



Report on the Cal Cities Advancing Equity Advisory Committee

(MCLE Specialty Credit – Recognition and Elimination of Bias in the Legal Profession)

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**Legal Issues: Advancing Diversity, Equity and Inclusion
Overview of Cal Cities Advancing Equity Advisory Committee Project and Resources**

Contact: Eric Casher, ecasher@meyersnave.com

**LEGAL ISSUES: ADVANCING DIVERSITY, EQUITY
AND INCLUSION**

**Overview of Cal Cities Advancing Equity Advisory
Committee Project and Resources**

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A. Cal Cities Advancing Equity Advisory Committee

In February 2021, Cal Cities announced the formation of the Advancing Equity Advisory Subcommittee charged with developing recommendations for the organization's future work supporting city efforts to advance equity in local communities. Board President Viegas Walker at the time stated that "[t]he committee's goal is to identify how cities can recognize and eliminate disparities, heal racial divisions, and build more equitable communities." Over the next several months the Advancing Equity Advisory Committee comprised of twenty five (25) individuals appointed by the Board Chair worked hard to develop a set of recommended actions for consideration by the Cal Cities Board of Directors to further enhance the resources made available by Cal Cities to promote and support equity programming for cities. The ultimate goal of the Committee was to provide resources to support cities in their efforts to reevaluate operations and services through an equity lens, and reform areas where longstanding racial biases and inequities exist.

I was fortunate to be one of the 25 individuals appointed to the Advancing Equity Advisory Committee representing a diverse group of city leaders committed to rooting out discrimination and racism in our communities. I was the only City Attorney appointed to the Committee. Here is what I learned through the process that can hopefully assist my fellow City Attorneys tasked with creating and advancing equity programs within your cities.

B. How To Develop A Diversity, Equity and Inclusion Program In Your City

You may have been contacted by your City Manager, or a Councilmember, expressing an interest in developing a diversity, equity and inclusion program in your City. Now what? The thought alone can seem daunting, and you may feel at a loss for where to start. Have no fear, there are resources available to assist. In 2017, the National League of Cities published a Municipal Action Guide titled "Advancing Racial Equity In Your City." I've included a copy of the publication below as it serves as an excellent tool and resource for getting started on the process. Thank you to Rita Ossolinski, Program Director for Race, Equity and Leadership (REAL) at the National League of Cities who helped facilitate many of the Cal Cities Advancing Equity Committee discussions, and authorized use of the publication below.

There is no one size fits all approach to developing a Diversity, Equity and Inclusion

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program in your city, but the following is a roadmap provided by the National League of Cities that can be used as a model. The framework below was a very similar to approach adopted by the Cal Cities Advancing Equity Advisory Committee in conducting an initial needs assessment and ultimately developing an action plan for Cal Cities. The six steps are summarized below, but more details are available in the Municipal Action Guide that follows.

1. Set An Example And Strike The Right Tone – encourage city staff to examine the racial biases embedded in city department services; convene community stakeholder meetings gather their perspectives on different racial impacts of city policies; engage all residents to understand the way policies historically and currently impact each racial and ethnic group; and integrate an understanding of structural and institutional racism.
2. Observe And Listen – seek out and identify the voices in the community that are promoting racial equity, observe and listen. Understand their work and involve them in the process. Also, gather information and data that may reveal disparities in city programs, services and policies.
3. Make A Public Declaration – your residents need to know of the city’s commitment to racial equity. A public declaration in the form of a resolution, guiding statement appearing on the city’s website, etc. is effective in communicating to the community the city’s commitment to racial equity.
4. Dedicate Infrastructure To Action – dedicate new or align existing resources to create a system capable of bringing about change. Empower senior leadership, hire diversity, equity and inclusion consultants to assist, and identify which city departments can collect and analyze data that will support your city’s efforts.
5. Commit To Policy And Systemic Change – local leaders have the responsibility as chief policymakers to address the ways in which institutional and structural racism

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have shaped their city. By making long-lasting changes to both policies and systems that benefit their residents of color, city leaders can commit to policy and system changes that bring their practices in line with their priorities.

