



STAFF REPORT

TO: Mayor and City Council
FROM: Alan Piombo, City Manager
SUBJECT: Diversity, Equity, and Inclusion Work Plan
DATE: February 18, 2021

1 **Issue:** Consideration of a Diversity, Equity, and Inclusion Work Plan.
2

3 **Recommendation:**

- 4 1. Receive Staff Report and Work Plan.
 - 5 2. Determine status of DEI Task Force.
 - 6 3. Concurrence or additional direction on recommendations 1 & 2.
 - 7 4. Concurrence or additional direction on next steps and remaining Work Plan.
- 8

9 **Background:** At the Monday, June 15, 2020 Council meeting, the Mill Valley City Council
10 approved an immediate action plan to address systemic racism and injustice in Mill Valley. The
11 plan included the establishment of a Diversity, Equity, and Inclusion (DEI) Task Force to serve
12 as an advisory body to the Council, and to review and develop additional actions, investigate best
13 practices, and make specific recommendations to the Council for next steps. Council also
14 appointed an internal DEI Working Group, composed of two Council members and staff. The
15 City hired a DEI Facilitator, Dr. Patricia Patton, and in the following months, members of the
16 DEI Task Force worked to develop their Report and Recommendations.
17

18 On June 26, 2020, also at the Council's direction, the City became a member of the Government
19 Alliance on Race and Equity (GARE) (www.racialequityalliance.org). GARE is a national
20 network of government working to achieve racial equity and advance opportunities for all.
21 Joining GARE has allowed City staff at all levels to access tools, resources, events, and training,
22 and to join a national community of government employees implementing policy change at
23 multiple levels and across several sectors to drive larger systemic change. Since mid-2020, City
24 staff has participated in over 100 hours of DEI-related training in total, including over 40 hours
25 specifically from GARE, and made extensive use of their publications and resources. Staff has
26 found the GARE model and methodologies to be useful, aligned with the City's DEI work, and

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27 there are several references to their guidance and resources in this Staff Report and Work Plan
28 (Attachment 1).

29
30 Since June 2020, the City has taken immediate and sustained action to address systemic racism
31 and injustice in Mill Valley. Staff has tracked over 75 distinct actions in all areas of government,
32 including strategic planning, police, public safety, arts, recreation, library, affordable housing,
33 civic engagement, and events. The list of actions, which can be found here,
34 www.cityofmillvalley/deitracker demonstrates an organizational commitment and capacity to
35 conduct meaningful DEI work.

36
37 On Monday, December 7, 2020 following the DEI Task Force's presentation of their Report and
38 Recommendations, Council directed staff to conduct a high-level sort of the 30 recommendations
39 and to return to Council with a Work Plan.

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41 **Discussion:**

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43 **Government’s Role in Advancing Racial Equity**

44 On July 6, 2020, in the adoption of their *Black Lives Matter Resolution*, Council committed to
45 “act and encourage community action towards eliminating racial disparities, both inside
46 government and in the community.” To make progress on this commitment, it is important to
47 recognize that government agencies have played a role in the creation of racial inequities,
48 through laws, policies, and practices in areas such as land use, health, education, and criminal
49 justice. Wealth disparities among racial groups, for example, are in part the legacy of mid-
50 century red-lining policies to suppress populations from purchasing homes or receiving
51 mortgages, based on race or ethnicity. In Marin County, the County’s Assessor’s Office has
52 identified more than 49,000 residences that were constructed before 1970 that may have race or
53 ethnicity-restrictive covenants in property deeds. Civil rights, fair housing and employment
54 legislation have since prohibited housing discrimination, but the covenants remain, even though
55 they are now illegal and unenforceable, and the legacy of racial segregation in our communities
56 is its lasting impact.

57
58 Therefore, it is incumbent on government agencies to recognize the impacts of government
59 policies and systems, and to commit to policies, practices and procedures that go beyond “race
60 neutral” application of policies, and proactively advance racial equity.

61
62 “Government itself created and continues to maintain inequity. City governments are uniquely
63 suited and responsible for creating and sustaining equitable outcomes.” (GARE Racial Equity
64 Action Plans - A How-to Manual)

65
66 The City acknowledges the role of government to proactively advance racial equity. The next
67 step is to examine the resources at the City’s disposal to continue to conduct this work.

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70 **Ensuring the Work is Appropriately Scaled**

71 To continue the work of eliminating racial disparities in government, it is important to
72 understand the size, scope, and role of the City of Mill Valley in the context of current Council
73 priorities and resources that are currently available. GARE advises an appropriately scaled
74 process which considers the size and complexity of the jurisdiction:
75

76 “The details in each of the steps may vary between jurisdictions, depending on the size, structure,
77 and resources you have available. It is much better to be pragmatic and focused so that the plan
78 you develop sets your jurisdiction on the path to achieving racial equity.” (GARE Racial Equity
79 Action Plans - A How-to Manual)
80

- 81 • **Organizational Structure and Scale:** The City of Mill Valley has approximately 150
82 employees and a total Fiscal Year 2020/21 General Fund budget of approximately \$32
83 million. In comparison, the City of San Rafael has 382 employees and a General Fund
84 budget of \$80 million, and the County of Marin has an “All Funds” budget of \$619
85 million. The County’s Health and Human Services Department alone has over 730
86 employees and a budget of \$208 million, and is responsible for mental and behavioral
87 health, recovery services, social services, and homelessness. It is important to note that
88 the City of Mill Valley, along with all the other cities and towns of Marin, does not
89 provide social services, and instead relies on the County of Marin.
90

91 The City has a Police Department and provides fire services with Southern Marin Fire
92 Protection District in a shared services model. The City also has the following
93 departments: Public Library, Recreation and Arts, Public Works, Planning and Building,
94 Finance and Human Resources, and the City Manager’s Office. The City also provides
95 management and staffing for the SASM Wastewater Treatment Plant.
96

97 Council’s role is to set policy for the City and direction for the City Manager and its
98 Boards, Commissions and Committees. Council’s policy direction must stay within the
99 City’s span of control, and its work must remain in the areas under its jurisdiction. The
100 City’s mission is to provide municipal services to residents and businesses in accordance
101 with the General Plan, and services outside of the City’s scope are referred to the
102 appropriate agency at the County, State, or Federal level, or to the appropriate non-profit
103 or other community services provider.
104

- 105 • **Current Council Priorities:** Council held a Special Meeting on September 18, 2020 to
106 review and confirm the City's guiding principles, the status of established priority
107 projects, and to identify areas of interest for continued focus and new topics or initiatives
108 for future action. Council agreed on a set of priorities for the remainder of Fiscal Year
109 2020/21 (see Table 1). The City’s DEI work was identified as the top priority on the
110 Council Priority Project List.
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Table 1: Council Priority Projects List

1. DEI Task Force Recommendations	17. Planning and Building Fees Study
2. Organizational Assessment and Succession Planning	18. Police Department Transparency and Reports
3. IT Assessment and Project Plan	19. Evacuation Planning: Traffic Modeling/Staging
4. Municipal Code Appeal Process Review	20. Depot Renovation/Restroom Project
5. Commission Updates and Eligibility Revisions	21. Flood Management and Drainage Master Plan
6. Long-Range Financial Plan Phase 2	22. Sanitary Sewer Capital Improvement Project
7. Compensation/Classification Study	23. Sycamore/Camino Alto Signal Replacement
8. Fire Shared Services Recommendations	24. 5-Year Pavement Management Plan
9. Long Range Acoustic Device (LRAD) Improvements	25. East Blithedale Rehabilitation Project
10. Fire Fees Study	26. Downtown Project Phase 2 Planning
11. Depot Plaza Wi-Fi Extension	27. Golf Course Path
12. ADA Transition Plan	28. Historical Society Signage
13. Accessory Dwelling Unit Revisions	29. Golf Course RFP
14. Historic Resource Inventory	
15. Objective Design Review	
16. City-Financed Affordable Housing	

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- **Resources Currently Available:** The financial impacts of COVID-19 are substantial, have created a significant budget deficit for Fiscal Year 2020/21, and are expected to have a long-lasting impact. As a result of the current and projected revenue losses, the City has implemented reductions in every department’s funding. Revenue reductions City-wide amount to approximately \$1.9 million. To mitigate revenue losses, the City has reduced, eliminated, and/or frozen several staff positions, resulting in an approximate 10% reduction in the City’s regular workforce, and reduced much of its part-time help as well.

In addition to the current economic climate, over the past several fiscal years, the City has experienced increases in pension contribution costs and anticipates volatility in future contribution rates. As a result, Council has directed the allocation of significant financial resources to address the long-term sustainability of pension-related liabilities. Increasing future pension costs are anticipated to put a strain on the existing services the City provides. For these reasons, staff takes a conservative approach to increased financial obligations and seeks to leverage partnerships with allied organizations whenever possible.

Despite these significant challenges, the City has committed to examining opportunities with the formation of the DEI Task Force, including hiring a consultant as task force facilitator, offering a stipend to DEI Task Force members, conducting staff trainings, and dedicating staff resources. Table 2 below summarizes City expenditures on DEI-related initiatives through January 2021.

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Table 2: City expenditures on DEI-related initiatives (through January 2021)

Item	Cost
Staff expenses for developing DEI initiatives, policy review, meetings, etc.	\$140,000
Staff expenses for DEI-related training courses	\$ 8,000
DEI Facilitator, Dr. Patton	\$ 41,500
DEI Task Force Stipend	\$ 4,500
GARE Annual Membership	\$ 1,000
Council Presentation by Jacques Whitfield, Senior HR Consultant	\$ 940
TOTAL	\$195,940

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As GARE states, eliminating racial disparities “requires resources to implement: time, money, skills, and effort” (Racial Equity Action Plans, A How-to Manual). Presenting this information is not intended to limit our understanding of what is possible. In sharing these costs, staff acknowledges the cost we, as a society, and BIPOC communities disproportionately, are paying for past inaction to reduce disparities. Staff shares this information to frame community understanding that the City is operating in a fiscally challenging time to provide a range of municipal services to residents and businesses in accordance with the general plan and Council policy and direction.

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However, this is not the first time the City has taken on a substantial list of priorities in the face of financial and staffing limitations. Staff is confident that by leveraging existing resources, collaboration with community partners and creating shared service opportunities, the City will successfully manage constraints to achieve meaningful results.

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Since the December 7, 2020 Council meeting, staff from Police, Planning and Building, Human Resources, Public Works, Arts and Recreation, Library, City Manager and City Clerk team, Deputy City Attorney, the internal DEI Working Group, and the City’s Boards, Commissions, and Committees have developed new DEI initiatives, reviewed existing policies and DEI Task Force recommendations, and met with representatives from partner jurisdictions, agencies, and organizations.

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Determine Status of the DEI Task Force

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Council, the internal DEI Working Group, and staff were under the impression that the DEI Task Force would continue in its role as an official advisory group following the December 7, 2020 council meeting, during which Council reaffirmed the Task Force’s ongoing role in the implementation process. Any meetings or communications would continue to follow the State of California’s open meeting law, the Ralph M. Brown Act. Staff acknowledges that compliance with the Brown Act carries some burdens but is important to allow for full public participation in decision-making.

