From: Lilly Wang < Sent: Tuesday, August 25, 2020 7:08 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16-oppose

[External Email]

To who it may concern,

I strongly oppose the racial discriminatory Proposition 16.

Lidong guo

From: Jing Huang < Sent: Tuesday, August 25, 2020 6:40 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

Dear Council members, Dear Mayor, Dear Sylvia Arenas,

Please answer 2 questions in the meeting today of Item 3.7

1. Are Asian minorities?

2. How will you help Asian in UC sys college admission? As there's 35~38% percent of Asian students. What do you think Prop16 will do for them? What will government and college do? Decreasing this minorities to help increasing other minorities? Is this equal?

Please answer directly and specifically

Plus : Lisa Holder said" a bunch of Chinese Americans who speak broken English " Is this racism or not?

From a mom who wants to fight for equal rights for kids. Will fight until it's equal

Jing Huang

From: Michelle Chang < Sent: Tuesday, August 25, 2020 6:27 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition16 - Oppose

[External Email]

Prop16 is legalizing racism, treating people based on their race. What can be more systemic racism than legalized racism? Please help the cause against Prop16. Thank you - from a concerned resident

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: William Wong < Sent: Tuesday, August 25, 2020 5:44 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

No to discrimination of any forms. Prop 209 has proven to be a success with Latinos being the latest student body of UC system.

William

From: Michael Maguire < Sent: Tuesday, August 25, 2020 4:58 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose"

[External Email]

I strongly oppose Agenda Item 3.7 - Proposition 16 - Oppose

Michael Maguire

From: A More < Sent: Tuesday, August 25, 2020 12:41 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose" i

[External Email]

Discrimination (2+) based on skin color (2) makes you a racist =(4)

Sent from my iPhone

From: Helen H < Sent: Tuesday, August 25, 2020 12:11 AM To: City Clerk < Subject: Agenda item 3.7 - Proposition 16 - Oppose

[External Email]

Dear San Jose City Council:

I urge you to vote NO on the memo re proposition 16 in today's council meeting.

Proposition 16 allows discrimation based on race, color and gender. It is not equal opportunity for all but the opposite. It is ridiculous to treat people differently by how they were born into. It will damage the foundation for fair competition, bring down standards, open door for corruption, hurt our economy, drive talents out and devastate California.

Kamala Harris is a successful Black/Asian female politician from Californian, born in an immigrant family, nominated as candidate running for Vice President of this country. The biggest donor or her husband supporting Prop 16 is a Black billionaire businessperson. UC just admitted the largest ever Hispanic undergraduate student group, making Hispanic the largest ethnic group in freshman class of 2020. ... The list goes on and on. California is a very diverse place with great opportunities for those who work hard and obtain the right skills from proper education. I myself am an immigrant who came to San Jose more than 20 years ago with no family here to help and no bank to loan me money. I worked as a low-pay front desk secretary while going to SJSU at night to obtain a business degree to advance in my career. My husband and I postponed having children until we got established. We did fine after years of tough times. But now we are referred to as "advantaged group" and/or "over-represented" so our kids will have to work extra harder than another race(s) to get into a top UC or get a good job? This is not right! And it doesn't really help those who desperately need help and they are in all races and colors.

The real question is why some don't get a good job to live a decent life. I Googled the other day and find that half of the Californian high school students do not meet CSU/UC admission requirements. Those kids are the ones lagging behind and need help. Prop 16 would just put students in certain races/colors into UC Berkeley or LA over students who are more qualified but borned into the "less favorite" race(s)/color(s). Prop 16 doesn't help students struggling in community colleges and/or even high schools who are the ones have the most difficulties in their life. Prop 16 will only create tension between races and discourage hard working and fair competition. K-12 public education is the area should be looked into seriously, to be reformed to help and save the struggling kids. And those kids are in all races and colors. Affirmative actions based on race and color is the wrong solution to a real problem.

No on proposition 16!

Best regards, Helen From: TIM ZADEL < Sent: Monday, August 24, 2020 5:08 PM To: City Clerk < Subject: Vote Against Supporting Prop 16

[External Email]

City Clerk/City Council

Please vote against the city supporting Proposition 16. We do not want to introduce race back into government decision making.

Ward Connerly - a successful Black businessman, former member of the California Board of Regents, and founder of the American Civil Rights Institute - succeeded in getting California voters to approve Proposition 209 in 1996 - the California Civil Rights Initiative - which placed non-discrimination into the State Constitution. Now, activists want to REMOVE non-discrimination and bring back failed 1970s-style quotas and affirmative action. Proposition 16 would completely overturn Proposition 209.

Intelligent, competent people I've known from minority races were very much against affirmative action because it made them look bad. People always wondered if they got their position due to affirmative action, and many unqualified people did get positions due to affirmative action.

Dr. Marin Luther King, Jr., felt that judging people based on the color of their skin would take us backward and will create resentment without improving the conditions for Black or Brown Americans.

We need to look to other factors which will help needful minorities without basing decisions on skin color. E.g., helping people based on financial need, helping kids aging out of the foster system, etc.

Thank you,

Tim Zadel San Jose From: David Miller < Sent: Monday, August 24, 2020 5:09 PM To: City Clerk < Subject: Agenda Item 3.7--Proposition 16--Oppose

[External Email]

Please do not support Proposition 16 which would bring us back to the days of outright discrimination based on one's race. This is outrageous. If the idea is to help those who supposedly cannot achieve their goals on their own, just remember this cuts both ways.

