



HUMAN RELATIONS COMMISSION

Thursday, April 5, 2018
Community Meeting Room
Palo Alto Civic Center
250 Hamilton Avenue
7:00 PM
SPECIAL MEETING

Commissioners Present: Alhassani, Brahmbhatt, O’Nan, Lee, Stinger

Absent: Chen

Council Liaison: Council Member Wolbach

Staff: Minka van der Zwaag, Mary Constantino

I. ROLL CALL

Chair Stinger: This a special meeting for April 5th and we’ll begin with roll call please, Mary. Before we go on I’d like to introduce Monique leConge. We know Monique as Director of Libraries and now Director of Community Services. Welcome.

Ms. Monique leConge Ziesenhenn: Thank you. Interim Director.

Chair Stinger: Interim.

Ms. Monique leConge Ziesenhenn: It’s nice to meet all of you and I just wanted to say hopefully you won’t be scared if you see me show up at a meeting. I’m just going to be dropping in to meet people and to learn how you all work. I’m eager to get to know all of you better and work with you. If you have any questions feel free to ask or feel free to give me a call and come in a visit. My office will continue to be at the Downtown Library so right behind City Hall and I don’t know if you have anything you want to say on my behalf.

Ms. Minka van der Zwaag, Human Services Manager: I just said we’re really excited in Community Services. This opens up a lot of wonderful collaborations between our departments. Especially our recreation and the libraries have been working a lot more closely the last couple years in some joint programming. So, it seems a real natural fit for those of you that have been around the city for a long time. When I started libraries was under Community Services so to have Monique as our Interim Department Director when we heard about it was just kind of going back to the ways that it uses to be. So, we’re looking forward to working more closely again with our colleagues in the libraries and to working with Monique and having her lead and support us in the next 18-months.

Ms. Monique leConge Ziesenhenn: I do want to be clear that this is not a re-merge. We’re going to remain as separate departments and I know that the city is committed to re-opening the search for a new CSD Director as we move on through the year.

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Chair Stinger: I would just like to echo Minka's comments. We've worked very closely in the last 2-years on different programs and I'm looking forward to continuing that.

Ms. Monique leConge Ziesenhenné: Yes, I as well so thank you very much and I hope to get to know all of you better.

II. AGENDA CHANGES, REQUESTS, DELETIONS

Chair Stinger: Moving onto agenda changes, requests, deletions? Anything from any of the Commissioners?

III. ORAL COMMUNICATIONS

Chair Stinger: We'll move onto than to oral communications. I have David Carnahan.

Mr. David Carnahan, Deputy City Clerk: Thank you, Chair Stinger, Commissioners, member of the public. David Carnahan in the City Clerk's Office. I am here to talk about the city's extended deadline for recruiting for the Human Relations Commission and the Historic Resources Board. The city is currently looking to fill three positions on the Historic or sorry, three positions on the Human Relations Commission and one position on the Historic Resources Board. The Clerk's Office comes to Boards and Commissions because you have a great outreach in the community than our office does and then we have members of the public both here and at home that may know community members that would be interested in serving on either of these Commissions. The deadline to apply is April 23rd at 4:30 p.m. and your renewed homework is to ask at least two people to consider applying for one of these Boards or Commissions. If any of you would like similar homework I will leave some flyers at the back of the room. Thank you.

Chair Stinger: Thank you. Aram James, please.

Mr. Aram James: Can I sit at the table?

Chair Stinger: The mic, please. The standing mic with the podium.

Mr. James: I know last time we were able to sit.

Chair Stinger: We would prefer it's easier for the video and the audio, please. Thank you.

Mr. James: Can I have 5-minutes if possible? Chair?

Chair Stinger: Can we hold it to three?

Mr. James: How about four?

Chair Stinger: Let's try three.

Mr. James: Thank you very much. A couple things I guess on a personal level I know as a trial lawyer I'd often try to personalize my client's plate so I guess the question that I would ask Ms. Dauber who is spearheading the recall if it was one of her child, a son or daughter who had committed an offense like Mr. Turner and it was a first offense. Wouldn't she, in fact, be requesting mercy of the court, restorative justice, rehabilitation just like Judge Persky did in the ADA. The City of Palo Alto does not discriminate against individuals with disabilities. To request accommodations, auxiliary aids or services to access City facilities, services or programs, to participate at public meetings, or to learn about the City's compliance with the Americans with Disabilities Act (ADA) of 1990, may contact 650-329-2550 (voice), or e-mail ada@cityofpaloalto.org. This agenda is posted in accordance with government code section 54954.2(a) or section 54956. Members of the public are welcome to attend this public meeting.

