

*Submitted by Commissioner Louis Barocio*

The Charter Review Commission was given the responsibilities to provide recommendations to City Council around 5 directives. The 5 directives were grouped into 3 categories: Governance Structure, Voting and Elections, and Accountability and Inclusion. Subsequently, 3 subcommittees were created and each commissioner joined a subcommittee for the purpose of creating and submitting charter related recommendations to City Council by the established December 2021 deadline.

Subcommittees met weekly to discuss, create, and edit recommendations brought forth by fellow commissioners and members of the public. Each subcommittee presented their initial recommendations to the Charter Review Commission at a regular commission meeting and feedback was given by fellow commissioners and members of the public. Each subcommittee considered the feedback provided and made appropriate changes. The next step for each subcommittee was to present their recommendations at a Public Hearing where each recommendation was formally presented to the general public.

After each Public Hearing, each subcommittee presented their recommendations to the Charter Review Commission at a regular commission meeting. At this meeting each recommendation went up for a provisional vote. During the provisional voting process, feedback was provided by fellow commissioners and members of the public, and friendly amendments by commissioners were entertained. At times edits to recommendations were made during the regular commission meeting. A majority aye (yes) provisional vote from commissioners allowed the recommendation to continue being worked on at the subcommittee level and go up for a final vote at a future regular commission meeting. A majority nay (no) provisional vote from commissioners would have stopped the recommendation from further edits and consideration by the presenting subcommittee and the Charter Review Commission as a whole. Moreover, all recommendations that received a majority aye (yes) provisional vote would appear on the final report given to City Council, whereas recommendations that received a majority nay (no) provisional vote would not appear in the final report given to City Council.

In the last stage, recommendations that passed the provisional voting process were presented at a regular Charter Review Commission meeting for a final vote. Recommendations that received a majority aye (yes) final vote would appear as an *official* Charter Review Commission recommendation to City Council on the final report, whereas recommendations that received a majority nay (no) final vote would appear in the Minority Report section of the final report.

The following is a list of dates of when each subcommittee's recommendation went up for provisional and final votes:

Voting and Election Subcommittee:

- Date of Provisional Voting: Aug 9, 2021
- Date of Final Vote for Mayoral Election Timing recommendation: Oct 4, 2021
- Date of Final Vote for remaining recommendations: Oct 18, 2021

Governance Structure Subcommittee:

- Date of Provisional Voting: Oct 4, 2021
- Date of Final Vote: Oct 18, 2021

Policing, Municipal Law, Accountability and Inclusion Subcommittee:

- Date of Provisional Voting: Nov 15, 2021
- Date of Final Vote: Nov 18, 2021

The Muwekma Ohlone Tribe approved and provided two versions (full and shorter versions) of “Native Land Acknowledgement” language to the Policing, Municipal Law, Accountability and Inclusion subcommittee for the purpose of being a standalone recommendation. On November, 15, 2021 Commissioner Sherry Segura presented both the full and shorter version of their “Native Land Acknowledgement” for provisional voting. Feedback was given about the full version by a couple of fellow commissioners and the City Attorney’s office. Since the content and language in the full version was specifically provided by the Muwekma Ohlone Tribe, any edits by commissioners to the full version at that evening’s meeting would have been considered inappropriate. Subsequently, the motion that carried at that meeting was to approve the shorter version.

There was opportunity to make edits and changes to recommendations that were provisionally approved for final vote consideration. However, the amount of time between meetings where provisional and final votes were taken varied for each subcommittee, with recommendations from the Policing, Municipal Law, Accountability and Inclusion Subcommittee having the least amount of time to incorporate feedback and make appropriate edits before final voting. This short turnaround time negatively impacted the ability for any edits to be made to the full version of the “Native Land Acknowledgement” language approved by the The Muwekma Ohlone Tribe.

For future reference, the following is the full version of The Muwekma Ohlone Tribe’s “Native Land Acknowledgement” as presented at our regular Charter Review Commission meeting on November 15, 2021:

Horše túuxi! (Hor-sheh troo-hee). We would like to recognize that while we come together and meet in The City of San Jose, we are gathered on the ethno-historic tribal territory of the Thámien (tahme-in) Ohlone (oh-loh-knee)-speaking tribal groups of the greater Santa Clara Valley, which includes the lands of the Alsons, Thámiens, Matalans, and the Paleños - whose tribal region was named after their powerful chief Capitan Pala, and the two Mexican land grants located in the East Hills above San Jose - and who were intermarried with the direct ancestors of some of the lineages enrolled in the Muwekma Ohlone Tribe of the San Francisco Bay Area, whom were missionized into Missions Santa Clara, San Jose, and San Francisco.

The present-day Muwekma Ohlone Tribe, with an enrolled Bureau of Indian Affairs documented membership of over 600 members, is comprised of all of the known surviving Indian lineages aboriginal to the San Francisco Bay region who trace their Tribe’s ancestry through the Missions Santa Clara, San Jose, and San Francisco, during the advent of the Hispano-European empire into Alta California beginning in AD 1769; and are the successors and living members of the sovereign, historic, previously Federally Recognized Verona Band of Alameda County, now

formally recognized as the Muwekma Ohlone Tribe of the San Francisco Bay Area. Muwékma means La Gente – The People in their Chochenyo-Ohlone language.