David Miller

From: Helen Blain < Sent: Monday, August 24, 2020 5:29 PM To: City Clerk < Subject: Agenda item 3.7

[External Email]

I oppose Proposition 16. Judging people based on the color of their skin, race, or ethnicity will take us backward and create resentment without improving the conditions for Black or Brown Americans. REMOVING non-discrimination and bringing back failed 1970s-style quotas and affirmative action will completely overturn Proposition 209. This regressive legislation is an easy answer to a more difficult problem that includes education, strengthening family units, and providing job opportunities to lift people out of poverty.

Sincerely, Helen A Blain, MA, MFCC From: Doris Livezey < Sent: Monday, August 24, 2020 5:56 PM To: City Clerk < Subject: Agenda Item 37 - Proposition 16 - Oppose

[External Email]

I am flabbergasted. What are they thinking?

What has happened to the merit system? Are people just turning over everything they have worked so hard for to applicants who have the "right" skin color? No more entrance by your ability, just turn up being the right ethnicity and you are become qualified.

Maybe some of you are too young to remember Rev. Dr. Martin Luther King, Jr., but he would not be in favor of this proposition 16.

Please vote NO!

Thank you

From: Ray Rast <			
Sent: Monday, August 2	24, 2020 6:54 PM		
To: City Clerk <	Liccardo, Sam <	Jones, Chappie	
<	Davis, Dev <	Diep, Lan <	Foley,
Pam <	Khamis, Johnny <	Peralez, Raul	
<	Jimenez, Sergio <	Carrasco, Magdalena	
<	Esparza, Maya <	Arenas, Sylvia	
Culting at a line in a Course and	t of Duo a sition 10 (ltons 2 C)		

[External Email]

Mayor Sam Liccardo and Members of the San Jose City Council:

Earlier this summer, Councilwoman Sylvia Arenas brought a memo to the Rules and Open Government Committee to advocate for a support position on ACA 5 and consideration was deferred until after passage by the California Senate. Under Item 3.6 to be heard tomorrow, City Council now considers whether to adopt resolve in support of Proposition 16. Deferring action on reinstatement of this seminal equity policy has been problematic and highly, highly distressing. Silence of the Council on this generations-defining injustice evidences the structural violence alive at San Jose City Hall.

Proposition 16 would permit the policy and practices of Affirmative Action. As the City of San José continues to prioritize its commitment to racial equity, a support position on Proposition 16 will align with the Council's Legislative Guiding Principle of local control and recent adoption of the Equity Pledge led by Councilmember Arenas, and removes a barrier to collecting and communicating gender and racial data.

Remembering the painful lessons of how white supremacy has shaped and continues to result in systemic racism in this valley, as studied and taught by Steve Pitti, CA LULAC strongly urges that Council take real action in support of equity.

Endorse Proposition 16. To not endorse means to be complicit in the School to Prison pipeline. To not endorse means to be complicit in the structural barriers to prosperity for people of color.

Affirmative Action surely doesn't stack the deck, nor does it even the playing field. Affirmative Action simply allows us to acknowledge the REALITY that the field is UNEVEN.

Don't deny reality. Endorse Proposition 16.

Sincerely,

Raymond W. Rast, Ph.D. Associate Professor of History

From: David Lopez <			
Sent: Monday, August	24, 2020 7:13 PM		
To: City Clerk <	Liccardo, Sam <	Jones, Chappie	
<	Davis, Dev <	Diep, Lan <	Foley,
Pam <	Khamis, Johnny <	Peralez, Raul	
<	Jimenez, Sergio <	Carrasco, Magdalena	
<	Esparza, Maya <	Arenas, Sylvia	
<			
Cc: David Lopez <			
• • • • • • • •			

[External Email]

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Don't deny reality. Endorse Proposition 16.

Dr. David P. Lopez

From: Judith Sanchez <			
Sent: Monday, August 2	4, 2020 7:41 PM		
To: City Clerk <	Liccardo, Sam <	Jones, Chappie	
<	Davis, Dev <	Diep, Lan <	Foley,
Pam <	Khamis, Johnny <	Peralez, Raul	
<	Jimenez, Sergio <	Carrasco, Magdalena	
<	Esparza, Maya <	Arenas, Sylvia	
<			

[External Email]

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Don't deny reality. Endorse Proposition 16.

Sincerely,

Judith Sánchez, MD District 8 resident

From: Jon Pedigo <			
Sent: Monday, August	24, 2020 9:12 PM		
To: City Clerk <	Liccardo, Sam <	Jones, Chappie	
<	Davis, Dev <	Diep, Lan <	Foley,
Pam <	Khamis, Johnny <	Peralez, Raul	
<	Jimenez, Sergio <	Carrasco, Magdalena	
<	Esparza, Maya <	Arenas, Sylvia	
<			
Cc: Jon Pedigo <			
<u>a 1 1 1 1 1 a</u>			

[External Email]

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Don't deny reality. Endorse Proposition 16.

From: Ava Li < Sent: Monday, August 24, 2020 9:31 PM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 Oppose

[External Email]

Important 🗛 🗛 San Jose City Members,

Please do not support a divisive and discriminatory bill #Prop16! Rev. Dr. Martin Luther King, Jr. dreamed of the day when his children were judged not based upon skin color, but by the "content of their character". He understood that you don't fix past discrimination by imposing new forms of discrimination. Judging people based on the color of their skin will take us backward and will create resentment without improving the conditions for Black or Brown Americans. It's an easy - but wrong - answer being pushed by politicians who don't want to do the hard work to strengthen families, improve education, and create the job growth and mentorships needed to lift people out of poverty.