Turner case? So, you know I wish Ms. Dauber was here so I could ask her that question personally and I suspect that you would bring the best council in the country and at Stanford University to defend her own child to ask that person not be sent to our barbaric state prison where women and men go to be raped and victimized. They are not protected by the prison system and they often come out extraordinarily more damaged and more likely to commit a crime than when they went in. I wrote an article and I apologize I – the meeting changed and I didn't make a copy for everyone tonight. I gave a few out last times and it's called *Don't Judge Persky Sentence in a Vacuum* and it was published in the Daily Journal in July of 2016. I had the good fortune of spending about 20 plus years – 25-years in the Public Defender's Office and I did a lot of probation violations. So, when Judge Persky imposed the sentence it was initially 6-months but if Mr. Turner violated probation he would become back before the court and be facing 14-years. Sadly, most of my clients – at least a preponderance of them, never made it through the very difficult dizzying number of probationary terms. They violated their probation and they went to prison for the maximum term and in this case up to 14-years hardly a slap on the hand. In addition, I think you've read about the case. He's also got a lifetime sex registration requirement that means not only if he doesn't register would that violate his 3-year probation but even beyond probation he would be looking at California at a 3-year state prison sentence. I'm just going to read you a few sentences from the end of my article because I don't have time to read it all. Many of the same progressive voices who've spoken out long and passionately against over incarceration, mass incarceration, the disproportionate sentences imposed on the poor and people of color are not doing it about-face in the Turner case. They're shouting out that more of the same cruelty and barbarism – can complete the...

Chair Stinger: The quote.

Mr. James. Thank you very much. I'm sorry they are shouting out for of the same cruelty and barbarism should have been handed down in the Turner case. The same mentality that has brought us to our current fatal state of mass incarceration. Instead of blindly demanding that a white elite be sentenced to prison for his first offense, the better logic is to demand the same measure of justice and mercy for similarly situated defendants of color and the poor. We must look to rehabilitation and restorative justice first in harsh and unforgiven prison sentences only where absolutely necessary. The vengeful model of sentencing has proven over and over again to lead to recidivisms, overcrowded prisons and little or no true comfort for the safety – true comfort or safety for the victims. We should support Persky's rehabilitation motivated sentence as an extension of the progressive movements call for an end for our prisons, our country's failed mass incarceration policies. Thank you (inaudible)

Chair Stinger: Thank you. Thank you very much. Mark Petersen- Perez, please. Same three.

Mr. Mark Petersen-Perez: I think I've got it figured out by now I guess. I'm not an attorney but I have written two petitions before the California Supreme Court and they have been published. Now if you have a passion to pursue something I would certainly re commend everyone here to peruse that passion. Now what I wanted to talk a little bit about is the Palo Alto Policy Auditor, Michael Gennaco. He's been contracted with the City of Palo Alto to audit occurrences and complaints that have occurred within the City of Palo Alto. Now there are 19 reporting events that Mr. Gennaco has written about. Now if you delve into his contract he's supposed to present

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these reports twice a year before City Council. Now I attempted to get information concerning not only the contract but how Mr. Gennaco reports to the City Council but more importantly to the citizens of Palo Alto. It was very difficult to get information out of the City of Palo Alto. James Keene primarily, Molly Stump the City Attorney, and so what I needed to do is I put forth a Public Records request and that request was rather revealing. It indicated that Mr. Gennaco had been before City Council and the public on only four occasions. It's pretty amazing. I kind of – and if you look at his contract he's supposed to be here before the city and let me just get back into the role of an attorney. The greatest search engine that an attorney can implement is cross-examination and I'm sure that Mr. James has cross-examined many individuals. We have not been afforded the opportunity to question the reports that Mr. Gennaco has issued contractually. So, my personal feelings are that he has more or less defrauded the citizens of Palo Alto because we have not been able to question his reports nor receive a response from him. He hasn't responded to any of my emails so what sort of signal does this present to the citizens of Palo Alto with respect to how he feels about the interaction of the city – the citizens of Palo Alto and that of the police department. I think he has failed in this regard so I would encourage you as Commissioners to not only read the reports and perhaps send off an email to Mr. Gennaco to find out why he has not reported any reports with the exception of four reports to the community and to City Council? Thank you.

