identifying problematic zoning provisions, the city should create an inclusionary zoning policy that prioritizes the development of mixed-income and mixed-use properties. To ensure the availability of affordable housing and promote the development of easily accessible neighborhoods, developers should allocate a specific percentage of units for affordable housing and prioritize transit-oriented and walkable locations. During the zoning review process, the city should also involve residents, community organizations, and local businesses in a thorough community engagement plan (Freeman, 2021). It is essential for policies to safeguard long-term residents from being forced to leave their homes because of increasing housing expenses and gentrification (Freeman, 2021). To promote inclusion and reduce segregation, the city should establish new zoning policies that include rent stabilization, just-cause eviction protections, and affordable housing preservation initiatives. A monitoring and evaluation program should be implemented to ensure these policies achieve their intended goals. This program will track changes in the city's demographics, housing affordability, and access to amenities (Freeman, 2021).

Based on research, the below 5 step process can assist cities in taking action to promote inclusion through zoning, including conducting a comprehensive review of the zoning code and maps.

- Step 1: Review the current zoning map and overlay it with census data to identify where majority and minority groups live. To create more inclusive zoning maps, it's essential to understand the demographics of a city's neighborhoods. Census data can help identify where majority and minority groups live, making it easier to identify areas that need to

be rezoned. For example, if a city has zoning policies that have resulted in a concentration of minority groups in a particular area, it might consider rezoning to create more mixed-income and mixed-use neighborhoods.

- **Step 2:** Look at the Sundown Town Resolution and identify specific places that contributed to the city as a Sundown Town. By identifying specific places in a city that contributed to the city being a Sundown Town, city officials can better understand how zoning policies may have contributed to segregation in the past and work to eliminate these patterns.
- **Step 3:** Conduct an equity analysis identifying communities of color and minority communities and their relation to necessary goods and services. Additionally, identify their relationship to industrial areas. Overlay a pollution burden map. An equity analysis can help identify communities of color and minority communities that may be at a disadvantage due to current zoning policies. It can also help identify areas that lack access to essential goods and services, such as grocery stores, healthcare facilities, and schools. Overlaying a pollution burden map can help identify areas where pollution and environmental hazards are disproportionately affecting minority communities, highlighting the need for zoning policies that prioritize the health and safety of all residents.
- **Step 4:** Consolidate data and identify key areas that could be rezoned to become more inclusive. After collecting data and identifying areas that need to be addressed, city officials can begin to consolidate the data and identify key areas that need to be rezoned. This process involves looking at how zoning policies can be modified to create more equitable communities and provide access to necessary goods and services, such as affordable housing, transportation, and healthcare.
- **Step 5:** Propose rezoning to the City Council and update maps and zoning code. Finally, city officials must propose the updated zoning maps to the city council and update the zoning code. This step involves a public hearing and a vote by the council to approve or reject the proposed changes. If approved, city officials can update the zoning maps and work with the community to implement the new policies.

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Atone: General Plan Policy Guidelines for Atoning Sundown Town Policies

General Plan Policies

The author of this resource guide, Anna Rago, developed the following general plan policy guidelines based on previous research and exemplary city policies surrounding diversity, equity, and inclusion.

The Land Use Element

Goal LU 1: Inclusive and Diverse Communities

The city promotes inclusive and diverse communities by addressing historic Sundown Town policies through land use planning. The city revisits land use designations, zoning regulations, and development standards often to promote inclusive and equitable access to housing, public facilities, and services for all residents, regardless of race, color, religion, national origin, or other protected characteristics.

Strategy LU 1.1: Engage All Community Members

The city shall work to amend and eliminate existing land use policies, regulations, or zoning ordinances that perpetuate or enforce discriminatory practices associated with historic Sundown Towns by actively engaging with affected communities, stakeholders, and advocacy groups to ensure that land use decisions are made with consideration for their potential impacts on historically marginalized groups and to solicit input on potential amendments to address historic Sundown Town policies.

The Circulation Element

Goal CR 1: Equitable Access to Transportation

The city promotes equitable access to transportation and mobility options for all residents, especially addressing areas that historically marginalized minority groups through Sundown Town policies and groups that were denied access to transportation facilities and services.

Strategy CR 1.1: Identify Barriers to Transportation

The city shall work to ensure that transportation planning and infrastructure investments consider the needs of all residents and address any historical inequities resulting from Sundown Town policies by evaluating and identifying transportation barriers, such as inadequate public transportation routes, lack of sidewalks or bike lanes, and other physical or social factors that may disproportionately impact historically marginalized communities. The city shall prioritize improvements to transportation infrastructure in historically affected

areas and actively seek funding and partnerships to support transportation equity initiatives.

The Housing Element

Goal H 1: Fair and Affordable Housing

The city promotes fair and inclusive access to safe, affordable, quality housing for all residents. In addition, it addresses the legacy of historic Sundown Town policies that have resulted in housing discrimination and segregation.

Strategy H 1.1: Educate Homeowners

The city shall with local real estate professionals, such as realtors, title companies, and attorneys, to raise awareness about restrictive covenants and guide homeowners. This can include incorporating information about restrictive covenants in training programs for real estate professionals and providing resources and guidance on identifying, addressing, and disclosing restrictive covenants to potential buyers or sellers.

Conservation/Open Space Element

Goal COS 1: Equitable Access to Open Space

The city promotes equitable access to and enjoyment of conservation and open space areas for all residents and rectifies the legacy of historic Sundown Town policies that may have limited or denied access to these natural resources based on race, color, religion, national origin, or other protected characteristics.

Strategy COS 1.1: Rectify Historical Inequities

The city shall work towards identifying and rectifying any historical inequities in the availability and accessibility of conservation and open space areas resulting from historic Sundown Town policies. This includes examining existing conservation and open space areas and evaluating them for potential discriminatory barriers, such as restricted access, inadequate amenities, or disproportionate impact on historically marginalized communities. The city shall take appropriate measures to amend or eliminate any policies, regulations, or practices that perpetuate or enforce discriminatory practices associated with historic Sundown Towns concerning conservation and open space areas.

Strategy COS 1.2: Seek New Opportunities

The city shall actively seek opportunities to create new conservation and open space areas in historically affected areas and promote inclusive and equitable access for all residents. The city shall actively engage with affected communities, stakeholders, and advocacy groups to ensure that conservation and open space policies and programs are developed and implemented inclusively and equitably and to solicit input on potential amendments to

address historic Sundown Town policies in the conservation/open space element of the general plan.

Economic Development Element

Goal ED 1: Inclusive Economic Development

The city promotes inclusive economic development that addresses the legacy of historic Sundown Town policies by fostering equitable access to economic opportunities for all residents, regardless of race, color, religion, national origin, or other protected characteristics.

Strategy ED 1.1: Review Economic Development Element

The city shall proactively identify and address any economic policies, programs, or practices that perpetuate or enforce discriminatory practices associated with historic Sundown Towns. This includes conducting a comprehensive review of local economic development policies, incentives, and programs to identify barriers or exclusionary practices that may disproportionately impact historically marginalized communities. The city shall take appropriate measures to amend or eliminate any economic policies or practices that perpetuate or enforce discriminatory practices associated with historic Sundown Towns and actively promote economic opportunities in historically affected areas.

Strategy ED 1.2: Attract New Businesses

The city shall prioritize efforts to attract businesses, create jobs, and support entrepreneurship in historically marginalized communities. It shall actively seek partnerships and funding to support economic development initiatives that promote equity and inclusion.

Public Services and Facilities Element

Goal PF 1: Equal Access to Services

The city ensures that all residents, regardless of race, color, religion, national origin, or other protected characteristics, have equitable access to essential public services and facilities and to rectify the legacy of historic Sundown Town policies that may have resulted in unequal access to public services and facilities.

Strategy PF 1.1: Enhance Programs

The city shall prioritize efforts to ensure that public services and facilities, such as schools, libraries, parks, transportation, and utilities, are distributed equitably across all neighborhoods, regardless of race, color, religion, national origin, or other protected characteristics. The city shall also actively engage with affected communities, stakeholders, and advocacy groups to ensure that public service and facility policies and programs are developed and implemented inclusively and equitably and to solicit input on potential amendments to address historic

Sundown Town policies in the public services and facilities element of the general plan.

Strategy PF 1.2: Seek Additional Funding

The city shall proactively seek funding and resources to address any disparities and inequities related to public services and facilities in historically affected areas and prioritize efforts to rectify these disparities.

Community Design Element

Goal CD 1: Inclusive Design

The city promotes inclusive and equitable community design that fosters diversity and inclusivity and promotes healing from the legacy of historic Sundown Town policies by creating welcoming and inclusive physical environments for all residents, regardless of race, color, religion, national origin, or other protected characteristics.

Strategy CD 1.1: Promote Diversity

The city shall actively work towards creating community design policies and guidelines that promote diversity and inclusivity. The community design principles shall ensure that public spaces, buildings, streets, parks, and other physical elements of the community are designed and maintained in a manner that welcomes and accommodates people from all backgrounds and promotes a sense of belonging and inclusion for historically marginalized communities.

Strategy CD 1.2: Encourage Cultural Preservation

The city shall encourage design strategies that celebrate and respect the community's cultural heritage, history, and diversity and actively work towards eliminating any physical barriers or design practices that perpetuate or enforce discriminatory practices associated with historic Sundown Towns.

Strategy CD 1.3: The city shall also promote education and awareness among residents, developers, designers, and other stakeholders about the legacy of historic Sundown Town policies and the importance of inclusive and equitable community design in promoting healing, inclusivity, and social cohesion.

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Closing

Closing

A city is a home, a provider, a catalyst, a place where people grow, and a place to thrive. A city is made up of community members who live, work, and relax in their city. Community members tend to care about the places they live and want the best for the city. Any time community members are excluded from their community, they lose their sense of place. Sundown Town perpetuated this idea for decades and it's time to educate people on past wrongdoings and make a change for the future.

The future of every city is the hand of the planner and the community; therefore, education is the key to an inclusive city. My values and hope for a better world motivate me to learn about the past so that I can shape a better future. As a planner it is our civic duty to have a general understanding for our community, its past, its present, and its future.

Acknowledging, amending and atoning Sundown Town policies and practices gives cities an opportunity to learn and grow while making a commitment to a better tomorrow where people can feel safe and included in their city.

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Definitions

All definitions are sourced from the Cambridge Dictionary for Academic Use.

Acknowledge

to accept, admit, or recognize something, or the truth or existence of something

Amend

to change the words of a text, especially a law or a legal document:

Atone

to do something that shows you are sorry for something bad that you did or for something that you failed to do

Blockbusting

the practice of persuading people in an area to sell their homes cheaply by making them afraid that their value is going to fall, for example by suggesting that new people from a different social group or race are moving into the area

Cruising

slow travel or movement around an area, usually in a car, often repeatedly passing the same place with no particular purpose or looking for something or someone

Discrimination

treating a person or particular group of people differently, especially in a worse way from the way in which you treat other people, because of their race, gender, sexuality, etc.

Diversity

the fact of there being people of many different groups in society, within an organization, etc.