The lands on which the City of San Jose has been established, was and continues to be of great spiritual significance and historical importance for the Muwekma Ohlone Tribal People. This region extends to surrounding areas that held several Túupentaks (toopen-tahks), traditional semi-subterranean spiritual roundhouses. Túupentaks were places of celebrations, healing, spiritual cleansing, rituals, dances, intertribal feasts, and religious ceremonies which were once located on the historic Lopé Yñigo's Landgrant - Rancho Posolmi y Pozitas de las Animas (Little Wells of Souls), and also at Marcello, Pio, and Cristobal's Land Grant - Rancho Ulistac (oo-lees-tahk). Nearby ancestral heritage "shellmound sites" served as the Tribe's territorial monuments and traditional cemetery sites for high lineage families, craft specialists, and fallen warriors.

The region surrounding the City of San Jose, is where many of the Tribe's ancestral heritage cemetery and village sites are located especially adjacent to freshwater ways, where many have been destroyed as a result of unbridled development. These localities are viewed as historic and sacred places, and it is acknowledged that these lands had been previously settled, harvested, and controlled by ancestral Muwekma Tribal groups for many thousands of years. Today, the Muwekma Ohlone Tribal leadership and members work as stewards addressing and protecting many of their, up-to 10,000-year-old ancestral heritage village and cemetery sites, such as the old Holiday Inn Site located downtown along Thámien Rúmmeý (the Guadalupe River) - to the 9,900-year-old Metcalfe Road Site, located along Máyyan Rúmmeý ~ Coyote Creek and Highway 101.

The City of San Jose is established within their ancestral Thámien Ohlone Tribal ethnohistoric territory, which based upon the 18 unratified federal treaties of 1851-1852, includes the unceded ancestral lands of the Muwekma Ohlone Tribe of the San Francisco Bay Area. Some of the enrolled Muwekma lineages are directly descended from ancestors aboriginal to the Thámien Ohlone tribal territory whose families had affiliation with Mission Santa Clara. Also some of the enrolled Muwekma lineages are descended from direct ancestors from neighboring Ohlone tribes who were intermarried with Mission Santa Clara Clareño Indians.

It is important that we pause, and recognize, the history of the land of the Thámien Ohlone on which we gather to participate, learn, and honor, but also acknowledge that the First People of this region – the Muwekma Ohlone People, are alive and thriving members of the San Jose and broader Bay Area communities today.

Even though their tribe was denied a land base through the gross negligence of derelict BIA officials, after their Tribe was first federally recognized in 1906, it is because of the tenacity, strength, and legacy of their ancestors and Elders, that their Tribe has been able to maintain their identity and traditions, and keep their culture and their language alive, today. Furthermore, the Muwekma Ohlone Indian families have never left their aboriginal ancestral homelands of the Bay Area. Today, they attempt to repair the sustained ecological, environmental, and cultural devastation to their Tribe wrought by over 251 years of colonial processes of disenfranchisement through the Politics of Erasure. They are focused on keeping their traditional culture strong,

while they work for a bright and favorable future for their children and ensuing generations, as they follow in the footsteps of their ancestors.

We respectfully request, that the good citizens of the City of San Jose and surrounding towns strive to be faithful stewards on behalf of the Muwekma Ohlone Tribe by maintaining the bay, freshwater creeks, native plants, animal habitats, and the air we all breath. Furthermore, we request that the City of San Jose and surrounding towns within Santa Clara County honor the military service of the Muwekma men and women who have honorably served overseas during World War I, World War II, Korea, Vietnam, Desert Storm, Iraq and who are still serving in the United States Armed Forces today; and honor the tribal veterans and service members from California, North and South America who have served this country with dignity and honor.

In closing, it is of great spiritual significance to acknowledge the special relationship of this Holše Warep (hol-sheh wah-rehp) ~ Beautiful Land to the indigenous Muwekma Ohlone Tribe of this region, as well as to all people residing in the Bay Area. We respectfully request that everyone who lives, works, or visits the City of San Jose and surrounding towns, to be respectful of their aboriginal lands and natural habitats; and consistent with their principles of community, diversity, and inclusion, strive to be good citizens on behalf of the Muwekma Ohlone Tribe (removed coma) on whose aboriginal lands you(removed coma) are guests.

Makiš horše 'ek-hinnan. 'Útasput makkam. Mak 'Iwe. (Mak-keesh hor-sheh eh-k-hee-non. Oo-trahs-poot mahk-kahm. Mahk eew-weh.)

Thank you, and on behalf of the Muwekma Ohlone Tribe, we hope you celebrate, honor, and stand in solidarity with all Indigenous People with their struggles to reverse the adverse colonial legacies affecting all people of color in San Jose, the greater Bay Area, California, the United States, and the Americas, as we gather and reflect on the sacred lands of the Thámien Ohlone. Aho!