6. Create A Racial Equity Plan – the first five steps will allow the appropriate level of community engagement and consultation with internal stakeholders to illuminate a needs assessment for your city. The next step is to create a racial equity plan to develop an institutional road map that continues beyond leadership transitions. I like to call this, “hard wire” diversity, equity and inclusion as part of your organization.

C. Additional Resources

One thing to understand is that you are not alone. There are a number of cities here in the State that have already embarked on ambitious and effective diversity, equity and inclusion programing and implementation action plans. A special issue of *Western City* magazine in November 2020 highlighted efforts by cities in California that are disrupting systemic inequities and driving meaningful change in local communities by promoting equitable access to city services¹. See what your colleagues are doing, contact them directly, and learn from those who have found success in creating more equitable communities. Finally, Cal Cities has a link on their website with additional resources for local leaders, policy makers and even City Attorneys to assist with the development of equity programs in your city.² The information on the Cal Cities site will be updated with additional information and resources once the Advancing Equity Advisory Committee’s recommendations are fully implemented. Finally, the National League of Cities Municipal Action Guide is below with additional details on getting started. Good luck and please consider me a resource as you embark on these efforts in your city.

¹ <https://www.westerncity.com/issue/november-2020>

² <https://www.calcities.org/home/resources/advancing-equity>

MUNICIPAL ACTION GUIDE

Advancing Racial Equity in Your City



“For most of our history, we kept many runners sidelined from democracy’s relay race. To our perpetual damage and shame, our relay was run with generations of great Americans barred from the main track: People of color. Women. Native Americans. Immigrants. People of different faiths or no faith. LGBTQ+. People with disabilities... Make NO MISTAKE, we need ALL of us in this relay. And [we] must carry our baton proudly and high and far.”

MAYOR JOHN HAMILTON OF BLOOMINGTON, INDIANA
DURING HIS 2017 STATE OF THE CITY SPEECH.

Student Building at Indiana University in Bloomington.

Introduction

NLC’s Race, Equity and Leadership (REAL) initiative is dedicated to helping local leaders understand and gain the tools necessary to combat racial disparities in their communities. We’ve compiled these six steps you can follow to begin improving equity throughout your city and creating better outcomes for everyone in your community.

Definitions to Understand Racial Equity

Racial Equity — “Closing the gaps” so that race does not predict one’s success, while also improving outcomes for all.

Institutional Racism — Policies, practices and procedures that work better for white people than for people of color, often unintentionally or inadvertently.

Structural Racism — A history and current reality of institutional racism across all institutions, combining to create a system that negatively impacts communities of color.