Equity

the situation in which everyone is treated fairly according to their needs and no group of people is given special treatment

Inclusion

the idea that everyone should be able to use the same facilities, take part in the same activities, and enjoy the same experiences, including people who have a disability or other disadvantage

Loitering

to move slowly around or stand in a public place without an obvious reason

Racial Profiling

the practice by the police of thinking that people of a particular race or color will behave in a particular way, especially that they will commit crimes

Redlining

the practice of refusing to lend money, give mortgages, or sell home insurance to people living in poor areas, or of charging them high rates for this

Resolution

a formal statement on which people in an organization vote, or the decision taken as a result of this vote

Restrictive Covenant

a formal written agreement in which someone agrees not to do particular things

Segregation

to keep one group of people apart from another and treat them differently, especially because of race, sex, or religion

Sundown Towns

organized jurisdiction that intentionally became “all white” by keeping African Americans or other groups from living there for decades

Zoning

the act of deciding, or the decision that has been taken about, what particular use an area should have

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Appendices

Appendix A: Jurisdiction Comparison Chart

Appendix B: Exemplary Sundown Town Resolutions

B.1: Glendale, California

B.2: Burbank, California

B.3: South Pasadena, California

B.4: Evanston, Illinois

B.5: Montclair, New Jersey

B.6: Alexandria, Virginia

B.7 Goshen, Indiana

Appendix C: San Francisco Legislative Process Handbook

Appendix D: The Defending Rights & Dissent Organization's Guide to Writing Effective Resolutions and Ordinances

Appendix A: Jurisdiction Comparison Chart

	Resolution Number	Resolution Name	Year of Adoption	Census Research	Examples	Local Histories, Archives, and Newspapers
Glendale, California	N/A	A Resolution of the Council of the City of Glendale, California Acknowledging Glendale's Racially Exclusionary Past as a 'Sundown Town'	2020	Yes	WHEREAS, the U.S. Census reported that the Black or African American population of Glendale in 1920 was 0.16% and in 2019 was 1.6%	Yes
Burbank, California	20-29,199	A Resolution of the City Council of the City of Burbank Acknowledging the Prevalence of "Sundown" Practices in Burbank's Past And Advancing The City's Commitment to Racial Equity	2020	No	N/A	Yes
South Pasadena, California	7750	Sundown Town Resolution	2022	Yes	WHEREAS, the City of South Pasadena is a racially and ethnically diverse city, with a racial composition of roughly 36% White, 38% Asian, 21% Hispanic, 3% Black, and 2% of other race based on the estimated 2020 Census data;	Yes
Evanston, Illinois	58-R-19	Commitment to End Structural Racism and Achieve Racial Equity	2019	No	N/A	No
Montclair, New Jersey	N/A	A Resolution Endorsing The Enactment Of Assembly Bill A938/S386, The "New Jersey Reparations Task Force Act"	2022	Yes	WHEREAS, the Town of Montclair is a multicultural and diverse city which is home to over 9125 Black people who make up more than 22.3% percent of the Montclair's population;	Yes
Alexandria, Virginia	2974	All Alexandria: Committing to Race and Social Equity	2021	No	N/A	Yes
Goshen, Indiana	N/A	A Resolution Acknowledging The Racially Exclusionary Past of Goshen, Indiana, as a 'Sundown Town'	2015	Yes	WHEREAS the U.S. Census reported that the "Negro" population of Goshen in 1890 was 21, but by 1910 it was 2	Yes

	Examples	Community Attitudes and Oral History	Examples	Action Steps	Examples	Acknowledge
Glendale, California	WHEREAS redlined maps of Glendale established risk of lending to particular neighborhoods in south Glendale based on the presence of minorities	Yes	WHEREAS, the Ku Klux Klan and other white supremacist organizations established themselves and held meetings in Glendale.	Yes	The City of Glendale has launched a year-long series of educational programming to enhance and elevate culturally diverse artistic voices and to bring additional focus on systematic racism by amplifying cultural voices through a lens of diversity, equity and inclusion.	Yes
Burbank, California	Although no official ordinance or law of the City of Burbank has been found imposing sundown restrictions, oral and written history, public accounts, and newspaper articles plainly demonstrate the prevalence of sundown practices in Burbank for a significant portion of the 20th century.	Yes	In the City of Burbank, core community members, faith leaders, businesses, social service organizations, and educational institutions are working together to tell the compelling stories of our increasingly diverse community – including acknowledging our community's failings – all for the good of Burbank now and in the future.	Yes	Review and assess City policies, procedures, ordinances, values, goals, and missions through an anti-racism lens to foster an unbiased and inclusive environment that is free of discrimination, retaliation and harassment toward any person or group.	Yes
South Pasadena, California	In 1955, Susan McClain, a 9-year-old African-American girl, was denied entry to the Orange Grove Plunge. According to a lawsuit filed against the City, the girl was not permitted entry due to a Recreation Department rule "barring Negroes".	Yes	On October 23, 1911, City Council members Jacobs, Vatcher, Wilson, and Adams voted to block an orphanage for Black children being established in the City;	Yes	Review the deeds of properties currently owned by the City or owned in the future in coordination with LA County Registrar Recorder adoption and implementation plan; remove any existing racially restrictive housing covenants; and for any property purchased in the future to remove the racially restrictive housing covenant prior accepting property;	Yes
Evanston, Illinois	N/A	Yes	WHEREAS, the City of Evanston government recognizes that, like most, if not all, communities in the United States, the community and the government allowed and perpetuated racial disparity through the use of many regulatory and policy oriented tools. Some examples would include, but not be limited to the use of zoning laws that supported neighborhood redlining, municipal disinvestment in the black community; and a history of bias in government services. Such practices were often overt, but more often, covertly adopted or incorporated under the guise of what would appear to be legitimate policy. These ordinances and other city-wide practices have contributed to the decimation of historically black neighborhoods, a lack of trust of government by some black residents, and the collapse of a once economically thriving black community;	No	N/A	Yes
Montclair, New Jersey	WHEREAS, from 1619 to 1865, approximately 4,000,000 Africans and their descendants, under a practice that was constitutionally and statutorily sanctioned, were enslaved in the United States and the colonies that became the United States;	Yes	WHEREAS, in 1844, New Jersey also restricted access to the ballot box by denying the vote to people with criminal convictions the same year it restricted voting to white men in its Constitution, the first state in the Northeast to do so.	No	N/A	No
Alexandria, Virginia	WHEREAS, Alexandria acknowledges its part in the domestic slave trade, and as a place of refuge for thousands escaping the bondage of forced enslavement during the Civil War, and as a home of Jim Crow, where two known lynchings of African American teenagers Joseph McCoy and Benjamin Thomas in 1897 and 1899 respectively occurred, and a City that resisted peaceful efforts by African Americans to open public facilities to ALL Alexandrians;	Yes	WHEREAS, people who live, work and visit in Alexandria today continue to experience bias, discrimination, and unequal outcomes and/or treatment in every field and sector including but not limited to government, housing, employment, environment, wealth, healthcare, education, transportation, the legal system;	Yes	Ensure that race and social equity is incorporated and centered in all planning	Yes
Goshen, Indiana	WHEREAS the Goshen City Utility, the Goshen Mayor's Office, and the Goshen Chamber of Commerce put the City's exclusionary reputation in writing in a number of publications from the mid-1930s to the late 1970s;	Yes	WHEREAS there is written, oral, and pictorial documentation that some Goshen residents did not support Goshen's exclusionary attitudes and practices, but there also is written, oral, and pictorial documentation that a pro-white mentality prevailed among some of Goshen's citizenry and leadership for many decades in the 20th century;	No	N/A	Yes

	Examples	Resolve	Examples	Atone	Examples	Follow-up Measures
Glendale, California	<i>The City of Glendale acknowledges, apologizes for, and condemns all racially motivated, discriminatory, or exclusionary aspects of the City's history, and deeply regrets the pain, hurt, and suffering such policies have caused</i>	Yes	<i>The City of Glendale will review and revise its policies, procedures, ordinances, values, goals, and missions through an anti-racism lens to foster an unbiased and inclusive environment that is free of discrimination and harassment toward any person or group;</i>	Yes	<i>The City of Glendale will promote inclusion and equity, and will stand up to bigotry, hatred, intolerance, racism, and violence; and</i>	Yes
Burbank, California	<i>Acknowledge, apologize for, and condemn all racist, discriminatory, or exclusionary aspects of Burbank's history, and deeply regrets the pain and suffering such policies have caused.</i>	Yes	<i>Follow the example and counsel of the Reverend Dr. Martin Luther King, Jr. by examining our own hearts today, then seeking to eliminate from our thoughts, words, and actions all racism, prejudice, and discrimination, replacing those negative characteristics with the positive attributes of respect, acceptance, compassion, and a spirit of love.</i>	Yes	<i>Pledge to work toward the common good in building a warm and welcoming community where all people of goodwill – regardless of race, color, gender identity or expression, religion, sexual orientation, national origin or ancestry, age, disability, marital status, physical appearance, political activity and familial status – can live, be free, and pursue happiness.</i>	Yes
South Pasadena, California	<i>The City of South Pasadena acknowledges, apologizes for, and condemns all racist aspects of the City's history, and deeply regrets the pain, hurt, and suffering such policies have caused;</i>	Yes	<i>The City of South Pasadena will continue to promote inclusion and equity, and will stand up to bigotry, hatred, intolerance, racism, and violence as reaffirmed in Resolution 7673 dated August 5, 2020;</i>	Yes	<i>The City will evaluate policies, procedures, ordinances, programs, goals, and missions to foster an unbiased and inclusive environment where no person or group is subject to discrimination, harassment, or disproportionate economic harm on the basis of race, ancestry, national origin, color, religion, sex or sexual orientation.</i>	Yes
Evanston, Illinois	<i>WHEREAS, the City Council acknowledges that the trauma inflicted on people of color by persistent white supremacist ideology results in psychological harm affecting educational, economic, and social outcomes; and conjures painful memories of our City's past not only for those who lived through them but also generations to follow.</i>	No	N/A	No	N/A	No
Montclair, New Jersey	N/A	No	N/A	No	N/A	No
Alexandria, Virginia	<i>WHEREAS, today Alexandria recognizes, acknowledges and is atoning for its past actions and policies that excluded, targeted, or oppressed people due to their color, race, national origin, ancestry, gender, gender identity, age, ethnicity, religion, ability, culture, sexual orientation, ethnicity, language;</i>	Yes	<i>Align and implement policy efforts designed to advance race and social equity goals</i>	Yes	<i>Ensure accountability mechanisms related to the progression and transparency of work to advance race and social equity</i>	Yes
Goshen, Indiana	<i>Acknowledge the racist and exclusionary aspects of Goshen's "sundown town" history, along with the pain and suffering that these practices caused</i>	Yes	<i>Resolve to follow the example and counsel of the Rev. Dr. Martin Luther King Jr. by examining our own hearts today, then seeking to eliminate from our thoughts, words, and actions all racism, prejudice, and discrimination—replacing those negative characteristics with the positive attributes of acceptance, harmony, and a spirit of cooperation</i>	No	N/A	No

	Examples	Zoning Code Update	General Plan/Strategic Plan Update	Notes
Glendale, California	<i>The City of Glendale will review and revise its policies, procedures, ordinances, values, goals, and missions through an anti-racism lens to foster an unbiased and inclusive environment that is free of discrimination and harassment toward any person or group;</i>	No	No	
Burbank, California	<i>Review and assess City policies, procedures, ordinances, values, goals, and missions through an anti-racism lens to foster an unbiased and inclusive environment that is free of discrimination, retaliation and harassment toward any person or group.</i>	No	No	<i>This resolution was written by the Glendale Human Relations Council</i>
South Pasadena, California	<i>The City will continue to support the spirit of inclusionary initiatives to review state and county legislation, budget proposals, and policies that would reverse past racist policies and reduce racial disparities consistent with this Resolution, and actively oppose state and county legislation, budget proposals, and policies that would impede the goals of this Resolution;</i>	No	No	<i>This resolution was written by the Anti-Racism Committee (ARC) of South Pasadena</i>
Evanston, Illinois	N/A	No	No	
Montclair, New Jersey	N/A	No	No	
Alexandria, Virginia	<i>Develop quarterly listen and learn sessions, under the direction of the Race and Social Equity Officer, to establish ongoing conversation with the community to understand their most pressing issues and to normalize the key concepts of race, social equity and government through collective learning opportunities.</i>	No	Yes	
Goshen, Indiana	N/A	No	No	<i>And summarize this resolution in nine words: It happened, it was wrong, it's a new day. This is a very awful statement and does not atone this situation</i>