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171 In late January, the DEI Task Force shared with Council the following:

- 172 • They considered their service to be for a limited time and purpose and indicated that
- 173 December 7, 2020 marked the completion of their official duties.
- 174 • They asserted their role in the community as local racial justice advocates and indicated
- 175 the Brown Act would constrain and control their future actions and advocacy.
- 176 • They shared that consultation as individuals or as a group would not be an acceptable
- 177 path forward without the immediate appointment of a permanent DEI Commission.

178
179 Given this communication, staff recommends dissolving the DEI Task Force as an official
180 advisory body to the Council retroactively as of December 7, 2020 but has a suggestion to
181 continue working effectively with the Task Force members.

182
183 Relieving the Task Force from the constraints of the Brown Act would meet their desire to
184 remain independent activists and to confer with each other outside of noticed public meetings.
185 As an independent advocacy group, the Task Force members can conduct themselves as they
186 wish, in a manner befitting their work in the community. Staff sees this approach as a positive
187 move with many opportunities for future collaboration.

188
189 The City has many successful relationships with independent community groups and works with
190 their representatives to better inform and influence City policy, programs, and initiatives. If they
191 are willing, the City would welcome DEI Task Force members' participation in the City process
192 to implement the recommendations in the approved Work Plan. City staff will reach out to the
193 DEI Task Force subcommittees in a manner like the way the City works with other community
194 groups, as staff formulates policy and programming to address DEI matters. In this manner, the
195 DEI Task Force members can continue to provide valued feedback as the City continues the
196 process, while at the same time not being restricted by the Brown Act when conducting advocacy
197 activities.

198
199 The City is immensely appreciative of the work of the DEI Task Force and hopes that the City
200 and the members of this group may continue to work together to act and encourage community
201 action towards eliminating racial disparities, both inside government and in the community.
202 Council has committed to execute the approved items in the Work Plan within the constraints of
203 the scale and scope of City activities and looks forward to future collaboration with the
204 community.

205
206 **Review of the DEI Task Force Report and Recommendations**

207 Staff has conducted an analysis of the DEI Task Force Report and Recommendations and found
208 30 main recommendations and 32 sub-recommendations for a total of 62 recommendations. As
209 directed by Council, staff has reviewed the recommendations and sorted them into categories.
210 Staff has determined:

- 211 • 20 (32%) of the recommendations are already implemented or in-progress.
- 212 • 19 (31%) of the recommendations need additional research, or consideration.
- 213 • 6 (10%) of the recommendations could be addressed with a proposed alternative approach.
- 214 • 17 (27%) of the recommendations are beyond the scope of the City or not recommended
- 215 for further consideration.

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216 The City did not wait for the DEI Task Force report to begin work on items that were previously
217 identified internally or by the community and that did not require further policy deliberation by
218 the Council. Of the 62 recommendations, staff has identified 20 as already implemented or in-
219 progress. This is an indication of the City’s strong commitment to proactively work to advance
220 racial equity even in the context of tightening budgets, limited staff resources, and competing
221 priorities.

222
223 The Work Plan is organized consistent with the DEI Task Force Report and Recommendations,
224 with the recommendations numbered sequentially. Staff has completed preliminary analysis on
225 each recommendation and, except for recommendations 1 and 2, placed comments in the Work
226 Plan Narrative. Staff responses to recommendations 1 and 2 are addressed below.

227
228 **Recommendation 1. Create a Permanent DEI Commission**

229 “A dedicated DEI Commission will leverage community knowledge, skills and expertise, and
230 provide the ongoing oversight and leadership necessary to meaningfully advance racial equity.”
231 (DEI Task Force Report & Recommendations)

232
233 **Staff Recommendation:** Staff does not recommend pursuing this recommendation as written
234 and proposes an alternative approach.

235
236 **Background:** Council’s adopted core values include a balanced, inclusive, and open approach to
237 policymaking and City leadership, as well as citizen participation that promotes open
238 communication, mutual respect, and the development of community leaders. One of Council’s
239 adopted key issues is cultivation of community leadership and citizen participation on
240 government Boards, Commissions, and Committees.

241
242 Temporary committees, such as the DEI Task Force, are commonly used in City government to
243 support these values and key issues and to advise Council on policies and programs. Committees
244 are typically composed of representatives that have knowledge, expertise, or lived experience in
245 the advisory groups’ subject area.

246
247 Committees also commonly have a defined purpose and a time frame to accomplish that purpose.
248 Once a committee has completed its work, Council may consider the need for further policy
249 work. If the remaining work is minimal or ministerial in nature, the committee is disbanded, and
250 the remaining workload is extended to staff for implementation. Examples include the Miller
251 Avenue Design Advisory Committee, the MV2040 General Plan Advisory Committee, and the
252 Traffic and Congestion Reduction Advisory Task Force.

253
254 There are previous examples where Council has converted some temporary committees into
255 permanent advisory bodies. Two examples, cited below, include the Emergency Preparedness
256 Committee and the Bicycle and Pedestrian Advisory Committee.

- 257
258 • **Emergency Preparedness Committee:** Council appointed the Emergency Preparedness
259 Committee (EPC) in 1992. The group was composed of citizens representing residents,
260 schools and businesses, and their charge was to assist the City in emergency preparedness

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261 planning and public education/awareness. The Committee was a temporary committee
262 with a yearly sunset clause, which was reviewed and renewed annually. The Committee
263 was made permanent by the Council in 2002.

264
265 • **Bicycle and Pedestrian Advisory Committee:** Council established the Bicycle and
266 Pedestrian Advisory Committee (BPAC) in 1999 to produce the Bicycle and Pedestrian
267 Transportation Plan, which was adopted in 2000. In 2003 and 2008 the City re-
268 established the BPAC for the purpose of updating the Plan. During the 2008 adoption of
269 the Plan, Council established the committee as permanent.

270
271 By citing these examples, staff notes that there is precedent to establish a permanent advisory
272 body, but these have taken place after a significant period when the initial advisory work is
273 accomplished, and the City has established that the group has a role in conducting regular,
274 ongoing work. For the two examples noted above, this shift was made after about a decade of
275 engagement and collaboration.

276
277 **Discussion:** At their December 7, 2020 meeting, Council reaffirmed their commitment to move
278 with urgency towards the City’s DEI goals, and indicated their preference for quick action with a
279 staff-guided process in consultation with allied agencies, appointed City officials, and
280 community partners. Citing the fact that the City has been discussing DEI matters for over 6
281 months, Council directed staff to identify recommendations in the Work Plan that can be
282 implemented in the short-term and have specific, measurable impact.

283
284 With Council’s direction as general guidance, staff recommends not moving forward with this
285 recommendation for the following reasons:

286
287 1. **Recommendation is too early in the process:** A permanent commission typically has
288 continuing subject matter jurisdiction and is designed to handle an issue or issues on a
289 continual basis. As noted above, Council has typically established permanent advisory
290 bodies after the initial assignment is accomplished if it is clear there is a need for regular,
291 ongoing policy work. Staff also notes there are issues of mission overlap in the listed
292 recommendations where there are already existing commissions (e.g., Arts, Library,
293 Parks and Recreation) or committees (e.g., Housing Advisory Committee) to assist with
294 the work.

295
296 2. **Recommendation will pause progress on DEI initiatives:** Forming a permanent
297 Commission will place DEI initiatives on hold for approximately 6-8 months as staff and
298 Council work through the legally required process for commission formation, which
299 includes drafting an ordinance to modify Municipal Code section 2.08.010 for Council
300 consideration. All modifications to the Municipal Code require two public hearings at
301 regularly scheduled Council meetings, with the ordinance going into effect 31 days
302 following adoption. Council would need to initiate an open call for applications (typically
303 for 5 commission members), conduct interviews, and appoint DEI Commission members.
304 DEI Commissioners would then receive Brown Act training and new Commissioner
305 orientation. The City Manager would need to assign a staff member to serve as DEI

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306 Commission liaison, develop a meeting schedule for the year, and ensure compliance
307 with all open public meeting laws.
308

309 **3. Recommendation strains limited resources:** Commissions are critical in conducting the
310 work of the City, but they also come with a considerable amount of staff time and
311 resources to coordinate. The City is experiencing sizable financial and staffing
312 reductions, making this recommendation difficult to support. Given these resource
313 constraints, directing staff resources to the formation of a commission would delay
314 advancement of the work plan and delay progress towards its end goals.
315

316 Staff acknowledges that some Boards, Commissions, and Committees serve as a
317 volunteer workforce, shouldering aspects of the City’s workload and lessening the burden
318 on strained resources. However, this is usually after the group has achieved important
319 group milestones, such as member selection, formation, electing a chair, drafting, and
320 approving bylaws, mission, goals, and objectives, and drafting and approving a workplan.
321 To work effectively, the group must also go through some trust-building, visioning, and
322 training experiences to build a shared understanding of their role and purpose as advisors
323 to Council within the City government structure. Due to time and resource constraints,
324 and the desire to work with urgency on Council-approved recommendations, staff does
325 not advise creating a permanent DEI Commission to serve in this volunteer workforce
326 capacity, and instead to move forward with existing resources.
327

328 For the reasons listed above, staff recommends not moving forward with the recommendation,
329 and proposes a staff-driven process of immediate action on the short-term recommendations
330 identified by Council. For most of the recommendations within the City’s scope of services, staff
331 has determined there is a natural fit under the current City Departments, which are further
332 supported by the 50 volunteer community members serving on the City’s current Boards,
333 Commissions, and Committees. In the areas where there is an exception, Staff has made
334 recommendations in the Work Plan on the appropriate approach to move the recommendation
335 forward, as directed by Council.
336

337 With the continued guidance and participation of the internal DEI Working Group, respective
338 Department Heads, elected and appointed City officials, and community partners, staff foresees
339 making swift and meaningful progress on the approved items in the Work Plan.
340

341 **Recommendation 2. Develop a Comprehensive Racial Equity Plan for City Government**

342 “Overcoming deeply rooted racial bias and inequities in government requires a system-wide
343 transformation that centers racial equity in all City actions and decision-making. The City **must**
344 engage a knowledgeable and experienced facilitator to lead its development of a strategic Racial
345 Equity Plan to bring about this transformation.” (DEI Task Force Report & Recommendations)
346

347 **Staff Recommendation:** Staff does not recommend pursuing this recommendation as written
348 and proposes an alternative approach.
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350 **Background:** According to GARE, Racial Equity Plans are both a process and a product. They
351 “put a theory of change into action to achieve a collective vision of racial equity. Plans can drive
352 institutional and structural change. However, the goal we seek is not a plan. The goal is
353 institutional and structural change, which requires resources to implement, such as time, money,
354 skill, and effort. It requires local governments’ will and expertise to change our policies, the way
355 we do business, our habits, and cultures” (Racial Equity Action Plans, A How-to Manual).
356

357 **Discussion:** With Council’s direction as general guidance, staff recommends moving forward
358 with an alternative approach to this recommendation for the following reasons:
359