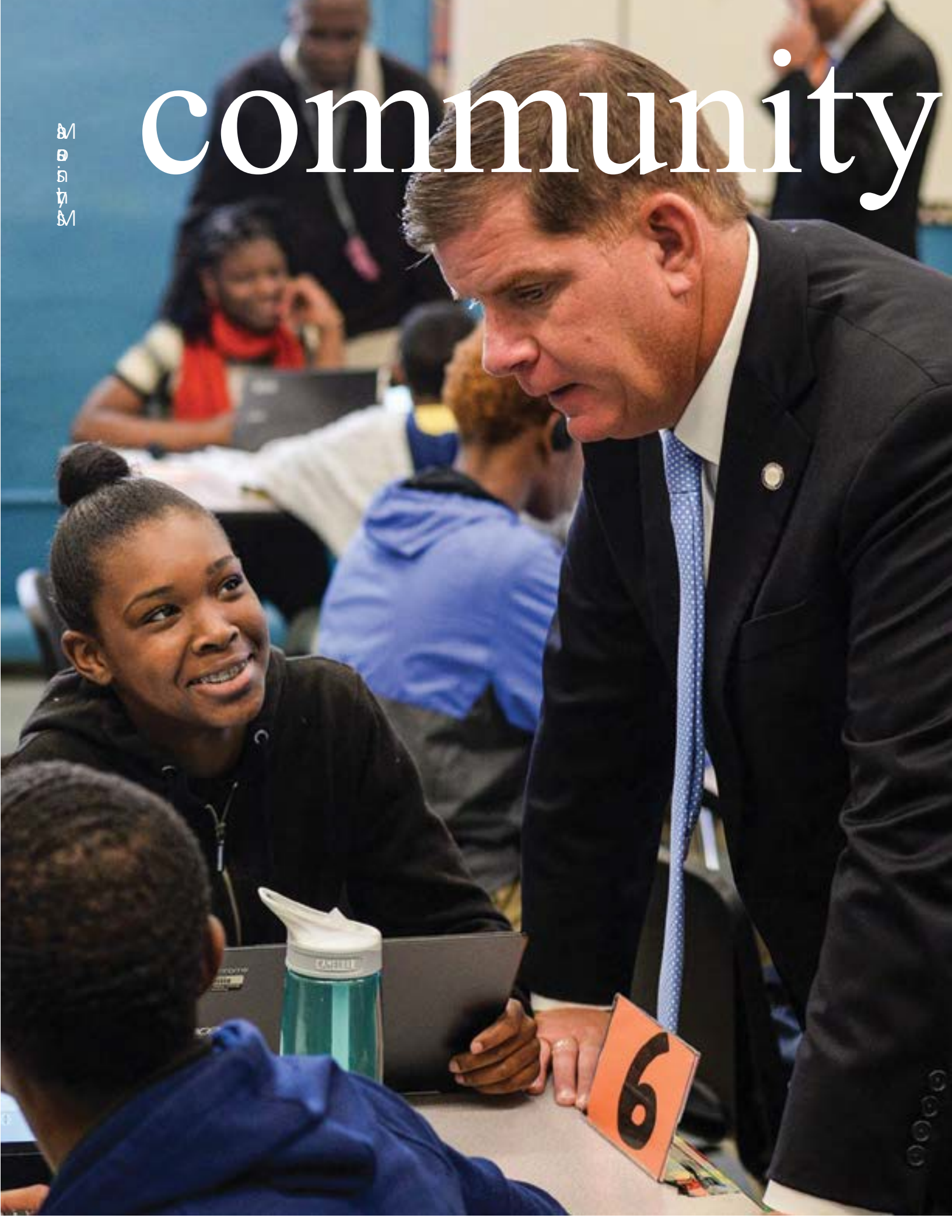
REAL’s Mission

The REAL initiative serves to strengthen local leaders’ knowledge and capacity to eliminate racial disparities, heal racial divisions and build more equitable communities. Through training and online resources, REAL helps NLC members build safe places where people from all racial, ethical and cultural backgrounds thrive socially, economically, academically and physically.

1. SET AN EXAMPLE AND STRIKE THE RIGHT TONE	PAGE 5
2. OBSERVE AND LISTEN.....	PAGE 7
3. MAKE A PUBLIC DECLARATION.....	PAGE 9
4. DEDICATE INFRASTRUCTURE TO ACTION.....	PAGE 11
5. COMMIT TO POLICY AND SYSTEM CHANGE.....	PAGE 13
6. CREATE A RACIAL EQUITY PLAN	PAGE 14

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1. Set an Example and Strike the Right Tone

As city leaders, you play a unique role in setting the tone of local governments and institutions. Mayors and councilmembers can set an example and commit themselves to prioritizing racial equity, by participating in equity leadership trainings or starting a community conversation to engage voices throughout the city.

REAL offers numerous trainings opportunities:

- At NLC Conferences
- Through NLC University
- Regional Trainings & State Municipal Leagues
- Individual City Trainings by REAL Staff
- Online webinars at www.nlc.org/REAL

Quick tips for starting a conversation on race in your city

1. Encourage city staff to examine the racial biases embedded in city department services.
2. Convene community stakeholders to understand their perspectives on different racial impacts of city policies.
3. Engage both residents of color and white residents to understand the way policies historically and currently impact each racial and ethnic group.
4. Integrate an understanding of structural and institutional racism.

