



TOWN OF LOS GATOS
GENERAL PLAN UPDATE ADVISORY COMMITTEE
REPORT

MEETING DATE: 12/03/2020
ITEM: 1

DATE: November 25, 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.

BACKGROUND:

The Los Gatos General Plan update process has so far included:

- Task A: Initiation;
- Task B: Background Report;
- Task C: Issues, Opportunities, and Constraints Report;
- Task D: General Plan Vision and Guiding Principles; and
- Task E: Land Use Alternatives Report.

Based on the Background Report, visioning, and alternatives planning in previous tasks, the General Plan Update Advisory Committee (GPAC) has begun Task F, which is the process of reviewing the Goals, Policies, and Implementation Programs of the General Plan elements.

In addition to the Vision and Guiding Principles, the General Plan is made up of a collection of elements, or topic categories. State law requires the General Plan to address nine elements: land use; circulation; housing; conservation; open space; noise; safety; environmental justice; and air quality. A jurisdiction may organize its general plan in any format, including consolidated elements, so long as all the relevant statutory issues are addressed. The Town's existing General Plan contains the following elements:

- Land Use Element (review began on November 5, 2020);
- Community Design Element (review began on November 5, 2020);
- Housing Element (not part of this update);
- Transportation Element (now called the Mobility Element, reviewed on July 16, 2020);
- Vasona Light Rail Element (now part of the Mobility Element, reviewed on July 16, 2020);

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BACKGROUND (continued):

- Open Space, Parks, and Recreation Element (reviewed on March 5, 2020);
- Environment and Sustainability Element (reviewed on July 2, 2020);
- Noise Element (now part of the Hazards and Safety Element, reviewed August 6, 2020);
- Safety Element (now called the Hazards and Safety Element, reviewed August 6, 2020);
and
- Human Services Element (now called the Public Facilities, Services, and Infrastructure Element, reviewed on June 18, 2020).

This update will integrate the environmental justice and air quality topic categories into the existing elements, and will include a new element, the Racial, Social, and Environmental Justice Element. This update will also include consolidation and renaming of elements, and redistribution of goals, policies, and implementation programs between the elements.

On July 30, 2020, the GPAC met to have a broad discussion of how the topics of pandemic response, and racial, social, and environmental justice can be incorporated into the Town's General Plan. As a result of the comments received at that meeting, and additional community discussions conducted in the Town over the following months, a new element has been prepared to cover the topics of racial, social, and environmental justice.

DISCUSSION:

The purpose of this GPAC meeting is to review the initial draft of a new element, the Racial, Social, and Environmental Justice Element (Attachment 1), and make recommendations for any additions, deletions, or revisions.

All suggestions for changes to the text of this element, whether from committee members or the public, that are received by 11:00 a.m. on Wednesday, December 2, 2020, will be provided to the GPAC in an Addendum Report that afternoon so that text changes can be considered by all committee members prior to the meeting. Any comments received after that time, but before 11:00 a.m. on the day of the meeting will be provided in a Desk Item.

NEXT STEPS:

The next GPAC meeting is scheduled for December 17, 2020, for review of the revised draft of the Mobility Element.

Attachment:

1. Initial Draft of Racial, Social, and Environmental Justice Element



2. Racial, Social, and Environmental Justice Element

Like many other communities in the United States, Los Gatos has a history which includes racial injustice. Often, racial injustice also leads to other forms of injustice, including social and environmental injustice. A number of existing and former Town residents, who identify as Black, Indigenous, or People of Color (BIPOC), have come forward during the 2020 Black Lives Matter protests and subsequent Los Gatos community conversations to share their experiences and provided suggestions for improving inclusivity in Town. *[Source: New Text]*

The Town recognizes that it needs to increase its efforts to ensure that all the members of the Los Gatos community feel valued, safe, respected, and secure. Increasing diversity and inclusivity involves enhancing community engagement, considering the implications of Town decisions for all members of the community, and being open new approaches to meet the changing needs of Los Gatos. *[Source: New Text]*

Los Gatos enjoys relative affluence compared with the rest of California, and scores well in State-wide assessment tools such as CalEnviroScreen 3.0 and the California Healthy Places Index. Places and people of privilege have a responsibility to maintain and increase their awareness and understanding of social issues. This Element represents a commitment to that responsibility. Making progress toward racial, social, and environmental justice can be difficult and requires all community members to engage on these issues over a long period of time. As a result, this Element includes goals, policies, and programs that encourage and support local efforts to increase participation in local governance processes and to improve local awareness of racial, social, and environmental justice. Although a General Plan, by itself, cannot make a community more equitable, it can set up the framework to empower residents to make progress towards equality. *[Source: New Text]*

Race, Income, and Language in Los Gatos

As of 2018, the median Los Gatos household income was \$140,395; over a third of Town households earned more than \$200,000. Los Gatos residents are also well-educated, where 67.4 percent of residents over 25 years of age had at least a bachelor's degree. Of those who had at least a bachelor's degree, nearly 45 percent also had a graduate or professional degree. In 2018, the Los Gatos community was 82.8 percent White, 17.7 percent Asian, 8.4 percent Hispanic or Latino, 2.7 other (includes American Indian and Alaska Native, Native Hawaiian and other Pacific Islander, and some other race), and 2.0 percent Black or African American.