- 360 **1. Recommendation to develop a Racial Equity Plan is underway and in-progress:** In
361 reviewing the GARE Racial Equity Plan “How-to Manual,” staff has determined that the
362 City has already met many of the key benchmarks for a Racial Equity Plan since mid-
363 2020 (see Table 3). GARE does not recommend starting over when an organization finds
364 itself in a position of intersecting strategic planning models. They recommend using
365 existing processes, “rather than duplicating efforts which may otherwise lead to staff and
366 community confusion and fatigue.” (Racial Equity Action Plans, A How-to Manual)
367

368 Table 3 below outlines the alignment between the City’s process with the GARE model,
369 the work accomplished to-date, and next steps.
370

371 **Table 3. GARE-Recommended Process for Creating a Racial Equity Action Plan**

GARE Process Step	City Action and Timeframe
<p>Preparation - Prepare leadership support, form a skilled planning team, design community engagement structures, and secure resources to support all participants.</p>	<p>Preparation - Summer 2020</p> <p>Leadership support: Council approved an immediate action plan to address systemic racism and injustice in Mill Valley. In the adoption of their <i>Black Lives Matter Resolution</i>, Council committed to “act and encourage community action towards eliminating racial disparities, both inside government and in the community.” City Manager Piombo directed Department Heads to conduct internal reviews of current City programs and policies related to DEI.</p> <p>Form a skilled planning team: Council appointed an internal DEI Working Group, hired a DEI Facilitator, and formed a DEI Task Force.</p> <p>Design community engagement structures: The City called for input from the community and subsequently released a Staff Report with a summary of over 100 comments and suggestions from the community. Council hosted a 5-hour community discussion regarding Black Lives Matter and the development of a City action plan.</p>

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GARE Process Step (continued)	City Action and Timeframe (continued)
<p>Preparation - Prepare leadership support, form a skilled planning team, design community engagement structures, and secure resources to support all participants.</p>	<p>Secure resources to support all participants: Council adopted its annual budget, which included \$30,000 for DEI initiatives, which became available from the dissolution of the Marin County Major Crimes Task Force. The City established a stipend program for members serving on the DEI Task Force. The City became a member of GARE and staff has participated in over 40 hours of GARE-led training and made extensive use of their publications and resources. Mostly staff, but also Council, and Board and Commission members, have participated in over 100 hours of DEI-related training in total.</p>
<p>Research and Information Gathering - Include both quantitative and qualitative data collected through community engagement.</p>	<p>Research and Information Gathering - Fall 2020</p> <p>Quantitative and qualitative data collection: City Department Heads conducted internal reviews of current City programs and policies related to DEI. Under the direction of the City’s experienced DEI facilitator, Dr. Patton, the DEI Task Force reviewed over 200 unique suggestions from the community. The DEI Task Force also developed additional actions, investigated best practices, and prepared a report with specific recommendations to the Council for next steps.</p> <p>Community engagement: Council meetings have included items such as Police Department use of force training, policies, and reporting, and affordable housing. The Emergency Preparedness Commission, Arts Commission, Parks and Recreation Commission, Library Board held public meetings to discuss DEI and determine areas for action. The Housing Advisory Committee has held public meetings continuously since their inception. The DEI Task Force hosted a Public Engagement Meeting on November 5, 2020. City established a DEI webpage, with news and events listings, initiative tracker, and posted and announced updates every week via email outreach, social media, and Council meetings.</p>
<p>Research Findings - Findings provide a solid foundation to inform the plan.</p>	<p>Research Findings - Winter: Late 2020 DEI Task Force presented to Council their Report and Recommendations.</p>

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GARE Process Step (continued)	City Action and Timeframe (continued)
Develop Plan - Include a racial equity guiding statement, identify results and community indicators, create outcomes and actions to achieve each outcome. Plans should have performance measures for each action and a completion date. Plans should identify the lead position or accountable body.	Develop Plan - Current phase - Winter: Early 2021 Staff has reviewed the Report and Recommendations and created a Work Plan to bring items forward for future action. Current work underway includes further refinement and direction from Council on the Work Plan.
Implementation, Reporting and Evaluation - Regular tracking of performance and reporting on progress provides accountability. Use data as a part of regular evaluation processes to improve upon commitments in the plan over time.	Implementation, Reporting, Evaluation - Spring 2021 - onward Staff will work to implement the adopted work plan with input from the community, with periodic progress reports back to Council.

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- 2. Recommendation to develop a Racial Equity Plan and hire a facilitator will pause progress on DEI initiatives:** GARE recommends that agencies “Aim for nothing less than complete transformation, but be both pragmatic and urgent in your approach, seeking not perfection but progress. Starting from what exists, build solutions, constantly evolve and adapt to accelerate the pace of progress.” (Racial Equity Action Plans, A How-to Manual)

The direction from Council, which reflects the desire of the community, is to work with urgency to begin implementing approved Work Plan recommendations. Restarting the process of information gathering and planning would set the City back approximately 4-6 months, as would the process of seeking, vetting, and hiring another facilitator. Staff does not see the necessity of a facilitated process to develop the same list and categories and is concerned about the significant delay this approach would place on current progress.

Staff is proud of the progress the City has made since the second half of 2020 and is confident in the City’s ability to move forward the Council-approved recommendations within our scope of services. Staff recommends working with urgency and accelerating progress to achieve actionable outcomes.

- 3. Recommendation to hire a facilitator is not supported by current need in the organization, does not leverage existing resources and does not build staff and organizational capacity:** In keeping with GARE’s recommendation to build organizational capacity, the City has sought to augment existing staff skills with DEI training and implementation work. The City employs professionals with skills to analyze options for decision-makers, make recommendations, implement programs, and provide

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399 services to the community. Staff is skilled at developing new policies and programs or
400 modifying existing policies and programs for more effective operations. Staff routinely
401 makes high-level administrative decisions based on policy direction and determines
402 financial impacts of various policies and programs. City staff bring significant policy,
403 technical, program area, and management expertise to their work. Mill Valley staff are
404 deeply committed to public service and the communities they serve.

405
406 In addition to City staff, the City has over 50 members of the community that serve as
407 appointed officials on the City's Boards, Commissions and Committees. These
408 individuals represent a broad range of knowledge, expertise, and technical and
409 professional abilities in their subject areas.

410
411 To lead racial equity planning and initiatives, GARE recommends a team-based approach
412 that includes people with lived experiences, people with strong racial equity analysis
413 skills, people with experience in strategic planning and project management. GARE also
414 recommends diversity across race, ethnicity, gender, ability, sexual orientation and other
415 important characteristics, diversity across departments, in leadership, across work levels,
416 functions and authority, and different locations. The City must stay grounded in the lived
417 experience of Mill Valley's communities of color and commits to engage existing
418 resources while seeking opportunities to collaborate with represented leaders from
419 religious, philanthropy, nonprofit, government, and business sectors.

420
421 In its guidance and how-to manuals, GARE recommends staff work to develop an
422 appropriately scaled organizing structure for moving forward with racial equity
423 initiatives. Hiring a facilitator would limit the City from leveraging internal expertise to
424 advance racial equity. The GARE model also encourages a process of building staff and
425 organizational capacity while also creating internal infrastructure.

426
427 For the reasons listed above, staff recommends continuing the City's racial equity work without
428 pausing to start a new Racial Equity Plan or hire another facilitator. A thoughtful, appropriately
429 scaled organizational process, driven by staff, with the involvement of elected and appointed
430 City officials and community partners, will lead to a comprehensive, more transformational
431 change, as relationships are formed and strengthened across the City's structure and in
432 partnership with the community. Staff is confident that with a team-based approach, leveraging
433 existing resources, the City is well equipped to lead racial equity planning and initiatives within
434 its scope of services.

435
436 Moving forward in the planning structure, the phase of implementation, reporting, and evaluation
437 will be operationalized through future policy documents for City Manager consideration, and in
438 Staff Reports on items brought before Council. Staff will indicate performance measures,
439 timelines, and the appropriate lead staff, department, or advisory body. Staff will further develop
440 a transparent data collection tool for monitoring and tracking DEI initiatives and continue regular
441 reporting to ensure accountability.

442
443

City Council Staff Report
Diversity, Equity, and Inclusion Work Plan
February 18, 2021

444 **Recommendations for Next Steps and Remaining Work Plan**

445 Of the 62 recommendations, 37 are either complete, in progress, or not recommended. There are
446 25 remaining recommendations requiring additional Council direction, staff research, or
447 consideration. Seven of these are associated with police policies, procedures, training, and
448 staffing. As Council has already indicated significant interest in these areas, staff recommends
449 further study on the police-related items with a comprehensive department report to Council in
450 the next 60 days.

451
452 The remaining recommendations identified for further research or consideration will be directed
453 back to staff and returned to Council along with periodic updates on the items that are identified
454 as “in progress.” The recommendations identified as beyond the scope of City services/control
455 and items not being considered will not be assigned to staff unless otherwise directed by Council.
456 The Work Plan addresses each of these in detail.

457
458 **Summary**

459 In this report, staff discussed the importance of recognizing the impacts of government policies
460 and systems on racial disparity in our community, and the City’s responsibility to proactively
461 advance racial equity. Staff has also reviewed the size, scope, and role of the City in the context
462 of current Council priorities and resources presently available, so that the City may take a
463 pragmatic and focused approach.

464
465 Staff has recommended a new approach to working effectively with the DEI Task Force
466 members and other community members and provided alternative approaches to the DEI Task
467 Force’s recommendations that the City appoint a permanent DEI Commission and develop a
468 facilitator-driven Racial Equity Plan.

469
470 Staff recommends Council determine status of DEI Task Force and concur on recommendations
471 1 and 2 or provide alternative direction. Staff further recommends accepting the
472 recommendations for next steps in the remaining Work Plan. All 62 recommendations have been
473 addressed, with the remaining items to be completed according to the Work Plan, and staff
474 continues to identify future actions using GARE’s suggested approach. In addition, the City’s
475 Boards, Commissions, and Committees are also continuing to identify actions to further racial
476 equity within their domains.

477 Staff looks forward to receiving Council feedback and direction, and more importantly,
478 continuing the important racial equity work ahead of the City.

479
480 **Fiscal Impact:** As indicated in the Discussion section above, the City has allocated, to-date,
481 approximately \$195,940 to DEI initiatives. This includes staff time, DEI facilitator and
482 consultant, DEI Task Force stipend and GARE annual membership.

483
484 **Attachments:**

- 485 1. Diversity, Equity, and Inclusion Work Plan

City of Mill Valley Diversity, Equity, and Inclusion Work Plan

1. Create a Permanent DEI Commission

A dedicated DEI Commission will leverage community knowledge, skills and expertise, and provide the ongoing oversight and leadership necessary to meaningfully advance racial equity.

Status: Proposed alternative approach.

City Resources: City Council, City Manager.

Staff Comments: Staff proposes an alternative approach. See the Diversity, Equity and Inclusion Work Plan Staff Report for details.