“I think the single most important thing I can do as the mayor would be a convener, a convener for these really hard conversations that we need to be having about how our police interact with our minority communities, how our minority communities are impacted by education and housing and transportation and poverty.”

RESPONSE FROM THE **2016 MENINO SURVEY OF MAYORS**

The City of Madison, Wisconsin, has used its existing Neighborhood Response Team infrastructure to orient to the needs, issues and priorities of residents who may historically have been left out of government processes. By focusing on agendas driven by the community, teams of city employees have engaged other agencies to address how services are delivered. In one case, this resulted in an opportunity for the city to begin lighting basketball courts, like those pictured, as residents in a neighborhood identified the desire for evening access.



2. Observe and Listen

Without a doubt, there are already many voices promoting racial equity within your community. One of the easiest and first things you can do is to simply observe and listen:

To Voices in Your Community

Across America, communities of color tend to have less access to government resources and less communal experience with government as a force for good. These differences result from our historical legacy of structures and policies that perpetuate differential outcomes based on race. Local elected officials and city staff must commit time and space to listen to the lived experiences of communities of color and intentionally consider these experiences in city decision-making processes.

To Those Already Focusing on Racial Equity in Your City

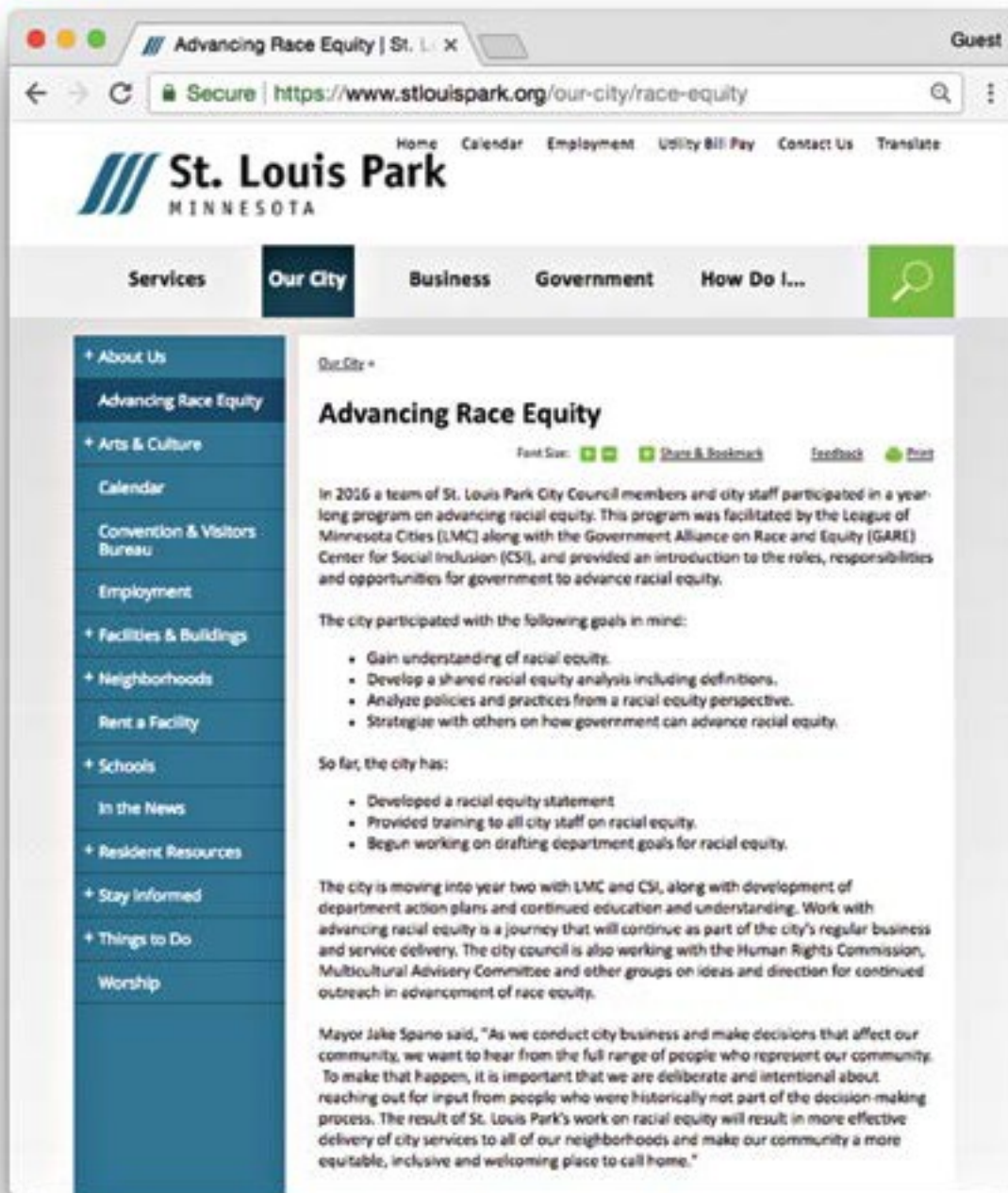
Seek out which organizations and community efforts in your city are already doing work with equity or bringing people together to talk about race and offer to engage with them. Create opportunities to engage city staff that have institutional knowledge and other important perspectives that provide meaningful opportunities for them to inform your understanding of local racial disparities.