Ward Connerly - a successful Black businessman, former member of the California Board of Regents, and founder of the American Civil Rights Institute - succeeded in getting California voters to approve Proposition 209 in 1996 - the California Civil Rights Initiative which placed non-discrimination into the State Constitution. Now, activists want to REMOVE non-discrimination and bring back failed 1970s-style quotas and affirmative action. Proposition 16 would completely overturn Proposition 209.

Please do not supper a bill that will divide the communities! Thank You!

Ava Li, CPA & CIA

From: Yan Yu < Sent: Monday, August 24, 2020 9:42 PM To: City Clerk <

Subject: Agenda item 3.7: proposition 16: Oppose prop 16

[External Email]

Hello,

I would like to keep this in public record. I strongly oppose proposition 16. Proposition 16 is blatantly racial discrimination, it is a shame trying to bring back racial discrimination in current political climate. Any form of racial discrimination and racial preference IS racial discrimination. We need to stop slipping in this dangerous slope, Oppose proposition 16.

Thank you for your attention. Best Sent from my iPhone From: Grace Chin < Sent: Monday, August 24, 2020 9:46 PM To: City Clerk < Subject: "Agenda Item 3.7 - Proposition 16 - Oppose"

[External Email]

Dear Council members,

I strongly oppose # Prop 16 . Prop # 209 is a race blind AA which focuses on socially economically disadvantaged persons. This is the fairest for every resident in CA.

In the public education field, the proportion of California freshmen who would be the first in their families to earn a four-year college degree increased to 45 percent (35,058), while the proportion of low-income students grew to 44 percent (30,865) in 2020. (the definition of low income family: annual household income is below \$58,000)

CA government demographics did show diversity and balance. Dr. Weber claimed that the number of women and Latinos employed by the state of California has decreased significantly relative to population growth is not a fact. All CA government employees' ratio between female and male is 46:54. All race's ratio is almost par with its population except Latio is a little behind its population size. (Source: 2019 statewide report <u>https://www.calhr.ca.gov/Pages/statewide-reports.aspx</u>) Especially, our government still has a set aside quota of employees for disabled people and veterans.

In the government contract field, using race/gender as indicators to help is not correct. Why do we only focus women, minorities, black people, Latino people in #Prop 16 for helping? Every race has rich people and poor people. Even some men's socioeconomic status are not as good as women. Are all women and minorities people who need help? What we should help is not based on race but income level. "MWBE(minority women business enterprise) was a marriage of political convenience—a working alliance between the economically privileged of both races. The white business elite signed on to a piece-of-the-pie for blacks in order to polish its image as socially conscious and secure support for the downtown revitalization it wanted. Black politicians used the bargain to suggest their own importance to low-income constituents for whom the set-asides actually did little. Neither cared whether the policy in fact provided real economic benefits—which it didn't." (https://www.brookings.edu/articles/black-progress-how-far-weve-come-and-how-far-we-have-to-go/)

In fact after prop 209, although the CA government canceled the MWBE program, State Departments are required to award 25 percent of their annual contracting dollars to

certified Small Businesses (SB) and 3 percent to certified Disabled Veteran Business Enterprises (DVBE). In FY 2017-2018, the state met both SB/MB and DVBE participation goals, reporting 32.5 percent and 4.7 percent, respectively. So it reveals the CA government has already supported and cultivated small businesses,but not limited to women and minority groups. Nowadays, men are not as rich/strong as women. Small male business owners also need the help.If we really think that is not enough for Women and Minority groups, we can set aside goals for them like other state's policy.(<u>https://www.ncsl.org/research/labor-and-employment/minority-business-</u> <u>development.aspx</u>)

Fourthmore, the CA government still has other disadvantaged business enterprise (DBE)programs with race/gender conscious measures inside. For the next 10 year, Caltrans projects cost more than \$42 billions. Caltrans has established an overall annual goal of 17.6 percent DBE participation for its FFYs 2019-2021. This overall goal is expected to be achieved 13.4 percent with race-gender conscious measures and 4.2 percent with race-gender neutral measures. (Data Source: CA Government Website https://dot.ca.gov/programs/civil-rights/dbe/overall-disadvantaged-business-enterprise-goal-and-methodology-federal-fiscal-years-2019-2021)

The most important of all, if San Jose City adopted #Prop 16, it will cost taxpayers billions of money since the city contracts can not accept the most competent bids while state and local governments are facing a tax shortage's problems everywhere and are poursing to increase tax everywhere.

After GF's death , everyone becomes very emotional. People want to change. However good intentions don't bring good results for sure. Prop 209 really let MLK's dream come true. People in California are not judged by their color of skin but their contents inside. Because of this equality, California has become the fifth largest economy in the world. At the same time, we still pursue diversity and help to solve inequality by using different measures like Local control funding formula for K-12 education, disability program, Veteran Program, etc. We can create the new program to solve any inequality problem but keep our accumulated progress after prop 209.

What we face for Prop 16 is not left or right. It is right or wrong. We, Californians, deserve equal treatment. Please Vote NO to # Prop 16 for not only saving taxpayers' pockets but also keeping the real equal principle of American.

Best Regards, Grace From: Yanping Zhao < Sent: Monday, August 24, 2020 10:05 PM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

Dear Council Members,

As a long-time California voter, I strongly oppose proposition 16 because it brings back racial discrimination in California. Any form of racial preference IS racial discrimination.

I would like to keep this email in public record.

Thanks!

Best regards,

-- Yanping Zhao A California Voter From: Sent: Monday, August 24, 2020 10:22 PM To: City Clerk < Subject: "Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

I would like to keep this in public record. I strongly oppose proposition 16. Proposition 16 is blatantly racial discrimination, it is a shame trying to bring back racial discrimination in current political climate. Any form of racial discrimination and racial preference IS racial discrimination. We need to stop slipping in this dangerous slope, Oppose proposition 16.