2. Develop a Comprehensive Racial Equity Plan for City Government

Overcoming deeply rooted racial bias and inequities in government requires a system-wide transformation that centers racial equity in all City actions and decision-making. The City **must** engage a knowledgeable and experienced facilitator to lead its development of a strategic Racial Equity Plan to bring about this transformation.

Status: Proposed alternative approach.

City Resources: City Council, City Manager.

Staff Comments: Staff proposes an alternative approach. See the Diversity, Equity and Inclusion Work Plan Staff Report for details.

2.a. DEI Training for City Council and Staff

Status: Already implemented or in-progress.

City Resources: City Manager, Human Resources.

Background: Since mid-2020, the City personnel from Recreation, Human Resources, Public Works, City Manager’s Office, and Library have participated in over 100 hours of DEI-related training. The City Council, Boards and Commission members participated in a training on “Equity, inclusion and cultural intelligence: Starting the Journey of organizational transformation.” Training topics have included:

- Bias Based Policing, Bias & Racial Profiling, and Principled Policing
- Racism in America and at Work - HR's Role in Building a Better Future for All
- Unconscious Bias Training for Local Government Communicators
- How to be an Ally
- How to Center Racial Equity During Budgeting & Policymaking
- Implicit Bias Training
- Moving from Unconscious Bias to Active Allyship
- Advancing Racial Equity: An Introduction
- Legal Challenges to Racial Equity
- GARE Foundation Series - Advancing Racial Equity: The Role of Government

Staff Recommendation: Training, although not part of a formal program, is ongoing and has demonstrated a strong organizational commitment to racial equity. This recommendation has potential for implementation in the short-term. Staff recommends developing a DEI Training Policy for staff and appointed and elected officials to ensure consistent and continued training to establish racial equity as a key value and to reinforce shared understanding of important concepts across the entire jurisdiction. Following GARE guidance, “this should include basic racial equity training as a foundation for building a shared analysis and definitions for racial equity work”. Additional training on strategic planning for racial equity is also recommended for individuals in leadership roles (Racial Equity Action Plans, A How-to Manual).

2.b. Implementation of racial equity tools to center equity in decision making

Status: Needs additional direction, research, or consideration.

City Resources: City Council, City Manager.

Background: A Racial Equity Tool is different from a Racial Equity Plan, as discussed in the Staff Report. From GARE: “Racial equity tools are designed to integrate explicit consideration of racial equity in decisions, including policies, practices, programs, and budgets. It is both a product and a process. Use of a racial equity tool can help to develop strategies and actions that reduce racial inequities and improve success for all groups.” (Racial Equity Toolkit - An Opportunity to Operationalize Equity).

Staff Recommendation: Staff could return to Council with additional information on the Racial Equity Tool and its potential application to City policy considerations.

2.c. Development of diversity hiring policies and practices for all City Departments

Status: Already implemented or in-progress.

City Resources: City Manager, Human Resources.

Background: In an average, non-pandemic/financial crisis year, the City hires approximately 20 permanent staff and approximately 50 part-time/seasonal staff on an annual basis. The City complies with all Federal, State, and local laws regarding employment discrimination based on protected classes (race, religion, sex/gender, age, etc.). The City is well-versed in labor laws and keeps up to date on the numerous anti-discrimination protections for individuals going through the City's recruitment and hiring process. Staff continually evaluates the City's personnel policies and processes for fairness and diversity. The City has many hiring policies and practices and will continue to fine tune them to ensure fairness while encouraging and seeking out a diverse workforce. Examples include:

- The required use of diversity job posting websites, professional organization job listings, and targeted job postings.
- Job descriptions are routinely evaluated for job-specific requirements and updated to provide multiple avenues of achieving qualification.

- Trained Human Resources staff provide tandem evaluation of applicants with Departmental ratings and manage the entire recruitment process from start to finish.
- Interview panels often include a combination of internal and external panelists to ensure a diverse representation of identity, background, skills, and experience while maintaining a specified level of expertise above the job under recruitment.
- Staff routinely engages in industry best practices, participates in training, and has access to HR resources and experts through Regional Government Services and the Society for Human Resource Management.

Staff Recommendation: The City is confident in its current capability regarding this recommendation. Potential areas for further development include gathering demographic data on City employees, researching additional diversity job posting websites, exploring partnerships with local community organizations and schools to develop diverse candidate pools, and reviewing resources in the GARE membership portal.

2.d. Transparent data collection, monitoring and reporting on all strategies and initiatives

2.e. Integration of DEI Task Force recommended strategies and initiatives

Status: Already implemented or in-progress.

City Resources: City Council, City Manager.

Staff Comments: These recommendations are ongoing. Staff has developed a transparent data collection tool for monitoring and tracking DEI initiatives here:

www.cityofmillvalley.org/gov/departments/citymanager/dei_resources.htm. Staff reports to Council regularly at City Council meetings and to the community via website posts and weekly eNewsletters. Sign up here for updates: <https://lp.constantcontactpages.com/su/Gq27vQN>

2.f. Strategy for aligning the MV2040 General Plan with Racial Equity Plan

Status: Needs additional direction, research, or consideration.

City Resources: City Council, City Manager, Planning & Building, Planning Commission.

Background: A General Plan is a long-range policy document designed to guide future development, conservation, and summarizes the goals and policies concerning many different aspects of community life. In California, cities and counties are required by State law to have a General Plan. The City adopted its General Plan (known as “MV2040”) in 2013 after many years of community engagement and a citizen-led decision-making and approval process. General Plan updates typically cost upwards of \$100,000 and involve significant community engagement.

Staff Recommendation: The State Office of Planning and Research recommends that General Plans be updated every 10-15 years to reflect changes in community values, economic

<p>conditions, and emerging issues and challenges. Staff could further research the suggestion of adding a racial equity analysis to the General Plan process at its next revision.</p>
<p>2.g Coalition-building across the County to achieve DEI goals</p>
<p>Status: Already implemented or in-progress.</p> <p>City Resources: City Council, City Manager.</p> <p>Staff Comments: These recommendations are ongoing. Staff engages with County partners on DEI goals regularly, through participation in the Marin Managers’ Association, the Marin County Council of Mayors and Councilmembers, and other professional contacts throughout the County of Marin.</p>
<p>2.h. Consideration of a “sister city” relationship with Marin City</p>
<p>Status: Already implemented or in-progress.</p> <p>City Resources: City Council, City Manager, Arts & Recreation, Library, Arts Commission, Parks & Recreation Commission.</p> <p>Other Resources: Marin City Community Services District.</p> <p>Staff Comments: Staff recognizes and respects the Marin City community’s autonomy and agency in deciding the best course of action for their community members. In the past few months, Recreation staff and the Parks and Recreation Commission have created relationships with several organizations in Marin City to further develop recreational and cultural opportunities between communities. Staff recommends continuing to support ongoing efforts and having Recreation staff check in with Marin City leadership to see if there is an interest in pursuing a more formal agreement or program. Elements of a program could include:</p> <ul style="list-style-type: none"> • Mutually beneficial marketing and promotional opportunities for recreation and arts programs. • Creation of a scholarship program with the City and MV Friends of Parks and Recreation. • Offer specific programs that are not available in Marin City, such as swim and golf lessons, and offer programs that are not available in Mill Valley, such as Midnight Basketball or boxing. <p>Staff also notes that former Mill Valley City councilmember Stephanie Moulton-Peters is the Marin County Supervisor for District 3, which includes Marin City. Staff anticipates further opportunities to collaborate with Supervisor Moulton-Peters and Marin City leaders on issues of shared interest.</p>
<p>3. Begin Racial & Identity Profiling Act [RIPA] Data Collection by January 1, 2021: Data collection prescribed by the California Racial and Identity Profiling Act is essential to enable MVPD to identify and address racial profiling by its officers, and to monitor the effectiveness of anti-bias policies and other remedial measures.</p>
<p>Status: Already implemented or in-progress.</p>

City Resources: Police.

Background: The Mill Valley Police Department (MVPD) is a full-service law enforcement agency that provides public safety services to a community of 14,000+ residents and visitors, 24-hours a day, every day of the year. The Police Department's primary responsibility is to patrol the City's incorporated geographical area and provide services to the residents, workers, and visitors of Mill Valley. MVPD is also tasked with protecting property, preserving life, enforcing laws, and detecting criminal activity. To perform their duties according to current federal, state, and local regulations and laws, the MVPD utilizes the services of Lexipol software to provide a comprehensive policy manual. The MVPD policy manual is a living document that is constantly reviewed and revised to reflect changes in federal and state law, as well as verified best practices by Lexipol's team of industry experts, lawyers, and policymakers. Federal and State mandates dictate most policies with a smaller number of best practices that are recommended for adoption or further exploration.

Staff Comments: This recommendation of collecting RIPA data per AB 953 is ongoing since August 2020. The MVPD continues to move toward early implementation of RIPA with a targeted start date for collection on July 1, 2021. Staff has researched best practices in capturing data and reporting to the Department of Justice (DOJ). Staff has beta tested at least one application-based collection system and researched additional options. Staff is finalizing discussions and contracts related to utilizing RIPALOG technology and data uploads directly to the DOJ. Staff has learned some police departments are merely collecting data without the component of early reporting to the DOJ. MVPD plans to not only collect, but also report, per AB953. MVPD is now officially part of DOJ's reporting wave 3.5, whereas MVPD was previously scheduled as wave 4 as listed in AB 953.

To date, 13 MVPD staff members have taken DOJ's introductory training course *Reporting Stop Data for RIPA (AB953)*. Additional staff is scheduled to attend future training dates in Spring 2021.

MVPD has completed the following related to RIPA:

- August 3, 2020 - Report to Council by L. Haynes
- September 2020 - Conducted research on capturing data, located a vendor (RIPALog) and received information, and entered BETA testing with RIPALog.
- October 2020 - BETA Testing with RIPALog and participated in Cal-Chief's two-day summit on RIPA.
- November 10, 2020 - Contacted DOJ to inquire about early implementation; invited to kick-off meeting.
- December 3, 2020 - Participated in DOJ kick-off meeting.
- December 11, 2020 - Participated in virtual course "Reporting Stop Data" hosted by DOJ, Civil Rights Enforcement Section (CRES), Cal. Justice Information Services (CJIS) and Client Services Program (CSP)
- December 14, 2020 - Follow-up with RIPALog to discuss contract, rollout, and company go-live dates.
- January 12, 2021 - Phase 1 of Department training via virtual course (8 employees)

- January 13, 2021 - DOJ 2nd Kick-off meeting
- January 15, 2021 - Received Quote from RIPALog
- February 2, 2021 - Continued Department training via virtual course (5 employees)
- February 2, 2021 - Built Requisition to execute contract with RIPALog.

MVPD is currently researching how and when to address public records requests related to RIPA and their role and responsibility related to current California government codes. MVPD is working to ensure proper compatibility between the Department's technology and RIPALog.

4. Adopt RIPA Model Policies for Bias-Free Policing: The evidence-based RIPA Model reflects the best available policies for achieving bias-free policing. Adopting the RIPA Model Policies will position the Department as a leader in the County in anti-racist best practices.

Status: Needs additional direction, research, or consideration.

City Resources: Police.

