

## ORDINANCE NO. 4890

BOARD OF SUPERVISORS, COUNTY OF SAN MATEO, STATE OF CALIFORNIA

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### ORDINANCE ADOPTING CHAPTER 1.50 OF THE SAN MATEO COUNTY ORDINANCE CODE TO PROMOTE RACIAL AND SOCIAL EQUITY, INCLUSION, AND BELONGING, AND ESTABLISHING KEY RESPONSIBILITIES FOR COUNTY OFFICERS AND EMPLOYEES DISCHARGING THEIR PUBLIC RESPONSIBILITIES

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**SECTION 1. FINDINGS.** The Board of Supervisors of the County of San Mateo

(“County”) hereby finds and declares as follows:

**WHEREAS**, the County is committed to advancing equity by creating the conditions that allow all County residents to fully participate in the economic and social opportunities of the county and prosper; and

**WHEREAS**, the statistics from national assessments indicate troubling limitations to shared prosperity in the Bay Area and San Mateo County, with the San Francisco-San Mateo-Oakland-Berkeley metropolitan area ranking first for economic prosperity but forty-sixth out of fifty-six large metropolitan areas on racial inclusion in that prosperity as analyzed by the Brookings Institute’s Metro Monitor 2023; and

**WHEREAS**, in the United States, including in San Mateo County, Black, Indigenous, and People of Color (BIPOC) experienced centuries of inequality and systemic, institutionalized racism that have created a degree of racial inequity that cannot be remedied without deliberate, conscious efforts; and

**WHEREAS**, government agencies have played a painful and significant role in

creating and maintaining racial and social inequities through explicit and implicit policies and practices; and

**WHEREAS**, equity occurs when institutions, systems, and structures create the conditions needed for all people, including BIPOC, to reach their full potential, and when race and ethnicity, or other demographic identities no longer determine life outcomes; and

**WHEREAS**, the County is committed to advancing equity throughout all of its departments and operations in order to reduce and eliminate barriers for marginalized people and create the conditions for all to reach their full potentials; and

**WHEREAS**, the County of San Mateo recognizes that economic opportunity and advancement and skill building is inextricably linked to the long-term well-being of those we serve; and

**WHEREAS**, the County of San Mateo acknowledges that it is uniquely positioned to better align its business practices and policies with its commitment to lawfully advancing equity and serving the community by leveraging its assets and economic activity to improve economic vitality, racial equity, and shared prosperity; and

**WHEREAS**, the County of San Mateo is committed to creating systems and structures that reduce and eliminate barriers for marginalized people; and

**WHEREAS,** the County Board of Supervisors unanimously approved a Resolution to Advance and Improve San Mateo County's Racial Equity Efforts (Resolution No. 078372) in 2021, and a Resolution Committing the County of San Mateo to the Anchor Institution Framework and Calling for the Development of a Plan for Inclusive Staffing, Procurement, and Investment to Advance Equity for the County of San Mateo (Resolution No. 078744) in 2022; and

**WHEREAS,** the County of San Mateo can serve as a leader and model for other agencies and institutions and catalyze partners across sectors to prioritize the values of equity, inclusion, and belonging, accompanied by concrete structural policies and practices;

**NOW, THEREFORE,** the Board of Supervisors of the County of San Mateo ordains as follows:

**SECTION 2.** A new Chapter 1.50 of Title 1 of the San Mateo County Ordinance Code is hereby adopted to be numbered and entitled to read as follows:

## **Chapter 1.50 EQUITY, DIVERSITY, AND INCLUSION RESPONSIBILITIES**

### **Section 1.50.010 – PURPOSE.**

The purpose of this Ordinance is to declare that the County of San Mateo will intentionally address issues of inequity within our institution, proactively advance

equity, and promote a culture of belonging, as permitted by law. Many current inequities are sustained by historical legacies, structures, and systems that repeat and maintain patterns of exclusion. Without the intentionality stated in this Ordinance, inequitable outcomes linked to race, socio-economic status, and other identities will persist. The charge of the Ordinance is for all aspects of County government to address and implement lawful strategies that target inequities that exist within the County organization and throughout our county and to implement strategies to affirmatively advance equity and promote belonging, resulting in more equitable outcomes for all residents. The goal is to support the conditions needed for everyone in the county to reach their full potential.

#### **Section 1.50.020 – DEFINITIONS.**

- (a) “Anchor Institutions” are organizations that play significant roles in their local economies due to purchasing power, real estate, employment, and a long-term interest in seeing their local communities thrive. Their history, relationships, institutional mission, and investments root them in their local communities. The sustainability of anchor organizations is inextricably linked to the vitality of their surrounding communities. It affects demand for their goods and services, employee attraction and retention, business operations and overall competitiveness. It is in an anchor’s interest, therefore, to build a strong, healthy local economy.
- (b) “Equity” means just and fair inclusion into a society where all can participate, prosper and reach their full potential. Equity is achieved when inequities by d

emographics, individual, and community identities are eliminated.