Jenny Yuan

From: TIM ZADEL < Sent: Monday, August 24, 2020 10:26 PM To: City Clerk < Subject: Item 3.7

[External Email]

City Clerk/City Council,

Isn't it illegal to use government resources to support or oppose a ballot measure? Shouldn't item 3.7 be taken off the agenda?

Thank you,

Tim Zadel

From: Sepideh Gilbert < Sent: Monday, August 24, 2020 10:30 PM To: City Clerk < Subject: "Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

Good Evening,

Judging based on skin color is absolutely wrong. We DO NOT support this! We are frustrated as it is at the city not advocating for our schools to open. Our children in front of monitors in depression and now this backward, regressive thinking.

We are hard working immigrants and should be heard: judging based on the right color or sex is wrong!

Sepideh

Sent from my iPhone

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: Diego Martinez <			
Sent: Monday, August 2	24, 2020 11:07 PM		
To: City Clerk <	Liccardo, Sam <	Jones, Chappie	
<	Davis, Dev <	Diep, Lan <	Foley,
Pam <	Khamis, Johnny <	Peralez, Raul	
<	Jimenez, Sergio <	Carrasco, Magdalena	
<	Esparza, Maya <	Arenas, Sylvia	
<			

[External Email]

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Remembering the painful lessons of how white supremacy has shaped and continues to result in systemic racism in this valley, as studied and taught by Steve Pitti, CA LULAC strongly urges that Council take real action in support of equity.

Endorse Proposition 16.

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Don't deny reality. Endorse Proposition 16.

Diego Martinez

From: Susmitha Vakkalanka < Sent: Monday, August 24, 2020 11:21 PM To: City Clerk < Cc: Susmitha Akula Vakkalanka < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

I strongly oppose proposition 16. It is blatant racial discrimination.

Prop 16 will cause long term damage to the quality of education and thereby hurt economic success of the state. Decisions for admission in school/universities, employment decisions, etc should be based upon qualifications, grades, experience, skills, etc, not on race.

In fact, Prop 209 helped minority graduation rates in the UC system: The 4-year graduation rate for under-represented minorities rose from: 31.3% (1996) to 55.1% (2014).

The students accepted to our public university systems closely represent the pool of students who apply (see chart below).

Even the UC Academic Senate has found that for underrepresented minorities, "failure to complete all required A-G [college preparatory] courses with a C or better." is the reason for not getting admitted and not 209. UC President Janet Napolitano admitted that, "the biggest contributor to underrepresentation at UC is that students do not fulfill A-G subject requirements for admissions".

We need solutions to address that, such as offering better K-12 and education alternatives before the college admission process. Pulling drowing people out of the water downstream is going to exhaust resources, you need to go find why they are drowning and find a solution at the top of the river.

If a child works hard, no matter what race they are, they MUST be given a fair chance. If we remove merit as a basis for college entrance or jobs, it will demotivate youth and destabilize the system.

Dividing the society by race will only aggravate racial discrimination. Don't fight discrimination by making discrimination worse.

I vote NO on Prop-16.

Thank you Susmitha From: Dapeng Wang < Sent: Monday, August 24, 2020 11:37 PM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

Dear Sir/Madam,

I will vote NO on Proposition 16. Government-sponsored preferential policy will not advance civil rights but divide Californians into unequal subgroups and increase conflict among different races. Please vote NO on Proposition 16.

Thank you. Regards, Ted From: lilia < Sent: Monday, August 24, 2020 11:59 PM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

Dear Sir/Madam,

I am a citizen of Sunnyvale. I have to share my opinion to strongly oppose Prop 16. Because Prop16 asks voters to repeal Prop 209, which allows racial preference admission based on race or gender. It admits and enforces the concept that certain races are not able to stand up on their own, so they need to chop off other races in order to make it equal in the outcome. This, by definition, is systemic racism. Today some people are so used to special treatment that equal treatment is considered to be discrimination.

Therefore I strongly urge to stop the implementation of racist Prop 16.

Sincerely, Lilia From: Stella Huang < Sent: Tuesday, August 25, 2020 7:25 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

Dear Mayor, Dear council members:

We came to Silicon Valley, with what we own, is to contribute our hard working and intelligence to this country, to California.

If here, the government and college admission is not to encourage merits over races, is not to encourage working hard, but to encourage taking race as an advantages during this challenging time, bringing it to an extreme, or even bringing corruption in government contracting and college admission, we don't believe this is the place we want to stay.

We agree to help poverties and consider minorities with improving K-12, more government opportunity for all ethnic groups, but not agree to put racial preference as law, as an major factor of all. It's against human nature and fundamental principles of America.

Because it's not equal opportunity for all, and not bringing CA to be the top state in the US, of the world.

Figure out better ways instead of discriminative Prop16

A hard working women

Stella

From:<</th>Sent: Tuesday, August 25, 2020 7:34 AMTo: City Clerk Subject: Agenda item 3.7 - prop 16 - oppose

[External Email]

I would like to keep this in public record. I strongly oppose proposition 16. Proposition 16 is blatantly racial discrimination, it is a shame trying to bring back racial discrimination in current political climate. Any form of racial discrimination and racial preference IS racial discrimination. We need to stop slipping in this dangerous slope, Oppose proposition 16.

Kevin Du

From: Jennifer Choi < Sent: Tuesday, August 25, 2020 7:36 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

To whom it may concern,

I am a resident of San Jose, and I strongly oppose Proposition 16. This is a huge backwards step in civil rights.

