

Date: October 18, 2023

To: Mayor and Members of the City Council

From: Thomas B. Modica, City Manager 

Subject: **Update on the Feasibility of a Native American Commission**

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On [November 15, 2022](#), the City Council requested that the City Manager report back on the feasibility of establishing a Native American Commission (Commission) for the City of Long Beach (City) and to include an action plan for potential implementation to create a Native American Commission. This memorandum provides a current understanding on the various approaches to recognize Native American contributions in the City and resources necessary to establish a Commission.

## **Background**

Over the last decades, there have been several efforts by the State of California (State), and counties and cities within the State to provide Native Americans with a representative body to address issues and promote the rights and interests of Native American communities. In 1976, the State Government passed Assembly Bill (AB) 4239, which established the Native American Heritage Commission (NAHC) as the primary government agency responsible for identifying and cataloging Native American cultural resources. The NAHC was established primarily to prevent damage and to ensure Native American access to sacred sites. In 1982 the NAHC was strengthened further to authorize the NAHC to identify a most likely descendent when Native American human remains were discovered. This allowed the identified decedent to make a recommendation on the treatment of the discovered remains so that they are treated in an appropriate manner.

In 1976, Los Angeles City and County also created the Los Angeles City/County American Indian Commission, which was tasked with increasing the application of funding resources to the socioeconomic problems of American Indians in Los Angeles City and County. Additional focus areas of the Los Angeles City and County Native American Commission includes: advocating for legislation and policy; working with existing federal, State, and local agencies; and, fostering pride in and awareness of Native American culture.

On October 10, 2017, the Long Beach City Council adopted a [resolution](#) that marks the second Monday of each October as Indigenous Peoples Day to recognize the diversity, respect, and unity within Long Beach, and to acknowledge the challenges that Native Americans face, and upholding openness and cultural awareness within communities and government institutions. Several cities throughout the State now also recognize Indigenous Peoples Day.

## **Recognizing and Acknowledging Native Americans in California Cities**

Of the eight largest cities in California, including Long Beach, only Los Angeles City and County have created a Native American Commission. Most other jurisdictions achieve Native American representation and celebrate Native American legacy, culture, people, and contributions in a variety of other ways.

San Diego County, for example, contains the largest number of tribes and reservations in the country, and recognizes Native American Heritage Month through commemorations, programming, literature and art displays. Most of these events are coordinated by the Library Department. San Diego County also maintains engagement with Native American affairs through Tribal Governments and Tribal Nation Reservations. In the City and County of San Francisco (San Francisco), Native American contributions are recognized through the Arts Council's American Indian Initiative. The American Indian Initiative is a series of public events and is a collaboration of San Francisco departments, nonprofit organizations, and organizations that represent the interest of Native Americans. In 2020 San Francisco established the American Indian Cultural District to recognize Native American legacy, culture, people, and contributions. Lastly, the City of Oakland recently decided to convey a cultural conservation easement to an Indigenous nonprofit land trust to return land to Indigenous stewardship for natural resource restoration projects, the practice of cultural and ceremonial traditions, and to provide education programs to the public.

## **Recognizing and Acknowledging Native Americans in Long Beach**

The City has honored our Native American community for several years through an annual recognition at the City Council meeting, led by Councilman Supernaw from the 4th District. This was one of the City's first regular annual cultural celebrations. The celebration is held every November and includes, but is not limited to, speaking from local/community leaders, reflection on the history of the native/indigenous peoples of Long Beach and the greater area, entertainment, and more. Additionally, California State University Long Beach (CSULB) hosts the largest gathering of American Indians in Los Angeles and Orange counties and longest running university-based powwow west of the Mississippi River through their *CSU Puvungna Pow Wow*. In the past, this event has been co-sponsored by the American Indian Studies Program, American Indian Student Services, American Indian Student Council, Student Affairs, Student Life and Development, and Associated Students, Inc.

## **Developing Commissions, Boards, and Committees in the City of Long Beach**

The City currently has 30 [Advisory Groups](#) who function as Charter Commissions or Boards, and Commissions or Committees created by the City Council. These community-based commissions play a vital role in bringing transparency, change, and growth to the City. Except where noted by the City Charter, appointments are made by the Mayor and approved by the City Council.

Four Commissions have been added in the past several years with one of those significantly upgraded. These Commissions include: Veteran’s Commission, Ethics Commission (Charter), Human Relations Commission, and the Commission on Women and Girls.

In November of 2021, the scope of the Human Relations Commission was amended to become an Equity and Human Relations Commission and was moved from the Health Department to the Office of the City Manager. This commission is tasked with making advisory policy recommendations to the City Council on equity, human relations, and social justice issues, including racial equity and reconciliation, to serve as a forum for community discussion on equity and social justice policy issues, and to encourage input and participation from groups most impacted by such issues.