Chair Stinger: Thank you for the oral comments.

IV. BUSINESS

1. Further discussion of the Palo Alto Police department's draft field-based video policy and deliberation of a HRC response to Council.

Chair Stinger: We'll move to business. The first item is further discussion of the Palo Alto Police Department's draft field-based video policy and deliberation of an HRC response to Council. Would you like to speak to your memo Commissioner Lee?

Commissioner Lee: Sure. First, I just want to say that I really appreciate the police department coming and presenting to us at our last meeting. I really appreciate that courtesy. I think given how hot of an issue policing in our community have been nationwide over the past couple of years. The cause for a greater policy accountability and in particular the use of body cameras, I think this issue is one that requires further community engagement on. Coming out of last month's meeting I wasn't really sure one way or the other whether I would have endorsed the policy or not. So, I'd love to hear more from the community as to what their thoughts are on it and get some more expert opinion. See what other best practices are out there and how we came up with the current policy. I know the draft body camera policy was drafted in a way that's consistent with the existing vehicle camera policy which was adopted by Council a couple years back. I think given recent events it's worth re-exploring both the existing and draft policies and that may result in us affirming the existing policy, it may not. Certainly, lend itself to going in either direction but I think the topic is hot enough that it merits further community engagement. The bulk of my recommendation at this stage would be to ask Council to not be in a rush to approve the draft policy but to really re-engage with the community, get their additional feedback, have the police department incorporate that feedback and come back to both. I would

prefer it come back both to the HRC and the Policy and Services Committee for further review and recommendation.

Chair Stinger: We all have the memo in front of us. I'll open it up to the Commission for questions just of clarification. Any questions of Commissioner Lee? If there are none I'll turn it over to comments and then come back to us for discussion. The first card I have is Aram James.

Mr. Aram James: Again, I request to sit at the table and to have an extended 5-minutes if that's possible. It's a very critical issue and I've don't substantial research on it. Madam Commissioner could I have a little additional time?

Chair Stinger: I do appreciate the research. I'd like to keep our meeting running on time and we'll still with format please.

Mr. James: I want to thank Sue Drummond. I gave each of you a copy of the piece that she did regarding this last meeting. I stress three points – at least three that she captured in that article. One is said we need to have equal access to the body-worn camera footage. As I had pointed out before if Mr. Peterson and I were in an incident where I was beaten up and he was beaten up, one of us was charged with an offense and one wasn't. One of us would get the tape through criminal discovery, the other wouldn't. That doesn't seem right. Then I talked about the importance of making sure that the body worn camera is on when you're taking statements from potential informants, also known as snitches. I sent you all an article or two this week the direct link between wrongful convictions and the testimony of informants, snitches. About 15% of the cases that have – death penalty cases that have been reversed it the innocence project has that problem. We need to keep the tape on and that is the model policy that the Northwest Innocence's Project came up with and I sent you a copy of that article as well. Then I also talked about the controversy regarding not allowing police officers to write a report – police report with viewing what was on their camera, one witness, and their own. No other category of witnesses is allowed that kind of special attention. Then I wanted to draw your attention to the Jorge Hernandez case out of Palo Alto that was on 60-minutes. It's a 2002 case where a young man in Palo Alto was coerced into making a false confession. Ultimately DNA exonerated him and eventually, they got – the point is we need to tape all statements of defendants when they are making so-called confessions. Then I point you to the McMartin case out of the 80s. We also need to tape alleged victim's statements. In that case, it was only because you were able to listen to the statements of the alleged molest victims where you see that the words where being put into those – the witnesses mouth that people didn't go to prison for a very long time – for a very long time. Those that – in other cases that did go where the statements weren't recorded it made it much more difficult to exonerate innocent individuals. So those are two additional things that I didn't mention last time. We need to tape all defendants' statements so that we can see if it looks like it was a coerced false confession and alleged victims too. The police often don't want to do that because they can then create a better version of what the alleged victim pointing towards guilt or innocence. We can't countenance that. Everything needs to be taped and like I said it's in regards to snitches. That's not just me proposing that the very powerful innocence projects and that's a modeled policy. You need to look at that when you start to think about where we go with the policy here. Also, of course, we saw out of Sacramento – thank you very much.

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Chair Stinger: Thank you. Mark Peterson-Perez, please.