Sincerely, Jennifer Choi From: minh lu < Sent: Tuesday, August 25, 2020 8:00 AM To: City Clerk <

Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

From: minh lu < Sent: Tuesday, August 25, 2020 7:59 AM To: City Clerk < Subject: OPPOSE Proposition 16

[External Email]

From: Daren Zhou < Sent: Tuesday, August 25, 2020 8:56 AM To: City Clerk < Subject: No on proposition 16

[External Email]

Proposition 16 is against the constitution. Everyone should be equal. Not judged by race. Daren Sent from my iPhone From: Daren Zhou < Sent: Tuesday, August 25, 2020 9:02 AM To: City Clerk < Subject: Agenda item 3.7 - Proposition 16 - Oppose

[External Email]

Proposition 16 is against the constitution. It discriminates based on race. It is illegal. Daren Zhou

Sent from my iPhone

From:

Sent: Tuesday, August 25, 2020 9:22 AM To: City Clerk <

<

Cc:

Subject: Strongly opposing Prop. 16

[External Email]

Dear Sir or Madam,

We are residents in the San Jose area. Our family strongly opposes Prop.16., because this proposition would introduce race-based discrimination in college admission and employment.

Thank you. Best regards,

Yanwu Zhang and Ling Yi

From: Stanislav Sedov < Sent: Tuesday, August 25, 2020 9:19 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

San Jose City Council,

please oppose proposition 16. If passed, it will roll back decades of the progress on racial relations and will open door to all kind of discrimination based on skill color. While the intentions behind this proposition are no doubt good, it is a great example of law of unintended consequences, where if passed it will result in much more damage than what it's trying to fix. Californians overwhelmingly passed the anti-discriminatory amendment to the Constitution in 1996 to affirm that there is no place for racial discrimination in California. There still isn't.

--Stanislav Sedov From: Donghui Yi < Sent: Tuesday, August 25, 2020 9:10 AM To: City Clerk < Subject: "Agenda Item 3.7 - Proposition 16 - Oppose"

[External Email]

From: Donghui Yi < Sent: Tuesday, August 25, 2020 9:09 AM To: City Clerk < Subject: Opposite pro16

[External Email]

From: se lena < Sent: Tuesday, August 25, 2020 9:27 AM To: City Clerk < Subject: Agenda item 3.7- Prop16-OPPOSE!

[External Email]

Prop16 misleads people to believe it will help minorities, but it won't. Lower the standards for college admission and job hiring is not a solution. We won't tell our children: just because of your skin, you don't need to work as hard as others to reach your goal. Prop16 just hides the root causes, makes things looks "great". Simply lower standards instead of working on the root cause won't help anyone, but will deeply root racism in our children's mind and separate our society even more! No on Prop16! Prop16 is discrimination and divides us! It will further intensify our differences, and no way a solution but will become a greater problem for our communities. NO on Prop16!

From: s hong < Sent: Tuesday, August 25, 2020 9:34 AM To: City Clerk < Subject: Strongly against prop 16

[External Email]

Dear Council Members,

I am strongly against Prop 16!

Sara

From: se lena < Sent: Tuesday, August 25, 2020 9:34 AM To: City Clerk < Subject: Agenda item 3.7- proposition 16- OPPOSE

[External Email]

I forgot to ask, when can we start caring for the Asian American communities? Is it fair to strip their rights away to please others? California is partly built by the Asian immigrants, the railroads and communities. Silicon Valley is the world center for technology in this globe, with so many Asian Americans working tirelessly to make this country stronger and better for everyone. Now, Prop16 is ignoring the broken k-12 system and wants to insert unqualified candidates by taking someone's opportunity away... so it's not ok to discriminate some but totally normal to discriminate another group? I hope that makes sense to you, because it did not for me. I am against discrimination and racism, Prop16 has both. NO on Prop16!!!! I strongly oppose Prop16!

From: Amelia Li < Sent: Tuesday, August 25, 2020 9:35 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

I strongly oppose Proposition 16, which introduces racial discrimination into our state law. I support equal opportunities for all people. However, Proposition 16 is not promoting equal opportunities, but is dividing our people by their skin colors. Every racial group has people who need help for better opportunities.

The exact words of "Affirmation Action" were: "Take affirmation action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, color, religion, sex or national origin."

Proposition 16 legalizes racial discrimination. Therefore I proudly oppose.

From: Jennifer L. < Sent: Tuesday, August 25, 2020 9:38 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Strongly OPPOSING

[External Email]

Dear San Jose City Council Members:

Please do not divide our society by skin color. Merit based system is the foundation to maintain a competitive country. If you support Prop 16, should also considering have proper percentage of council members from different races and skin colors? I believe black people and Asian people are under represented. We also urge you increasing black and Asian employees for city employment and lay off those who already over represented by Prop 16's race quote.

It is a shame for these politician to bring up this kind unconstitutional bill to making so much pain and stress to our community. And have wasted so much government funding and everyone's time and energy. Should study the Prop 209 well? Why cross out the language " THE STATE SHOULD NOT DISCRIMINATED ANY ONE BY THEIR RACE AND COLOR"? Everyone deserves a fair chance to compete, it does not matter white, black, Asian or Latino. Why government want to take control of the college admission, government contract and employment? PROP 16 OPENS UP THE DOOR FOR CORRUPTION. THE PARTY CAN HAND OUT CONTRACTS AND JOBS TO WHOEVER THEY WANT UNDER THE GUISE OF PREFERENTIAL TREATMENT.

DO NOT TAKE AWAY A FAIR COMPETITION OPPORTUNITY FOR ALL STUDENTS AND BUSINESS OWNERS WHO PLAYED BY RULE AND HAVE WORKED VERY HARD TO EARN THEIR FUTURE.