During the formation of each of these Commissions, staff estimated the permanent staffing needs and requested resources from the City Council. In each of those cases, the actual staffing needs were greater than originally anticipated, and additional staffing was added to keep up with the workload and meet the expectations of the Committee members. Table 1 below represents the ongoing approximate direct and indirect costs of each Commission listed. Approximation accounts for considerations such as staff pay/step level (included fully loaded costs), MOU adjustments, varying activity level of Commissions, strategic efforts, community outreach and programs, and more.

**Table 1: Approximate Direct and Indirect Cost of Commissions**

<b>Commission</b>	<b>Staff Support / Other Costs</b>	<b>Direct Costs</b>	<b>Indirect Costs</b>
Veterans Commission	<ul style="list-style-type: none"> <li>• Administrative Analyst I*</li> <li>• Commission stipends</li> </ul>	\$144,510	Varies
Equity and Human Relations Commission	<ul style="list-style-type: none"> <li>• Program Specialist*</li> <li>• Commission Stipends</li> </ul>	\$130,200	\$53,000
Ethics Commission**	<ul style="list-style-type: none"> <li>• Ethics Officer*</li> <li>• Assistant to the City Manager</li> <li>• Deputy City Manager</li> <li>• Deputy City Attorney</li> <li>• Clerk Analyst</li> <li>• Commission Stipends</li> </ul>	\$180,582	\$315,528
Commission on Women and Girls	<ul style="list-style-type: none"> <li>• Program Specialist*</li> <li>• Commission Stipends</li> <li>• Community and Commissioner Engagement</li> </ul>	\$165,200	\$53,000

\*Represents full-time staff dedicated to the Commission

\*\*Ethics Commission is a Charter Commission and thereby has an increased number of City staff dedicated to Commission meetings and Ethics related programs, projects, and activities.

City staff learned, through the development of the Commission on Women and Girls, that it takes significant time and resources to bring together a City Commission in a mindful way that

honors the community in which it is intended to serve. Beyond establishing the Commission, it also takes dedicated staff to oversee and manage Commission meetings and activities which vary based on Commission interest and activity and cannot always be predicted. Through the development of this most recent Commission, staff understand the one-time and structural costs and staff time needed, as outlined below.

*Anticipated Initial Costs*

The City requires both one-time and structural funding to support staff and resources needed for the creation of a Commission. Table 2 below outlines a direct cost breakdown but does not represent indirect costs of management and administrative support which, for the Commission on Women and Girls, is estimated at \$53,000. This \$53,000 estimate is the time of existing staff and should be noted that oversight of new projects creates a diversion of existing work and City priorities.

While these estimates are based on the one-time/initial efforts undertaken for the development of the Commission on Women and Girls, staff acknowledge that costs may vary for future new Commission or Committee development. However, we have seen that the effort, outreach, funding, and analysis undertaken for this Commission should set the standard on best practices for future similar efforts. In addition to the initial and subsequent funding provided for the Commission on Women and Girls, the Equity Office was also successful in obtaining a \$25,000 capacity-building grant award from the California Commission on the Status of Women and Girls.

**Table 2: Anticipated Initial Costs**

<b>Item</b>	<b>Amount</b>
Program Specialist <i>Full-time</i>	\$126,000.00
Advisory Team commission development and community engagement activities	\$30,000.00
Community & Commissioner Engagement <i>Activities (Supplies, food, commissioner training)</i>	\$35,000.00
<b>Total</b>	<b>\$191,000</b>

*Anticipated Ongoing Costs*

Sustaining and adequately supporting a Commission will require, at minimum, ongoing structural support for staff. Additional funding will be needed for commissioner stipends and activities, such as consultant needs, that the Commission may need to conduct its work. Below is a cost breakdown of anticipated direct ongoing funding needs. As previously mentioned,

indirect costs of management and administrative support is estimated at \$53,000 in addition to Table 3 anticipated costs below.

**Table 3: Anticipated Ongoing Costs**

Item	Amount
Stipends (\$50 x 7 Commissioners x 12 months)	\$4,200.00
Program Specialist <i>Full-time</i>	\$126,000.00
Community & Commissioner Engagement Activities (Supplies, food, commissioner training)	\$35,000.00
<b>Total</b>	<b>\$165,200</b>

In summary, it is projected that it will take \$191,000 in one-time and \$165,200 in structural costs to develop and establish a Commission. This is a projected value based on current stipends and City employee salaries and does not consider any adjustments as part of updated Labor Memorandums of Understanding (MOU).

*Commission Development Timeline*

The plan below outlines the steps necessary to create a newly formed Commission.