Mr. Mark Peterson-Perez: I was here when Andrew Bender presented a presentation concerning the draft and it's rather interesting. The bullet points, I'll read some of those. It says reducing complaints and use of force incidences provides impartial evidence in court cases, exonerates officers of false accusations, enhances transparency and accountability, improves training basis for corrective action. I want to focus just a little bit on enhances transparency and accountability. There is nothing in this policy that addresses transparency and accountability and there should be. Now the recent shooting in Sacramento, well to the Sacramento Police department's credit they released the video. Chief Beck I believe of Los Angeles Police Department came out before the news media and indicated that they are now going to release body worn camera video. It's important but again it's talked about enhances transparency and accountability. Again, there's nothing in this policy that addresses that issue and there should be. As I recommended at our last meeting there should be a criminal defense attorney that will take a look at this policy and present his thoughts and idea as to when the information should be released and when it should not be released. More importantly to specifically discuss the case law that is involved in this. There's nothing in this policy that deals with the California Public Records Request Act and there should be. It should delve into the criminal aspect of releasing those videos as well. So, it's nice to talk about these things but looking at this policy it really focuses on exonerating officers and eliminating those false accusations. That is, in my opinion, as to what this policy focuses on. Again, it should delve into the transparency aspect of it and the accountability.

Chair Stinger: Thank you. I have no other comment cards. Thank you for the oral comments. We'll move to Commission discussion. I'd like to start the discussion by stepping back a second and just asking the Commissioners do we want to respond? Before we start looking at the contents of the letter before we look at the items that we've included before we look at how we word those items can we first agree that we will respond or not respond?

Commissioner Alhassani: Can you clarify what our response entails?

Chair Stinger: Before we agree that we frame the memo I want to step back and say that we do want to comment to the Policy and Services Committee of the City Council that we have heard and thought about and done diligence and we have comments to make. I don't want to go forward without an agreement that we want to produce a document.

Ms. van de Zwaag: I think the Chair is saying is so you have the draft from Commissioner Lee which he has carefully drafted and brought in front of you. So, what's on the agenda tonight is discussing an HRC response to the Council if that's what the HRC wants to do. Commissioner Lee has brought it to you for your consideration so the HRC can do one of several things. It could say you know what, thank you PD for bring that to us. We appreciate it. We gave you your comments. That's what we'd like to do. The HRC could say you know they brought it to us. We appreciate it but we'd like to give some comments back to the Council in response to the document, in response to the process and then if that's the will of the HRC then you would have to make a decision amongst you what that communication would look like. So that's what I think Commissioner Stinger is trying to get at. First making the decision yes, we would like to provide some kind of response to the Council and if so what would that look like. You know Commissioner Lee has given you a draft that he has given for your consideration and you can

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consider that. You could add to it, you could subtract to it but that's really the discussion that's in front of the HRC right now. Just to let you know the slight change since we met last time, this – it was going to go to Policy and Services and to Council. At this point it's not on the Policy and Services Committee schedule as was originally communicated so Executive Staff is really trying to determine what the next steps will be and as soon as I know what they are I will get back to you but that does not diminish for a minute if you want to make a response to Council that you can do so. I would just have to get the timing on when it is going and how – if you had a communication how that could be presented to them.

Commissioner Alhassani: Can I ask a clarification question on that?

Ms. van de Zwaag: Yes.

Commissioner Alhassani: Presumably does it have to go to Policy and Services before it goes to Council or does this mean..

Ms. van de Zwaag: It does not have to go to Policy and Services.

Commissioner Alhassani: So then as of now since it's not on – is it on Council's agenda at all?

Ms. van de Zwaag: It is not currently schedule on the Council agenda.

Commissioner Alhassani: But Council does have to vote to approve the new policy?

Ms. van de Zwaag: That's what I and still need to get some feedback on the process that it's going to go from here.

Commissioner Lee: Would Council or their Policy and Services Committee see the recommendation only if it appears on an agenda or would they see our comments in advance of it being agendized?

Ms. van de Zwaag: Would they see the HRC's...

Commissioner Lee: The comments on it.

Ms. van de Zwaag: If for instance, it got to Policy and Services, your letter can be sent to those Council Members or the HRC can come that night to present to them. The same would be for Council, communication can be sent to Council in advance of the meeting and you could go during oral communications that night for the agenda item and speak to this item. So, they could have a copy of what you wrote and you can speak to it during oral communications.