NO PROP 16 and do not legalize discrimination and corruption.

Very Truly Yours,

Jenny Lee

From:

Sent: Tuesday, August 25, 2020 9:38 AM To: City Clerk <

Subject: Agenda Item 3.7 - Prop 16 - Oppose

[External Email]

Dear Sir/Madam,

I strongly oppose the Proposition 16, which I believe is UNCONSITUTIONAL. Everyone should be treated equally, regardless their color, race, sex, unless to the disabled, pregnant, sensor, children. Thank you for taking my opinion.

Best Regards, Frank Li From: Tianyu Luo < Sent: Tuesday, August 25, 2020 9:41 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

It is not the way to solve problems. Please invest in the public education, which will help solve the problem.

--Best,

Tianyu

From: Robert Kong < Sent: Tuesday, August 25, 2020 10:00 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

Race based preference in school and work admission is unconstitutional!

Robert

From: Peter Liu < Sent: Tuesday, August 25, 2020 9:44 AM To: City Clerk < Subject: Agenda Item 3.7 -- Proposition 16 -- Oppose

[External Email]

Dear Council clerk and members,

I am a resident and voter in your district, and I am writing to strongly OPPOSE ACA-5.

All of americans should be equal under the law, regardingless color, race and sex. All of us come to USA because we believe that we can get the great awards if we study and work hard. Yes, we do. However, ACA-5 will break our USA dream. ACA-5 judges a person based on color, race and sex, which we can not change since our born, no matter how we study and work hard. It is not fair to all hard working americans.

For those who are in disadvantaged situation, the real deal that can help them is to help their K-12 education, help them build a better community. Instead of offering them a quota to university or job opportunity that they have good chance to fail on.

Furthermore, such bill is dividing Americans, including dividing Democrats. I am favor of Democrats. But this bill will let me rethink it.

Please vote NO on ACA-5!

Thanks!

--Peter

From: robert rissel < Sent: Tuesday, August 25, 2020 9:43 AM To: City Clerk < Subject: Item 3.7:

[External Email]

Vote no on prop 16. If you wish to help the economically depressed, then economic status should be the determinant, not ethnicity. Basing assistance on ethnicity is counter to equal opportunity, unconstitutional, divisive and absurd.

rwrissel

G.O.M.

From: Vivian Liu < Sent: Tuesday, August 25, 2020 9:47 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

Dear San Jose City Council,

I completely oppose Prop 16 because it does not advocate for equality for all minorities. It will bring back racial discrimination which will be a shame of Californians.

Please keep Prop 209 as the best for racial equality that includes all races.

Please vote NO to Prop. 16.

Sincerely, Huixiang Liu From: Laura Johnson < Sent: Tuesday, August 25, 2020 9:50 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

We don't solve racial discrimination by choosing solutions that encourage acceptance based on race or skin color.

From: ric shar < Sent: Tuesday, August 25, 2020 9:56 AM To: City Clerk < Subject: Agenda Item 3.7 Proposition 16 - Oppose

[External Email]

Hi, My name is Ric Shar.

I strongly oppose Prop 16. The following is at stake if Prop 16 is passed:

1. Prop16 destroys commonly accepted merit- based system.

2. Prop16 grants more powers for gov. and public universities to pick up winners and losers.

- 3. Prop16 legalizes discrimination in the form of preferential treatment to some.
- 4. Prop16 Instills more racial tension, social uncertainties, and distrust of Gov. and Univ.
- 5. Prop16 puts ANYONE at risk of being discriminated at some point in some areas.
- 6. Prop16 may actually hurt intended beneficiaries.
- 7. Prop16 averages down all and hurts CA greatness.
- 8. Prop16 is a WRONG solution for a right problem.

It is a wrong solution for a right problem. The root cause of our social disparity lies in disparity in community service especially K-12. The society needs to invest more in underserved communities for better housing, better K-12, lower crime rate so that all kids start strongly and are able to compete on equal footing without preferential treatments per race. Prop 16 does not help address root problems. It is a quick patch work on the surface at the best and it does a lot more harm than good.

Pls do NOT endorse Prop 16. It is simply illegal to legalize racial discrimination against anyone or any group at any excuse!

Simple and pure!

Ric

From: Tinh Cao < Sent: Tuesday, August 25, 2020 10:02 AM To: City Clerk < Subject: Agenda 3.7 Proposition 16- OPPOSE

[External Email]

Dear Council Members Please vote NO to Proposition 16 Keep Proposition 209 was passed in 1996 NON-DISCRIMINATION! THANK YOU Tinh Cao District 2 Council Member Arenas,

The ongoing coronavirus pandemic, as well as recent police issues, is forcing Californians to acknowledge the deep-seated inequality and far-reaching institutional failures that show that your race and gender still matter.

Municipal Employees' Federation (MEF) goal is to improve the wages, hours and working conditions of its members; to promote their intellectual, social, and economic welfare. We are the largest working union of the City of San Jose Employees. We would like to show support for Councilmember Arenas pledge for equity and to encourage the City of San José to join us in endorsing Proposition 16.

Proposition 16 would permit the use of race, gender, and ethnic diversity as factors in government hiring, college admissions, and government contracting. As the City of San Jose continues to prioritize the commitment to racial equity, a support position on Proposition 16 aligns with the Council's Legislative Guiding Principle of local control and recent adoption of the Equity Pledge led by Councilmember Arenas, and removes a barrier to collecting and communicating gender and racial data.

This is an opportune time given people's interest in politics and given the kind of turnout that is anticipated in the fall election process and given the fact that this is a different generation, that it may be possible for us to begin to work to reverse the effects systemic discriminate from the California Legislation.