Staff Comments: This recommendation for policy alterations and adoption needs additional consideration and review from staff. The MVPD is gathering policy examples from other California law enforcement agencies. The example policies will be reviewed, along with the RIPA policy recommendations, to evaluate and potentially modify MVPD policy. An update on this recommendation could be included with a broader staff report on the police-related recommendations.

5. Align MVPD Training with RIPA Best Practices: Adhering to RIPA Best Practices for Anti-Bias Training will bring MVPD into statutory compliance and empower MVPD officers to recognize and effectively combat explicit and implicit racial bias.

Status: Needs additional direction, research, or consideration.

City Resources: Police.

Staff Comments: This recommendation is currently being explored and underway. MVPD meets the current Commission on Peace Officer Standards of Training (POST) mandate associated with training on the racial and cultural differences among the residents of this state. The courses of instruction and the guidelines stress understanding and respect for racial, identity, and cultural differences, and development of effective, non-combative methods of carrying out law enforcement duties in a diverse racial, identity, and cultural environment.

This training is mandated every 5 years. The MVPD will adding a "Principled Policing" 8-hour course as part of regular department training to be featured every 2 years, in addition the 5-year mandated training. MVPD has worked on providing the training necessary for in-house staff to become an instructor of the "Principled Policing" course.

The MVPD will continue to send supervisors to the Supervisory Leadership Institute program, which features a 2-day course held at the Museum of Tolerance in Los Angeles. Currently 2 of 5 of our supervisors have attended this training, with a third on the waiting list. The MVPD

will explore further training opportunities focused on bias-free policing. An update on this recommendation could be included with a broader staff report on the police-related recommendations.

6. Adopt RIPA Best Practices to Prevent Bias-by-Proxy: MVPD currently has no policies, training or practices aimed at addressing bias by proxy (bias-based calls for service from community members). MVPD should adopt RIPA recommendations to empower its officers, dispatchers, and other staff to respond appropriately to bias-based calls for service and to protect the dignity and security of any person who is the subject of a bias-based call.

Status: Needs additional direction, research, or consideration.

City Resources: Police.

Staff Comments: This recommendation is ongoing and needs additional consideration from staff. Although there is currently no formal policy, MVPD reviews calls for service for potential bias-by-proxy on an on-going basis.

MVPD contracts with the Marin County Sheriff's Office (MCSO) for call-taking and dispatch services. The MCSO Dispatchers and MVPD have the responsibility of gathering as much information as possible to determine if an incoming call could be a crime, municipal code violation, medical aid, or civil complaint. The MVPD then makes the final determination if an officer is warranted in response to the call and whether to take immediate action, observation, or further fact finding.

MVPD will consult with MCSO on additional training, policy, and legal considerations for call-taking and dispatching. MVPD will conduct further review with consultation from the City Attorney's Office for the RIPA recommendations and policy alterations. MVPD will consider researching internal Standard Operating Procedures related to RIPA guidelines. An update on this recommendation could be included with a broader staff report on the police-related recommendations.

7. Align MVPD Policy Manual with Procedural Justice Best Practices: The MVPD Policy Manual is a one-size-fits-all model produced by the Lexipol software company. The Manual is designed to meet minimum legal and constitutional standards but reflects neither Mill Valley community values nor current best practices for bias-free policing. The City, the MVPD and the DEI Commission should conduct a comprehensive review and revision of the Manual with this in mind.

Status: Needs additional direction, research, or consideration.

City Resources: Police.

Staff Comments: Staff does not recommend pursuing this recommendation as written. However, staff proposes an alternative approach. Lexipol is one of the leading risk management and policy creators. They have teams of lawyers and industry experts who work to create a living document that is constantly updated based on new statutory and case laws

and best practices. This is enormously helpful for a small city such as Mill Valley, that does not have a full-time legal department to provide this service.

Alternative approaches include conducting refresher training on Lexipol program management, examining the frequency of updates, and providing a statement regarding customization. MVPD made several policy changes, based upon Lexipol’s regular update cycle, after the initial DEI Task Force review. Examples of updates include use of force, uniform regulations, temporary custody of juveniles, gun violence restraining orders, recruitment and selection, and sick leave. The MVPD will be post the most current policy manual to the department website biannually, rather than after every modification. An update on this recommendation could be included with a broader staff report on the police-related recommendations.

8. Align MVPD Use of Force Policies & Practices With 21st Century Policing: Mill Valley’s use of force policies, derived from the Lexipol standard form, are out of step with 21st Century Policing best practices (standards established by President Obama’s 2015 Task Force on 21st Century Policing) that center on procedural justice and the sanctity of life. The policies should be amended, among other things, to forbid the use of force that is disproportionate to the harm sought to be avoided; require—rather than merely suggest—utilization of de-escalation techniques whenever possible; and ban the use of chokeholds and other restraints that pose a risk of asphyxiation.

Status: Needs additional direction, research, or consideration.

City Resources: Police.

Staff Comments: Per federal and state laws, MVPD has adopted policies and procedures that reflect mandates and best practices associated with 21st Century Policing as it applies to use of force. In 2020, MVPD removed the carotid restraint from its Use of Force policy, as well as implemented de-escalation training and technique requirements. The policies related to the following Senate and Assembly Bills were implemented and adopted in MVPD policy:

- Adopted a policy associated with AB392 – “reasonableness” in use of force.
- Eliminated a policy associated with AB1196, which prohibits carotid restraint.
- Adopted policy associated with SB 230 as outlined in staff report from Aug 2020.

Additionally, MVPD held department training in November 2020 that covered these updates and provided scenario-based training that covered responses and tactics related to these updates.

Staff will consider creating a policy review committee to evaluate and assess best practice policies, in addition to what has already been implemented. An update on this recommendation could be included with a broader staff report on the police-related recommendations.

9. Collect & Publicize Comprehensive Data on MVPD Website: Data collection and transparency are central to building trust and legitimacy, the first pillar of 21st Century Policing.

Status: Already implemented or in-progress.

City Resources: Police.

Staff Comments: This recommendation is underway. MVPD currently gathers much of the data listed in this recommendation. MVPD plans to post dashboard data associated with RIPA and is in the process of researching best practices. MVPD will continue to update the categories and information posted on the City website. MVPD is researching “Transparency” page content of other law enforcement websites for examples.

Staff has already begun collating data we currently collect for display on the City website. To date, MVPD staff has:

- Moved the “Citizen Complaint” tab to the Department’s main page.
- Updated the “Citizen Complaint” tab to include a 5-year log of formal complaints, which includes 10 total complaints in the past five years.
- Updated “Yearly Crime Stats” to include 2020 data.
- Added all staff e-mail contacts to the website.
- Posted the updated MVPD Policy and Procedure manual.
- In-Progress – “Use of Force” tab with data.
- In-Progress – “Monthly Stats” data page.
- In-Progress – “Bi-weekly Police Activity” data.
- In-Progress – “RIPA” tab.

Next steps include finalizing the categories for display. Staff plans to include any public survey data, establishing a central location for media releases, and selecting staff members to be responsible maintaining the data. A Standard Operating Procedure will be developed to identify when each area should be updated, and which employees will be assigned to those tasks. An update on this recommendation could be included with a broader staff report on the police-related recommendations.

10. Improve Community Access to Civilian Complaint Process: A transparent and credible system of police accountability builds community trust, but it must be understood by, and readily available to, members of the community. RIPA recommendations— that officers carry complaint forms in their patrol vehicle and hand out business cards to pedestrians and motorists they stop—help to achieve these objectives.

Status: Already implemented or in-progress.

City Resources: Police.

Staff Comments: The Mill Valley Police Department handles an average of 18,480 calls for service per year and has had 10 formal complaints in the past five years with only one in the past two years. As outlined in the October 2020 DEI report, our department’s complaint packets (English & Spanish) include a letter from the Chief of Police, frequently asked questions and answers about citizen complaints, and a citizen complaint form.

Our department’s complaint packet can be found at the following locations:

1. Mill Valley Police Department Website
2. Mill Valley Police Department Front Lobby
3. Mill Valley City Hall Lobby

MVPD personnel currently carry business cards with officer and department contact information, social media sites, and space for case/incident numbers. MVPD staff carry citizen complaint forms in their patrol duty bags and additional forms have been placed in all police vehicles. MVPD has added a “Citizen Complaints” link on the main page of the MVPD website. The link provides access to complaint forms, FAQ’s, a 5-year complaint log, and a department commendation form. The Department is in the process of adding the URL link to department business cards. This addition has been completed for (6) employee’s business cards and MVPD will be replacing business cards for the remaining (20) employees. The associated \$4,000 expense has already been authorized by the City Manager.

11. Develop Civilian Oversight of MVPD: Civilian oversight helps ensure objectivity in the investigation of civilian complaints and provides a safe avenue for BIPOC individuals who have been harassed or intimidated by police to raise their grievances.

Status: Proposed alternative approach.

City Resources: City Council, City Manager.

Background: At their December 7, 2020 meeting, Council stated that they already serve in the role of an oversight body for the police department and indicated that an additional oversight commission was not appropriately scaled for the City. As noted in the previous recommendation, the Department has 28 employees, handles an average of 18,480 calls for service per year and total of 10 formal complaints in the past five years with only one in the past two years, which does not warrant the creation and management of another commission.

Staff Comments: Staff does not recommend pursuing this recommendation as written. However, staff proposes an alternative approach utilizing the Council as elected representatives to monitor and review the Mill Valley Police Department, as well as all other departments. Staff proposes a Police Department Oversight program to include:

- Chief of Police meeting periodically with the Mayor, Vice Mayor, and City Manager to review policy changes, complaints, use of force incidents, and RIPA data. The first meeting is scheduled for the week of February 14.
- Submitting additional statistics and information to Council, as requested.
- Presenting an Annual Report to Council.

12. Investigate & Consider Prior Misconduct in MVPD Hiring Decisions: Past allegations of misconduct against a police officer are highly predictive of future misconduct and should be investigated and considered in MVPD hiring decisions.

Status: Already implemented or in-progress.

City Resources: Police.

Staff Comments: This recommendation is already completed. Government Code §1031 requires a pre-employment background investigation for peace officers. MVPD uses highly qualified background investigations who follow the Commission on Peace Officer Standards

and Training (POST) background process. More information can be found at <https://post.ca.gov/background-investigation-manual-guidelines-for-the-investigator>.

The pre-employment background investigation satisfies two goals: 1) assuring compliance with all applicable minimum standards for appointment and 2) screening out candidates who, based on their history or other relevant information, are found unsuitable for the positions in question. As a further screening mechanism, new hires have a 12 to 18-month probationary period, with monthly performance evaluations and the potential to be terminated with or without cause. An update on this recommendation could be included with a broader staff report on the police-related recommendations.

13. Replace School Police with Service Workers: Police officers are poorly suited to the needs and objectives of students in an educational setting. Their presence on school campuses contributes to disparate treatment and needless criminalization of Black students and other students of color.

Status: Not recommended.

City Resources: City Manager, Police.

Other Resources: School Districts.

