

RESOLUTION NO. RES2024-140

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN JOSE APPROVING A NEW COUNCIL POLICY NO. 0-22 ENTITLED “EQUITY VALUES AND STANDARDS POLICY” THAT ESTABLISHES A FRAMEWORK FOR ADVANCING RACIAL AND SOCIAL EQUITY

WHEREAS, in November 2022, voters approved ballot Measure I in a Statewide General Election to amend the San José City Charter to: (1) add the City’s Ethics and Elections Commission (Board of Fair Campaign and Political Practices) to the Charter; (2) remove requirements that members of the Planning, Civil Service and Salary Setting commissions be electors and/or citizens; (3) remove gender-specific language; and (4) require the City Council to adopt equity values, standards and assessments in making certain decisions; and

WHEREAS, the City of San José (“City”) has a commitment and a responsibility to meet the desire of the voters and stakeholders to codify value statements and equity-centered work of the City of San José; and

WHEREAS, the Council Policy defines equity values and standards and establishes a framework for how the City will approach, implement, and demonstrate accountability by 1) establishing an Equity Statement of Values to inform and guide decision making; 2) providing a set of standards via a general framework to support consistent adoption across the organization, in driving decision making towards measurable outcomes wherever possible; 3) outlining the outcomes the City will be driving towards; 4) laying out the duties of the City Manager’s Office, Mayor, and City Council, and city workforce in advancing racial and social equity; and 5) providing mechanisms by which the City will demonstrate transparency, progress in its equity practices, and ensure accountability; and

WHEREAS, the City Council desires to establish a new City Council Policy No. 0-22, entitled “Equity Values and Standards Policy” that establishes a framework for advancing racial and social equity in the City of San José;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SAN JOSE THAT:

A new Council Policy No. 0-22 entitled “Equity Values and Standards Policy,” which policy is attached hereto as Exhibit “A” and incorporated herein by this reference as though fully set forth herein, is hereby approved.

ADOPTED this 14TH day of May, 2024, by the following vote:

AYES: BATRA, CANDELAS, COHEN, DAVIS, DOAN, FOLEY,
 JIMENEZ, ORTIZ, TORRES, KAMEI, MAHAN.

NOES: NONE.

ABSENT: NONE.

DISQUALIFIED: NONE.



MATT MAHAN
Mayor

ATTEST:



TONI J. TABER, CMC
City Clerk

EXHIBIT “A”

City of San José, California

COUNCIL POLICY

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|---|-----------------------|------------------------------|
| TITLE EQUITY VALUES AND STANDARDS POLICY | PAGE 1 of 8 | POLICY NUMBER 0-22 |
| EFFECTIVE DATE 5/14/2024 | REVISED DATE | |

APPROVED BY COUNCIL ACTION Resolution No. RES2024-140, Item 3.5(b), 5/14/2024;

BACKGROUND

On November 8, 2022, voters approved Measure I to amend the City Charter by adding Section 608 requiring the Mayor and City Council to adopt and maintain "a statement of values, as permitted by law, promoting racial and social equity, inclusion, and racial and social justice which shall provide guidance to City officers and employees in their conduct while discharging their public responsibilities, including development and implementation of decisions, policies, budgets, programs, standards, assessments, and practices of the City of San José. This policy provides an implementation framework for City employees, City officials, and City appointees in their efforts to advance racial and social equity.

PURPOSE

The City of San José is committed to the ongoing recognition of the impact of long-standing and persistent disparities, particularly regarding Black, Native/American Indian, Latino/a/x, Asian and Pacific Islanders, LGBTQIA+, immigrants, women, people with disabilities, low-income, older adults and other marginalized communities. The City acknowledges historical structural and institutional racism that resulted in measurable gaps in well-being and quality of life for these communities. The experience of the COVID-19 pandemic further demonstrated the depth of and consequences of these inequities.