Commissioner Lee: So, if it wasn't agendized until say February they wouldn't necessarily see our comments until closer to February?

Ms. van de Zwaag: Well you can go to any oral communications. Then you would just be at the oral communications at the beginning of the meeting for non-agendized items. So, if there is not an agenda date, if it's the will of the HRC to vote and send a representative, you can go to an upcoming Council meeting if you so choose.

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Commissioner Lee: Since the Executive Staff is deciding how they want to work with it or amend it, is there a possibility that the Executive Staff would have the ability to extend the community outreach process that I am initially proposing?

Ms. van de Zwaag: Well that was – would be as far as the process that is up to the executive Staff how they would handle that.

Commissioner Lee: That's the City Manager?

Ms. van de Zwaag: That is the City Manager and all the department heads.

Commissioner O'Nan: Well I'd be happy to start. I appreciate that Commissioner Lee is sensitive to what's happening nationally regarding body camera worn by the police and there have been many, many horrendous cases where police body cameras were not used or were not used properly. Black Lives Matter movement has become extremely important as part of our national conversation around that. At the same time, many of these issues are not local, at least not at the moment. Our police department has a policy that's been working fairly well and they came to us with a proposal to enhance that policy. So, it seems to me to be an odd response for us to jump on that and use that as an opportunity to sort of go fishing and go back in time to try to look at the origins of the policy and maybe reinvent the policy. In other words, I feel like there's a national problem but we're trying to attack it locally even though the problem hasn't manifested here in the same way which isn't to say it couldn't happen here because certainly it could but it does seem to me like it would be a lot of resources just to throw at something that hasn't occurred yet and might never occur here in Palo Alto. Whereas in the meantime there are many, many significant problems in the community and us, as a Commission, really have to judiciously decide how to use our limited resources. So, I'm with the feedback that we gave to the Palo Alto PD last time. They came as a courtesy and asked for our opinion on enhancement to the camera policy. We gave them some feedback and I don't know that anything else is warranted unless there is a real problem in the community where people are being shot at or abused or not able to get hold of their recordings that they need to defend themselves in court. I think as far as I know that is not happening currently and again, not to say that our policies are perfect but I don't know that we as a Commission have the expertise to untangle that and come up with something better. I'm afraid it would just be a case of wasting a lot of time and energy and resources on something that isn't a timely issue for Palo Alto right now.

Commissioner Lee: If the Chair wouldn't mind I would like to make respectfully response or to talk through some of my thoughts to Commissioner O'Nan's comments? Certainly, we don't face the same issues that other communities face. I would hate for a shooting or a tragedy to highlight flaws in a policy and so I would be more inclined to try to make a policy as strong as it can be now before an incident comes up. I'm not satisfied of waiting until a problem arises. I'm also just not very comfortable with necessarily how the policy was formulated. I don't know if it matches best practices. What other communities were weighed in drafting these policies. I sort of pose those questions last time and didn't really receive an answer that was necessarily satisfactory to me. I'm certainly not asking this Commission to draft or revise the policy. It's certainly beyond my expertise and I'm someone with a legal background but I'm certainly not a criminal law expert. I think there is a lot of expertise out in our community and I certainly want

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to give the community an opportunity to provide their feedback. Maybe it's not an issue and in that case, we can go forward with the current in draft policy but I think the community deserves based on the incidences that have been occurring nationwide and how hot this topic is. That they deserve an opportunity to engage in that process. Again it may not lead to anything and they may think it's fine in which case we move forward but I at least want to have that additional opportunity beyond the public comment session that we have at our meeting and that the Policy and Services Committee would have at their meeting to see if this is something that the community cares about or wants to weigh in or if there are other open questions or subject that they want to address in the policy.

Commissioner Brahmhatt: I also support Commissioner Lee's request. I think if you don't see it a fishing exploration you can see it more as an opportunity since the police department came forward with putting on a camera and they already a policy that goes with the regular camera. This is a camera on the body so I think it's a good opportunity to point out to the City Council that there is this policy that does not seem to be totally fair. It's not accessible to the public from as far as I know nobody has seen any video that has been released by the police department. There should be with the digital openness and so much information available everywhere this is something we can address. I disagree with Commissioner O'Nan that we should not wait for things to go bad. It's good like we are living in a safe community and we don't have that many incidents but that doesn't mean we should not lead the police policy space and kind of come out with the progress of open information, accessible videos policy that it should be very simple, you can click on a website and see what happen. It's just open information and then based on that independent information people can decide what they are seeing. I would support Commissioner Lee on this one that we should send these open questions to City Council and bring that with the messaging that we totally support the police department with their body cameras. We want that, that helps the police safety and I think it is needed. They're going out there and dealing with a lot of different scenarios and if a body camera helps that, the security, it should be there. With that, it would also be great if we have means to kind of have a more liberal policy associated with social camera media or whatever that media policy they were calling it.