Appendix B: Exemplary Sundown Town Resolutions

B.1: Glendale, California

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF GLENDALE, CALIFORNIA ACKNOWLEDGING GLENDALE'S RACIALLY EXCLUSIONARY PAST AS A 'SUNDOWN TOWN'

WHEREAS, racial disparities have existed since the birth of this nation, to the detriment of Black communities and people of color, and persist across wealth, health, education, the criminal justice system, and beyond; and

WHEREAS, the U.S. Census reported that the Black or African American population of Glendale in 1920 was 0.16% and in 2019 was 1.6%;

WHEREAS, although no official ordinance or law of the City of Glendale has been found imposing sundown restrictions, oral and written history, public accounts, and newspaper articles plainly demonstrate Glendale's history as a "sundown town" for a significant portion of the 20th century;

WHEREAS, such sundown towns throughout the state of California, along with towns and cities in many other states, excluded—often by social and cultural means, including police profiling—members of non-white racial and ethnic groups, particularly African Americans, from living in said jurisdictions or even being inside the city limits after sundown;

WHEREAS, the Ku Klux Klan and other white supremacist organizations established themselves and held meetings in Glendale;

WHEREAS, many real estate subdivisions created in Glendale adopted and enforced racially restrictive covenants and deed restrictions that kept African Americans and people of color from purchasing property and living in those subdivisions for several decades in the 20th century in Glendale;

WHEREAS individuals who were not white were prohibited from being buried in Glendale's Forest Lawn Memorial Park until the 1960s;

WHEREAS redlined maps of Glendale established risk of lending to particular neighborhoods in south Glendale based on the presence of minorities;

WHEREAS, the City of Glendale understands the importance of examining what role it has played in institutional racism, both historically and currently, and is ready to embark on a journey towards racial literacy; and

WHEREAS, the Glendale City Council envisions a city that fosters diversity, equity, and inclusion throughout every community in Glendale;

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GLENDALE does hereby resolve, declare, and determine, as follows:

- (A) The City of Glendale acknowledges, apologizes for, and condemns all racially-motivated, discriminatory, or exclusionary aspects of the City's history, and deeply regrets the pain, hurt, and suffering such policies have caused;
- (B) The City of Glendale City Council and staff will continue to engage in individual and collective work to understand bias;
- (C) The City of Glendale will continue to examine the historical role that racism has played in Glendale by committing resources to draft a historical context statement with a racial/ethnic theme to better understand and address historical development patterns within Glendale;
- (D) The City of Glendale will review and revise its policies, procedures, ordinances, values, goals, and missions through an anti-racism lens to foster an unbiased and inclusive environment that is free of discrimination and harassment toward any person or group;
- (D) The City of Glendale has launched a year-long series of educational programming to enhance and elevate culturally diverse artistic voices and to bring additional focus on systematic racism by amplifying cultural voices through a lens of diversity, equity and inclusion;
- (E) The City of Glendale will promote inclusion and equity, and will stand up to bigotry, hatred, intolerance, racism, and violence; and
- (F) The City of Glendale unequivocally rejects racism in all its forms and is committed to working towards building an antiracist Glendale where people of all races and cultural backgrounds are welcome to live and prosper.

Adopted this _____ day of _____, 2020.

Mayor

ATTEST:

City Clerk

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)
CITY OF GLENDALE)

I, ARAM ADJEMIAN, City Clerk of the City of Glendale, do hereby certify that the foregoing Resolution No. _____ was duly adopted by the Council of the City of Glendale, California, at a regular meeting held on the _____ day of _____, 2020 and that the same was adopted by the following vote:

Ayes:

Noes:

Absent:

Abstain:

City Clerk

B.2: Burbank, California

RESOLUTION NO. 20-29,199

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BURBANK ACKNOWLEDGING THE PREVALENCE OF “SUNDOWN” PRACTICES IN BURBANK’S PAST AND ADVANCING THE CITY’S COMMITMENT TO RACIAL EQUITY

THE COUNCIL OF THE CITY OF BURBANK FINDS:

A. In spite of the United States Declaration of Independence proclaiming, “We hold these truths to be self-evident that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness,” this goal, after more than 200 years, has yet to be fully realized.

B. Racial disparities have existed since the birth of this nation, to the detriment of Black communities and people of color, and can be seen in gaps in wealth, health, education, the criminal justice system, and beyond.

C. Although no official ordinance or law of the City of Burbank has been found imposing sundown restrictions, oral and written history, public accounts, and newspaper articles plainly demonstrate the prevalence of sundown practices in Burbank for a significant portion of the 20th century.

D. Historically some of our citizens and institutions actively discouraged – often by social and cultural means – members of non-white racial and ethnic groups, particularly Black people, from settling and living here by means of “sundown town” activities, where members of non-white racial groups were discouraged from being within the city limits after sundown.

E. Sundown towns throughout the State of California, along with towns and cities in many other states, excluded – often by social and cultural means, including police profiling - members of non-white racial and ethnic groups, particularly Black people, from living in said jurisdictions or even being within the city limits after sundown.

F. Many real estate subdivisions created in Burbank adopted and enforced racially restrictive covenants and deed restrictions that kept Black people and people of color from purchasing property and living in those subdivisions for several decades in the 20th century.

G. In the City of Burbank, core community members, faith leaders, businesses, social service organizations, and educational institutions are working together to tell the compelling stories of our increasingly diverse community – including acknowledging our community’s failings – all for the good of Burbank now and in the future.

H. The City of Burbank understands the importance of examining what role it has played in institutional racism, both historically and currently, and is ready to embark on a journey toward racial literacy and equity.

NOW THEREFORE, WE, THE CITY COUNCIL OF THE CITY OF BURBANK RESOLVES TO:

1. Acknowledge, apologize for, and condemn all racist, discriminatory, or exclusionary aspects of Burbank's history, and deeply regrets the pain and suffering such policies have caused.
2. Review and assess City policies, procedures, ordinances, values, goals, and missions through an anti-racism lens to foster an unbiased and inclusive environment that is free of discrimination, retaliation and harassment toward any person or group.
3. Follow the example and counsel of the Reverend Dr. Martin Luther King, Jr. by examining our own hearts today, then seeking to eliminate from our thoughts, words, and actions all racism, prejudice, and discrimination, replacing those negative characteristics with the positive attributes of respect, acceptance, compassion, and a spirit of love.
4. Pledge to work toward the common good in building a warm and welcoming community where all people of goodwill – regardless of race, color, gender identity or expression, religion, sexual orientation, national origin or ancestry, age, disability, marital status, physical appearance, political activity and familial status – can live, be free, and pursue happiness.

5. Advance the City’s commitment to racial equity and in line with the City’s Legislative Platform, advocate for Federal, State, and local measures that promote equitable access, elimination of barriers deriving from systemic prejudices, and community engagement on issues of racism, discrimination, and social justice.

PASSED and ADOPTED this 8th day of December, 2020.

s/Sharon Springer
Sharon Springer
Mayor

Attest:

Approved as to Form:
Office of the City Attorney

s/Zizette Mullins
Zizette Mullins, MMC, City Clerk

By: s/Amy Albano
Amy Albano, City Attorney

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) ss.
CITY OF BURBANK)

I, Zizette Mullins, MMC, City Clerk of the City of Burbank, do hereby certify that the foregoing Resolution was duly and regularly passed and adopted by a majority vote of the Council of the City of Burbank at its regular meeting held on the 8th day of December, 2020, by the following vote:

AYES: Frutos, Gabel-Luddy, Murphy, Talamantes and Springer.

NOES: None.

ABSENT: None.

s/Zizette Mullins
Zizette Mullins, MMC, City Clerk

B.3: South Pasadena, California



City of South Pasadena
1414 Mission Street
South Pasadena, CA 91030
www.southpasadenaca.gov

NEWS RELEASE **February 16, 2022**

Contact: Tamara Binns, Assistant to the City Manager
Email: tbinns@southpasadenaca.gov

Sundown Town Resolution 7750

SOUTH PASADENA, (Calif.) – On February 2, 2022 the South Pasadena City Council approved Resolution No. 7750 Condemning the City’s History as a Sundown Town and Past Practices of Institutionalized Racism. The Resolution will be posted online, and social media.

The 5-0 Council vote in support of the Resolution included the following recommendations;

1. Adopt a resolution entitled “Resolution of the City Council of the City of South Pasadena Condemning the City’s History as a Sundown Town and Past Practices of Institutionalized Racism”; and
2. Direct staff to attend information sessions on the Government Alliance on Race & Equity (GARE) and discuss the membership with our neighboring cities; and
3. Direct staff to engage in the following Equity-Developing Activities:
 - a. Review the deeds of properties currently owned by the City or owned in the future in coordination with LA County Registrar Recorder adoption and implementation plan; remove any existing racially restrictive housing covenants; and for any property purchased in the future remove the racially restrictive housing covenant prior accepting property;

- b. Hire artists to perform at the Music in the Parks reflecting a wide variety of cultural backgrounds, countries, and sounds;
- c. Support an annual community forum in demonstration of South Pasadena’s commitment to promote diversity, equity and inclusion in the community; hosted by Assistant to the City Manager Tamara Binns;
- d. Continue to support the spirit of inclusionary initiatives proposed by county legislation, budget proposals, and policies that would reverse past racist policies and reduce racial disparities consistent with this Resolution, and actively oppose state and county legislation, budget proposals, and policies that would impede the goals of the Resolution Condemning the City’s History as a Sundown Town and Past Practices of Institutionalized Racism”;
- e. Continue to promote diversity in the membership of city commissions; and
- f. Continue to provide diversity, equity, and inclusion training for all city employees.

Residents are welcome to attend the upcoming Government Alliance on Race & Equity information session being held on Tuesday, February 22, 2022 at 10am Pacific and Tuesday, March 22, 2022 at 10am Pacific. Please click the link [here](#) to register.

###

RESOLUTION NO. 7750

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, CONDEMNING THE CITY'S HISTORY AS A SUNDOWN TOWN AND PAST PRACTICES OF INSTITUTIONALIZED RACISM

WHEREAS, in the 20th century, many towns throughout the state of California, along with towns and cities in many other states became known as "Sundown Towns" because of their practice of excluding members of non-white racial and ethnic groups, from living in said jurisdictions or even being inside the city limits after sundown, often by social and cultural means, and through government action, including police profiling and enhanced enforcement;

WHEREAS, various practices and events in the history of the City of South Pasadena have been identified as creating such a circumstance to identify the City of South Pasadena as having been a Sundown Town;

WHEREAS, such circumstances and events include the following:

○ On October 23, 1911, City Council members Jacobs, Vatcher, Wilson, and Adams voted to block an orphanage for Black children being established in the City;

○ In 1941, a race restriction campaign was established by a non-profit committee, "South Pasadenans Inc.", was aided by the City. The purpose of the committee was to restrict non-white citizens from purchasing homes;

○ In 1942, in response to Executive Order 9066 requiring the relocation of persons of Japanese ancestry, 165 Japanese-American residents of South Pasadena were forced to evacuate South Pasadena. There is not clarity as to what happened to homes that were evacuated by these residents. In 1942, Mayor A.O. Porter simply commented that the City does not have control of these properties. Many were either sold in duress by the families before leaving or sat vacant until the families returned;

○ In 1955, Susan McClain, a 9-year-old African-American girl, was denied entry to the Orange Grove Plunge. According to a lawsuit filed against the City, the girl was not permitted entry due to a Recreation Department rule "barring Negroes".

