



## Agenda Report

21-1403

Agenda Date: 1/12/2021

### REPORT TO COUNCIL

#### **SUBJECT**

Action on the Task Force on Diversity, Equity, and Inclusion's Recommended Appointments to the Task Force Vacancies

#### **COUNCIL PILLAR**

Enhance Community Engagement and Transparency

#### **BACKGROUND**

At the July 14, 2020 City Council (Council) meeting, the Council expressed support for engaging in a local community dialogue on a Santa Clara Plan to address the four (4) components outlined in former President Obama's "Commit to Action" Initiative (Initiative) and delegated authority to Mayor Lisa M. Gillmor and Police Chief Pat Nikolai to establish an Ad Hoc Committee in support of the Initiative.

At the September 29, 2020 Council meeting, the Council approved the Ad Hoc Committee's recommendation to establish a community-based, seven-member Task Force on Diversity, Equity, and Inclusion (Task Force) to support the development of a Santa Clara Plan to address the four (4) components of the "Commit to Action" Initiative and achieve equality for historically disenfranchised communities in the City of Santa Clara (City). The Council also approved the Ad Hoc Committee's recommended appointments to the Task Force upon its establishment: Darius Brown, Neil Datar, Andrew Knaack, and Diana Zamora-Marroquin. The September 29, 2020 report to Council is included with this report as Attachment 1.

The inaugural Task Force members were charged with interviewing and recommending community members to the Council for appointment to the Task Force's remaining three (3) seats. Staff posted the application packet on the Task Force website for two (2) weeks and promoted the recruitment process on the City's social media platforms.

At the December 2, 2020 Special Task Force meeting, the Task Force approved voting and selection guidelines (Attachment 2) and interview questions (Attachment 3). The Task Force granted interviews to 31 applicants, three (3) of whom withdrew from consideration. The Task Force conducted interviews over a two-day period on December 9 and 16, 2020.

#### **DISCUSSION**

At the December 16, 2020 Special Task Force meeting, the Task Force voted to recommend that the Council appoint the following individuals to the remaining Task Force vacancies:

1. Joyce Davis
2. Mark Gilley

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### 3. Dorothy Ma

Following Council's appointment to the Task Force, the new members will take the Oath of Office with the City Clerk's Office and will be able to participate in Task Force meetings.

The Task Force also approved establishing an eligibility list with the applicants who made it to the last round of voting, but were not selected: Innæ Park, Kevin Landis, and Gustavo Rangel. Upon Council approval, the established eligibility list will be active for a period of one year, and will be used in the event a vacancy occurs.

### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

### **FISCAL IMPACT**

There is no fiscal impact to the City other than administrative staff time.

### **COORDINATION**

This report was coordinated with the City Attorney's Office and City Clerk's Office.

### **PUBLIC CONTACT**

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall Council Chambers. A complete agenda packet is available on the City's website and in the City Clerk's Office at least 72 hours prior to a Regular Meeting and 24 hours prior to a Special Meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email [clerk@santaclaraca.gov](mailto:clerk@santaclaraca.gov) <<mailto:clerk@santaclaraca.gov>>.

### **RECOMMENDATION**

1. Appoint Joyce Davis, Mark Gilley, and Dorothy Ma to the three (3) vacancies on the Task Force on Diversity, Equity, and Inclusion (Task Force) as recommended by the inaugural Task Force members; and
2. Approve establishment of an eligibility list with Innæ Park, Kevin Landis, and Gustavo Rangel that will be active for one (1) year and used in the event a Task Force vacancy occurs.

Reviewed by: Nadine Nader, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

### **ATTACHMENTS**

1. RTC 20-875
2. Task Force Voting and Selection Guidelines
3. Task Force Interview Questions



## Agenda Report

20-875

Agenda Date: 9/29/2020

### REPORT TO COUNCIL

#### **SUBJECT**

Report from the Mayor and Police Chief on “Commit to Action” Initiative Efforts and Action on Establishing a Community-based Task Force on Diversity, Equity, and Inclusion and Council Appointment of Task Force Members [Not to be Heard Prior to 6:00 PM]

#### **BACKGROUND**

At the July 14, 2020 City Council (Council) meeting, the Council delegated authority to Mayor Gillmor and Police Chief Nikolai to establish an Ad Hoc Committee in support of former President Obama’s “Commit to Action” Initiative (Initiative). With an understanding of this historic window and sense of urgency for meaningful change, the Council expressed support for engaging in a local community dialogue on a Santa Clara Plan to address the four components of the Initiative (Attachment 1) and identify key issues facing the City of Santa Clara (City) involving historically disenfranchised individuals or communities. Establishing a community-based task force will enable the City to engage the local community in an open dialogue and will help the City take actions to achieve racial equity by working to ensure that all Santa Clarans have access to an equal quality of life and equal access to opportunity.