- (c) “Inequity” means differences in well-being that disadvantage one group in favor of another. These differences are systematic, patterned and unfair, and can be changed. Inequities are not random; they are caused by past and current decisions, systems of power and privilege, policies and the implementation of those policies.
- (d) “Institutional Racism” means policies, practices, and procedures that work better for some members of a community (white residents) than others (communities of color).
- (e) “Office of Racial and Social Justice” means an office that is responsible for supporting the County government to bring an equity lens into operations, supporting the goal of the ordinance, utilizing equity frameworks and various tools (e.g., equity action plans and equity impact assessments) when warranted.
- (f) “People of Color” means Blacks, African Americans and, more broadly, people of the African diaspora; Native Americans, American Indians, and Indigenous communities; people of Asian descent; Pacific Islander communities; Latinx nationalities and ethnicities; people of Middle Eastern descent; and those who identify as racially mixed; or others who identify as people of color, and “BIPOC, Black Indigenous People of Color” is used to emphasize the systemic, and historic racism against Black and Indigenous people due to the longstanding impacts of slavery, colonialism, and indigenous genocide.
- (g) “Race” is a social construct that artificially divides people into distinct groups

based on characteristics such as physical appearance (particularly color), ancestral heritage, cultural affiliation, cultural history, ethnic classification, and the social, economic and political needs of a society at a given period of time.

Racial categories subsume ethnic groups (Kellogg Foundation Glossary)

- (h) “Racial Equity” means the development of policies, practices, and strategic investments to reverse racial disparity trends, eliminate institutional racism, impact structural racism and ensure that outcome and opportunities for all people are no longer predictable by race.
- (i) “Racial and Social Equity Action Plan” means a developed, comprehensive plan to incorporate and embed equity principles and strategies into operations, programs, service, policies, and community engagement.
- (j) “Structural Racism” means the history and current reality of institutional racism across institutions, both public and private, which combine to create a system that negatively impacts communities of color.

#### **Section 1.50.030 – INDIVIDUAL LEVEL RESPONSIBILITIES TO ADVANCE EQUITY.**

- (a) All County staff and officials have a responsibility in implementing this Equity Ordinance. In service of that goal, all current County employees as well as members of the County Board of Supervisors and members of County boards and commissions will have access to related racial and social equity-focused trainings and capacity-building opportunities, as identified by the County Executive or the County Executive’s designee, and will be highly encouraged to build their capacity to advance equity. Training will be ongoing for all Coun

- ty staff and for board and committee members.
- (b) Supervisors, managers, and directors will incorporate an equity lens into supervision, management, and leadership efforts, including engaging with staff and clients to promote a culture of equity and belonging.
  - (c) Training series on effective supervision and management at the County will integrate equity modules and competencies to ensure essential equity skills are core to defining effective management and supervision.
  - (d) Job descriptions and performance expectations for County Department Directors and Executive Leadership will integrate equity.

**Section 1.50.040 – DEPARTMENT LEVEL RESPONSIBILITIES TO ADVANCE EQUITY.**

- (a) Each County department identified by the County Executive or their designee shall establish a Racial and Social Equity Action Plan with short- and long-term goals, which will serve as the template for said department to reach the ultimate goal of advancing equity both within the department but also through the department's work in the community.
- (b) Racial and Social Equity Action Plans will be shared annually or biannually with the Board of Supervisors and the public.
- (c) Departments will engage in a review of existing policies and procedures for their impact on equity, particularly racial equity, and adjust accordingly to support advancing equity.
- (d) Departments will review new policies, programs, and budget allocations with an equity lens, and will include Equity Impact Statements when submitting

such policies, programs, and budget allocations to the Board of Supervisors for approval.

- (e) Departments will also collect and review data on a recurring basis as necessary to understand their clients, the community, and the public, disaggregating by demographics where possible, to identify inequities and barriers for specific populations to inform targeted lawful strategies in their Racial and Social Equity Action Plans to support higher-need clients and community members.
- (f) Client and/or community engagement processes will be implemented, as relevant, to inform departmental programming and actions to advance equity as advised by the experiences and expertise of historically marginalized communities departments or programs aim to serve.

#### **Section 1.50.050 – STRUCTURAL LEVEL RESPONSIBILITIES TO ADVANCE EQUITY**

- (a) The Board of Supervisors will adopt and maintain a statement of values, as permitted by law, promoting racial and social equity, inclusion, and belonging on the County website.
- (b) Each memorandum agendized for any Board of Supervisors meeting that involves policy, program, or funding decisions meeting criteria established by the County Executive or their designee will include an Equity Impact Statement that summarizes an assessment of Equity impacts for any policy, program, and funding decisions. Exemptions to inclusion of Equity Impacts Statements will apply and will be noted in the aforementioned criteria. These



- include, but are not limited to, salary ordinances, Appropriation Transfer Resolutions, proclamations, and informational items. All strategic planning, goal-setting, and budgeting decisions must include equity as a core value for analysis, planning, and implementation.
- (c) The County will actively work to advance an inclusive democracy. This includes working towards equitable representation on County boards and commissions, increased community engagement in decisions that impact those communities, and effective and culturally sensitive outreach and engagement strategies.
  - (d) The County commits to being an Anchor Institution. This includes working to implement inclusive staffing, procurement, and investment strategies to support equitable business practices and shared prosperity, as permitted by law.
  - (e) The County aims for its workforce to reflect the workforce demographics of the county across classification and leadership levels, as permitted by law. Departments will aim to understand the demographics of their clients and endeavor to reflect their client base, as permitted by law.
  - (f) The County will have organizational and staffing infrastructure to serve as equity leadership for the County, including an Office of Racial and Social Justice.
  - (g) The County will serve as a leader in supporting equitable governance practices for cities and other government jurisdictions.

**Section 1.50.060 – IMPLEMENTATION DATE.**

This Chapter shall not be implemented until January 1, 2025.

**SECTION 3. SEVERABILITY.** If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, it shall not affect the remaining portions of this Ordinance.

**SECTION 4. EFFECTIVE DATE.** This Ordinance shall be effective 30 days from the date of adoption.

Ayes: Supervisors Pine, Corzo, Mueller, Slocum, Canepa

Noes: None.

Absent: None.

Adopted on May 21, 2024

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