Asian residents comprised the largest minority group in Los Gatos and tend to have higher incomes and levels of educational attainment. Among the Asian population in Los Gatos, those of Chinese descent made up the largest group, followed by East Indians. Although the minority population has been growing, 94.8 percent of residents speak English very well. Most residents – 77.3 percent – also speak a language other than English. Speakers of Asian and Pacific Island (API) languages, however, have the lowest rate of English fluency, over 40 percent of whom are 65 years of age or older. Of working age adults (18-64 years old), over a third of API language speakers have very low English fluency.

The themes covered in this Element lay the foundation for creating a more equitable and inclusive Town for all residents, businesses, visitors, and organizations of Los Gatos. Equity-oriented goals and policies can also be found throughout the rest of the General Plan, including, but not limited to, the Housing Element, Mobility Element, and the Healthy Community Section in the Land Use Element. *[Source: New Text]*

This element is divided into the following sections:

Section	Title	Page
	Key Terms	2
2.1	Racial and Social Justice	3
2.2	Environmental Justice	4
2.3	Civil Engagement in the Public Decision-Making Process	5
2.4	Implementation Programs	7

Key Terms

BIPOC. Acronym referring to Black, Indigenous, and Persons of Color.

Disadvantaged Community. An area identified by the California Environmental Protection Agency (CalEPA) pursuant to Section 39711 of the Health and Safety Code or an area that is a low-income area that is disproportionately affected by environmental pollution and other hazards that can lead to negative health effects, exposure, or environmental degradation.

Environmental Justice. The fair treatment of people of all races, cultures, incomes, and national origins with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies.

Equality. The state of being equal, especially in status, rights, and opportunities.

Equity. Fairness or justice in the way people are treated.

Implicit Bias. Attitudes or stereotypes that affect our understanding, actions, and decisions in an unconscious manner, often based on characteristics such as race, ethnicity, age, and appearance.

Social Capital. The ability for residents to feel a sense of belonging in their community and to have a meaningful connection to the place where they live.

Socially Disadvantaged Individuals and Groups. Socially disadvantaged individuals and groups who have been subjected to prejudice or some form of discrimination or bias based on race, ethnicity, culture, sex, age, sexual-orientation, immigration status, or some other bias within American society because of their identities as members of groups and without regard to their individual qualities.

2. Racial, Social, and Environmental Justice Element

2.1 Racial and Social Justice

This section includes goals and policies that seek to further racial and social justice efforts in the Town. While the Town cannot immediately fix all injustices past and present, this section provides actionable efforts the Town can implement in pursuit of a more racially and socially just Los Gatos. *[Source: New Text]*

The following goals and policies are intended to promote equality in Los Gatos.

RSEJ-1	Ensure equity, inclusion, and access to opportunities for all residents. <i>[Source: New Goal]</i>
RSEJ-1.1	<p>Service Delivery Provide Town services and infrastructure investments to address any existing inequities. <i>[Source: New Policy]</i></p>
RSEJ-1.2	<p>Community Budgeting Engage the community through multiple participation opportunities in the Town's budget process. <i>[Source: New Policy]</i></p>
RSEJ-1.3	<p>Institutional Bias Continue to build organizational and institutional skills in all Town Departments to advance equity and eliminate potential institutional and structural inequities and implicit bias. <i>[Source: New Policy]</i></p>
RSEJ-1.4	<p>Celebrate Town Diversity Allocate resources in a manner that provides community programs that are appropriate to a wide variety of ages, interests, and backgrounds to celebrate Los Gatos' cultural diversity. <i>[Source: New Policy]</i></p>
RSEJ-2	Respect, protect, promote, and fulfill the civil and human rights of all, including but not limited to low-income persons, BIPOC, and LGBTQ+. <i>[New Goal]</i>
RSEJ-2.1	<p>Culturally Informed and Competent Services Ensure that the Town's strategies, practices, services, and materials are culturally informed and competent for a diverse population. <i>[Source: New Policy]</i></p>
RSEJ-2.2	<p>EJ HC Socially Disadvantaged Populations Ensure that new policies, services, and programs improve the lives of community members and avoid displacement of those more vulnerable to poor health outcomes. <i>[Source: New Policy]</i></p>
RSEJ-2.3	<p>Diverse Representation Seek diverse representation on all Town boards, committees, and commissions. <i>[Source: New Policy]</i></p>
RSEJ-2.4	<p>Advancing Racial Equity Work Encourage appointed Town boards, committees, and commissions to advance the Town's racial equity work. <i>[Source: New Policy]</i></p>