WHEREAS, the City Council of the City of South Pasadena acknowledges government policies and historic racism has had a direct impact on income inequality;

WHEREAS, the City Council of the City of South Pasadena understands the importance of examining what role the City previously has played in institutional racism, and is ready to embark on a journey towards racial literacy and reconciliation;

WHEREAS, the City of South Pasadena is a racially and ethnically diverse city, with a racial composition of roughly 36% White, 38% Asian, 21% Hispanic, 3% Black, and 2% of other race based on the estimated 2020 Census data; and

WHEREAS, the City Council of the City of South Pasadena envisions a city in which each person regardless of their racial or ethnic background has equal opportunity to thrive;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SOUTH PASADENA, CALIFORNIA, DOES RESOLVE, DECLARE, DETERMINE AND ORDER AS FOLLOWS:

SECTION 1. The City of South Pasadena acknowledges, apologizes for, and condemns all racist aspects of the City's history, and deeply regrets the pain, hurt, and suffering such policies have caused;

SECTION 2. The City of South Pasadena will continue to promote inclusion and equity, and will stand up to bigotry, hatred, intolerance, racism, and violence as reaffirmed in Resolution 7673 dated August 5, 2020;

SECTION 3. The City will evaluate policies, procedures, ordinances, programs, goals, and missions to foster an unbiased and inclusive environment where no person or group is subject to discrimination, harassment, or disproportionate economic harm on the basis of race, ancestry, national origin, color, religion, sex or sexual orientation.

SECTION 4. Review the deeds of properties currently owned by the City or owned in the future in coordination with LA County Registrar Recorder adoption and implementation plan; remove any existing racially restrictive housing covenants; and for any property purchased in the future to remove the racially restrictive housing covenant prior to accepting property;

SECTION 5. The City will hire artists to perform at the Music in the Parks reflecting a wide variety of cultural backgrounds, countries, and sounds;

SECTION 6. The City will support and host an annual community forum in demonstration of South Pasadena's commitment to promote diversity, equity and inclusion in the community;

SECTION 7. The City will continue to support the spirit of inclusionary initiatives to review state and county legislation, budget proposals, and policies that would reverse past racist policies and reduce racial disparities consistent with this Resolution, and actively oppose state and county legislation, budget proposals, and policies that would impede the goals of this Resolution;

SECTION 8. The City will continue to promote diversity in the membership of city commissions and ad hoc committees;

SECTION 9. The City will continue to provide diversity, equity, and inclusion training for all city employees;

SECTION 10. The City Clerk of the City of South Pasadena shall certify to the passage and adoption of this resolution and its approval by the City Council and shall cause the same to be listed in the records of the City.

PASSED, APPROVED AND ADOPTED ON this 2nd day of February, 2022.

DocuSigned by:
Michael A. Cacciotti
466957ECF80A4A0...
Michael Cacciotti, Mayor _____

ATTEST:

APPROVED AS TO FORM:

DocuSigned by:
Christina Muñoz
BDCE537AC2E8433...
Christina Muñoz, Deputy City Clerk _____

DocuSigned by:
Andrew Jared
0E98AF29902B451...
Andrew Jared, City Attorney _____

I HEREBY CERTIFY the foregoing resolution was duly adopted by the City Council of the City of South Pasadena, California, at a regular meeting held on the 2nd day of February 2022, by the following vote:

AYES: Mahmud, Zneimer, Donovan, Primuth, Cacciotti

NOES: None

ABSENT: None

ABSTAINED: None

DocuSigned by:
Christina Muñoz
BDCE537AC2E8433...
Christina Muñoz, Deputy City Clerk

58-R-19

A RESOLUTION

COMMITMENT TO END STRUCTURAL RACISM AND ACHIEVE RACIAL EQUITY

WHEREAS, City of Evanston embraces its racial diversity and seeks to continue its path to being the Most Livable City in America; and

WHEREAS, City of Evanston believes that all individuals living or visiting the City should be treated fairly and with respect and dignity; and

WHEREAS, the City of Evanston recognizes that there is an escalation of hatred, bigotry, and overt racism in our country; and

WHEREAS, in order for the City of Evanston to fully embrace the change necessary to move our community forward, it is necessary to recognize, and acknowledge its own history of discrimination and racial injustice. The land we currently know as Evanston originally belonged to the Potawatomi Tribes until their forceful and violent relocation at the hands of white colonizers; John Evans, our city's namesake, played a role in the Sand Creek Massacre that killed approximately 150 Native Americans; and, the first Evanston resident of African descent, Maria Murray, was a former slave purchased by the Vane family to labor as a domestic in 1855, and

WHEREAS, the City of Evanston government recognizes that, like most, if not all, communities in the United States, the community and the government allowed and perpetuated racial disparity through the use of many regulatory and policy oriented tools. Some examples would include, but not be limited to the use of zoning laws that supported

neighborhood redlining, municipal disinvestment in the black community; and a history of bias in government services. Such practices were often overt, but more often, covertly adopted or incorporated under the guise of what would appear to be legitimate policy. These ordinances and other city-wide practices have contributed to the decimation of historically black neighborhoods, a lack of trust of government by some black residents, and the collapse of a once economically thriving black community; and

WHEREAS, the City Council acknowledges that the trauma inflicted on people of color by persistent white supremacist ideology results in psychological harm affecting educational, economic, and social outcomes; and conjures painful memories of our City's past not only for those who lived through them but also generations to follow,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EVANSTON, COOK COUNTY, ILLINOIS, THAT, IN ACCORDANCE WITH THE FUNDAMENTAL PRINCIPLES SET FORTH IN THE DECLARATION OF INDEPENDENCE, WHICH ASSERTS AS A FUNDAMENTAL BASIS THAT ALL PEOPLE ARE CREATED EQUAL AND ARE ENDOWED WITH THE UNALIENABLE RIGHTS OF LIFE, LIBERTY AND THE PURSUIT OF HAPPINESS:

SECTION 1: The City Council of Evanston hereby acknowledges its own history of racially-motivated policies and practices, apologizes for the damage this history has caused the City, and declares that it stands against White Supremacy.

SECTION 2: The City Council of Evanston hereby rejects prejudice and bigotry based on race, religion, gender, sexual orientation, or national origin, including the idea that white people are inherently better or more worthy than any other group of people and declares that it stands against White Supremacy.

SECTION 3: The City Council of Evanston hereby condemns the actions, speech, and attitudes of those who promote hate against any race, ethnicity or other basis, in an effort to interfere with the unalienable rights of any human being. The City of Evanston hereby declares that

it reaffirms its commitment, in collaboration with all residents, to pursue policies and take action to ensure civil and human rights to all individuals.

SECTION 4: The City Council of Evanston hereby declares Evanston an anti-racist city that strives to value all citizens, be a welcoming place to all people, and examine its own practices that may unintentionally exclude some of our neighbors; particularly people of color.

SECTION 5: The City of Evanston hereby affirms its commitment to eradicating the effects of systemically racist past practices from City Government and all City-affiliated organizations. As the elected council, charged with representing the City of Evanston and its residents whereby resolve to:

1. Participate in Racial Equity training in order to deepen our understanding of how our decisions can hinder or promote equity for all, while paying particular attention to those historically disadvantaged.
2. Join the Government Alliance for Racial Equity, a national network of government (agencies) working to achieve racial equity and advance opportunities for all.

Stephen H. Hagerty, Mayor

Attest:

Approved as to form:

Devon Reid, City Clerk

Michelle L. Masoncup, Corporation Counsel

Adopted: _____, 2019

B.5: Montclair, New Jersey

A RESOLUTION ENDORSING THE ENACTMENT OF ASSEMBLY BILL A938/S386, THE "NEW JERSEY REPARATIONS TASK FORCE ACT"

WHEREAS, this is a resolution endorsing the “New Jersey Reparations Task Force” act to conduct research and develop reparatory proposals and recommendations to address the generational harms caused by New Jersey’s role in America’s institution of slavery and its legacy of systemic racial discrimination; and,

WHEREAS, the Town of Montclair is a multicultural and diverse city which is home to over 9125 Black people who make up more than 22.3% percent of the Montclair’s population; and,

WHEREAS, over four hundred years ago, enslaved Africans were brought to Jamestown, Virginia as captives; and,

WHEREAS, from 1619 to 1865, approximately 4,000,000 Africans and their descendants, under a practice that was constitutionally and statutorily sanctioned, were enslaved in the United States and the colonies that became the United States; and,

WHEREAS, the system of slavery that flourished in the United States constituted an immoral, shameful, and inhumane deprivation of the life, liberty, humanity, citizenship, and cultural heritage of Africans and also denied them, among other things, the fruits of their own labor upon which this country, and its economy, was built; and,

WHEREAS, an overwhelming body of scholarship, legal and community evidentiary documentation, and the modern day lived experiences of the descendants of enslaved Africans form the basis for inquiry into the ongoing effects of the institution of slavery and its legacy of persistent systemic structures of discrimination on living Black people and communities in the United States; and,

WHEREAS, following the abolition of slavery, state actors at the federal, state, and local level continued to perpetuate, condone, and profit from practices that continued to brutalize and systemically disadvantage Black people, including sharecropping, convict leasing, Jim Crow laws, redlining, unequal education, and disproportionate treatment at the hands of the criminal justice system; and,

WHEREAS, contrary to what many people believe, slavery was not just a Southern institution and took root very deeply in New Jersey. In the early 17th Century, the first enslaved African people arrived in New Netherland, a Dutch settlement established in the Mid-Atlantic, which included portions of present-day New Jersey. As the demand for labor increased, the number of enslaved African people imported to New Jersey increased, with Bergen County becoming the largest slaveholding county in the Province of New Jersey. In 1704, the Province of New Jersey introduced the “Slave Code,” which prohibited enslaved Africans and free Africans from owning property and made certain actions, like staying out past curfew, illegal for

Black people. Although New Jersey outlawed the importation of enslaved Africans in 1786 and enacted a law in 1804 to abolish slavery gradually, the State Legislature passed “Peace Resolutions” in 1863 denying President Lincoln’s power to emancipate slaves and later voted against the 13th amendment to the United States Constitution; and,

WHEREAS, in 1844, New Jersey also restricted access to the ballot box by denying the vote to people with criminal convictions the same year it restricted voting to white men in its Constitution, the first state in the Northeast to do so. While many Northern states abolished slavery following the Civil War, New Jersey opposed the Emancipation Proclamation and was the last Northern state to abolish slavery. Following the Civil War, New Jersey refused to ratify the Reconstruction Amendments; and,

WHEREAS, New Jersey’s deep roots in American slavery and its vestiges have endured to the present day. A direct line can be traced from New Jersey’s role in American slavery to its system today of voter suppression, racial wealth disparities, mass incarceration, racial segregation, and crumbling infrastructure in Black communities in New Jersey, such as the current elevated lead levels in water and homes; and,

WHEREAS, the full effects of the institution and legacy of slavery on Black people and communities in New Jersey have not been sufficiently examined, nor have there been remedies for past injustice and present harm, or sufficient efforts at transformation; and,

WHEREAS, as a result of historic and continued systemic racial discrimination, Black people in New Jersey confront some of the worst racial disparities in America, including but not limited to these areas; and,

WHEREAS, access to democracy: New Jersey suffers from racialized voter disenfranchisement, denying the vote to over 100,000 people in prison, on parole, or on probation, according to State data. Over half are Black, though Black people comprise just 15 percent of the State’s population. The racism of the criminal justice system is directly imported into the franchise; and,

WHEREAS, youth justice: Generations of Black kids have experienced racism in the youth justice system. Just two years after the Civil War, New Jersey opened Jamesburg, its largest youth prison for boys. Today, Black children are almost 18 times more likely to be locked up than white children, the highest disparity rate in America, even though Black and white children commit most offenses at similar rates. As of February 9, 2022,, just 11 white children are incarcerated in New Jersey, compared to 65 Black children, according to State data; and,