To the Data

You know the importance of metrics and data when evaluating city performance in services. When analyzed through the lens of racial equity, data on city services and resources can reveal racial disparities that may not be obvious without this analysis. Disaggregate data from all city programs, services, policies and practices by race and ethnicity of impacted residents to gain a deeper understanding of how these disparities can hide in plain sight.

Examples of data to examine by race:

- Permitting fees
- Tickets and citations
- Arrests
- Health outcomes
- Code violations and inspections.



The City of St. Louis Park, Minnesota, released a statement on its website informing residents of plans to advance racial equity. The webpage outlined more than a year of work, including completed staff trainings, progress made in city council and data analyses supporting the need for equity efforts. The webpage, pictured above, also includes video links where residents can hear the city's priorities directly from the Mayor.



3. Make a Public Declaration

Your residents need to know your city’s commitment to racial equity. As with instituting any citywide initiative, leaders can leverage the bullypulpit and media attention to make constituents aware of the city’s priorities and efforts. A public declaration is a bold stance that builds connection between communities of color and governing bodies.

Leaders can use these announcements to gain broader support for and highlight existing work to advance racial equity or healing in their communities. These announcements open the door for meaningful communication between leaders and impacted residents.

4 Ways to Make a Public Declaration:

- **Resolution** — Allows your city to officially announce and publicize the local government’s position on race-related issues. Resolutions declare a commitment to racial equity, and city leaders can bring other councilmembers on board via a public vote.
 - **Racial equity guiding statement** — This short statement works to briefly amplify an official’s (or an office’s) role and mission in advancing racial equity, in a message that can be easily shared.
 - **Racial equity presence on a website** — Webpages dedicated to racial equity can serve the purpose of proclaiming the city’s commitment, while also informing residents of official plans and progress made on those plans. Webpages are easily available to many city residents and can help them visualize important statements from their leaders through photos and videos.
 - **Publicly sharing disparity data or personnel demographics data** — Data visualization is a strategic method to provide context to a city’s new initiative. Many times, data help confirm the sentiments of city residents and emphasize the need for the city to pay attention to the feedback and concerns of its constituents.

The City of Tacoma, Washington, passed a policy that made equity a consistent principle across the city with the goal of changing “how business is done.” By funding several staff in the Office of Equity & Human Rights, pictured, Tacoma has been able to invest in significant staff training on racial equity and unconscious bias, adopt the use of tools to facilitate equitable budgeting and workforce practices, and assess inequities in the distribution of city resources across neighborhoods.