The City will have achieved equity when race can no longer be used to predict life outcomes, and everyone can prosper and thrive. Equity can only be attained through the combined efforts of intentional, intersectional, equity-centered practices and culture. This policy guides the City of San José in making systemic and timely reforms that advance equity in policy creation, service delivery, resource distribution, community engagement, matters of public concern and other government business on behalf of residents.

City of San José, California

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|---|--|-----------------------|------------------------------|
| TITLE EQUITY VALUES AND STANDARDS POLICY | | PAGE 2 of 8 | POLICY NUMBER 0-22 |
|---|--|-----------------------|------------------------------|

POLICY

It is the policy of the City of San José that the City will commit to the following Equity Statement of Values, and City departments will adhere to the Equity Standards included in this policy in their efforts to advance racial and social equity.

1. Equity Statements of Values

The City shall endeavor to embody the equity values through these statements to inform and guide decision making:

- a. Intersectionality: Acknowledge the central impact of race and adopt an intersectional lens of equity. Intersectionality of our communities' identities cannot be ignored and requires systems to understand race, gender and sexual orientation, age, immigration status, religion, and disability, and the relationship to oppression and history of exclusion.
- b. Justice: Proactively take actions to create equitable, positive change that is long lasting and creates a measurable impact and improved outcomes for San José communities that have been most impacted by systemic racism.
- c. Resilience: Prioritize communities that have been economically deprived and underserved.
- d. Accountability: Demonstrate accountability, integrity, honesty, and responsibility towards equity for the decisions and outcomes of the City's work and services.
- e. Responsibility: Cultivate shared equity leadership by embracing a personal and professional journey of critical consciousness and developing equity-oriented skills and mindsets.
- f. Community Engagement: Communicate openly, honestly, and clearly with community stakeholders in both processes and decision making to ensure that the City's programs, processes, and policies are informed by and responsive to the diverse needs and perspectives of San José's communities.

City of San José, California

| | | | |
|---|--|-----------------------|------------------------------|
| TITLE EQUITY VALUES AND STANDARDS POLICY | | PAGE 3 of 8 | POLICY NUMBER 0-22 |
|---|--|-----------------------|------------------------------|

- g. Inclusion: Practice inclusivity by balancing civility, empathy, compassion, and a service mindset by uplifting the most impacted communities and the desired outcomes for the San José community as whole.
- h. Celebrate: Acknowledge and celebrate the existing strengths, resiliency, and successes demonstrated by marginalized communities.
- i. Commitment: Commit to Equity Standards.

2. **Equity Standards**

Equity Standards provide a general framework to support consistent implementation of the Equity Statement of Values across the City. This framework guides the City in making decisions to demonstrate measurable improvements towards equitable outcomes.

Outcomes include:

- a. Race can no longer be used to predict life outcomes, and everyone can prosper and thrive.
- b. People from all racial and social identities feel they matter and belong.
- c. Improved life outcomes for all residents, especially those that are marginalized as it will make our city stronger and better for all residents.
- d. Systems that create or perpetuate racial and social inequities are reduced and eventually eliminated.

3. **Application**

The City shall implement the following practices in its efforts to advance racial and social equity:

- a. Identify the desired life outcomes to be improved for communities of color and other marginalized groups;
- b. Anchor analysis in disaggregated data, both qualitative and quantitative, and longitudinal as applicable;
- c. Center community voice and choice, empower residents to drive decisions, and allow the community to request reviews of policy and programs and further engagement as deemed appropriate;

City of San José, California

| | | | |
|---|--|-----------------------|------------------------------|
| TITLE EQUITY VALUES AND STANDARDS POLICY | | PAGE 4 of 8 | POLICY NUMBER 0-22 |
|---|--|-----------------------|------------------------------|

- d. Analyze how the program, policy, ordinance or budget item might improve or worsen racial and social equity;
- e. Assessment of impact and potential unintended policy consequences;
- f. Develop targeted strategies that will advance racial and social equity;
- g. Proactively employ assessments to extent possible across City operations including routine, major, and retrospective activities as determined by the City Manager or Mayor and City Council
- h. Measure progress in achieving department-level racial and social equity goals.

