

From: [Walesh, Kim](#)
To: [Downtown West Project](#)
Subject: FW: SVRising recommendations on Google DA terms on Stabilization Fund governance, time to follow-up?
Date: Friday, March 5, 2021 8:37:13 AM
Attachments: [Advisory Committee Makeup.docx](#)

From: Jeffrey Buchanan <jeffrey@wpusa.org>
Sent: Friday, February 26, 2021 10:49 AM
To: Walesh, Kim <Kim.Walesh@sanjoseca.gov>; Klein, Nanci <Nanci.Klein@sanjoseca.gov>
Cc: Jean Cohen <jean@southbaylabor.org>
Subject: SVRising recommendations on Google DA terms on Stabilization Fund governance, time to follow-up?

[External Email]

Kim and Nanci:

Greetings! I wanted to follow-up on our earlier conversations on the makeup of the Community Stabilization Fund governance under the Google Downtown West DA and to share the joint input from WPUSA, SBLC and the rest of the Silicon Valley Rising coalition including SOMOS Mayfair, PACT, Sacred Heart, Law Foundation of Silicon Valley, LUNA, the Affordable Housing Network, SBCLT and more on how we think the governance could begin to be laid out in the Development Agreement.

It's important for our coalition that the agreements on the shape of the governance is embedded in the Development Agreement to give the assurances that this fund has the stability of a legally binding agreement it needs to be successful in the long-term and that the community stakeholders who've been working to shape this community benefits plan and an anti-displacement plan within the Google development over the recent years have confidence they need that community voice and racial justice centered solutions will be at the center of this new effort. While some details will need to come later, I hope we can try to find some common ground on meeting these expectations and winning the early support of the community while leaving space to design something that can be successful rising to the challenges the fund aims to help solve and the high expectations the community has for this effort.

I understand you're in the middle of conversations with the Google team on the specific terms of the Development Agreement. Like we talked about in our earlier conversation, I'd like to discuss this specific ideas and the current state of the negotiation around the Development Agreement terms on community benefits.

When might be a good time to sync up on this issue? I'm able to make myself available around your schedules.

Like we discussed, the organizations in the coalition above have delegated to me to work directly with your team if possible on behalf of their organizations and the coalition to find the best solution possible for these issues and the interests of their memberships. If possible, I think it would be mutually beneficial to address these concerns earlier rather than later to setup the draft agreement for success, and I'm willing to do what I can to help see if we can find agreements as the draft DA comes together.

Can we find a time to talk?

Thanks,
Jeffrey

Jeffrey Buchanan, Director of Public Policy

Working Partnerships USA

Office: 408.809.2135

Cell: 408.221.3570

www.wpusa.org

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Google Downtown West Development Agreement, Community Fund

Advisory Committee Makeup:

