DATE: December 3, 2020

TO: General Plan Update Advisory Committee

FROM: Joel Paulson, Community Development Director

SUBJECT: Review and Discussion of the Initial Draft of the Racial, Social, and Environmental Justice Element.

REMARKS:

Attachment 3 contains comments from Committee Members.

ATTACHMENTS:

Attachments previously received with December 3, 2020 Staff Report:
1. Initial Draft of Racial, Social, and Environmental Justice Element

Attachments previously received with December 3, 2020 Addendum:
2. Committee Member Comments

Attachments received with this Desk Item:
3. Committee Member Comments

PREPARED BY: JENNIFER ARMER, AICP
                    Senior Planner

*This Page
Intentionally
Left Blank*

Racial, Social, and Environmental Justice Element – Ryan Rosenberg

Page 2-1
The Race, Income, and Language in Los Gatos Section

There is a breakdown of residents by race (White, Asian, etc.) but the total number adds up to 111.6%.

Page 2-2
Minor text edit in first paragraph, use a colon vs a comma.

Equity-oriented goals and policies can also be found throughout the rest of the General Plan, including, but not limited to, the Housing Element…

It should say "but not limited to:"

Page 2-3
RSEJ-1.4 Celebrate Town Diversity
This is a good (and important) policy but there is no implementation plan for it - it should have one.

MISSING POLICY
I feel like there is a missing policy, something along the lines of
Promote Los Gatos as a Town That Welcomes all
Or maybe
Promote Los Gatos as a Bias-Free Town
Actions matter most, but actions start with attitude. Sometimes when you say something often enough it becomes the new reality. Then people start acting along those lines.

Page 2-5
RSEJ-4-2 Regulations Allowing Healthy Foods
Good idea but let's out the part that says "discouraging unhealthy choices (e.g. fast food chains) around vulnerable populations.

This is a small town, and anyway we say in the intro to section 2.2 that we don't have any disadvantaged communities.

Also, on a practical basis, I don't think we should be dictating in the general plan where any fast food outlet can go in this town. What is "fast food" anyway. We all think of McDonalds. But what about Super Duper Burger? What about the Happy Hound? What about Main Street Burgers? Are we going to have special rules for them? Probably not.

Racial, Social, and Environmental Justice Element – Barbara Spector

I am glad to see this Element added to our General Plan.

Overall, I would suggest the following:

- That we choose our wording realistically. By way of example,
  "Ensure" is frequently used as a Goal
  in circumstances in which the Town cannot/may not be able to
  "ensure."
  ["Ensure equity…"]

- That we evaluate our goals/objectives realistically and within the
  Town's authority.
  i.e., J-1.1   "address any existing inequities"

- J-4.2: This entry is another example of the "Ensure" issue
  referenced above.
  However, in addition to being a difficult objective to implement, I
  question whether
  a distinction between "healthy" foods and "fast" foods could be
  described,
  codified and implemented.

RSEJ Comments: Kathryn Janoff

There is a subtle message (or not so subtle) throughout that we don't have a problem. Watch for the qualifying phrases that undercut a stronger message.

P. 2-1
Ist paragraph, third sentence: change "who" to "many of whom"

2nd paragraph, first sentence, "all members of the Los Gatos community—residents, workers, business owners and visitors—feel valued . . ."

3rd paragraph, "Places and people of privilege have a responsibility to maintain and increase their awareness and understanding of social issues." Strike maintain in this context.

Change "this Element represents a commitment to" to "this Element is a commitment to"

last sentence: Strike "Although a general plan cannot by itself make a community more equitable" and simply affirm: "This General Plan creates . . ."

P. 2-2:
The intro states a responsibility to "residents, businesses visitors and organizations," so the policies throughout should be sure to include each of these sectors.

P. 2-3:
2.1: Strike the sentence "While the Town cannot . . ." and revise sentence to a simple, positive statement

RSEJ-1: Include workers?

RSEJ 1.1: strike "any existing"

1.2: Why the focus on budgeting? To be consistent, this should include planning and land use (see RSEJ-6.2)

1.3: strike word "potential"

NEW 1.5: Celebrate workforce diversity?

RSEJ-2.1: What does "competent" mean?

Page 2-4:

2.5: incorporate concept of diverse workforce. And is this directed toward employees of the Town or employees in Town?

2.6: include training for residents and organizations too. This could be in the form of a column in the weekly newsletter and/or links to recommended online material, lectures and community engagement events.

2.2 Strike first sentence (that's another of those "we don't have a problem" problems)

3.1: This seems to be two policies. Separate.

RSEJ-4: Agree this should be "advocate" not "ensure"

Page 2-5:

4.4: However the Town figures out how to do this, add this as a criteria for prioritizing Town CI projects

4.5: change to "homelessness, rental and food assistance, and other poverty-alleviating programs and services." assistance

2.3: Do you intend this to be *civil* engagement (as in respectful) or *civic* engagement?

And change "This section is devoted" to "The Town is committed to"

Page 2-6:

6.2: this should have a diversity focus

6.4: How does this facilitated culture grow or expand beyond the organizations mentioned? How does it become the cultural fabric of the Town?