WHEREAS, housing and the racial wealth gap: New Jersey also experienced racially restrictive covenants that prohibited Black people from buying, leasing, or occupying property based on race, and redlining, which targeted Black people who were refused housing loans. That legacy of systemic housing discrimination spills into today’s vast discrepancy in New Jersey

home ownership rates: 75.9 percent for white households and 38.4 percent for Black households. Because home ownership is a primary driver of wealth, Black and Latino people in New Jersey confront one of the worst racial wealth gaps in America. The median net worth for New Jersey's white families is \$309,000, the highest in the nation. For New Jersey's Black and Latino families, it is incredibly just \$5,900 and \$7,020, respectively. New Jersey also leads the nation in home foreclosures, according to ATTOM Data Solutions; and,

WHEREAS, racial segregation itself, born from the vestiges of slavery, pervades New Jersey, which, while one of the most racially diverse states in America, is also among the most segregated. New Jersey's racial diversity and racial segregation, combined with its extreme wealth and punishing poverty, has created in New Jersey's public classrooms some of the fiercest segregation by race, ethnicity, and income in this country. Nearly half of New Jersey's Black and Latino students attend schools that are more than 90 percent nonwhite. Almost two-thirds go to schools that are more than 75 percent nonwhite; and,

WHEREAS, to address these systemic challenges in New Jersey, the "New Jersey Reparations Task Force" will research, write, and publish a report that will make the case for State-based reparations in New Jersey and outline policy recommendations that seek to repair the harm that has resulted from America's original sin in the Garden State and its aftermath; and,

WHEREAS, it is in the interest of the State and of the people of New Jersey for the government to initiate and foster methods of improving knowledge and understanding between African Americans and other ethnic groups in New Jersey and to adopt and initiate means to foster communication and dialogue, for the purpose of achieving truth, transformation, and reparation. Therefore, it is in the interest of the State and the people of New Jersey to establish the "New Jersey Reparations Task Force" to urge New Jersey to take responsibility for its role in American slavery and its aftermath, and to set forth comprehensive and sweeping policy recommendations aimed to develop profound and reparative financial and other investments in Black communities impacted by New Jersey's history of systemic racial discrimination; and,

WHEREAS, the urgency for the establishment of this task force is compelling. The elder African-American population, some of whom are the grandchildren of formerly enslaved Black people and can bear direct witness to some of the severest forms of racism and oppression, is advancing in age. As too many generations of Black people have already passed without benefit of any remedies for the injustices they endured, it is important that New Jersey make the establishment of this task force an imperative; and,

WHEREAS, it shall be the duty of the "New Jersey Reparations Task Force" to study and develop reparations proposals for Black people in this State. In performing this duty, the commission shall: Identify, compile, and synthesize the relevant corpus of evidentiary documentation of the institution of slavery that existed within the United States and the colonies that became the United States from 1619 through 1865. The task force's documentation and examination shall include the facts related to: (a) the capture and procurement of Africans; (b)

the transport of Africans to the United States and the colonies that became the United States for the purpose of enslavement, including their treatment during transport; (c) the sale and acquisition of Africans as chattel property in interstate and intrastate commerce; (d) the treatment of African slaves in the colonies and the United States, including the deprivation of their freedom, exploitation of their labor, and destruction of their culture, language, religion, and families; (e) the extensive denial of humanity, sexual abuse, and chattelization of persons; (f) the role of the federal and state governments of the United States in supporting the institution of slavery in constitutional and statutory provisions, including the extent to which the governments prevented, opposed, or restricted efforts of formerly enslaved Africans and their descendants to repatriate to their homeland; (g) the federal and state laws that discriminated against formerly enslaved Africans and their descendants who were deemed United States citizens from 1868 to the present; (h) other forms of systemic racial discrimination in the public and private sectors against enslaved African people and their descendants who were deemed United States citizens from 1868 to the present, including redlining, Jim Crow segregation, restrictive covenants, mass incarceration, voter suppression, educational funding discrepancies, and predatory financial practices; and (i) the lingering negative effects of the institution of slavery and the matters described in this section on living African-Americans and on society in the United States; and,

WHEREAS, this resolution endorses that the task force recommend appropriate ways to educate the New Jersey public of the task force's findings.

WHEREAS, we recommend appropriate remedies in consideration of the task force's findings. In making recommendations, the task force shall address among other issues: (1) how the recommendations comport with international standards of remedy for wrongs and injuries caused by the State, that include full reparations and special measures, as understood by various relevant international protocols, laws, and findings; (2) how the State of New Jersey will offer a formal apology on behalf of the people of New Jersey for the perpetration of gross human rights violations and crimes against humanity on African slaves and their descendants; (3) how New Jersey laws and policies that continue to disproportionately and negatively affect African-Americans as a group and how those that perpetuate the lingering effects, both material and psychosocial, can be eliminated; (4) how the injuries resulting from slavery and its aftermath can be reversed and appropriate policies, programs, projects, and recommendations to reverse the injuries; (5) how, in consideration of the task force's findings, any form of compensation to the descendants of enslaved Africans is calculated; (6) what form of compensation should be awarded, through what instrumentalities, and who should be eligible for such compensation; and (7) how, in consideration of the task force's findings, any other forms of rehabilitation or restitution to African descendants is warranted and what the form and scope of those measures should take. The "New Jersey Reparations Task Force" shall issue an interim report of its progress to the Governor and the Legislature no later than 12 months following the initial meeting, and shall submit its final report and recommendations to the Governor and the Legislature no later than 24 months following the initial meeting. The interim and the final report shall be submitted to the Legislature in accordance with the provisions of section 2 of 15 P.L.1991, c.164 (C.52:14-19.1). The task force shall expire upon issuance of its final report; and,

WHEREAS, the “Say the Word: Reparations” campaign, powered by the advocacy of thousands of people across New Jersey, and led by the New Jersey Institute for Social Justice and partners, has called on New Jersey to become the second state in history to establish a statewide reparations task force; and,

WHEREAS, in line with the advocacy of the “Say the Word: Reparations” campaign, we call on the Senate President and the Speaker of the Assembly to hold committee hearings during Black History Month (February 2022) on the “New Jersey Reparations Task Force” bill, call on the Legislature to pass the “New Jersey Reparations Task Force” bill as soon as possible thereafter and then call on the Governor to sign the bill into law; and,

NOW THEREFORE, BE IT RESOLVED by the City Council of the town of Montclair that this body fully endorses the enactment of the “New Jersey Reparations Task Force” bill; and,

BE IT FURTHER RESOLVED that the Municipal Clerk is hereby directed to forward a certified copy of this resolution to the New Jersey Assembly and the New Jersey Senate, including the Montclair’s local representatives of those bodies.

B.6: Alexandria, Virginia

RESOLUTION NO. 2974

All Alexandria: Committing to Race and Social Equity

WHEREAS, Alexandria's history mirrors our country's past and is built upon a foundation of interpersonal and systemic racism; and

WHEREAS, Alexandria acknowledges that the shoreline of the Potomac River where Alexandria is located today has been a lush and resourceful home for centuries to Indigenous Peoples of the Conoy paramount chiefdom and the nearby Powhatan paramount chiefdom, long before the modern community was founded; and

WHEREAS, Indigenous Peoples are the original victims of physical violence and oppression through forced removal and illegal confiscation of their native lands for the purposes of settlement and colonization by European settlers, which laid the foundation for the dehumanization and systemic discrimination of other human beings of color; and

WHEREAS, Alexandria acknowledges its part in the domestic slave trade, and as a place of refuge for thousands escaping the bondage of forced enslavement during the Civil War, and as a home of Jim Crow, where two known lynchings of African American teenagers Joseph McCoy and Benjamin Thomas in 1897 and 1899 respectively occurred, and a City that resisted peaceful efforts by African Americans to open public facilities to *ALL Alexandrians*; and

WHEREAS, Alexandria has continued to evolve into a diverse community of over 145 nationalities and ethnic backgrounds, this legacy of racial oppression and white supremacy resulted in inequitable practices and policies and created systemic marginalization, particularly of People of Color, that still impacts our community. Alexandria's Indigenous, Black, Latino, Asian, multi-racial, multi-ethnic and immigrant communities continue to experience disparate outcomes across all measures of wellbeing; and

WHEREAS, systemic and institutional racism are the conduit by which other forms of oppression, ableism, ageism, sexism, homophobia, transphobia, xenophobia take root; and

WHEREAS, people who live, work and visit in Alexandria today continue to experience bias, discrimination, and unequal outcomes and/or treatment in every field and sector including but not limited to government, housing, employment, environment, wealth, healthcare, education, transportation, the legal system; and

WHEREAS, today Alexandria recognizes, acknowledges and is atoning for its past actions and policies that excluded, targeted, or oppressed people due to their color, race, national origin, ancestry, gender, gender identity, age, ethnicity, religion, ability, culture, sexual orientation, ethnicity, language; and

WHEREAS, every Alexandrian must reckon with the City's historical past as well as our explicit and implicit involvement and contributions to the institution of American slavery and the subsequent and deeply rooted racial inequities of today; and

WHEREAS, Alexandria must act deliberately, thoughtfully and thoroughly to end racial injustices and structural inequities by frank examination and fair and just inclusion for *ALL Alexandrians*; and

WHEREAS, Alexandria recognizes that meaningful community involvement, input and investment is both desired and necessary to identify, explore, develop and implement policies, measures, and accountability in the pursuit of fair and equitable outcomes for *ALL Alexandria*; and

WHEREAS, Alexandria recognizes a shared community with the Alexandria City Public Schools and the urgent need to align our movements around race and social equity; and

WHEREAS, community-centered, community-driven strategies and solutions can provide valuable and innovative partnerships and create lasting change; and

WHEREAS, through engaging in holistic restorative justice work, *ALL Alexandria* can begin healing from generations of racial trauma; and

WHEREAS, we seek and embrace a multi-racial, anti-racist, intersectional, intergenerational, community where *ALL Alexandrians* truly thrive; and

WHEREAS, the emerging diversity of our community is our strength and is to be uplifted, while our inclusivity must be genuine and codified for the betterment of *ALL Alexandrians*.

WHEREAS, we recognize ourselves as one interconnected, interdependent human family that celebrates and honors the diversity of *ALL Alexandrians*; and

WHEREAS, we invite our entire community to work in collaboration with the City to achieve this vision for *ALL Alexandria*.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL
OF ALEXANDRIA, VIRGINIA THAT:**

- 1) Ensure that race and social equity is incorporated and centered in all planning, including:
 - a. Center race and equity throughout the forthcoming FY 2022-FY 2027 Strategic Plan and departmental strategic planning processes;
 - b. Establish specific, measurable, attainable, relevant time-based (SMART) goals race and social equity action plans for City departments;
 - c. Incorporate race and social equity into all staff and leadership talent management programs;
 - d. Establish, strengthen and maintain key partnerships with the Alexandria City Public Schools, other public entities serving our community, community-based, non-profit, and faith-based organizations, and businesses in Alexandria to advance racial equity;

2) Implement and sustain structures and systems to advance race and social equity, including:

- a. Adopt and promote practices and policies centered on creating and ensuring racial and social equity through the use of a racial equity tool;
- b. Conduct race and social equity trainings for City Council, City staff and City boards and commissions;
- c. Create authentic community engagement best practices for use in evaluating City actions from creation to implementation;
- d. Maintain membership and active participation in the Government Alliance on Race and Equity (GARE) and Metropolitan Washington Council of Governments (MWCOG) Racial Equity Work Group and newly established Chief Equity Officers Committee;

3) Align and implement policy efforts designed to advance race and social equity goals, including:

- a. Incorporate greatly expanded language access into more City of Alexandria communications and platforms;
- b. Reduce and eliminate racial and social inequities in the allocation of City resources through the use of a budget equity tool which may entail the adjustment of budgets and funding reallocation;
- c. Present City Council with a Racial and Social Equity Action Plan, consisting of specific policy initiatives to advance the City's racial equity goals, informed by additional community engagement;


4) Ensure accountability mechanisms related to the progression and transparency of work to advance race and social equity, including:

- a. Develop equity data mechanisms, including equity indicators, equity mapping, and dashboards to transparently monitor, share, view and inform policy decisions that purposefully work toward reducing and eliminating disparities;
- b. Develop quarterly listen and learn sessions, under the direction of the Race and Social Equity Officer, to establish ongoing conversation with the community to understand their most pressing issues and to normalize the key concepts of race, social equity and government through collective learning opportunities.