RSEJ-2.5

EJ

Workforce Development

Collaborate with public and private universities, colleges, and technical schools to support innovation and the development, training, and retention of a skilled workforce. *[Source: New Policy]*

RSEJ-2.6

Diversity Training

Support diversity training for landlords and business-owners in Los Gatos, which includes implicit bias training. *[Source: New Policy]*

2.2 Environmental Justice

CalEnviroScreen 3.0 indicates that Los Gatos does not have any disadvantaged communities as defined by State law. The Town, however, is committed to improving the well-being of all Los Gatos residents. Environmental justice objectives and policies seek to reduce health risks by minimizing pollution exposure, improving air quality, and promoting better access to public facilities, healthy food, and safe and sanitary homes. *[Source: New Text]*

The following goals and policies will guide the incorporation of environmental justice for all citizens of Los Gatos.

RSEJ-3

Ensure that land use decisions benefit all Los Gatos residents, and do not create a disproportionate burden to any neighborhood based on location, income, race, color, national origin, or another characteristic. *[Source: New Goal]*

EJ

RSEJ-3.1

EJ

Environmental Justice

Evaluate and avoid, reduce, or mitigate potential adverse health and safety impacts associated with land use decisions and provide for the fair treatment and meaningful involvement of all people regardless of income, race, color, national origin, or another characteristic. *[Source: New Policy]*

RSEJ-3.2

EJ

Negative Impacts from Potential Hazards

Reduce negative impacts associated with environmental hazards, including, but not limited to, industrial operations and roadway-generated air and noise pollution, through the enforcement of additional project specific mitigations for all development. *[Source: New Policy]*

RSEJ-3.3

EJ

Coordination on Siting of Utilities

Coordinate with utility providers in the siting, site layout, and design of gas and electric facilities, including changes to existing facilities, to minimize environmental, aesthetic, and safety impacts on existing and future residents. *[Source: New Policy]*

RSEJ-4

Ensure all residents have access to healthy foods, schools, parks/recreation areas/open spaces, medical services, and other amenities. *[Source: New Goal]*

EJ

HC

RSEJ-4.1

EJ

HC

Acceptance of Government-Issued Vouchers

Coordinate with Farmer's Market vendors and local food retailers to accept payment through Electronic Benefit Transfer (EBT), which allows residents in the Supplemental Nutrition Assistance Program (SNAP) and the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) to purchase food with their program benefits. *[Source: New Policy]*

2. Racial, Social, and Environmental Justice Element

RSEJ-4.2 Regulations Allowing Healthy Foods

EJ

HC

Ensure the Zoning Ordinance and other regulations allow for increased access to healthy foods by all residents (e.g., healthy food retail outlets, community gardens, farmers markets), while discouraging unhealthy choices (e.g., fast food chains) around vulnerable populations.

[Source: New Policy]

RSEJ-4.3 Access to Community Assets

SUS EJ

Determine and address any gaps between neighborhoods, commercial service areas, recreation facilities, education, medical services, and other community assets in the Town to provide equitable access to these assets and facilitate physical activity in everyday life. *[Source: New Policy]*

RSEJ-4.4 Evaluation of Capital Projects

EJ

Ensure equitable investment in capital improvements Town-wide. *[Source: New Policy]*

RSEJ-4.5 Non-Profit Partnerships

EJ

Work with non-profit and governmental sectors to provide access to homeless, rental assistance, food assistance, and other poverty alleviating programs and services. *[Source: New Policy]*



Additional policies relating to healthy communities are covered in Section 3.10 (Healthy Community) in the Land Use Element.

RSEJ-5

Ensure safe and sanitary homes. *[Source: New Goal]*

EJ

RSEJ-5.1 Code Violation Enforcement

EJ

Continue to enforce municipal and State code violations that compromise the safety of homes and the health of its residents. *[Source: New Policy]*

2.3 Civil Engagement in the Public Decision-Making Process

Racial, social, and environmental justice efforts must be bolstered by a strong culture of civil engagement in the Town's decision-making processes. Studies have shown that well-rounded public engagement processes increase social capital in projects and promote equitable community development. This section is devoted to goals and policies that build social capital through engagement and empowerment of the public, while emphasizing public participation, transparency, and inclusion. *[Source: New Text]*



Policies within this Section are specifically designed to enhance communications to underrepresented populations. General civic engagement in planning is covered in Section 3.8 (Civic Engagement) in the Land Use Element.