Chair Stinger: Can I have Commissioner Alhassani and then come back to you?

Commissioner O'Nan: Sure.

Commissioner Alhassani: I think I'll say a few things. One is further I appreciate Commissioner Lee thoughtfulness in writing this memo and the questions he raises and the concerns he's bringing. Obviously, I think part of his concern as he mentions comes from what we see nationally occurring. That obviously there have been some egregious incidents where people have been shot that probably could have been gone in a better direction. At the same time, I would echo Commissioner O'Nan's point that while there have been a series of bad incidence the vast majority of officers in this country are acting in good faith, are protecting us and doing it for the right reasons. I've lived in a lot of places in this country and I find that the Palo Alto Police Department to be exceptional and to be among the speakers that we have in the HRC to be some of the most thoughtful, components, have come to the table here and researched all the issues they are going to discuss. Well I haven't 100% made up my mind yet but I think that I do agree with Commissioner O'Nan that to the point that I think you were making Commissioner

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Lee after us the police department will go see Policy and Services where it will be reviewed again then policy will be interrogated by City Council. It will have another opportunity to be displayed to the public and then City Council Members will also have an opportunity to ask questions and frankly help shape the process. So, it does feel a little heavy to have it come back to us in what's suggested in the memo. Having said all that, what I think I would be more comfortable with given that there are multiple Commissioners who feel the way you do, if there was a way to attach a memo of at least voicing your opinion. I apologize, I don't know if this is a process issue but there's a memo of descent of there's a memo of opinion that the HRC could put in. I wouldn't frame it this way. What I would prefer is something along the lines of we heard the Palo Alto Police Department out, we think they are obviously thinking about these issues, here are some questions we had for you, the Policy and Services Committee, to consider but then keep the process going as is. I think that is probably how I'd be a little more comfortable if that makes sense.

Chair Stinger: Makes a lot of sense.

Commissioner Alhassani: Sorry for that long windy answer.

Chair Stinger: I asked for it and I appreciate it. Commissioner O'Nan.

Commissioner O'Nan: Yes, thank you. I just wanted to respond to my colleague Commissioner Brahmbhatt. I think that there is some misunderstanding about the use of the videos. It is inconsiderable that anyone can go and click and see what the police video has captured. The privacy rights of people involved in those videos is paramount and of course the videos have to be turned over as evidence in criminal cases but otherwise, people do not want to see themselves and their relatives being arrested for drunk driving, domestic violence, and other issues. The city would be sued to kingdom come if that kind of access were granted so the fact that the Palo Alto Police Department does not regularly release video is because they are protecting all of our privacy rights and video is only released in certain extraordinary circumstances. So, in crafting a policy that works for the community, those competing interests have to be balanced. That is why they have a dedicated officer who deals with the release of information. That person has an expertise level that we cannot duplicate here at the HRC. So again, I think we need to be careful about venturing into these very, very sticky, difficult waters as perhaps overreaching on our part to try to investigate this policy at this time in the absence of a strong community need.

Commissioner Brahmbhatt: Yes, so I wanted to respond to that so I am a privacy attorney and I do counsel clients regularly by making that comment about things being accessible on the website it was meant more there should be an easy mechanism and not having to go through subpoenas or the court system for those involved to have access to that information. If my son, he's a colored person and I was listening to this conversation about the public defender where this black person was driving with three white guys and the police department stopped them and something happened. So, I'm raising a son here in Palo Alto. He's colored, he's not white and if he were involved in a police – hopefully, he's not. He's just 11-years old right but when he's a teenager or a high school student, if there was a video I would want access to that video and see what actually happened. It seems to me there is no way I can currently get that unless it becomes a series court case issue or things like that. There's no way I could access that and that seems to

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be a very troubling issue to me. Just privacy issues shouldn't even come in. It's like my son, he's involved in an incident and I should be able to see the video if they have the video. Unedited footage of whatever is there. It should be my right to get access to that.