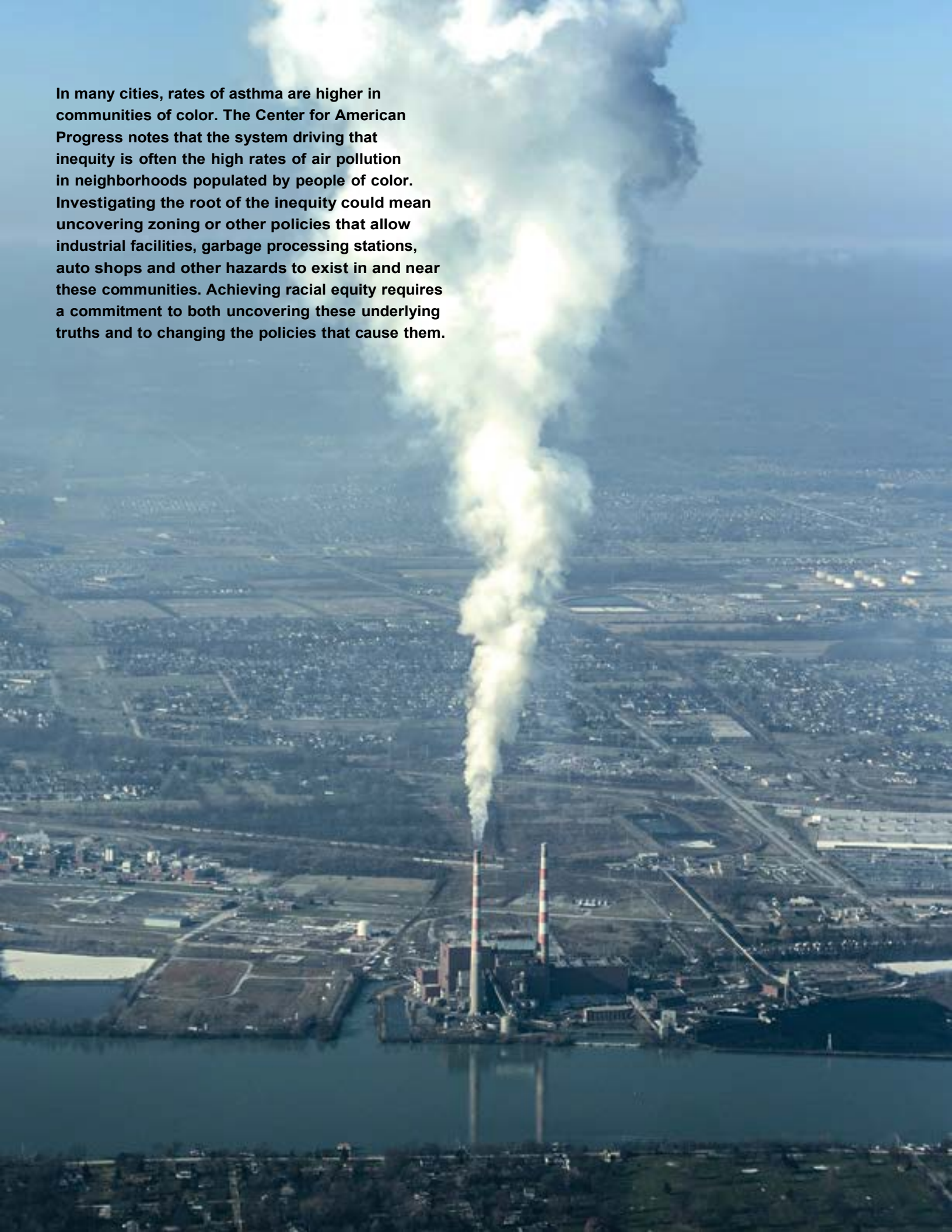
4. Dedicate Infrastructure to Action

After declaring its commitment, your city needs to dedicate new or align existing resources to create a system capable of bringing about changes. Building a team and developing staff skills to address the impacts of racism throughout local government are necessary steps toward achieving real progress. Local elected officials need to provide the leadership to generate a citywide coordinated effort and infrastructure to carry out these functions.