Adopted: January 23, 2021


JUSTIN M. WILSON MAYOR

ATTEST:


Gloria A. Sitton, CMC City Clerk

B.7 Goshen, Indiana

A RESOLUTION ACKNOWLEDGING THE RACIALLY EXCLUSIONARY PAST OF GOSHEN, INDIANA, AS A 'SUNDOWN TOWN'

WHEREAS the Preamble to the Constitution of the United States of America and the Pledge of Allegiance to the U.S. Flag establish liberty and justice for all in this nation;

WHEREAS the U.S. Census reported that the “Negro” population of Goshen in 1890 was 21, but by 1910 it was 2;

WHEREAS historical studies by multiple independent researchers confirm that Goshen was a “sundown town” for approximately the first two-thirds of the 20th century;

WHEREAS such towns excluded—often by social and cultural means, including police profiling—members of non-white racial and ethnic groups, particularly African Americans, from living in said jurisdictions or even being inside the city limits after sundown;

WHEREAS the Goshen City Utility, the Goshen Mayor’s Office, and the Goshen Chamber of Commerce put the City’s exclusionary reputation in writing in a number of publications from the mid-1930s to the late 1970s;

WHEREAS some real-estate developers and residents of Goshen subdivisions used and reinforced restrictive language in property deeds and covenants that kept African Americans from purchasing property and living in those subdivisions for several decades in the 20th century;

WHEREAS there is written, oral, and pictorial documentation that some Goshen residents did not support Goshen’s exclusionary attitudes and practices, but there also is written, oral, and pictorial documentation that a pro-white mentality prevailed among some of Goshen’s citizenry and leadership for many decades in the 20th century;

WHEREAS the Goshen Ministerial Association (GMA) in 1964 issued a public statement expressing dismay regarding residents’ fears of “Negroes” moving to Goshen—and called for open and fair housing;

WHEREAS healthy individuals and healthy communities are able to recognize past mistakes (“sundown town” activities in Goshen were and remain unacceptable and contrary to our U.S. Constitution), admit when they have been wrong, and resolve to make improvements in the future;

WHEREAS Goshen already has made significant progress in promoting racial equality—as symbolized by establishing in 1996 an annual Diversity Day and the Human Relations Commission (which had been part of the GMA), approving in 2000 the placement at Goshen’s City limits of welcoming signage that said “We Promote Tolerance” and “Embracing Diversity,” and instituting in 2004 the Community Relations Commission as part of City government;

WHEREAS the City of Goshen, Goshen Chamber of Commerce, Goshen Community Schools,

Goshen College and others are working together to tell the compelling stories (past and present) of our increasingly diverse community—all for the good of Goshen;

AND WHEREAS Goshen residents are justifiably proud of how we seek to work toward the common good of everyone in the community—and in pursuing that goal the City of Goshen would be uncommonly great in acknowledging our community’s “sundown town” past.

NOW, THEREFORE, AS THE COMMUNITY OF GOSHEN, INDIANA, WE HEREBY:

- Acknowledge the racist and exclusionary aspects of Goshen’s “sundown town” history, along with the pain and suffering that these practices caused;
- Resolve to follow the example and counsel of the Rev. Dr. Martin Luther King Jr. by examining our own hearts today, then seeking to eliminate from our thoughts, words, and actions all racism, prejudice, and discrimination—replacing those negative characteristics with the positive attributes of acceptance, harmony, and a spirit of cooperation;
- Commit to being an uncommonly great community through our advocacy for equality and justice for all;
- Pledge to work toward the common good in building a community where people of all races and cultural backgrounds are welcome to live and prosper;
- And summarize this resolution in nine words: *It happened, it was wrong, it’s a new day.*

**LEGISLATIVE PROCESS HANDBOOK
(For City Departments)**



**BOARD OF SUPERVISORS CITY AND
COUNTY OF SAN FRANCISCO**

as of 2/28/11

INTRODUCTION

This Handbook is designed to provide the City departments with a guide and/or reference tool. While this Handbook provides general information, it may be necessary to consult with the Legislative Division of the Clerk of the Board of Supervisors Office.

Angela Calvillo
Clerk of the Board

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SAN FRANCISCO'S LEGISLATIVE PROCESS

LEGISLATIVE ACTIONS

Legislation consists of ordinances (municipal regulations or laws), resolutions (formal expression of intention, opinion, or will), and occasionally formal motions (a proposal for action). Six votes are required to pass ordinances, resolutions and motions unless a greater number is required by State law, Charter provision, Ordinance or Board Rule. The Rules of Order contain an index to votes required on various matters. A majority of those present is required to amend proposed measures and to approve most parliamentary motions.

Ordinances are prepared by the City Attorney and approved as to form by the City Attorney. A Supervisor may request a draft of an ordinance by submitting a request on an "Introduction" Form to the Clerk, who then requests the City Attorney to prepare the ordinance. The Supervisor may also make the request directly to the City Attorney (format and sample are found in the Common Folder under Shared Forms and Templates).

Resolutions are usually prepared by the office of the sponsoring Supervisor or prepared by staff within a City department (format and sample are found in the Common Folder under Shared Forms and Templates).

Motions are usually prepared by the office of the sponsoring Supervisor or prepared by staff within a City department (format and sample are found in the Common Folder under shared forms and templates)

LEGISLATIVE DIGEST

The Board requests the City Attorney's office to provide, as a routine practice, a brief digest of each proposed ordinance of more than two pages, preferably so that it is available at the time of ordinance introduction. The Board asks that each digest be brief and explain in as simple English as possible the effects of the ordinance on existing law. A cover letter from a department head may summarize the legislation.

INTRODUCED LEGISLATION

An ordinance or resolution is introduced in writing by a member of the Board by presenting it to the Clerk, pursuant to Board rules, or by presenting it in a Board meeting. When a department head, or a commission established by the Charter, proposes an ordinance or resolution, it is normally brought to the Office of the Clerk of the Board prior to and considered introduced by the Board President at that time. Monday noon, listed at the rear of the Board agenda for the second following Tuesday's agenda.

SUNSHINE ORDINANCE

The Sunshine Ordinance is a combination open meeting law and public record laws. A copy of the full text is provided to each Supervisor.

THE LEGISLATIVE PROCESS:

FIRST STEP: **Write** the legislation. Ordinances are normally prepared by the City Attorney at the request of a Supervisor, the Mayor, a department head, or a commission, based on a draft or other written request. The City Attorney must approve an ordinance as to form before its introduction. The City Attorney prepares a Legislative Digest of any ordinance of more than two pages.

Resolutions, if not bond related, are normally prepared by a Supervisor or by a department requesting the action. More complex resolutions are sometimes prepared by the City Attorney based on a draft submitted by a Supervisor or department. Citizens occasionally submit drafts of proposed resolutions to individual Supervisors. Resolutions authorizing grant expenditures must be accompanied by a Grant Information Sheet and by a "Disability Access Checklist," and before submittal be approved by the Mayor and by the Controller's Grants Division. Resolutions concerning interim zoning controls and bonds must first be approved by the City Attorney.

SECOND STEP: Have the legislation **introduced**. Supervisors, the Mayor, and department heads submit ordinances and resolutions to the Clerk for introduction. Supervisors may also introduce requests for committee hearings on a subject matter without having legislation. Upon introduction, the President of the Board refers legislation and subject matter hearing requests to one of the standing committees for public hearing.

THIRD STEP: Have the legislation placed on a **committee agenda**. Committee chairs have jurisdiction on whether and when to calendar matters for hearing. Legislation is advertised to be heard at a committee meeting. Committees may not consider matters that have not been advertised in the official newspaper. There are some items that require special notices prior to the hearing. Check with the Committee Clerk.

FOURTH STEP: Obtain a **recommendation** from the committee. The public is invited to attend and to speak on any matter before the committee. In order to be sent to the full Board, legislation needs the votes of two of the three members of a committee, as introduced or as amended by the committee. A committee may send legislation to the full Board "without recommendation" or with recommendation of "do not pass." Other common committee actions are to "continue for one month," "continue to

the call of the chair," or "table." If a committee has not acted on an ordinance or resolution within 30 days after its referral to committee, any member of the Board may cause the matter to be "called from committee" and considered by the full Board at the next meeting (refer to the Rules of Order). The Board, by a two-thirds vote, may waive the 30-Day Rule (refer to Rules of Order regarding committee hearing on major policy Issues deferred for 30 Days).

FIFTH STEP: Obtain the majority **vote** (six members) of the Board. For ordinances, this must be done at two separate meetings. On some matters, such as overruling the Planning Commission, eight votes are required. A few urgent or very routine resolutions are adopted on the day they are introduced, without being referred to committee. Such matters require a unanimous vote of the Supervisors present.

SIXTH STEP: Obtain the **approval** of the Mayor. Legislation is sent to the Mayor no later than the day after approval by the Board. The Mayor then has 10 calendar days to approve or veto legislation. If the Mayor approves an ordinance, it normally goes into effect 30 days after that approval. If the Mayor approves a resolution it goes into effect immediately. If the Mayor vetoes legislation, it becomes effective only if eight members of the Board vote within 30 days to override the veto. If the Mayor neither approves nor vetoes, the legislation is deemed approved.

ELECTRONIC COPY OF PROPOSED LEGISLATION

An electronic copy of the proposed resolution, ordinance, or motion **must be transmitted to the Clerk of the Board "via email to BOS Legislation" by 12:00 noon on Monday, if being submitted by a department, or on the Board meeting day at which an item is being introduced by a Supervisor or the Mayor. (BOS Legislation)**

30-DAY RULE

For major policy matters, the Board has a rule, which provides that legislation, which will create, or significantly change City policy may not be heard by the committee until 30 days after its introduction. Under the rule, the Clerk, subject to reversal by the Board President, determines whether the legislation meets the standard of the rule.

EFFECTIVE DATE OF ORDINANCES

Most ordinances become effective on the 31st day after approval by the Mayor, to allow a 30-day period for voters to sign a referendum petition.

EFFECTIVE DATE OF RESOLUTIONS

Most resolutions become effective upon signature by the Mayor.

All legislation submitted to the Clerk of the Board must be accompanied by a cover letter requesting passage, stating reasons, time factors, and the name and telephone number of a contact person.

COVER LETTER SAMPLE

Department/Board/Commission Stationery

Date

Angela Calvillo, Clerk of the Board
Board of Supervisors
1 Dr. Carlton B. Goodlett Place, Room 244
San Francisco, CA 94102-4689

Dear Ms. Calvillo:

Attached please find an original and four copies of proposed resolution/ordinance/motion for Board of Supervisors approval, which (reason for legislation).

Cite any pertinent information; reference to applicable codes.

The following is a list of accompanying documents (five sets):

- List attachments.

Cite reason for special timeline.

The following person may be contacted regarding this matter: Name and telephone number of contact person.