Commissioner Lee: To build upon that I think what Commissioner Brahmhatt was saying wasn't necessarily making a video public available to everyone but at least specifying a process in which the subjects of said video could get access to those videos outside of the context to litigation. Certainly we ask that process question at the last meeting and I don't think we received an answer that clearly articulated what that process is or will be or should be and that's certainly an open question that I feel like the policy needs to specify as to what is the process for whether members of the public or subject of said video getting access to video? What is the criterion that is weighed and what are the reasoning behind adopting a particular policy preference with regards to releasing video? At the moment it's really up to the discretion of the police department and that's not an answer that I'm necessarily satisfied with at this point in time. I'd like a more robust explanation as to what the process is and how we came to agree on that process as a community.

Ms. van de Zwaag: I think the police department said that policy was up to the City Attorney as it's a public record so that's the not the police department saying no. They are following a Public Records Request policy which is under the jurisdiction of the City Attorney.

Commissioner Lee: Well then, it's not entirely clear to me what process the City Attorney would subject said request too and so I'd like that process more clearly delineated in either in this policy or in some other policy with specific regards to police footage.

Chair Stinger: I'm listening to all of the comments and I can pick out pieces of what everyone has said that makes sense to me. I want to propose a strategy of maybe it is exactly what you said Mehdi. Of responding with appreciation to the PAPD for the draft that we had a chance to respond too and may highlighting some specific topics that we have questions about and would like to request or suggest more thought be given by the PAPD or if there are areas now that we have more time we might want a Committee to look at them more. I think we can step back a little bit from the detail that we have in here. I'd like to propose that as a process going forward and see what you think.

Commissioner Lee: I just wanted to provide some clarification as to the weight of my recommendation. Again, I'm not an expert on these things and I certainly have certain policy preferences but I'm not at a stage right now where I'm informed enough on this topic to endorse, not endorse, edit, and revise the current or draft policy that's been presented to us. My primary concern and recommendation is that the public and experts in our community haven't been given the opportunity for them weigh in and tell us as a city whether this is an issue they care about and what questions they have and what preferences they would like to see in any such policy. So, my strong recommendation is that the city re-engage with the community to actively seek that feedback in a public form setting where police department can educate the community about what the draft policies are and really solicited feedback. I don't think it's sufficient just to leave it up to public comment at the City Council's meeting. I think this is a process that requires more time. I don't necessarily think it has to come back to the HRC to speak to Commissioner

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Alhassani's preference. My preference is always for things to come back to the HRC and that we don't advocate our policy advisory role but that's not something that I'm necessarily dead set on. At this point I just really want to give the community, especially minorities in our community and those care about civil liberties and policing issues, to have an opportunity to thoughtfully comment weigh their input. Then have the police department take those feedbacks into consideration and come back with either the same or potentially a strong and revised policy for the Council's consideration. So that's really the weight of my recommendation. I certainly do have policy preferences but again my weight is on the process and making sure that the community has a fair opportunity to weigh in.

Commissioner Alhassani: Chair, could I ask?

Chair Stinger: Yes.

Commissioner Alhassani: Could I ask if the Chief would like to respond or say anything? I'd love to hear his opinion.

Mr. Jonsen: Thank you. You know this is obviously a topic that everybody wants to have involvement in and I appreciate all the comments and I appreciate Mr. James and Mr. Perez because I think it's important to hear all sides. This is a topic that is constantly evolving and I think just for clarification I wanted to provide a little insight to you as a Commission to have an understanding of some of the information I know that you are wondering about. You know regarding some of the issues that Mr. James brought up. Some of those are generalizations for the industry as a whole but not necessarily specific Palo Alto Police Department. I think it's important to understand that what we've done in creating this policy and another thing I think is really important to understand is that this is an existing policy that's been in place for 11-years. It was mentioned last time and we're just adding a piece of equipment to it so the policy is relatively the same with some slight modifications. We did listen to the recommendations both by this Committee and by Mr. Perez and Mr. James last time and we feel we have a policy that is fair and equitable to the entire community. Protecting the privacy of the residents which is really important because I understand the want to see everything that we do but there are so many laws and restrictions to just releasing everything we do, it's just not feasible. I agree with the Commissioner, be careful what we ask for because this is not a reality tv show where I don't think the general public would accept if we put all our video online for anybody to see and access at any given time. With that said we do make our video available upon request. We submit it to the District Attorney's Office when there's an arrest involved so that through disclosure both sides can get that video if they're involved in a criminal process. Where I think it becomes a question of concern is what happens to the video like you mentioned, if your son was involved, you want to see the video. Well in our policy if you remember we talked a little bit about it as far as who has access to that video. Inside the policy it allows a supervisor or manager to access that video with the intent for mitigation of complaints. Well, mitigation is meaning I'm mitigating a complaint that you have brought to me whoever that person is. So, we have routinely allowed residents and community members to see the video, have access to it during that mitigation process. We use that all the time and it helps us resolve the complaint right then and there because they see exactly what happened. There's a difference between accessing it and releasing it to the public so for example, just so we're clear, let's say Chair Stinger is involved in