Suggested Steps for Building Your Team

- Designate senior leadership to play an oversight role.
- Engage the private sector to raise external resources to facilitate this work.
- Identify which city agencies can collect and analyze the data that will support your city's efforts.
- Offer additional support and resources to city agencies already working on racial equity.
- Dedicate new or existing resources to support racial equity work across all departments.
- Identify opportunities to support individuals motivated by this work in your office.

In many cities, rates of asthma are higher in communities of color. The Center for American Progress notes that the system driving that inequity is often the high rates of air pollution in neighborhoods populated by people of color. Investigating the root of the inequity could mean uncovering zoning or other policies that allow industrial facilities, garbage processing stations, auto shops and other hazards to exist in and near these communities. Achieving racial equity requires a commitment to both uncovering these underlying truths and to changing the policies that cause them.



5. Commit to Policy and System Change

Institutions and structures have historically created and continue to perpetuate racial inequities throughout cities — often unintentionally. These inequities will continue to exist unless there is intentional intervention to counter and reverse those effects. Local leaders have the responsibility as chief policymakers to address the ways in which institutional and structural racism have shaped their city.

By making long-lasting changes to both policies and systems that benefit their residents of color, city leaders can commit to policy and system changes that bring their practices in line with their priorities. More racially equitable outcomes start by addressing the root of a city's disparities and making meaningful policy and system changes.

Things to Keep in Mind

1. Even if policies do not contain explicit racial biases, they can still inadvertently contribute to racial inequity in your city.
2. Learn about policies that have historically shaped inequity across the nation and determine if they exist in your community.
3. Conduct an in-depth analysis of racial disparities that you've discovered through previous steps.
4. Begin with racial disparities in outcomes (ex. educational achievement gaps) and track backwards to uncover the root causes of these differences.

Going Forward — Analyze Policy through a Racial Equity Lens

Before making local policy decisions, ask the following questions:

- Who will be better/worse off through this policy?
- Who is deciding the goals, parameters or features of this policy?
- What historical structures or social norms drive the policy?
- Which systems will implement the policy?
- Who has access, both physically and socially to that system?
- What do data analyses say about where inequities have manifested due to previous policy changes?

6. Create a Racial Equity Plan

Racial equity plans provide a blueprint of the city's intentions to improve outcomes for people of color by outlining citywide goals and agency-specific strategies for accomplishing those goals. They give community members, stakeholders and colleagues a means for holding their government accountable and a benchmark from which to build trust.

Local governments can begin this process after going through the previous steps to gain a comprehensive understanding of the needs and hopes of residents of color. Each city department or bureau can create action plans targeted by issue area. By combining those action-plans, cities create an institutional road map that continues beyond leadership transitions.




Many cities have developed a city government performance management system across agencies to track progress on achieving city goals. Aligning a racial equity goal within this

process is an opportunity to hold all city agencies and staff accountable in ways that impact their day to day work, without creating separate siloed processes.

Steps to Making a Racial Equity Plan:

1. Create a racial equity guiding statement for your city or each department.
2. Select a Citywide Equity Goal and create five-year objectives.
3. Create actions to achieve each objective.
4. Create annual performance measures for each action and commit to a completion date.
5. Create or identify the mechanism by which each action will be tracked, measured or evaluated.
6. Identify lead staff for each action—the person or body that holds the staff accountable for completion.



The City of New Orleans, Louisiana, outlined its plans to “dismantle barriers to opportunity” in the racial equity plan titled “Equity New Orleans; The Road to Equitable Government.” The plan - published in print and online – includes a statement from the Mayor explaining the city’s priorities and setting the tone for staff and residents to follow. In only 16 pages, the guide covers the city’s mission and vision, issue-specific data, projected path to completion, and department

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