Department/Board/Commission approval

Checklist for Motions.

- _____ The original and four copies of the Motion, and five complete sets of any background information, must be accompanied by a cover letter requesting passage, stating reasons, time factors, the name and telephone number of a contact person.

- _____ The original paper copy must be on paper with red vertical lines and numbered lines. Page 1 must have "File No." in upper left and "Motion No." in upper right. Subsequent pages have red vertical lines and line numbers, but no reference to File number or Motion number at top. Note: If you use the BOS boilerplate, it will print the header and line numbers in the margin automatically but you must use the red line paper with no numbers (order paper from Reproduction and Mail Services)

- _____ Short title: Single spaced, beginning on line 1, in brackets [], type a short subject phrase or a plain English description if the legal title is not clear and specific to alert a person of average intelligence and education. Be brief, concise and written in plain, easily understood English, consisting of no more than 250 characters/spaces.

- _____ Insert two returns (equal to four line spacing).

- _____ Long title: Double space the legal title in bold print (Arial, 12, bold).
Title is in bold using upper and lower sentence case, always starts with the word "Motion" followed by a word ending in "ING" (a gerund), and ends with a period (.) . (i.e. Motion asking the Legislative Analyst to report on Assembly Bill 17.)

- _____ Insert two returns between Title and Text. Text is double spaced, in normal print (Arial, 12).

- _____ The word MOVED is in all caps, indented five spaces, followed by a comma, and the sentence begins with a capital letter.

- _____ Insert two returns between Title and Text. Text is double spaced, in normal print (Arial, 12).

- _____ If you need to cite some introductory statement of fact, use the Whereas format before you do the Moved clause.

- _____ The word WHEREAS is in all caps, indented five spaces, followed by a comma, and the sentence begins with a capital letter.

- _____ A Whereas clause, if followed by another whereas clause, ends "; and,"

- _____ A Whereas clause, if followed by a "MOVED" clause, ends ";; now, therefore, be it"

- _____ A Moved clause, if followed by another moved clause, ends "; and, be it"

- _____ Subsequent moved clause begins, indented five spaces, “FURTHER MOVED,”
- _____ Nothing is stapled to the original copy of the motion.
- _____ If reference is made to related material, use the language "on file with the Clerk of the Board of Supervisors in File No. (leave at least 15 blank spaces), which is hereby declared to be a part of this motion as if set forth fully herein. (Note: Related materials must be submitted at the time the motion is delivered.)
- _____ The sponsor of the motion is listed in the footer, lower left corner of first page.

(Note: To insert sponsor name, click “View”; select “Header and Footer”; click the box to switch to the footer and enter name of Supervisor or department.)

Checklist for Resolutions.

- _____ The original and four copies of the resolution, and five complete sets of any background information, must be accompanied by a cover letter requesting passage, stating reasons, time factors, the name and telephone number of a contact person, and appropriate department/board/commission approvals.
- _____ The original paper copy must be on paper with red vertical lines and numbered lines. Page 1 must have "File No." in upper left and "Resolution No." printed in upper right. Subsequent pages have red vertical lines and line numbers, but no reference to File number or Resolution number at top. Note: If you use the BOS boilerplate, it will print the header and line numbers in the margin automatically but you must use the red line paper with no numbers (order paper from Reproduction and Mail Services).
- _____ Short title: Single spaced, beginning on line 1, in brackets [], type a short subject phrase or a Plain English description if the legal title is not clear and specific to alert a person of average intelligence and education. Be brief, concise and written in plain, easily understood English, single spaced, consisting of no more than 250 characters/spaces. Insert two returns (equal to four line spacing).
- _____ Long title: Double space the legal title of the resolution in bold print (Arial, 12, Bold). **Title is in bold using upper and lower sentence case, always starts with the word "Resolution" followed by a word ending in "ING" (a gerund), and ends with a period (.) . (i.e. Resolution urging the State Legislature to adopt Assembly Bill 17 relating to...)**
- _____ Insert two returns between Title and Text. Text is double spaced, in normal print (Arial, 12).
- _____ The word WHEREAS is in all caps, indented five spaces, followed by a comma, and the sentence begins with a capital letter.
- _____ A Whereas clause, if followed by another whereas clause, ends "; and,"
- _____ A Whereas clause, if followed by a resolved clause, ends"; now, therefore, be it"
- _____ A Resolved clause, if followed by another resolved clause, ends "; and, be it"
- _____ Subsequent Resolved clauses, begins, indented five spaces "FURTHER RESOLVED,"
- _____ Nothing is stapled to the resolution.
- _____ If reference is made to related material, use the language "on file with the Clerk of the Board of Supervisors in File No. (leave at least 15 blank spaces), which is hereby declared to be a part of this resolution as if set forth fully herein". (Note: Related materials must be submitted at the time the resolution is delivered.)

- _____ If reference is made to voiding an earlier resolution it is called "rescinding" (not repealing).
- _____ If resolution relates to a bond measure, it must be approved as to form by the City Attorney.
- _____ If resolution approves a grant expenditure, the resolution must be approved by the Mayor and by the Controller's Grants Division, and be accompanied by required supporting data.
- _____ If resolution is to be forwarded to Federal or State legislative or administrative officials, it should end with:

"FURTHER RESOLVED, That the San Francisco Board of Supervisors hereby directs the Clerk of the Board to transmit copies to (e.g. the members of Congress from San Francisco and the United States Senators from California) with a request to take all action necessary to achieve the objectives of this resolution.
- _____ If resolution is endorsing or opposing Federal or State legislation, a copy of the bill must be attached.
- _____ The sponsor of the resolution is listed in the footer, lower left corner of first page.

(Note: To insert sponsor name, click "View"; select "Header and Footer"; click the box to switch to the footer and enter name of Supervisor or Department.)

Checklist for Ordinances.

- _____ The original and four copies of the ordinance approved as to form by the City Attorney, and five complete sets of any background information, must be accompanied by a cover letter requesting passage, stating reasons, time factors, the name and telephone number of a contact person.
- _____ The original paper copy must be on paper with red vertical lines and numbered lines. Page 1 must have "File No." in upper left and "Ordinance No." in upper right. Subsequent pages have red vertical lines and line numbers, but no reference to File number or Ordinance number at top. Note: If you use the BOS boilerplate, it will print the header and line numbers in the margin automatically but you must use the red line paper with no numbers (order paper from Reproduction and Mail Services).
- _____ Short title: Single spaced, beginning on line 1, in brackets [], type a short subject phrase or a plain English description if the legal title is not clear and specific to alert a person of average intelligence and education. Be brief, concise and written in plain, easily understood English, single spaced, consisting of no more than 250 characters/spaces. Insert two returns (equal to four line spacing).
- _____ Long title: Double space the legal title of the ordinance in bold print (Arial, 12, Bold). **Title in bold, using upper and lower sentence case, always start with the word "Ordinance" followed by a word ending in "ING" (a gerund), and ends with a period (.)**
- _____ Insert two returns between Title and Text. Text, double spaced, in normal print, (Arial, 12).
- _____ Nothing is stapled to the ordinance.
- _____ If reference is made to related material, use the language "on file with the Clerk of the Board of Supervisors in File No. (leave at least 15 blank spaces), which is hereby declared to be a part of this ordinance as if set forth fully herein". (Note: Related materials must be submitted at the time the ordinance is delivered.)
- _____ If longer than two pages, it must be accompanied by a brief Legislative Digest prepared by City Attorney.
- _____ If appropriation ordinance, the Mayor must approve before submittal.
- _____ If appropriation ordinance, the Controller must approve before submittal.
- _____ If an emergency ordinance, the title ends with "; an emergency measure." and the text states the nature of the emergency.
- _____ If amending a municipal code, name the specific code and section numbers in title.

- _____ Contains no Whereas clauses, but may have a findings section.
- _____ Must be approved as to form by City Attorney.
- _____ Title explains purpose of change to existing law. If adding new chapter to any municipal codes, the new section numbers must also be cited in the title.
- _____ Ordinance must be confined to one subject which is clearly expressed in the title.
- _____ Ordinance starts "Be it ordained by the People of the City and County of San Francisco:"

If the ordinance amends any Municipal Code, immediately following the title is

NOTE: Additions are italic, Times New Roman, single underlined; deletions are strikethrough italic, Times New Roman Board amendment additions are double underlined. Board amendment deletions are strikethrough normal.
- _____ The sponsor of the Ordinance is listed in the footer, lower left corner of first page.

(Note: To insert sponsor name, click "View"; select "Header and Footer"; click the box to switch to the footer)

File No.

LEGISLATIVE DIGEST

[Insert Plain English Short Title --no longer than 250 characters]

Insert complete title of ordinance in bold using lower case letters.

Existing Law

Insert summary of current provisions of law being amended

Amendments to Current Law

Insert summary of amendments to current law being made by the ordinance

Background Information

Insert background information to assist reader in understanding the legislative history or rationale for the legislation.

REQUESTING SUPERVISOR TO INTRODUCE LEGISLATION DURING A BOARD MEETING BY A DEPARTMENT

On occasion a department may request that a member of the Board of Supervisors to sponsor and introduce legislation at an upcoming Board meeting.

The following procedures are established to ensure that the Clerk of the Board's office receives the electronic version of a matter to be sponsored and introduced by a Supervisor (at the request of Department) during Roll Call For Introductions at a Board Meeting.

The department staff shall:

- Provide the sponsoring Supervisor the required original legislation and four copies, with supporting documents to be introduced by the Supervisor during Roll Call at the Board meeting.
- Provide the sponsoring Supervisor with the electronic version which will be transmitted to the Clerk's staff on the meeting date.

INSTRUCTIONS FOR EMAILING PROPOSED LEGISLATION TO THE BOARD OF SUPERVISORS

All electronic copies of proposed legislation to be introduced to the Board of Supervisors are to be sent to the Board as an attachment(s) to an email message.

Please use the email format underneath the double underlines below these messages. You must use it **EXACTLY** as shown (i.e., complete the fields, copy the entire area under the double underlines, start a new email, and then paste the copy into the message area).

NOTE: All typeface is in Courier 12 pt so that, when copied/pasted, it will translate correctly in message area, line up correctly, etc. Do not convert to any other typeface. Do not change tabs or spacing. Do **NOT** copy the double underlines.

Please use the email format underneath the double underlines below these messages.

ADDITIONAL VITAL NOTE: New proposed Legislation **MUST** be emailed to BOS Legislation **no later than 12:00 noon Monday in order to be included on the second following Tuesday's agenda for referral to Committee.**

Remember to ADD THE ATTACHMENT(S) to the email before you send it to BOS Legislation.

CITY & COUNTY OF SAN FRANCISCO

CITY ATTORNEY'S OFFICE

BOARD OF SUPERVISOR LEGISLATION

To: BOS Legislation
Date: May 22, 2009

RE:

Attached is proposed legislation concerning

The attachments are listed below.

Attachments

#	File Name	Description (motion, res, ord)
---	-----------	--------------------------------

1.

List Exhibits/documents not included in electronic form (i.e., confidential letters) but delivered in hard copy instead.

2.