Staff Comments: Staff does not recommend pursuing this recommendation. The City Manager recently discussed the SRO program with school officials from MVSD, THUSD, and Tam High. Each indicated their strong support of the program and that they highly valued the additional resources, which are funded by the City, not the school districts. School officials affirmed their interest in continuing the program as is without modification at this time. Staff will continue to collaborate with both school districts on the efficacy of the program and modify the program as needed based on their feedback. An update on this recommendation could be included with a broader staff report on the police-related recommendations.

14. Assess MVPD Functions & Funding Against Community Needs: The cost of unchecked police expansion—in Black lives, in BIPOC intimidation, and in sheer economic terms—has led many communities to reevaluate the size and scope of work of their police departments. Cities are discovering that a great number of the functions currently assigned to police can be performed more safely, more effectively, and at a lower cost by well-trained service personnel. A responsible allocation of functions and resources to the MVPD must begin with an analysis of the needs and duties in our community for which armed law enforcement personnel are uniquely trained and well-suited.

Status: Needs additional direction, research, or consideration.

City Resources: City Council, City Manager, Police.

Staff Comments: Mill Valley Police Department staffing has remained relatively flat for the past several decades. Staff recommends preparing a broader staff report with information about the Department’s staffing model, comparisons to similar cities, and research regarding “Service Team” models from other jurisdictions. Staff will provide analysis and

recommendations to Council for review. The analysis will include other Marin police agencies, as well as regional cities and towns of similar size, demographics, and police services, and their respective funding allocations.

15. Develop & Implement A Need-Based Community Service Model and Budget: Based on the data assessment called for above, the City, MVPD and DEI Commission should develop a model and budget for a City Service Team to respond to service calls that do not require an armed police response (from leaf-blower complaints to mental health emergencies). The model should endeavor to be cost saving or cost neutral once in operation and should be monitored on an ongoing basis against goals and objectives.

Status: Needs additional direction, research, or consideration.

City Resources: City Council, City Manager, Police.

Staff Comments: This recommendation needs additional consideration and research from staff. Some of the work is underway, and research and collaboration are already underway with other County agencies. Staff recommends conducting additional research, reviewing current levels of deployment data and summary activity, and researching alternative options for handling various calls for service. The City Manager and Marin Manager’s Association are collaborating with Marin County Health and Human Services and other County officials to increase staffing and support for individuals experiencing homelessness and mental illness. An update on this recommendation could be included with a broader staff report on the police-related recommendations.

16. Pursue Regulatory Options to Expand Affordable, Equitable Housing Opportunities: This Report offers a variety of recommendations including, among others: permissive zoning and incentives to encourage the conversion of single-family homes into two homes; disincentives for housing size expansion; further encouragement of Accessory Dwelling Units (ADUs); and development of, or partnership with, a Community Land Trust.

16.a. Affordable Housing Easement - Offer owners of homes valued at the median value or below an opportunity to apply for an affordable housing easement that would preserve the home as affordable in perpetuity in exchange for property tax abatement. There may be Federal income tax benefits to owners (as there are with conservation easements) at the time the easement is put in place. This helps current residents remain in Mill Valley and creates integrated affordable housing in Mill Valley. Leveraging the property taxes in this way is a cost-effective way to fund affordable housing.

Status: Needs additional direction, research, or consideration.

City Resources: City Council, Planning & Building, Housing Advisory Committee.

Staff Comments: Required research would entail confirming such properties that exist in Mill Valley and require further City Attorney input. Staff also adds that about 74% of property taxes go to the County or other agencies. The City receives a distribution of 25.8% from property taxes.

<p>16.b-1. Home Size - Consider regulations that would make it harder to increase the size of homes that are already in the affordable range in Mill Valley.</p>
<p>Status: Needs additional direction, research, or consideration.</p> <p>City Resources: City Council, Planning & Building, Housing Advisory Committee.</p> <p>Staff Comments: Under the law, all properties are treated equally and are legally allowed to build based on the allowable development standards provided in the City’s Zoning Code. Current zoning code standards limit the size of homes based on property size, setbacks, and height and massing limits. For example, Sec. 20.16.040 A. provides for standards to manage the height, bulk and mass of a given project in relation to the lot area. Sec. 20.16.040 D. provides for maximum lot coverage standards.</p>
<p>16.b-2. ADUs & JADUs - Encourage and allow Accessory Dwelling Units [ADUs] and Junior Dwelling Units [JDUs] on these properties to increase affordable housing.</p>
<p>Status: Already implemented or in-progress.</p> <p>City Resources: City Council, Planning & Building, Housing Advisory Committee.</p> <p>Staff Comments: This recommendation is already completed and promotion of ADUs/JADUs is underway. ADU’s and JADU’s are allowed in the Single-Family Residential zoning district. The Housing Advisory Committee has prioritized promoting Accessory Dwelling Units as part of its Work Plan. Most recently, the City has executed a contract for a Home Match program that connects homeowners with the local community and workforce looking for housing.MV and other Marin Jurisdictions have recently launched an ADU website, which serves as a valuable resources to homeowners wanting to build an ADU / JADU, including workbooks and calculators. Go to www.ADUMarin.org to learn more.</p>
<p>16.c. ADU Application Process - ADUs and JDUs are a great way to increase housing stock and many residents are pursuing these but are facing long waits from the Planning Department. Consider having special hours during the week available only for these kinds of applications.</p>
<p>Status: Already implemented or in-progress.</p> <p>City Resources: City Council, Planning & Building, Housing Advisory Committee.</p> <p>Staff Comments: This recommendation is already completed. The State of California has streamlined the approval process associated with J/ADUs. As a result, the majority of ADUs do not require Planning approval before submitting a building permit.</p>
<p>16.d. ADA - Require all substantially remodeled affordable housing meet ADA requirements. In partially renovated housing, encourage some universal access components such as one bedroom and an ADA bathroom on the first floor and 3-ft doors and hallways.</p>
<p>Status: Already implemented or in-progress.</p>

City Resources: City Council, Planning & Building, Housing Advisory Committee.

Staff Comments: This recommendation is already completed. Chapter 11A of the building code requires ground floor to multifamily units to be adaptable to meet the standards of accessibility. The City’s Multi-Family Design Guidelines state: “the needs of the elderly and disabled are an important consideration in design proposals. Universal design elements that meet the provisions of the Americans with Disabilities Act (ADA), as referenced in the California Building and Standards Code and related regulations in the City’s Municipal Code, must be adequately addressed.

17. Regulate Rental Inspection, Maintenance, Increases & Short-Term Rentals:

A variety of measures can be undertaken to protect renters and insulate them from rent increases and eviction. Short Term Rentals can be regulated to encourage cost-sharing residential use rather than profit-making heavy turnover use.

17.a. Rental Inspection - Institute a proactive rental inspection program. This removes the burden on renters to report violations, exposing them to retaliation, and makes it impossible for landlords to know if a renter has reported violations.

17.b. Rental Maintenance - Encourage landlords to maintain their rental units and penalize them if they do not. If rental units persistently fail to meet basic living standards, consider receivership or condemnation options. Put in place lien waivers and other supportive measures so that homes are rehabilitated and become permanently affordable.

17.c. Rent Control - Rent control is worth a thorough investigation and consideration by the Council. Though research is mixed on rent control measures, according to Policy Link: “Market controls affect a lot of housing at once, at relatively low cost to the government. In places where very little land is available for development or where existing housing is too expensive to acquire, regulating the existing housing market may be the most practical way to take housing affordability to scale.”

Status: Needs additional direction, research, or consideration.

City Resources: City Council, Planning & Building, Housing Advisory Committee.

Staff Comments: These recommendations need additional research to determine if this issue warrants City action, or if County resources and oversight for this area are sufficient. Currently, the County administers a health and safety building inspection for all rental properties of 3 or more units. Owners of rental properties are responsible for maintaining properties and are currently subject to fines through the Code Enforcement process should rental units not comply with health and safety requirements.

17.d. Short Term Rentals

Regulate Short-Term Rentals in ways that encourage STRs for cost-sharing rather than profit-making. Consider regulations recommended by the Sustainable Economies Law Center to:

- Restrict STRs to primary residences only.

- Require that a resident occupy the unit for a minimum amount of time before hosting STRs.
- Prohibit remodeling or structurally altering units that would prevent the residence from being used as a residence in the future.
- Prohibit short-term rental of single-family structures that were constructed less than five years prior to the date of application for an STR permit.
- Set a cap of 30 nights per year.

We also recommend that the City provide all current STR owners (with properties that meet the criteria) with a rental license for long-term rental at the same time as these regulations are put in place so that there is a minimal loss of income for these homeowners.

Status: Needs additional direction, research, or consideration.

City Resources: City Council, Planning & Building, Housing Advisory Committee.

Staff Comments: The City was one of the first municipalities in Marin that has put rules in place to address this issue, and staff continues to monitor and regulate STRs in Mill Valley. The upcoming Housing Element Update will provide further opportunity to review STRs to determine if there are significant impacts to the total available rental housing units.

18. Investigate & Redress Historical Inequities:

The City should investigate, acknowledge, and provide redress for the historic exclusion of people of color and plunder of Native Lands. Restitution and conservation easements benefiting descendants of those affected are among the appropriate remedies.

18.a. Restitution

Provide restitutions for descendants of those who were restricted by law from purchasing a home in Mill Valley. Marin County is the most racially segregated county in California, a deliberate result of “purposeful segregationist policies and practices” during a period of major population growth between 1940 and 1970. In Mill Valley, it was not uncommon for deeds to restrict home sales to Whites only, and today the City is 87% White. In contrast, Marin City is 32% White and 68% Black and people of color.

Status: Proposed alternative approach.

City Resources: City Council, City Manager, City Attorney, Planning & Building.

Other Resources: County of Marin, Board of Supervisors.

Staff Comments: Staff does not recommend pursuing this recommendation as written. However, staff proposes an alternative approach. At previous Council meetings, Councilmembers have expressed an interest in eliminating restrictive deed covenants. Staff has learned the County of Marin is considering developing a program to communicate and educate residents about the history of restrictive covenants and historically discriminatory government policies and develop a program to help residents identify and amend their deeds with the support and assistance from the County. Staff would participate in the development of this program, and then its subsequent implementation in Mill Valley. Staff recommends working with the County Board of Supervisors to determine next steps.

18.b. Conservation Easements - Work with Marin County and the appropriate Tribal government to create conservation easements to preserve Indigenous lands and land trusts for Indigenous management.

18.c. Transaction Tax - Increase the transaction tax on the sale of homes and commercial buildings to be designated to direct payments to descendants of the Indigenous peoples of this area and projects that foster and support the tribal histories and cultures of this area.

Status: Beyond scope of City. Not recommended.

Other Resources: State of California.

Staff Comments: These recommendations are beyond the scale or size of our local government and should be considered at the State-level. In September 2020, Governor Newsom released a Statement of Administration Policy on Native American Ancestral Lands to “encourage State entities to seek opportunities to support California tribes’ co-management of and access to natural lands that are within a California tribe’s ancestral land and under the ownership or control of the State of California, and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs.”

