

DRAFT

ORDINANCE NO.

**AN ORDINANCE OF THE CITY OF SAN JOSE AMENDING
CHAPTER 2.04 OF TITLE 2 OF THE SAN JOSE
MUNICIPAL CODE TO ADD A NEW PART 43
ESTABLISHING THE OFFICE OF RACIAL AND SOCIAL
EQUITY**

WHEREAS on November 8, 2022, voters approved Measure I, to add Section 608 to the City Charter and require 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;" and

WHEREAS in implementing Section 608 of the City Charter, the City Council intends to adopt and maintain an Equity Values and Standards Policy, which establishes a framework for advancing racial and social equity, and which shall apply equity standards to the conduct of members of the City Council, City Boards, Commissions, decision-making bodies, and City employees; and

WHEREAS the City established, through the Mayor's June Budget Message for Fiscal Year 2020-2021, the Office of Racial Equity within the City Manager's Office; and

WHEREAS the City Council seeks to honor the Equity Pledge that was adopted on June 30, 2020 by the City Council to "exercise leadership on public issues emphasizing the City's commitment to equity values;" and

WHEREAS the City upholds a policy "to eliminate the practice of discrimination and prejudice on account of sex in the areas of housing, employment, education, community services and related fields" through its Women's Bill of Rights adopted by the City

Council on December 19, 2017 and continues to expand these safeguards to other marginalized groups; and

WHEREAS the City Council adopted Resolution No. RES2023-213, the Disability Inclusion Equity Pledge on June 13, 2023 to “ensure human rights of persons with disabilities are achieved through a learning process, modeling behavior, and action steps,” and advance a proactive approach to accessibility, serving as a model for disability inclusion in the City; and

WHEREAS the City upholds a policy “to provide equitable access to language assistance services for limited and/or non-English speakers, regardless of their language proficiency and cultural background” through its Language Equity Policy and Guidelines, and prioritizes strengthening efforts to address language equity across the City’s services and programs.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SAN JOSE:

A new Part is added to Chapter 2.04 of Title 2 of the San José Municipal Code, to be numbered, entitled and to read as follows:

Part 43
Office of Racial and Social Equity

2.04.4300 Establishment.

The Office of Racial and Social Equity, formerly known as the Office of Racial Equity established in the Mayor’s June Budget Message for Fiscal Year 2020-2021, is hereby established.

2.04.4310 Department head.

The Racial and Social Equity Director shall be the head of the Office of Racial and Social Equity.

2.04.4320 Functions, powers and duties.

The Racial and Social Equity Director shall:

- A. Oversee the Office of Racial and Social Equity, and City department efforts to advance racial and social equity.
- B. Administer the implementation of the Equity Values and Standards Council Policy and related programs, which shall apply to all elected and appointed officials and employees of the City.
- C. Perform all other functions and duties, consistent with the Charter, assigned by act of the city council.

PASSED FOR PUBLICATION of title this _____ day of _____, 2024, by the following vote:

AYES:

NOES:

ABSENT:

DISQUALIFIED:

MATT MAHAN
Mayor

ATTEST:

TONI J. TABER, CMC
City Clerk