In Unity We Stand,

Steven Solorio, MEF Chapter President

To: City Clerk <	Liccardo, Sam <	Jones, Chappie	
<	Davis, Dev <	Diep, Lan <	Foley,
Pam <	Khamis, Johnny <	Peralez, Raul	
<	Jimenez, Sergio <	Carrasco, Magdalena	
<	Esparza, Maya <	Arenas, Sylvia	
<			

[External Email]

To The Honorable Mayor Sam Liccardo and Members of the San Jose City Council:

In a most comprehensive study concluded last week, the effects of Prop 209 for the past 25 years have been demonstrated negatively affecting a generation of Blacks and Latinos students and families.

https://www.latimes.com/california/story/2020-08-22/prop-209s-affirmative-action-bandrove-down-black-and-latino-uc-enrollment-and-wages-study-finds

In support of Proposition 16, (formerly ACA5) I penned an OpEd for the Mercury News published earlier submitted herein for your consideration:

https://www.mercurynews.com/2020/06/30/opinion-otto-lee/

By <u>OTTO LEE</u> |

PUBLISHED: June 30, 2020 at 12:40 p.m. | UPDATED: July 1, 2020 at 4:15 a.m.

I support the need to bring racial equity and fairness to our California society. Prop 16 will help provide those opportunities to all in our public universities.

Proposition 16 is the constitutional amendment that will be on California voters' November ballot. It would reverse Proposition 209, the state's prohibition on affirmative action, which voters approved in 1996.

Prop16 will help level the playing field in public employment and government contracting, where Asians are sorely underrepresented. Women and girls are also beneficiaries of Prop 16, especially in light of the fact that women are still paid less than men; and black women are paid even less than white women.

Many people believe that I am a good example of the model minority story. In fact, it is a myth because I am actually a product and beneficiary of the Legal Opportunity Program (LEOP), an affirmative action program at UC Hastings in 1991. Programs such as LEOP provide students of underrepresented ethnic,

gender, social and economic backgrounds the opportunity to succeed in an inequitable world. As a young immigrant learning English as a second language, I would not have gotten into UC Hastings based solely on test scores and grades. Nor would I have survived the rigorous curriculum of law school without the tutoring program that guided me throughout the first year in law school. My success today is one that I attribute to the help I've received through this vitally important program.

Proposition 209 outlawed the use of race or gender as one of many factors in consideration of admitting students at California public universities. It was passed after I graduated from these schools. The devastating effect of Prop 209 is clear: The percentage of enrolled minority and disadvantaged students dropped drastically in the UC and CSU systems, further exacerbating the inequities of the past quarter century.

Systemic racial inequity still exists in 2020. For example, Latinos account for less than 25% of the student population in the UC/CSU system, while the Latino population in California is reaching close to 40%. This imbalance is shocking and a clear reminder that the status quo is not working. With the latest Black Lives Matter protests and movement, the need for racial equity reform is appallingly clear. Even though we had a Black president in the United States, the success of one person does not equate with the elimination of systemic racism. On the contrary, it's getting worse.

With President Trump's latest proclamations of Chinese virus, or "Kung Flu," many Asian Americans recently have experienced racial discrimination and have been told to "Go back to China." As a Chinese American, I recognize the urgent need for us to build bridges with all people of color, as discrimination against one is discrimination against all. We must stand tall together to call out these unacceptable behaviors and not allow Prop 16 to become a wedge that divides us.

Well-managed affirmative action programs do not guarantee any numerical quota or make a decision based solely on race or gender. They consider these factors in totality. Those espousing affirmative action as being a quota system are deliberately misconstruing the facts of such programs and must be called out.

I believe that thousands of students from disadvantaged backgrounds of all ethnicities and women will benefit from the equal opportunities afforded by Prop 16. Furthermore, all students attending these universities will benefit from a more diverse educational experience to better prepare them for the real world. An educational environment with only the elites is merely an ivory tower that perpetuates stereotypes held against ethnic minorities. I wish that we were truly a colorblind society, but we are far from that. Prop 16 can get us closer. Let's make it happen.

Otto Lee is the founder of Intellectual Property Law Group LLP headquartered in San Jose. He is a former Sunnyvale mayor and a retired Navy Reserve Commander. He is a candidate for the District 3 seat on the Santa Clara County Board of Supervisors.

From: Michael Yao < Sent: Tuesday, August 25, 2020 10:50 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

City Council Members:

I am writing this email to express my opposition of Prop 16. I strongly against San Jose from endorsing this Prop 16.

City Should not take a position right now since the vote is on 11/3 and it is against prop 209 at current Bylaws,

Silva, as councilwoman, represents her entire district, how does she know all voters decision before the vote? She can't use her power, given by the public, inserting her own interest false fully represent all her district voters. She is clearly interfering with the coming election.

--Michael Yao From: Junling Liu < Sent: Tuesday, August 25, 2020 10:24 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

Hi,

It's a backward step to have prop 16. It judges people by their skin color. I vote no. Please consider our voice.

Thanks Junling Liu

Sent from my iPhone

From: Martin Peng < Sent: Tuesday, August 25, 2020 10:10 AM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

Prop 16 is illegal ! It judges people by their skin color. This will bring racist and finally harm our society!

[External Email]

Dear City of San Jose Council member

We, the Vietnamese people, opposed Prop 16. After 1975, when the Communist took over South Vietnam, many South Vietnamese youths in that generation could not get into the university because of the affiliation of the family with the previous regime. It was one of the reasons that we escaped out of the country, risking our lives on the Ocean and those fortunate refugees established our resettlement in the Bay Area. We worked and studied hard to get our education in UC and State university. We paid taxes and sent our children to high education based on their academic performance. Now Prop 16 provides an unfair quota for our next generation children. The American dream seems to be lost forever if this prop passes.