Office of Racial and Social Equity

The Office of Racial and Social Equity and all variations of the Office thereof shall provide strategic support to City departments in their efforts to advance racial and social equity, including but not limited to the following:

- a. Providing regular trainings, learning sessions and workshops;
- b. Providing consultation and technical assistance to City departments;
- c. Developing and updating tools, processes, programs, and procedures;
- d. Reporting annually to the Mayor and City Council on progress made by City departments;
- e. Working collaboratively with the Administration and community members with attention to historically-marginalized groups to ensure that performance measures in City Service Areas have measurable outcomes that are informed by disaggregated data, wherever possible;
- f. Facilitating information sharing and relevant resources for City staff to foster both personal and professional development to further equity;
- g. Supporting in strengthening effective and meaningful community engagement practices on the subject of advancing equity;
- h. Remaining active and informed about evolving equity-related theory and practice to enable innovation in the work over time;
- i. Fostering a learning culture that supports City employees in having critical discussion and actions towards equity without facing repercussion or retaliation.

City of San José, California

| | | | |
|---|--|-----------------------|------------------------------|
| TITLE EQUITY VALUES AND STANDARDS POLICY | | PAGE 5 of 8 | POLICY NUMBER 0-22 |
|---|--|-----------------------|------------------------------|

City Staff

City employees may seek to advance racial and social equity by:

- a. Informing decision making with perspectives across diverse lived experiences, specifically by those most likely to be impacted by given decisions;
- b. Working on building an equity mindset, which includes deepening self-awareness by fostering alignment between self-perceptions and how others experience them, and developing the skills to process and act on feedback that indicates there is misalignment between those perceptions;
- c. Understanding not everyone from a particular group has the same perspective;
- d. Fostering a learning environment of safe, open, accountable, and non-retaliatory communication with fellow employees by encouraging mistakes as part of learning and addressing impact when being made aware of harm;
- e. Understanding the experience of fellow employees from marginalized groups in their departments and what changes will improve their psychological safety, experience of belonging, and ultimately performance;
- f. Gaining insight and cultivating cultural responsiveness by understanding the lived experiences of community members, with a particular focus on those from marginalized groups;
- g. Promoting equity practices in strategic planning, recruitment, workforce development, service delivery, and community engagement.

ACCOUNTABILITY & TRANSPARENCY

As part of an adoption of the Equity Values and Standards Policy, the City is committed to transparency and accountability. The following are mechanisms by which the City will demonstrate progress in its equity practices and ensure accountability.

City employees, City officials, and City appointees will be protected from retaliation resulting either from their work to implement this policy or their effort to report a failure to implement this policy.

Racial and Social Equity Action Plans

Every City Department shall develop a Racial and Social Equity Action Plan (RSEAP) on a timely and periodic basis. Racial and Social Equity Action Plans shall be created in alignment with the Office of Racial and Social Equity’s Strategic blueprint and outline detailed departmental actions, strategies, and duties in which departments will act to advance racial and social equity.

City of San José, California

| | | | |
|---|--|-----------------------|------------------------------|
| TITLE EQUITY VALUES AND STANDARDS POLICY | | PAGE 6 of 8 | POLICY NUMBER 0-22 |
|---|--|-----------------------|------------------------------|

The Office of Racial and Social Equity shall develop timelines for completion of departmental Action Plans, provide departments support, technical assistance in the development of the Action Plans, and monitor the progress of each through quarterly departmental reports. Each department shall designate a management and/or executive-level employee to serve as a liaison to the Office of Racial and Social Equity to report on and improve the department's RSEAP.

The Office of Racial and Social Equity shall train designated staff to collect, organize and maintain its RSEAP and shall provide technical assistance in the implementation of plans.

The Office of Racial and Social Equity shall publish each City department RSEAPs and its progress to the public annually. The public will have access to City department RSEAPs. The public will also be notified when there is an opportunity to provide feedback and/or additional comments from a community perspective.