<b>Implementation Timeline</b>	
<p><b>Objective 1:</b> Community Outreach and Engagement</p> <p><b>Timeframe:</b> 6 months</p>	<ul style="list-style-type: none"> <li>• Allocation one-time funds to support an Advisory Team</li> <li>• Establish an Advisory Team</li> <li>• Partner with community organizations to conduct outreach and engagement</li> <li>• Utilize staff support to plan and prepare for community outreach activities and survey(s)</li> <li>• Inform community members about the opportunity to become a Commissioner</li> <li>• Engage with community members to learn what needs and issues are most important to them</li> <li>• Learn what the community wants from a Commission</li> </ul>

<p><b>Objective 2:</b> Synthesis of Engagement</p> <p><b>Timeframe:</b> 3-4 months</p>	<ul style="list-style-type: none"> <li>• Analyze feedback from survey(s) and community outreach events to understand the community’s comments regarding issues most important to the Commission’s purpose in the City and how the Commission could address these</li> <li>• Use community engagement and survey feedback to establish recommendations for the Commission’s priorities, member structure, purpose, and functions</li> <li>• Analyze feedback to recommend a Commission structure that best serves the needs of the impacted community in the City</li> </ul>
<p><b>Objective 3:</b> Council Adoption and Commission Formation</p> <p><b>Timeframe:</b> 3 months</p>	<ul style="list-style-type: none"> <li>• Work with City staff to draft an Ordinance, if needed, based on community engagement and survey recommendations</li> <li>• Receive City Council approval of the Commission’s Ordinance, if needed</li> <li>• Review Commissioner applications and send recommendations to the Mayor and Council</li> <li>• Mayor recommends Commissioners for City Council adoption</li> <li>• The Commission conducts its first meeting</li> </ul>

In total, it is estimated to take a minimum of one year to establish a Commission after approval by the City Council. This could be extended if staffing needs to be identified. One-time costs as outlined in the prior table is reflective of an estimated one-year process.

**Recognizing and Acknowledging Native American Contributions in Long Beach**

Reflecting on the work of the cities of Los Angeles, San Francisco, and Oakland, recognizing and acknowledging Native American culture and achieving representation in government takes shape in many ways. City Council approved a Department of Library, Arts and Culture, to acknowledge the City’s evolving need to reflect arts and culture activities and programming in daily operations. To this end, the City Manager will work with the Library, Arts and Culture department to build in opportunities to recognize Native American Heritage Month through commemorations, programming, and literature and art displays. Staff will continue to conduct research on how to honor Long Beach’s Native American community within the existing structure of the organization and will update the Mayor and City Council as progress is made.

## Alternative Options

There are additional options the City Council can consider to receive input and honor the Native American community that do not involve the creation of a specific new commission as outlined below:

- **Refer items to the Equity and Human Relations Commission:** The scope of this commission includes Considering and recommending programs that foster a more equitable and socially-just Long Beach at the individual, community, and systems level, and to evaluate and provide recommendations in order to advance matters of equity. The City Council can refer items to the Equity and Human Relations Commission, who can then hold meetings, hear testimony from Native American organizations and individuals, and then forward on specific recommendations for the City Council to consider. The City Council has already provided staffing for the EHRC Commission, and this option can be done with little or no additional resources needed or impact on existing priorities.
- **Request Written Comments from the Native American Community on Specific Issues:** The City Council may solicit written comments on specific issues from representatives of the Native American community. As part of the California Environmental Quality Act, the City maintains a list of local Native American representatives and regularly solicits input from groups on any land development projects through the CEQA process. The City Council could use that same list and request written comments on specific issues through an agenda item, which staff could then work on with the group. This would result in some additional staff work, but if done on a case by case basis could be accommodated with a low to medium impact on existing priorities and staffing.
- **Land Acknowledgement:** An additional option to honor the Native American community is to formalize a Land Acknowledgment for City Council meetings. The City has performed Land Acknowledgements at a variety of meetings. Instituting a formal Land Acknowledgement process for City Council meetings could be an important step to recognizing the actions of the past and honoring our Native American community.
- **Listening Sessions:** City staff may at the request of the City Council host listening sessions on various topics intended to celebrate, acknowledge, or support the Native American community, with the goal of informing programs, projects, or City/City Council priorities.

## Next Steps

Staff will review this item as part of the upcoming FY 25 budget process, which is the City Council-established process for reviewing items that have ongoing fiscal impact. The budget process allows a review of all the City's priorities in light of the City's financial situation, which currently still projects a deficit of \$29 million over the next two years. Alternatively, if the City Council has specific direction on the Commission, staff can receive that direction and would need to identify both one-time and ongoing structural solutions outside of the budget

Update on the Feasibility of a Native American Commission

October 18, 2023

Page 8

process. Additionally, staff can receive direction on the alternatives that do not have fiscal impact and can act on those this fiscal year if desired.

If you have any questions, please contact April Walker, Administrative Deputy City Manager, at (562) 570-6561.

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