I would like to include this paragraph to conclude our proposition on this Prop 16: "

"Rev. Dr. Martin Luther King, Jr. dreamed of the day when his children were judged not based upon skin color, but by the "content of their character". He understood that you don't fix past discrimination by imposing new forms of discrimination. Judging people based on the color of their skin will take us backward and will create resentment without improving the conditions for Black or Brown Americans. It's an easy - but wrong - answer being pushed by politicians who don't want to do the hard work to strengthen families, improve education, and expand job opportunities and mentorships to lift people out of poverty. "

Liem Huu Bui

Ngoc Do

Fw: Proposition 16 - Oppose

City Clerk

Tue 8/25/2020 12:08 PM

To: Agendadesk <

Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14th Floor San Jose, CA 95113 Main: 408-535-1260 Fax: 408-292-6207

How is our service? Please take our short survey.

From: Critical Thinking for Sent: Tuesday, August 25, 3			
To: City Clerk <	CouncilMeetin	g <councilmeeti< td=""><td>Wilson G. Crosby</td></councilmeeti<>	Wilson G. Crosby
<	W. Alston Crosby <	Athenna Crosby <	
Adrian's Voice Mail <adria< td=""><td>ncraft</td><td></td><td></td></adria<>	ncraft		
Subject: Proposition 16 - C)ppose		

[External Email]

"Agenda Item 3.7 - Proposition 16 -Oppose"

The reasons I'm opposing Proposition 16: 1) This controversial policy will divide people and tear our community apart. 2)

It will cost a huge amount of tax money to implement such a policy, we would rather to improve our K-12 education. 3)

The government should not make distinctions on the basis of race and gender, that's against the principle of equality.

In MY OWN OPINION, I think Basically, the BLM, Antifa, and democrats want to repeal this now, so anyone

leftist/communist/ or supporter of BLM/Antifa/democrats can (and they will!!!!) discriminate against anyone who does

not support communism/socialism/blacks. In other words, they want to discriminate against whites mainly and anyone

who does not obey the BLM, Antifa, communist agenda.

MY ENTIRE family and I are victims of "Socialism of the 21st Century," AKA Cuban Castro Venezuelan communism. 10 Members of my family have been murdered in Venezuela, 80% of the left alive in Venezuela have fled to Chile, Argentina, Ecuador, Peru, Colombia, Brazil, Mexico, California, Utah, and Miami. 5 million people have had to leave Venezuela in the last 8 years. I still have family in Venezuela one brother and one sister (all French Martinique whose father was descendant of the slave trade on the Caribbean) and their 16 members of their family. My husband and I have been helping them with whatever we can monthly because the average wage PER MONTH IS \$1.65 cents.

IN OTHER WORDS!!!! ... I (Venezuelans) recognize ALL the signs of communism takeover of the USA. We have been there done that.

If you like BLM, ANTIFA, and/or COMMUNISM, and live in the UTOPIA of Socialism, this is to inform all, that socialism/communism does not care what race one is, if you do not comply THEY WILL KILL ANYONE.

My 87 years old mother, my 11, 12, and 13 years old and I escaped being murdered in Venezuela in 2011.

We had to hide for 25 days, and move every 3 days to a new location. We had to escape in 3 different vans at 3 am protected by paid escorts in order to be able to make it to the airport. The communist government almost did not let me leave the country because they had a problem with me having an American passport, and demanded me to leave using the Venezuela passport. Lucky for me I had one ready just for that.

We kissed the floor of the USA soil when we got into Houston. Only then we felt free. You have no idea the HORRIBLE feeling of living or being in a country where anyone can kill you (in Venezuela) for 1 dollar if you do not support the "socialist" government. There is not 911 anywhere in the world.

now is not the time to change protections laws.

From: Brad Imamura < Sent: Tuesday, August 25, 2020 1:14 PM To: CouncilMeeting < Cc: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose

[External Email]

Mayor & City Council - Oppose Prop 16.

Sent from Yahoo Mail on Android

From: Janet.Yih < Sent: Tuesday, August 25, 2020 1:27 PM To: City Clerk < Subject: "Agenda Item 3.7 - Proposition 16 - Oppose"

[External Email]

I vehemently OPPOSE agenda item 3.7. No affirmative action. We are equal under the law.

But in the context of civil rights law, unlawful <u>discrimination</u> refers to unfair or unequal treatment of an individual (or group) based on certain characteristics, including:

- Age
- Disability
- Ethnicity
- Gender
- Marital status
- National origin
- Race,
- Religion, and
- Sexual orientation. Janet Yih
 Sent from my iPad Pro

From: Ying < Sent: Tuesday, August 25, 2020 1:30 PM To: City Clerk < Subject: Agenda Item 3.7 - Proposition 16 - Oppose"

[External Email]

Dear Major,

I strongly oppose Prop 16. Prop 16 is bringing back racism, enabling discrimination.

Thanks, Ying

From:

Sent: Tuesday, August 25, 2020 1:35 PM To: City Clerk < (Compared a store 2.7 ennous Bron 1)

CouncilMeeting <

Subject: Agenda item 3.7-oppose Prop16

[External Email]

I strongly oppose Prop16 for it legalizes the discrimination and it will divide us as well, it is not fair for everyone, it would allow the government to pick up the winners based on race, color sex or national original. Merit based system is much better for a person, fir our state and our country.

Thanks for taking my opinion

Wendy

Sent from my iPhone