



Memorandum

TO: HONORABLE MAYOR
AND CITY COUNCIL

FROM: Jennifer Maguire

SUBJECT: INDIGENOUS PEOPLES' DAY

DATE: October 6, 2021

RECOMMENDATION

- (a) Adopt a resolution proclaiming the second Monday in October as Indigenous Peoples' Day.
- (b) Approve an ordinance to amend Section 11.04.040 of Title 11 of the San Jose Municipal Code to revise City holidays.
- (c) Adopt a resolution amending Council Policy 2-1, Flag Display Policy.

OUTCOME

The City of San José will replace Columbus Day with Indigenous Peoples' Day to recognize, celebrate and honor the culture and contributions of all Indigenous Peoples' in the Americas, and of the Ohlone peoples on whose lands the City of San José now sits. This action is commensurate with the State of California's October 14, 2019 dedication of the second Monday of October as Indigenous Peoples' Day.

BACKGROUND

At the October 6, 2020 City Council meeting, Mayor Liccardo offered a proclamation honoring the Muwekma Ohlone people and honoring Indigenous Peoples' Day on October 12, 2020. The following day, at the October 7, 2020 Rules and Open Government Committee meeting, Mayor Liccardo and Vice Mayor Jones issued a memorandum directing the City Manager to, among other things, eliminate the City's recognition of Columbus Day. While no action was taken at the Rules and Open Government Committee meeting, the City Manager's Office agreed to return to the City Council to properly agendaize and codify the elimination of Columbus Day and replace it with Indigenous Peoples' Day. As such, this memorandum does just that and describes the significance of the action.

Observing Indigenous Peoples' Day recognizes the value of the Native people on this continent and raises awareness of the rich culture and traditions of the Indigenous peoples of the Americas. It also starts a community conversation that includes the historical perspective of the Indigenous people in the United States and locally, voices that have been historically excluded.

San José is built on the sacred land of Thámien-Ohlone territory, whose descendants are enrolled members in the previously federally recognized Muwekma Ohlone Tribe of the San Francisco Bay Area, and whose lineages were missionized into Missions Santa Clara de Thámien, San José, and San Francisco. Celebrating Indigenous Peoples' Day is just one way the City can honor the cultures, contributions, and resilience of all Indigenous peoples.

ANALYSIS

The United States has a long, adverse history with the Native people who called this land home long before European settlers first arrived. There were more than 50 million people native to the Americas at the time of Christopher Columbus' landing in the Bahamas in 1492. The wave of new settlers to what would become the United States of America resulted in Euro-American land claims on territory that had belonged to tribes for hundreds of generations. This began a painful history of displacement, forced migration, and marginalization that continues today.

The history of the State of California and of cities in the Bay Area shows the same troubling patterns of displacement and disenfranchisement as the rest of the country. Native Californians were in the area at least 13,000 years before Columbus landed in the "New World". The establishment of Spanish missions in 1769 brought the first wave of destruction as many Native peoples were forced off their lands and obligated to work as unpaid laborers for those missions. The Gold Rush starting in 1848 brought another wave of displacement and violence, devastating the Native Californian population from 150,000 to 16,000 by 1900.

By the turn of the century, most surviving California Native people were left to fend for themselves without any government assistance or even acknowledgement of their existence. Despite the eventual recognition of Native peoples as citizens with the passage of the Indian Citizenship Act of 1924 (which left out most California Native people), Native Californians were forced to send their children to boarding schools where English and United States culture were taught exclusively until that practice ended in 1950. In the 1950s and 1960s, Congress passed the California Rancheria Termination Acts that ended federal recognition of and annulled legal rights for 46 tribes through the removal of tribal land from the Federal trust, and resulted in the dissolution of the rancherias, and the distribution and transfer of land to individual owners as private property. The City of San José is built in the Thámien -Ohlone tribal region, whose people were intermarried and allied linguistically, economically, militarily, and ceremonially, with the neighboring tribal groups of the East and West Bay regions.

In addition to the wholesale omission of the contributions of Native peoples to the United States in history books and school curricula, the celebration of Columbus Day perpetuates further trauma on Indigenous people by forcing them, especially children in schools, to hear about and celebrate the conquering Euro-American societies that set in motion the destruction and marginalization of Native American languages, cultures, traditions, religions and identity.

The proclamation of Indigenous Peoples' Day represents the fruits of a concerted, decades-long effort to recognize the role of Indigenous people in the nation's history. Current national focus has increased public calls for replacing this holiday. Replacing this holiday does not reduce the inter-generational harm caused on Native peoples in this Country; a pain that will live on through the descendants of our Native peoples. Replacing this holiday is but one action the City can take, in this moment, to recognize the many wrongs done to the Indigenous people of this continent, including a recognition of how current celebrations of Columbus Day re-traumatize some of our fellow residents. By taking this action we intentionally chose to celebrate the many contributions of the people who lived here long before the City was founded, and add to similar recent actions taken, such as the renaming of the Burnett Academy to the Muwekma Ohlone Middle School located in downtown San José.

CONCLUSION

Since international Indigenous leaders recommended an International Day of Solidarity with Indigenous Peoples of the Americas at their United Nations conference in 1977, the movement to establish an Indigenous Peoples' Day has been building strength. With more than 100 states and cities already recognizing such a day, as well as the aboriginal nations within their respective territories, the City of San José is joining a movement to help our communities face history, engage in healing, and celebrate the rich culture and traditions of the Ohlone people locally. While the acknowledgement of Indigenous Peoples' Day is an important gesture, it is imperative that the City make visible the stories of Native peoples, engage local tribes in decision making, and consider their traditions of living in harmony with nature.

EVALUATION AND FOLLOW-UP

No additional follow up action with the City Council is expected at this time. Staff will amend applicable City documents and items to permanently replace Columbus Day to Indigenous Peoples' Day.

CLIMATE SMART SAN JOSE

The recommendation in this memo has no effect on Climate Smart San José energy, water, or mobility goals.

PUBLIC OUTREACH

This memorandum will be posted on the City Council agenda website for the October 19, 2021 meeting.

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COORDINATION

The City Manager's Office of Racial Equity consulted with local Native people to draft the resolution. This memorandum has been coordinated with the Office of the City Attorney.

COMMISSION RECOMMENDATION/INPUT

No commission recommendation or input is associated with this action.

CEQA

Not a Project, File No. PP17-010, City Organizational and Administrative Activities resulting in no changes to the physical environment.



JENNIFER MAGUIRE
City Manager

For questions, please contact Zulma Maciel, Director, Office of Racial Equity, at (408) 535-8146.