The following goal and policies will guide inclusive public decision-making processes.

RSEJ-6

Engage the public in Town decision-making and facilitate the public's involvement in civic life. *[Source: New Goal]*

RSEJ-6.1

Community Capacity-Building

Collaborate with local organizations and partners to build and strengthen historically marginalized communities' capacity to participate in local planning, governmental affairs, and policy decision-making. *[Source: New Policy]*

RSEJ-6.2

Leadership Development

Support leadership development programs for youth and adults to enhance effective engagement in Town processes, including but not limited to planning, land use, and budgeting. *[Source: New Policy]*

RSEJ-6.3

Opportunities to Communicate with Town Leaders

Encourage creative approaches to communicate with the community and provide more opportunities for the community to engage with Town staff, such as "Coffee with Town Leaders." *[Source: New Policy]*

RSEJ-6.4

Facilitate a Culture of Inclusion and Compassion

Work with non-profit, faith, education, and other community-based partners to facilitate a culture in Los Gatos of inclusion, empathy, compassion, acceptance, and unity. *[Source: New Policy]*

RSEJ-6.5

Transparency and Public Participation Opportunities

Facilitate transparent Town decision-making processes through enhanced public outreach, engagement, and participation. *[Source: New Policy]*

RSEJ-6.6

Event Scheduling

Schedule Town events during different times of the day and week (e.g., daytime/evening, weekday/weekend). *[Source: New Policy]*

RSEJ-6.7

Services at Events

Provide childcare and translation services at public events, as necessary. *[Source: New Policy]*

2. Racial, Social, and Environmental Justice Element

2.4 Implementation Programs

Programs	Implements which Policy(ies)	Responsible	2021 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
		Supporting Department(s)					
<p>A Community-Based Budget Process Develop and facilitate a community-based budgeting process to provide the public an opportunity to identify funding priorities annually. This program could feature in-person and online engagement opportunities. <i>[Source: New Implementation Program]</i></p>	RSEJ-1.1 RSEJ-1.2	Town Manager				■	
<p>B Equity Evaluation of the Proposed Budget Annually evaluate the proposed Capital Improvement Budget and any service expansion/contraction in the Operating Budget to ensure that all neighborhoods are treated equitably in the availability of services and infrastructure investment. <i>[Source: New Implementation Program]</i></p>	RSEJ-1.2	Town Manager					■
<p>C Town Staff Diversity and Other Training Require all Town staff to undergo on-going diversity and implicit bias training. <i>[Source: New Implementation Program]</i></p>	RSEJ-1.3	Town Manager	■				■
<p>D Expand Recruitment for Town Employment Opportunities to Attract Diverse Candidates Determine innovative recruitment strategies to attract diverse candidates to Town employment opportunities. Work with educational institutions and other entities to promote local government job opportunities with middle school, high school, technical school, and college students. <i>[Source: New Implementation Program]</i></p>	RSEJ-1.3 RSEJ-2.5	Town Manager Human Resources	■				
<p>E Career and Job Training Coordinate with the Chamber of Commerce and other organizations to organize an annual career and job fair with local employers to highlight local employment and employment training opportunities for</p>	RSEJ-2.5	Town Manager	■				■

Programs	Implements which Policy(ies)	Responsible	2021 – 2025	2026 – 2030	2031 – 2040	Annual	Ongoing
		Supporting Department(s)					
	Los Gatos residents. <i>[Source: New Implementation Program]</i>						
F	Healthy Food Access Regulations Audit and Update Conduct an internal audit of and make necessary changes to Town regulations, including but not limited to the Zoning Ordinance, to remove any administrative barriers to increase access to healthy foods. <i>[Source: New Implementation Program]</i>	RSEJ-4.2 Community Development		■			
G	Rental Multi-Family Housing Inspection Program Create a program to ensure that all rental multi-family housing is inspected on a three to five-year cycle to ensure compliance with all building, housing, and other codes for safe and sanitary housing. <i>[Source: New Implementation Program]</i>	RSEJ-5.1 Town Manager Community Development Code Compliance		■			
H	Expand Outreach and Communication Materials to Enhance Transparency and Participation. Develop clear and inclusive outreach materials, expand media campaigns, and implement other strategies to engage the public in the Town’s processes. <i>[Source: New Implementation Program]</i>	RSEJ-6.5 Town Manager					■
I	Childcare at Public Meetings and Events Work with non-profit partners to provide childcare services and children activities during in-person Town public meetings (i.e., Town Council, Planning Commission) and Town events. <i>[Source: New Implementation Program]</i>	RSEJ-6.7 Town Manager	■				■