The announcement also shared plans for other racial equity initiatives regarding indigenous groups, such as assessing place names, the formation of a “Truth and Healing Council” and a list of legislative priorities for California Native American communities.

19. Support the Integration of Affordable Housing in Commercial and Public Properties:

The City should ease height restrictions and encourage second story residential uses in commercial buildings. Creative use of public land and transfer of development rights can allow for new affordable housing.

19.a. Commercial Buildings - Reimagine Mill Valley’s commercial buildings to allow local businesses to build affordable housing above their commercial establishments. Consider changing city planning to allow three or four stories on Miller and other commercial areas.

Status: Already implemented or in-progress.

City Resources: City Council, Planning & Building.

Staff Comments: This recommendation is already completed. All of Mill Valley’s commercial areas allow for residential units above the ground floor. Three stories are allowed on Miller Avenue. Four stories could be built utilizing the State’s Density Bonus law.

19.b. City-Owned Land - Consider building affordable housing on city owned lands such as over the community center parking lot. Use “transfer of development rights,” e.g., save Kite Hill as a park by instead building over Alto Shopping Center. Use surplus school or church lands for new affordable housing.

Status: Already implemented or in-progress.

<p>City Resources: City Council, Planning & Building.</p> <p>Staff Comments: This recommendation is currently underway. The Housing Advisory Committee is working on identifying City-owned property that can be used to generate affordable housing by either selling the land or by building on the property.</p>
<p>20. Pursue Funding Opportunities for Affordable, Equitable Housing: Recognizing that providing affordable housing can be costly, this report suggests a variety of options to generate revenue and reduce the costs of affordable housing development.</p>
<p>20.a. Section 8 - Maintain or increase Section 8 rental subsidies.</p>
<p>Status: Beyond scope of City. Not recommended.</p> <p>Other Resources: Marin Housing Authority.</p> <p>Staff Comments: This recommendation is outside the City’s purview. It is coordinated through Marin Housing Authority.</p>
<p>20.b. Taxes - Consider a sales or parcel tax for an affordable housing fund.</p>
<p>Status: Not recommended.</p> <p>City Resources: City Council, Planning & Building, Housing Advisory Committee.</p> <p>Staff Comments: Staff does not recommend pursuing this recommendation. The City does have an existing Affordable Housing Fund. Staff does not foresee such a funding measure raising enough money to be significantly impactful given the projected cost of a development project and would have significant hurdles in time and resource with limited chance of successful passage requiring a 2/3 majority of voters.</p>
<p>20.c. Estate Giving - Encourage a program of estate giving.</p>
<p>Status: Needs additional direction, research, or consideration.</p> <p>City Resources: City Council, Planning & Building, Housing Advisory Committee.</p> <p>Staff Comments: This recommendation needs additional direction, research, or consideration. The City has an Affordable Housing Trust Fund to accept funds dedicated for housing.</p>
<p>20.d. Waive fees - Waive fees for affordable housing additions.</p>
<p>Status: Already implemented or in-progress.</p> <p>City Resources: Planning & Building, Housing Advisory Committee.</p>

<p>Staff Comments: This recommendation is already completed. See <u>Municipal Code Section 5.32.010</u> “Low- and moderate-income housing—Exemption from fees, licenses and taxes.” Affordable housing is exempt from payment of 50% all City licenses, fees and taxes contained in certain sections of the Municipal Code. City staff can provide additional information to promote and advertise this exemption.</p>
<p>20.e. Distressed Mortgages - Secure commitments from local banks and credit unions and the State of California to work with the City of Mill Valley and its non-profit partners (that may secure private capital) to purchase current and future distressed mortgage notes to prevent foreclosures and develop new affordable ownership.</p>
<p>Status: Beyond scope of City. Not recommended.</p> <p>Other Resources: State of California, Marin Housing Authority.</p> <p>Staff Comments: This recommendation is outside the City’s purview. Staff recommends that the Marin Housing Authority should be the lead on this recommendation.</p>
<p>20.f. Trust Fund - Raise the 1% building permit fee that funds the Affordable Housing Trust Fund.</p>
<p>Status: Not recommended.</p> <p>City Resources: Planning & Building, Housing Advisory Committee.</p> <p>Staff Comments: Currently, the Affordable Housing Permit Fee is scheduled to be reviewed in 2023 to determine if funds are being adequately used.</p>
<p>20.g. Home Repair Grants or Loans - Provide grants or low/no interest home repair loans to homeowners that meet gross household income requirements so that homes are healthy and safe for the current occupants and are preserved rather than replaced.</p>
<p>Status: Beyond scope of City. Not recommended.</p> <p>Other Resources: Marin Housing Authority.</p> <p>Staff Comments: This recommendation is outside the City’s purview. Marin Housing Authority has this program available to Marin County residents and is highlighted on the <u>City’s website</u>.</p>
<p>21. Implement the Arts & Culture Goals of the General Plan Focusing on Cultural Diversity: The Arts & Culture Section of the Mill Valley General Plan acknowledges the crucial role of cultural diversity in building community and sustaining a vibrant creative environment; the Section includes numerous goals for fulfillment of those objectives. The City should prioritize these goals and implement specific cultural programs (including those identified in this report) to ensure that they are achieved. General Plan Programs that support the goal of supporting and encouraging “a wide variety of established and emerging art forms</p>

and artists that include varied ethnic, cultural, age, gender, and economic populations among the users and providers of the City’s arts, culture, and arts education offerings.”

21.a-1. Perspectives: Past, Present, Future - Adapt the Perspectives: Past, Present, Future into a rotating public education and art space with a DEI focus.

Status: Already implemented or in-progress.

City Resources: Arts & Recreation, Library, Arts Commission.

Staff Comments: The Mill Valley Arts Commission (MVAC) currently promotes the value of artistic diversity to encourage creativity, expand horizons, and accommodate a wide variety of artistic tastes. Over the past 5 years MVAC, working with Mill Valley Arts and Recreation Department, have supported literature, as well as visual, graphic, and decorative arts. MVAC has worked with a variety of artists, including DEI Task Force member Zoe Fry, and continued collaboration on the “Perspectives: Past, Present, Future” installation. MVAC is exploring additional sites for its First Tuesday Program and welcomes working with community members and organizations to support multi-cultural arts events, performances, and displays.

Staff recommends further review and consideration of potential ideas, such as:

1. Creating an art display in the fitness and aquatics center, like the one in the Community Center, for multicultural art exhibits and artists. This building has more visitors than the Community Center. The space is smaller but highly visible.
2. Working with Tam High School and PTSA to show more educational films, free of charge, like the film, “I’m not a racist, am I” in 2019.

MVAC Commission is interested in collaborating with BIPOC artists in Marin to provide opportunities to draw upon the cultural diversity in the community and its workforce.

Mill Valley’s arts programs are accessible to all income levels and offer a platform for commerce. Examples include:

- Mill Valley offers free hanging of art in both City Hall and the Community Center
- The First Tuesday program gives free advertising to local galleries.
- All the art displayed at the Community Center, except for youth art, is for sale by the artist. There are some limitations by Municipal code about commercial sales at some locations, such as the Plaza.

The Library’s core value is to provide free and equitable access for all programs and services. In this category, the Library offers extensive cultural programming, which has featured diverse artists and performers (e.g., Poetry World Series, Naked Truth, Wednesday on Stage Children’s Performances). In 2019, with the year-long Views & Voices program, the Library explored varied issues like race, gender, and income inequality through book clubs. The Library’s After-Hours Series has also included speakers on issues of race, inequality, gender, climate justice, etc. The 8 Books Remix podcast highlights primarily BIPOC authors and discusses the importance of diverse representation in literature.

<p>21.a-2. BIPOC Installations/Landmark Maps - Develop maps and tours to highlight these and other BIPOC (Black, Indigenous, People of Color) installations, landmarks, and resources.</p>
<p>Status: Beyond scope of City. Not recommended.</p> <p>Other Resources: Mill Valley Historical Society.</p> <p>Staff Comments: The Parks and Recreation Commission has worked with the Mill Valley Historical Society to create historical signage for several locations around the City. One of the new signs will highlight Miwok history in Mill Valley. Developing maps and tours are beyond the scope of City resources.</p>
<p>21.b. BIPOC Arts Festival - Sponsor a local BIPOC Arts Festival, bringing cultural diversity through dance, cuisine, and traditions.</p>
<p>Status: Needs additional direction, research, or consideration.</p> <p>City Resources: Arts & Recreation, Arts Commission, Parks & Recreation Commission.</p> <p>Staff Comments: These recommendations could be sent to the Recreation Department and/or the Parks and Recreation Commission for additional review, evaluation, or consideration. Staff also notes that independent groups are welcome to apply for permits for parades and event space in the City (i.e., Memorial Day, Fall Arts Festival) and the City is well equipped to fulfill a support role for such event.</p>
<p>21.c. Marin City and Mill Valley Pageant Play- Develop an annual cooperative Marin City and Mill Valley Pageant Play that dives into the real history of the area, with local citizens performing. Lenora Lee’s dance performance on Angel Island captures the spirit of what we would like to create.</p>
<p>Status: Beyond scope of City. Not recommended.</p> <p>Staff Comments: The City does not directly coordinate these types of art events, but supports non-profit and private sector leadership, and invites members of the active arts community to consider enacting this recommendation. Staff recommends referring these recommendations to the Arts Commission for further consideration.</p>
<p>21.d. Multicultural Community Center - Identify a City-owned property that can serve as a Multicultural Community Center. If a space cannot be allocated a small bus could serve as a mobile center (like a book mobile), which would allow the DEI Commission and Multicultural Center to participate in many events throughout Mill Valley and Southern Marin.</p>
<p>Status: Not recommended.</p> <p>City Resources: Arts & Recreation, Arts Commission.</p> <p>Staff Comments: This recommendation is beyond current City resources.</p>

<p>21.e. Two-Act Play - Create a Two-Act Play with the first act being performed in Marin City and the second act in Mill Valley. Provide a shuttle between acts.</p>
<p>Status: Beyond scope of City. Not recommended.</p> <p>City Resources: Arts & Recreation, Arts Commission.</p> <p>Staff Comments: The City does not directly coordinate these types of art events, but supports non-profit and private sector leadership, and invites members of the active arts community to consider enacting this recommendation. Staff recommends referring these recommendations to the Arts Commission for further consideration.</p>
<p>21.f. Community Gardens - Add a Cross-Cultural element to the Community Gardens program.</p>
<p>Status: Needs additional direction, research, or consideration.</p> <p>City Resources: Arts & Recreation, Parks & Recreation Commission.</p> <p>Staff Comments: This recommendation could be sent to the Recreation Department and/or the Parks and Recreation Commission for additional review, evaluation, or consideration.</p>
<p>22. Provide Free Access for Marin City Residents to Activities at Mill Valley Facilities: Mill Valley’s path to becoming an inviting and accessible place for Black people and other people of color can and should begin with our Marin City neighbors. Providing free access to Park & Recreation facilities and classes for residents of the Marin City Community Services District is a meaningful step toward repairing past discrimination and exclusion. The benefit should also apply to any recreational activities, public or private, that utilize City facilities.</p>
<p>Status: Not recommended.</p> <p>City Resources: Arts & Recreation, Parks & Recreation Commission.</p> <p>Staff Comments: Staff does not recommend pursuing this recommendation as written. It would create an inequity for Mill Valley residents who currently pay for the Mill Valley Community Center and Mill Valley Recreation programs.</p> <p>Staff recommends further discussion in consultation with Recreation staff, appointed City officials, and Mill Valley and Marin City community partners. One such community partners is the Friends of Mill Valley Parks and Recreation, who advocates and fundraises for City parks and recreation facilities and has a Scholarship Matching Program.</p> <p>Finally, staff acknowledges a policy action taken by the Parks and Recreation Commission early this year. Every year, the Parks and Recreation Commission processes annual use requests for the Mill Valley Athletic Fields. This year, all the use requests included a provision requiring the organization to work with Mill Valley Recreation and the Parks and Recreation</p>

Commission to promote DEI in local youth sport programs by developing or revisiting an organization DEI Statement and submitting information regarding their scholarship programs.