Contacts:	Name, Deputy City Attorney	Phone:
	Name, Secretary	Phone:

Office of Clerk of the Board Legislation Schedule

	Monday	Tuesday	Wednesday	Thursday	<u>Friday</u>	Saturday/ Sunday
	<p><u>*12:00 Noon</u></p> <p>Departments may submit by 12:00 noon electronic version BOS Legislation with 1 original and 4 copies of legislation to appear on the back of the <u>second following Tuesday's agenda</u> for referral to committee.</p> <p>If Department misses above deadline, may ask a Supervisor to introduce the matter at the next Board meeting (Tuesday).</p>	<p><u>2:00 p.m.</u></p> <p>Board Meeting</p> <p><u>5:00 p.m. or end of meeting, whichever is later</u></p> <p><u>Supervisors</u> must electronically submit to the Clerk of the Board <u>BOS Legislation</u> items to be introduced on Roll Call at the Board Meeting</p> <p>Supervisor verbally introduces matters during Roll Call for Introduction at a Board meeting on his/her own behalf or as a Sponsor for departments.</p>	<p><u>12:00 Noon</u></p> <p>Supervisors may submit resolutions or motions for the following Tuesday's agenda For Adoption Without Committee Reference portion of the agenda for action.</p> <p><u>4:00 p.m.</u></p> <p>Board Agenda generated for next Tuesday meeting.</p> <p><u>5:00 p.m.</u></p> <p>"Draft Minutes" of Tuesday previous meeting posted to website.</p> <p>Passed legislation is transmitted to the Mayor. Mayor has 10 days to return legislation.</p>	<p><u>3:00 p.m.</u></p> <p>Agendas sent to IT Division for posting on website</p> <p><u>5:00 p.m.</u></p> <p>Legislation Introduced available. Submit ads for publication of next Tuesday's Agenda, Summary of Actions and Legislation Introduced.</p> <p>Tuesday's Agenda packet distributed to Board members and staff.</p>	<p><u>11:00 a.m.</u></p> <p>Submit ads for publication of last Tuesday's draft minutes & legislation introduced AND next Tuesday's agenda.</p>	<p>Publication of agendas, draft minutes, and legislation introduced.</p>

*This deadline day moves to **Friday** when Monday is a holiday.

Changes to the Legislation

If the Department discovers an error in the legislation, the following policies are established regarding submitting a corrected version to the Clerk of the Board.

Because the electronic copy cannot be modified once it is attached as part of the official Board file, any change to the legislation requires (1) a new version be prepared as a separate document; (2) the revised legislation with cover letter be submitted for processing; (3) the revised electronic copy be provided; (4) the official file record is updated and another version is attached.

The following policies are established.

Policy The Clerk of the Board's staff will not process any file if the exhibits or attachments mentioned in the body of the legislation are missing. The documents will be returned to the department to resubmit with its exhibits and attachments.

Policy: The electronic documents received will be processed "as is" by the Clerk of the Board's staff.

Policy: Changes, whether clerical or not, can only be done as follows:

- By submitting a substitute legislation to the Board of Supervisors to be processed all over again (electronic copy by 9:00 a.m. and paper copy by noon Monday) and the official file will be updated with a new version attached.
- Amended at a Committee meeting.
- Amended at a Board meeting.

Policy: Adding Sponsor names to the electronic copy of the legislation can only be done at the following stages:

- During a Board or Committee meeting.
- When first introduced by a Supervisor.
- When the legislation is amended.
- When a Supervisor makes the request in writing.

You must check the Legistar legislative file record history for a complete list of sponsors as the electronic copy of the legislation attachment may not list all of the names.

For Clerk's Office Only

This is the process the Clerk of the Board's staff will follow when minor amendments are adopted by the Committee.

Minor amendments adopted by Committee/Board, prepared by the Clerk.

*Note: Committee/Board amendment additions are double underlined
Committee/Board amendment deletions are strikethrough normal

- | | |
|-----------------------|--|
| Committee/Board Clerk | Retrieve the Legistar attachment; save as new document with new name in a different folder; make minor amendments |
| Committee/Board Clerk | Verify the amendment with Deputy City Attorney, if necessary

Email the new version to Deputy City Attorney with return receipt. |
| Committee/Board Clerk | After verifying the document, save as a new attachment to the Legistar history record. |

Instructions to add or delete text made by the Committee/Board:

Highlight the text you want to add or delete;

Go to Format; Font; make your selection as follows:

- | | |
|------------|---|
| Underline: | Select Double (to add text) |
| Effects: | Select Strikethrough (to indicate text to be deleted) |
| Reminder: | Standard Font: Arial
Font Style: Regular
Size: 12 |

For Clerk's Office Only

This is the process the Clerk of the Board's staff will follow when major amendments are adopted by Committee.

Complicated (substantive) amendments requiring City Attorney's assistance.

*Note: Board amendment additions are double underlined
Board amendment deletions are strikethrough normal

Committee/Board Clerk If necessary, email notes of changes requested by Committee/Board and ask City Attorney to prepare the legislation; return receipt.

City Attorney To prepare amended version, using the double underline and strikethrough normal notation) and email to Committee/Board Clerk as soon as possible, especially if there is a change in title and the matter has been recommended to the Board for the upcoming agenda; return receipt.

Print and sign paper copy, if appropriate, and deliver to Clerk.

Committee/Board Clerk After verifying the document, save as a new attachment to the Legistar history record.

Instructions to add or delete text made by the Committee/Board:

Highlight the text you want to add or delete;

Go to Format; Font; make your selection as follows:

Underline: Select Double (to add text)

Effects: Select Strikethrough (to indicate text to be deleted)

Reminder: Standard Font: Arial
Font Style: Regular
Size: 12

Quick Reference

Ordinance	<p>Must be approved as to form by the City Attorney</p> <p>Must be sent to Committee</p>
Resolution	<p>Resolutions do not require City Attorney's signature, except for bonds and certain Redevelopment and land use matters.</p> <p>Resolutions may contain department head and or commission signatures obtained before delivery to the Clerk of the Board.</p>
Resolution Grant Application Package Information and Instructions	<p>The resolution must have the Mayor's and Controller's signatures before delivery to the Clerk of the Board. NOTE: Acceptance and expenditure of any grant money that would result in creation of new positions must be approved by Ordinance and an appropriate amendment to the ASO. (Ord. 230-06)</p>
Resolution sponsor	<p>The department's name must appear at the footer (except when asking a Supervisor to sponsor the measure, the Supervisor's name should be filled in).</p>
Background material	<p>The legislation package must include all documents referenced in the body of the proposed legislation before delivery to the Clerk of the Board.</p>
Legislation Package to contain the following documents	<ul style="list-style-type: none"> • Original legislation and four copies with required signatures • Letter on department stationery • Legislative digest • Supporting documents; such as, agreement, contract, State or Federal bill, environmental impact, lease, memorandum of understanding, reports, etc.
Deadline for electronic copy and paper packet to be delivered to Clerk of the Board	<p>Monday Noon for referral on the second following Tuesday's agenda.</p> <p>Email address: BOS-Legislative Services</p>

WHO TO CALL IN THE LEGISLATIVE DIVISION

LEGISLATIVE DIVISION

Rick Caldeira, Legislative Deputy Clerk	(415) 554-7711
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Committee Clerks	Phone Number
Andrea Ausberry, City & School District Committee, Government Audit & Oversight	554-4442
Gail Johnson, City Operations and Neighborhood Services and Public Safety Committees	554-4445
Alisa Somera, Land Use & Economic Development and	554-4447
Linda Wong, Rules Committee and LAFCO	554-7719
Victor Young,, Budget & Finance Committees, and RBO/PUC	554-7723

Legislative Support Staff	Phone Number
Joy Lamug –Create legislative files introduced from Board and departments, process all planning, EIR, and Negative Declaration appeals and prepare final maps	554-7712
Annette Lonich -Creates the weekly Board agendas, and tasks associated with the preparation, create legislative files for without reference to committee, Office of Economic Analysis information, prepare legislation introduced file for Budget Analyst.	554-7706
Operations Division -Process and distribute approved legislation, maintain and update of files with Board actions and processing of amendments from Board meetings, distribute Draft Minutes and Legislation Introduced	554-5184

Guide to Writing Effective Resolutions and Ordinances

Most city councils (or comparable local legislative bodies) can take action in one of two ways: by ordinance or resolution.

Although this can vary community to community, typically a RESOLUTION is passed to express the opinion of the adopting body on some matter of a temporary or advisory nature (such as expressing its concern over the USA PATRIOT Act), or to handle administrative business. An ORDINANCE is passed to enact regulations of a general and permanent nature, enforceable as local law. An example of this would be to legally require the posting of a warning against USA PATRIOT Act Sec. 215 in your local libraries.

The vast majority of communities that have acted in opposition to the USA PATRIOT Act have passed resolutions, however a few communities have passed ordinances (see St. Paul's or Minneapolis's ordinances as examples).

Parts of a Resolution

Resolutions have two main parts: preambular clauses and operative clauses.

PREAMBULAR clauses, which typically start with the word "whereas," give background information on why your community is passing its resolution. These clauses can refer to the following aspects:

- the topic itself (for example, the USA PATRIOT Act and other

- federal government policy)
- the occasion of consideration of the topic (for example, Sept. 11th or the passage of the USA PATRIOT Act)
- recent incidents, and recent developments (for example, recent legislation that threatens our civil rights and liberties)
- previous resolutions (for example, if your community has passed previous resolutions or laws to protect civil rights and liberties)
- the Constitution
- local history or community characteristics

OPERATIVE clauses, which typically start with “be it resolved” followed by an active, present tense verb (like “affirms” or “encourages”), call upon certain bodies to act. These clauses can contain the following aspects:

- recommendations for specific action
- statements of opinions
- requests for further consideration or monitoring

Tips for Writing and Passing an Effective Resolution

1. Build a Broad Coalition. Writing the resolution should not be the starting point.

- First, it is critical to build a diverse group of community members who support your efforts. This enables your group to demonstrate to your local legislative body that your concerns are valid and important and that local community members are educated on the issues. Building public support also helps to demonstrate to your legislative body why it is a local issue.

- Additionally, if you choose to have a resolution or ordinance to increase monitoring about how the USA PATRIOT Act is being implemented, it is best to obtain the prior approval of the government agency that will be doing the monitoring. Many communities have Human Rights Commissions that may be willing to carryout monitoring.

2. Study legislative processes in your town or city.

- Some cities may require you to have a councilperson introduce the resolution while in other cities you may be able to put the resolution on the agenda.
- As an initial step, your group should build a relationship with members on your local legislative body. If the body feels that the resolution is a joint effort, there will be a greater chance that the resolution will pass.
- You may want to even approach a member to draft the resolution, which you can collaboratively revise. Feel free to show the members a list of cities that have passed resolutions and to give them a sample resolution.
- Also, in most locations, resolutions will not have lasting legal effect and if this is the case you may want to consider passing a city ordinance or other local legislation (see the explanation of resolutions and ordinances above).

3. Focus on using mandatory language ("shall" "must" "will", etc.) versus discretionary language ("we encourage x body to..." "may", etc.). Mandatory language helps to create a legally binding duty for the adopting body and those bodies it has jurisdiction over (such as local police departments). However, your resolution cannot have legally binding authority over other bodies that your adopting body does not

have jurisdiction over, such as Congress or the President- for these bodies the resolution can only “urge” them to act. Like all legal language, the more specific you make the duty, the easier it will be to enforce.

4. Be textually accurate. In describing all laws and regulations, try to quote textual language or summarize directly from the textual language, citing the relevant section of the Act. Avoiding sweeping allegations or broad textual summaries will bring credibility and factual accuracy to your resolution and will also steer the discussion away from rhetoric towards meaningful discourse. [Complete text of the USA PATRIOT Act](#)

5. Allow for revisions. It is important to have some flexibility for compromises that may be necessary to pass the resolution in your legislative body.

6. Maintain your community network. As you may have to play watchdog to make sure the provisions of your resolution or ordinance are properly implemented, it is vital to keep your group connected and continuously informed. Additionally, as you probably know, new threats to our civil liberties arise all the time and keeping your network together will help your community address them in the future. Passing a resolution is just the first step towards protecting your civil rights and liberties.

This is not meant to be an exhaustive list. If your community has a tip that you think is important to include, please let us know.