The Office of Racial and Social Equity shall report to the Mayor and City Council on summarized findings of the Racial and Social Equity Action Plans on an annual basis.

Budgeting for Equity

The Office of Racial and Social Equity and the Budget Office shall work in collaboration with City departments to advise departments in analyzing equity in annual budget proposals.

As the City gains capacity and expertise in this process, the expectation is that the City use the budgeting for equity analysis to not only inform but also support in making decisions during the budget process. To ensure accountability, the City Council may request the City Auditor to conduct an assessment of equity in City Council-approved budgets.

Council Memorandums

The City Manager's Office shall determine the Council items that will require an equity analysis to be embedded in City Council Memorandums, that are in alignment with City Council approved priorities. The equity analysis shall be informed by community stakeholders and engagement. Furthermore, the Mayor and City Council may initiate and request staff to perform an assessment of impact and potential unintended policy consequences on council memorandums.

City of San José, California

| | | | |
|---|--|-----------------------|------------------------------|
| TITLE EQUITY VALUES AND STANDARDS POLICY | | PAGE 7 of 8 | POLICY NUMBER 0-22 |
|---|--|-----------------------|------------------------------|

Community Engagement

The City seeks to promote inclusion and engagement of communities most harmed by past policies and practices, solicit and implement feedback, and identify disparities along with potential remedies.

For the above means of accountability and transparency, the City shall develop mechanisms for community perspectives to be incorporated and will expand and improve these efforts over time. These may include but are not limited to community input on RSEAPs, budgeting, and Council items.

Decennial Review

The Office of Racial and Social Equity will engage in a community process to review this council policy on at least a decennial basis to ensure that this policy continues to evolve and is relevant. The Office of Racial and Social Equity will report any recommended updates to this policy to the Mayor and City Council.

DEFINITIONS

As used in this Policy, the following words and phrases shall have the meanings indicated herein:

Disaggregated Data. Data that has been broken down by detailed sub-categories, for example by marginalized group, gender, region or income level. Disaggregated data can reveal deprivations and inequalities that may not be fully reflected in aggregated data.

Intersectionality. The concept of intersectionality describes how a person’s combined identities create different realities of privilege, marginalization and oppression. These identities can include but are not limited to race/ethnicity, color, religion, disability and neurodivergence, age, citizenship/immigration status, gender, and sexuality.

Inclusion. Authentically bringing traditionally excluded individuals and/or groups into processes, activities, and decision/policy making in a way that shares power.

Institutional Racism. Institutional racism refers specifically to the ways in which institutional policies and practices create different outcomes for different racial groups. Institutional policies may be silent to any racial group, but their effect has effectively

City of San José, California

| | | | |
|---|--|-----------------------|------------------------------|
| TITLE EQUITY VALUES AND STANDARDS POLICY | | PAGE 8 of 8 | POLICY NUMBER 0-22 |
|---|--|-----------------------|------------------------------|

created advantages for whites and reinforced disadvantage for people of color resulting in further oppression.

Racial Equity. *Definition approved by Council as of January 2022.* Both a process and an outcome, racial equity is designed to center anti-racism, eliminate systemic racial inequities, and acknowledge the historical and existing practices that have led to discrimination and injustices to Black, Indigenous, Latino/a/x, Asian, and Pacific Islander communities.

The racial equity process explicitly prioritizes communities that have been economically deprived and underserved and establishes a practice for creating psychologically safe spaces for racial groups that have been most negatively impacted by policies and practices. It is action that prioritizes liberation and measurable change and focuses on lived experiences of all impacted racial groups. It requires the setting of goals and measures to track progress, with the recognition that strategies must be targeted to close the gaps.

As an outcome, racial equity is achieved when race can no longer be used to predict life outcomes, and everyone can prosper and thrive.

Racial and Social Equity. The condition that would be achieved if one’s group identity – based on categorizations that have experienced discrimination including race, aspects of neurodiversity, religion, and gender expression – no longer predicted, in a statistical sense, how one fared in society.