#### **DISCUSSION**

Mayor Gillmor and Police Chief Nikolai met regularly over the last 10 weeks and engaged help and assistance from the following individuals who expressed a strong interest in the Initiative work effort: Andrew Knaack, FY2019/20 Chair of the Parks and Recreation Commission; Darius Brown, Member of the Housing Rehabilitation Loan Committee (HRLC); and Neil Datar, Former Chair of Santa Clara University’s Student Senate for Associated Student Government and recent graduate of Duke University School of Law. Councilmember Kathy Watanabe and Councilmember Teresa O’Neill participated in the meetings as well, and provided guidance, leadership, and research findings.

We are also fortunate to have established a Memorandum of Understanding (MOU) with Santa Clara University under President Father Kevin O’Brien for a collaboration with the Markkula Center for Applied Ethics (MCAE). The MOU is included in this report as Attachment 2. Part of our collaboration will include MCAE working as an advisor to the proposed, community-based Task Force on Diversity, Equity, and Inclusion (Task Force) and helping to establish the Task Force’s Mission Statement and Values Statement. MCAE will also advise on processes to implement a series of community conversations, which will engage and empower a broad spectrum of stakeholders.

Over the last several weeks, Joan Harrington, MCAE Director of Social Sector Ethics, has been assisting the Ad Hoc Committee with developing a proposed mission statement and organizational model, as well as advising on methods for engaging the community. The Ad Hoc Committee has developed a proposed Mission Statement that reflects the purpose and goals of the Task Force.

**Proposed Mission Statement and General Governance:**

**“In response to the national call for police use of force reform, the City of Santa Clara created the Task Force on Diversity, Equity, and Inclusion. Through an open dialogue with the communities of Santa Clara and directed by community input, the Task Force shall make recommendations for changes in government policies, structures, services, and culture that negatively impact or do not fully benefit historically disenfranchised communities. The Task Force will continuously involve the communities on recommendations and progress.”**

The Task Force will be overseen by the Mayor and Police Chief and led by community members appointed by the Council. The Task Force will consist of up to seven community members who will help review police use of force policies and engage communities to seek a diverse range of input, experiences, and stories. The Task Force will report findings to the Council and bring forward recommendations for policy reform shaped and informed by community input. Meetings of the Task Force will be subject to the Brown Act.

At its September 17, 2020 meeting, the Ad Hoc Committee recommended that, upon the Task Force’s establishment, Andrew Knaack, FY2019/20 Chair of the Parks and Recreation Commission; Darius Brown, Member of the HRLC; Neil Datar, Former Chair of Santa Clara University’s Student Senate for Associated Student Government; and Dianna Zamora-Marroquin, Political/Communications Director at the South Bay AFL-CIO Labor Council, be appointed to lead the Task Force. The established Task Force will interview and recommend community members to the Council for appointment to the Task Force’s remaining three seats.

In an effort to build a coalition of community partners representing diverse perspectives, the Task Force will identify community members or organizations already doing related work and who share an interest in addressing the issues. The Task Force will be charged with recommending an advisory board to the Council for appointment.

**Task Force’s Timeline and Goals**

After the appointment of the remaining three seats, the Task Force will then set specific short-term and long-term goals, with an associated timeline (below). The Task Force will be first tasked to gather information, formally engage community organizations, and request assistance in identifying historically disenfranchised residents, with a special focus on those who are traditionally unheard.

As the foremost responsibility of the Task Force is to listen to all communities within the City and hear their unique concerns, it will host listening sessions with the intent of capturing stories and experiences from individuals and groups. Through these listening sessions, the Task Force will then identify key overarching issues facing the City.

After identifying issues with the community, both short and long-term recommendations on policy reform and strategies will be brought to the Council.

**Tentative Timeline**

**October 2020 - December 2020:** Establishment of Task Force and Advisory Board. Task Force and Advisory Board will collaborate and conduct initial review of police use of force policies and other city policies.

**November 2020 - June 2021:** Engage the community by encouraging all residents to attend listening

sessions to participate and support dialogue around systemic inequalities. Community engagement will allow for a diverse range of input, experiences, and stories, and will help ensure that the voices of communities of color are included as the main focus of the Task Force's considerations in developing policy and strategy recommendations. The Task Force will conduct an additional review of police and city policies that are brought forward during the listening sessions.

**August 2021 - September 2021:** Report the findings of the review to the community and seek feedback from the community on possible recommendations on policy reform and strategies to the Council.

**October 2021 - November 2022:** Present findings and recommendations to the Council that will reform the City's police use of force policies and any governmental policies, structures or culture that negatively impact or do not fully benefit historically disenfranchised communities and present possible recommendations to the Council on City Charter changes, one of which may be to establish Oversight Body or Commission.