1. **Purpose:** Communities of color and low income people have been excluded from the decision making process in our nation, a legacy which impacts an array of economic, social and health challenges we continue to wrestle with in San Jose. These communities should now lead the way on decisions on how best to prevent displacement and how to improve their daily lives and their future in San Jose. This Advisory Committee should put decision-making into the hands of leaders in the neighborhoods experiencing and at-risk of displacement, and most knowledgeable about how to strengthen and build institutions and programs that strengthen our communities and stabilize working families.
2. The Committee shall serve as the governing board of the work of the third party fund manager, informing and approving the development of strategic plans, annual plans, fund distribution, and the development and implementation of public engagement processes.
3. Committee members shall have demonstrated a long-term commitment to furthering the goals of the City's Anti-Displacement Plan, social justice, supporting worker voice and good jobs, and building power with historically disadvantaged groups, including women, people of color, people with disabilities, low income residents, and the chronically underemployed.
4. The Committee shall reflect the racial, ethnic and economic diversity of the City of San Jose.
 - a. Citizenship status should not be considered for membership of the Committee
 - b. At least 4 of the seats people living or extensive work experience in neighborhoods experiencing or at high risk of displacement East of 101
5. The Committee should be composed of individuals with either lived experience and/or professional expertise serving neighborhoods in San Jose impacted by displacement, characterized as census tracts categorized as 'high-risk' or 'undergoing displacement' by a credible, authoritative external source (such as the Urban Displacement Project at U.C. Berkeley) or with certain conditions, when present, having the cumulative effect of causing displacement of lower income households, including, but not limited to, higher percentages of lower-income rent-burdened residents, planned or occurring real estate development, rising rent levels, vacancy rates under 5% in lower-cost apartments, increased evictions, and/or other local factors leading to displacement as determined by a municipality.
6. The Committee should be composed of 15 voting members selected by the City Council via a transparent, public nomination process including:
 - a. Two (2) representatives of community-based organizations with missions dedicated to community organizing and leadership development in neighborhoods experiencing or at risk of displacement
 - i. The representatives should be selected from a list of four or more individuals submitted by the Silicon Valley Rising coalition.
 - b. Labor representative as recommended by South Bay Labor Council
 - c. Expertise in workforce development with a high road, labor-management training partnership, education and/or early childhood development.
 - d. Expertise in affordable housing preservation and/or shared equity and community ownership
 - e. Expertise in housing finance
 - f. Faith community representative with experience serving the houseless or residents of communities at risk of homelessness
 - g. Representatives of minority-owned and disadvantaged small, micro or family-owned businesses
 - h. Seven community representatives with lived experience including
 - i. Worker who has graduated from a pre-apprenticeship, union apprenticeship, or a high road, labor-management training partnership.
 - ii. A houseless or formerly homeless community representative
 - iii. Three (3) community representatives of low and moderate income tenants

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- iv. Student or young adult from community of color and a neighborhood experiencing displacement
 - v. Community representative or promotora with experience in tenant or community organizing
- 7. The Committee can include ex-officio, non-voting members including representatives of donors, including Google, and relevant departments of the City of San Jose (ie Housing Department, Office of Racial Justice, and work2future) to participate in proceedings of the Committee to identify opportunities to leverage investments with other Google, Google.org and City expenditures, but who would not participate in voting decisions.
- 8. The Committee should have the authority to set its own by-laws, select its own chair and vice-chair, and form subcommittees. The Committee should be allowed to make decisions on whether to add additional board seats.
- 9. Committee members should follow appropriate City and State ethics standards, including the open government standards under the Brown Act. Members should disclose any potential conflicts of interest surrounding grantmaking activities and recuse from Committee decisions if conflicts emerge.

Additional terms/concepts for the development agreement:

- 1. The City should be limited to providing advice through its ex-officio membership, providing oversight of the use of funds via the Office of Racial Justice, periodic reports to Council on fund activities and evaluations, providing staff support to public engagement activities of the fund and appropriating funds paid by Google to the third-party fund manager as payments are made to the City under the Development Agreement. The Advisory Committee and the third-party fund manager should be able to distribute funds appropriated by the Council without additional Council approval in accordance with the Development Agreement and subsequent City policy.
- 2. The fund should focus on advancing racial justice and addressing the root causes of displacement impacting low and moderate income working families and communities of color in San Jose, in the neighborhoods experiencing or at high risk of displacement.
- 3. On an annual basis, the fund should require the majority of resources distributed in a given year to be put towards addressing the root causes of residential displacement of low income families in San Jose.
- 4. The fund should support the growth and development of institutions addressing the root causes of displacement, and should incorporate best practices for grant-making such as general institutional support, capacity building and multi-year funding to better support the development community-based institutions capable of stabilizing neighborhoods.
- 5. The third-party fund administrator should periodically commission independent evaluation of the work of the fund. As part of this evaluation, in coordination with the City of San Jose or other partners, the Fund should identify what neighborhoods in the City of San Jose are experiencing or at high risk of displacement and how the Fund's resources are impacting these trends to best target resources and identify its impact.