IP D: replace "innovative" with "effective"

Melanie Hanssen
Comments on 1st Draft RSEJ Element

December 3, 2020

General Comments (not specific to a section):

(1) I was looking for a goal in this section. I see policies and programs towards improving inclusivity but nothing specific. Maybe objective targets are not realistic but how will we know we were successful? Maybe we should at least do some regular surveys?

(2) Here is a question that the GPAC and the Town should consider.

Is the goal simply to make it a better environment for the people who live here?

Or is the goal to move towards a more balanced population more representative of the overall county? I checked the numbers for Santa Clara County in 2019 and white population is more like 52.4% with much higher numbers for Hispanic and Asian, although not much higher for African American in terms s of percentage.

If the answer to this question is yes, then we need to do more about affordable housing because that is the main reason our population is skewed the way it is. While the specific policies for promoting affordable housing are going to be in Land Use and more importantly the Housing Element, there should be a statement in this element about this intent if that is the intent. If not, then we should just focus on inclusivity for the diversity that we have. But realistically, we are not going to be able to significantly change the racial composition of Boards, Commissions and Committees or anything else if our population is 82% Caucasian.

(3) I also agree with Committee member Piasecki that we should include General Plan policies regarding the police department given the violence and protests that have occurred this year. Especially true since we have our own Police Department and other communities use Santa Clara County Sheriff. I suppose that some of this is covered in RSEJ 1.3, but it should be called out as a specific policy or goal.

Introductory Section

If we are going to try to move towards more affordable housing => more diverse population, then we should say this in the introduction.

Regardless of the intent, the blue box should be called 2018 Demographics as the Mayor suggested.

I would suggest, we do a couple of things in the blue box and maybe cut down the language section:

- Compare LG resident demographics to the rest of the County and perhaps the state.
- Talk about diversity in the business community and Town staff if we have better diversity in this area. Because this plan is not just about residents, it includes businesses, organizations and visitors.

2.1 Racial and Social Justice

I agree with the Mayor about the introductory statement.

RSEJ-1 I agree with Committee Member Piasecki that this goal should be qualified for things the Town has control over.

Should we have a policy about seeking diverse employment for staff? Maybe we are covered with laws in the state.

RSEJ 2.3—see my previous comment—this is not realistic with 82% white population. We can leave it in but it is a hollow policy generally.

RSEJ 2.6—I think this type of training should be expanded to include all Town staff, all Town leaders (Council) as well as all Boards, Commissions and Committees.

I would go even further to suggest that we make awareness/sensitivity training available for all Town residents. I remember during our July 30 meeting hearing the testimony of residents who were harassed by other residents while walking down the street. We may not be able to reach the residents with the greatest implicit bias, but we could at least help those who are harassed or help others that observe this to deal with the problem.

Finally, should we add a policy or implementation program to regularly survey residents for measure of improvement in this area?

2.2 Environmental Justice

RSEJ-3—I agree with Committee Member Piasecki—we cannot ensure that land use decisions benefit ALL residents. Maybe change ensure to encourage or eliminate ALL and replace with something else. Also, we cannot say the second sentence realistically. We will never put affordable housing (other than ADUs that are voluntarily deed restricted) in the Hillsides (with mostly 1 DU per acre) and we will not put significant density in our predominantly single-family neighborhoods, so why say this? It is a laudable goal, but not realistic.

The policies included seem to be more specific about environmental issues, so re-write the goal accordingly.

RSEJ-4.2 I don't think we should say that fast food chains are unhealthy when they do offer healthy options. Maybe we should evaluate new restaurants in the permit process

to ensure they offer healthy choices and encourage those that don't to add healthy options.

The other issue is affordability of food. Healthy choices have historically (and are currently) more expensive than less healthy choices (anyone that has shopped for organic foods vs. other knows this). We cannot change the economics but at least we can encourage healthy options to be available in every venue possible.

RSEJ 4.3—How do we address gaps between neighborhoods and "ensure access"? Similarly, how do we address gaps in education when we have no control over the schools? I think this goal should be rewritten to focus on things we have control over.

RSEJ 4.4—Not sure what this means. Does this mean the capital budget is distributed evenly through the Town? Based on what? Population? Would we ever do anything in the Open Space areas where no one lives?

2.3 Civic Engagement in the Public Decision-Making Process

RSEJ-6   While I don't disagree with this goal, how goal does this pertain to addressing racial and social injustice?

Many, not all, of the policies in this section are general goals we have had for Town government. Perhaps some of the policies could be tweaked to encourage participation by marginalized populations. (e.g. 6.2, 6.3, 6.5).

Looking at **RSEJ- 6.7**, should we be considering translation services in other areas besides public events? What about Town Council meetings?

2.4 Implementation Programs

I think my suggestions/questions for A and B were mentioned in the policies proceeding.

C—I mentioned this earlier—add Town leaders (Council), Boards, Commissions and Committees. And then look into ways to provide similar awareness training opportunities for residents. I think this is the most important implementation program of all.

Do we need to add an implementation program to evaluate need for translation services and to what level?

Do we need to add an implementation program for regular outreach/surveys to diverse populations?

*This Page
Intentionally
Left Blank*