### **City Staff Support**

At this time, City staff will be needed to help supply information, support meetings of the Task Force, and provide communications and outreach to the community. Translation services will be needed as well.

If expert consultants are needed for the Task Force, specific requests can be brought back to the Council for consideration.

### **ENVIRONMENTAL REVIEW**

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental organizational or administrative activity that will not result in direct or indirect changes in the environment.

### **FISCAL IMPACT**

There is no fiscal impact to the City associated with this report other than administrative time to support this effort. The City will use existing funds within the approved budget to absorb the cost of translation services and, if additional appropriation is needed, we will return with a request.

### **COORDINATION**

This report was coordinated with the City Attorney's Office and City Manager's Office.

### **PUBLIC CONTACT**

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### **RECOMMENDATION**

1. Approve the establishment of the Task Force on Diversity, Equity, and Inclusion to support the

- development of a Santa Clara Plan to address the four (4) components of the “Commit to Action” Initiative to achieve equality for historically disenfranchised communities in our City; and
2. Appoint Andrew Knaack, FY2019/20 Chair of the Parks and Recreation Commission; Darius Brown, Member of the HRLC; Neil Datar, Former Chair of Santa Clara University’s Student Senate for Associated Student Government; and Dianna Zamora-Marroquin, Political/Communications Director at the South Bay AFL-CIO Labor Council, to the Task Force on Diversity, Equity, and Inclusion.

Approved by: Mayor Lisa M. Gillmor and Police Chief Pat Nikolai

**ATTACHMENTS**

1. “Commit to Action” Initiative Pledge
2. Memorandum of Understanding with Santa Clara University

## **Task Force on Diversity, Equity, and Inclusion Interview Questions**

1. The Task Force on Diversity, Equity, and Inclusion (Task Force) seeks to accomplish its mission within a 2-year timeframe, making progress on individual goals even before that. Can you commit to attending all meetings, potentially serving on at least one subcommittee, and being responsive to email messages within 24 hours of receiving them?
2. What is your definition of disenfranchised communities? What are your ideas for and experience in engaging these communities?
3. Please share an example that highlights your respect for people and their inherent differences. How would you approach individuals in our City with differing views on the issues and seek to reconcile those views?
4. As a resident, what aspects of the City's relationship with residents do you feel most needs to be reformed? What are some specific actions you want to do in the next year to further the development and advancement in diversity, equity, and inclusion work?
5. Anything we haven't covered that you feel we should know.

Are you interested in volunteering with the Task Force?

**CITY OF SANTA CLARA**  
**VOTING GUIDELINES FOR THE APPOINTMENT**  
**OF APPLICANTS TO TASK FORCE ON DIVERSITY, EQUITY,**  
**AND INCLUSION**

- 1) The Task Force on Diversity, Equity, and Inclusion (Task Force) is given a copy of the applications in their weekly packet to review and consider applicant qualifications.
- 2) Task Force interviews applicant. Interviews are held virtually.
  - A) Each applicant is given two (2) minutes for an opening statement. There will be seven (7) minutes allocated for Q&A. The applicant may respond to questions from the Council. The applicant has one (1) minute for a closing statement.
- 3) Task Force votes for applicants:
  - A) The Task Force will cast one vote each for their six (6) desired appointees. Only one vote per applicant is allowed. A Task Force Member may choose to vote for only one applicant but will relinquish the other vote.
- 4) The votes are tallied:
  - A) The Assistant City Clerk will announce the six (6) applicants who received the highest number of votes. In the event of a tie, there will be another round of re-voting for the those remaining; the round of re-voting would be for only those applicants who received votes in the first round. The Task Force then has an opportunity to deliberate regarding the remaining six (6) applicants. The Task Force will then cast one vote each for their top three (3) desired appointees. The Assistant City Clerk will announce the three candidates (3) who received the most votes.
    - i. If there is a tie, there will be 3 re-votes for the Task Force to reconsider the applicants. The Task Force has the opportunity to deliberate between each round of re-voting.
    - ii. If there is still a tie and there is not a full Task Force present, the Task Force will defer the decision until a full Task Force is present, and re-interview the top six (6) applicants.
    - iii. If there is a full Task Force present, the Members will draw straws, with the person drawing the long straw abstaining from voting at the next round. The Task Force has the opportunity to deliberate.



- iv. The Task Force votes, with the applicant receiving the highest number of votes being the winner. The Assistant City Clerk will announce the winner.
- 5) A Task Force Member makes a motion to appoint the three (3) applicants that received the highest number of votes. The Task Force has the opportunity to vote unanimously to appoint the applicants by taking a roll call vote during the virtual meeting.