23. Support Indigenous Groups in the Development of Cultural Opportunities (IV-3):

Local Indigenous groups deserve meaningful opportunities to design and advance cultural spaces and programs that reflect and honor their history. The City should designate an official liaison to the Graton Rancheria, and work with that community to develop and support such programs and should develop an Indigenous Land Acknowledgement for use in its proceedings.

23.a. Co-Management Agreement - Create a Co-Management agreement with the Federated Indians of Graton Rancheria to support their vision for the protection of cultural spaces and the inclusion of Indigenous perspectives and history.

23.b. Designate Liaison with Graton Rancheria - Designate a City employee to serve as the official liaison with the Graton Rancheria (the Coast Miwok are now a part of the GR) to update them regularly on City matters, to seek their advice on initiatives and to amplify the voices of the original stewards of this land.

23.c. Land Acknowledgement Statement - Create an official City of Mill Valley Land Acknowledgement Statement in partnership with current Vice-Chair of Federated Indians of Graton Rancheria, Lorelle Ross. Implement its display and use at all meetings and events.

Status: Beyond scope of City. Not recommended.

Other Resources: State of California.

Staff Comments: These recommendations are beyond the scale or size of our local government and should be considered at the State-level. In September 2020, Governor Newsom released a Statement of Administration Policy on Native American Ancestral Lands to “encourage State entities to seek opportunities to support California tribes’ co-management of and access to natural lands that are within a California tribe’s ancestral land and under the ownership or control of the State of California, and to work cooperatively with California tribes that are interested in acquiring natural lands in excess of State needs”.

The announcement also shared plans for other racial equity initiatives regarding indigenous groups, such as assessing place names, the formation of a “Truth and Healing Council” and a list of legislative priorities for California Native American communities.

24. Develop Equitable Contracting & Procurement Policies to Support BIPOC Businesses:

Mill Valley spends well over \$20 million annually on non-employee supplies, services, and equipment. The City should adopt equitable contracting and procurement policies to alleviate the advantages of large, White-owned businesses and provide opportunities for minority owned businesses and workers to supply these needs.

Status: Not recommended.

City Resources: City Manager, Finance, Public Works.

Staff Comments: The City follows all laws and guidelines related to contracting and procurement. Marin County is exploring a potentially revised procurement policy that could be considered by the City if/when adopted.

25. Explore Development of a Financial Empowerment Center Utilizing Community Volunteers:

Financial empowerment centers provide free, professional, one-on-one financial counseling to assist underserved residents to build wealth and financial security. Mill Valley should explore development of a pilot program in which local financial professionals volunteer to provide such services.

26. Explore Cooperatives, Grants & Other Assistance to Support New & Struggling BIPOC Entrepreneurs:

The City, through the DEI Commission, should explore available options to attract, promote and support BIPOC businesses in our community.

Status: Proposed alternative approach.

City Resources: Library.

Other Resources: Chamber of Commerce.

Staff Comments: The suggestion that the City take a lead role in these two recommendations is beyond the scale or size of the City. However, staff recommends the City play a supportive role in partnership with local agencies and non-profit partners. Staff has reached out to the Mill Valley Chamber of Commerce about a potential leadership role in researching and developing some options in response to these recommendations. The Chamber has agreed that it fits in the scope of their work with the City and has begun brainstorming some possible collaborative partnerships with other community-based organizations has developed the following:

1. The Chamber has explored a potential partnership with SCORE.org, a long-standing organization affiliated with the Small Business Association that offers “free business mentoring, low-cost or no-cost business training, and numerous templates and tools” to help entrepreneurs start or grow a business. They have 10,000 advisors, nationwide, and they match clients with business experts, who advise on marketing, accounting, operations, sales, and HR issues. The target audience is businesses (and nonprofits), not individuals looking for personal finance management. The Chamber recommends that Chamber/SCORE organize a roundtable event in upcoming weeks, targeting 10-15 Chamber BIPOC businesses/nonprofits. The Chamber and City would promote the event and absorb half of fees. SCORE recommends a minimal fee to increase the likelihood business will attend. SCORE would coordinate signs ups and facilitate the event. This would provide an opportunity for businesses to develop community and cohorts among themselves and for the Chamber and SCORE, to see if this would possibly lead to future program collaboration.
2. The Chamber has explored a potential partnership with the Center for Volunteer Leadership (CVNL), a San Rafael-based organization that provides a wide range of

fee-based membership services for nonprofits (not businesses), including one-on-one consulting, board governance, and leadership development. CVNL Board members champion BIPOC-oriented initiatives, having launched with the Marin Council and Chambers and Marin Community Foundation, the WeAreOneMarin.com campaign, which showcases and promotes one Marin BIPOC business every week. The Chamber recommends that Chamber leadership meet with CVNL leadership to explore opportunities for Mill Valley-based BIPOC nonprofits to partner and benefit from their services and programming.

3. The Chamber has explored an expanded partnership with Marin Small Business Development Center (Marin SBDC). Marin SBDC has 15 “expert advisors” on their team willing to provide individual business counseling and may be available in the future for business consulting. The Chamber recommends continuing to direct BIPOC businesses with financing issues towards Marin SBDC training and resources.

Library staff has also indicated potential to assist in this effort. The Library subscribes to online resources and can reach out to other libraries for guidance. Library staff indicated this is not an uncommon role for libraries and potentially a good fit.

Digital Divide

The City is involved with the County of Marin’s “Digital Marin” project. This is a new cross-sector effort to develop a countywide strategic plan to address local internet access and digital equity gaps. The project will look beyond infrastructure needs and identify opportunities for data sharing, efficiencies, resiliency, and digital service improvements.

Additionally, by offering public computers, and checking out Wi-Fi hotspots and ChromeBooks, the Library is helping bridge the digital divide by offering access to people who cannot afford technology and internet access. The Library’s free computer and technology instruction also is important for people who cannot afford to pay for classes.

27. Partner with School District Leadership to Support & Amplify DEI Initiatives Throughout the Community:

For young children, the world outside of school is key in supporting their learning and development. The Mill Valley City Council, through its DEI Commission, can coordinate with the Mill Valley School District (MVSD) to develop and implement a cohesive equity and inclusion plan for Kindergarten through eighth grade students both in and out of school.

Status: Already implemented or in-progress.

City Resources: City Manager, Library, Arts & Recreation.

Other Resources: School Districts.

Staff Comments: This recommendation is ongoing and has potential for expanded development. The Library has collaborated with Mill Valley schools for years, especially with the elementary schools. The Library is working on a Student Success Card initiative to provide all students with library cards. The Library has worked to provide a very diverse collection, especially for children. It offers picture book packs for kids, with the option to select “diversity” as a theme. The Library is collaborating with the Marin City Library on an oral

history workshop project to teach teens to prepare oral histories with their families and peers. The project will start with educational visits to Tam High in the spring, with the full project launching in fall 2021.

The City could consider dedicating specific staff to further support and partner with the School District in their DEI initiatives.

28. Partner with Tam High School & Tamalpais Union High School District [TUHSD] to Build Mechanisms for Communication & Collaboration on DEI Initiatives:

Tam High School is working to address racial equity issues on a variety of fronts. But the school needs community support for its anti-racist work both within and outside the school setting. Mill Valley, through its DEI Commission, can develop a supportive partnership with the High School to develop and implement collaborative DEI solutions.

Status: Already implemented or in-progress.

City Resources: City Manager, Library, Arts & Recreation.

Other Resources: School Districts.

Staff Comments: City Manager already meets with school administration regularly.

29. Partner with Schools to Provide Opportunities for Shared Learning on Racial Justice for the Whole Community:

This report offers a number of recommendations for shared community learning that can begin to unite us around a common understanding, vision and plan for an equitable Mill Valley.

Status: Already implemented or in-progress.

City Resources: City Manager, MVSD Council Liaison, Library, Arts & Recreation.

Other Resources: School Districts.

Staff Comments: This recommendation has taken place in the past, is ongoing, and has potential for expanded future opportunities. The City has conducted workshops, film screenings, speaker events, and other opportunities for education on racial equity topics in the past. In 2019, Mill Valley Recreation partnered with Tam High School and PTSA to show educational films at the Community Center, free of charge, as was done with the film, “I’m not a racist, am I.”

The Library has multiple ongoing book clubs that either feature BIPOC authors or are exclusively devoted to only featuring BIPOC (e.g., Building Bridges to Poetry Book Club). The Library also works closely with the Mill Valley Historical Society on their First Wednesday series, which has included lectures on indigenous people and topics, and provides access to research and education on history of indigenous people through its History Room. Mill Valley Historical Review covers topics as well.

Additionally, the Library launched a City Read in mid-January. Over a period of 8 weeks, the Library invites the public to join in a discussion of issues of race through two books: Eddie

Glaude's *Begin Again: James Baldwin's America and Its Urgent Lessons for Our Own*, and James Baldwin's *The Fire Next Time*. Staff will lead discussions of both books, provide historical tie-ins to Mill Valley history, and provide weekly additional resources for patrons to dig deeper.

30. Encourage a Collaborative Partnership Between Mill Valley & Marin City School: Racial inequities in Mill Valley schools must be addressed in the larger context of the educational inequities across Marin County, and specifically between Mill Valley and Marin City whose residents attend Tam High. We must encourage and support collaborative approaches that engage our Marin City neighbors and affected communities of color.

Status: Needs additional direction, research, or consideration.

Other Resources: School Districts.

Staff Comments: Recreation staff and the Parks and Recreation Commission have created relationships with several organizations in Marin City to further develop recreational and cultural opportunities between communities. Staff recommends continuing to support ongoing efforts and having Recreation staff check in with Marin City leadership to see if there is an interest in pursuing a more formal agreement or program. Elements of a program could include:

- Mutually beneficial marketing and promotional opportunities for recreation and arts programs in both communities
- Creation of a scholarship program with the City and MV Friends of Parks and Recreation
- Offer specific programs that are not available in Marin City, such as swim and golf lessons, and offer programs that are not available in Mill Valley, such as Midnight Basketball or boxing.