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a complaint against the police department. We call her in for mitigation of that complaint, she watches the video, she can watch the video and we can go over it together and she can clearly point out to me what her complaint is and then we proceed with following up and then investigation of that complaint. What we don't do is download that video for Chair Stinger to take with her. That's the difference. We do not release video to the public or to anyone unless it's required through a court order or through the Public Records Act. We do allow people to have access so they can feel better walking out knowing they saw exactly what happened and we do that all the time and that's actually in the policy right now. The other part as far as some points that Mr. James brought up is the camera be on at all times even with CIs. He refers to them as snitches, confidential informants. The vast majority of the policy came through and they addressed it last time through Lexipol comes through best practices; a company that develops policies for agencies across the country. They give us a general policy, we look at it, we can adopt it or we can modify it. We also looked at the document that came out from the Police Executive Research Forum back in 2014. It's a very comprehensive document, I can leave it with you but it talked about how to implement a body worn program and provided recommendation. It was sponsored through the Cop's Office in Washington and in this document, we followed many of their recommendations that are actually in opposite with what Mr. James was speaking about. I totally appreciate his comments and I totally appreciate the Northwestern Innocence's Project for their recommendation but this the best practice recommendation throughout the country and we adopted it. In this document, it says that we should have discretion to decide when and who we interview and it actually says in this document that we should have that discretion when taking or whether we record people in the community that want to report criminal activity. If they know that they are going to be recorded on anything that they want to provide to us confidentially, they may not report things to us so we have that discretion. It doesn't mean that in a court process if the judge wants to find out who that informant is there's a process for that and we will bring that informant to the chambers so the judge can interview that person. There are protections for that kind of thing. The other part as far as Mr. James brought up is we shouldn't allow officers to write reports. That again is something that's recommended in best practices that officers should have the ability to review video recordings prior writing a report. In Santa Clara County the only difference we have is that in an officer-involved shooting, our county protocol requests that the District Attorney and the investigators interview the officer first before reviewing anything to get that mindset because that's important for an officer-involved shooting then to allow the officer to review the video. So, we follow the best practices in those areas and we also – Mr. James brought up LAPD in a general format is allowing the release of body camera video. No, they are not. If you look at what they are allowing and they've agreed to, they are going to allow the release of body camera footage in specific situations such as officer-involved shootings after the criminal case has been through the court and there's a certain time perimeter on that. So again, we have no problem and that's an agreement. If we had an officer-involved shooting, we follow the county protocol with the District Attorney and that's part of that case, it gets turned over to him. If in a special circumstance a District Attorney wanted the body camera released or we felt due to community outcry that the body camera footage should be released, that's an agreement we'd make with the District Attorney's office weighing in whether it would compromise his ability to investigate the case or prosecute the case if there's a suspect in custody. So, there are always protective measures in place and I do want to remind the Committee that this is a policy that we have had in place for many years, we're adding a piece of technology to it and we always have the ability to review our policies later. I went through this in

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Menlo Park where we implemented a policy and then realized that the policy needed some strengthening and we went back and we revised that policy. We review our policies each and every year and if modifications need to be made we can make them. One of the things that I would stress for this Committee, we are trying to get this to the Council sooner than later so we get the piece of equipment into the field because until we get it approved by the Council we can't purchase these body cameras. So as long as we're continuing to discuss the perfect policy, these things are sitting on a shelf not being used. I would rather we implement them, look at our policy, review our policy, reassess it occasionally and decide if modifications need to be made. That's really, I wanted to say but I'm definitely open for questions if you have any.

Commissioner Lee: Chair Stinger?

Chair Stinger: I do have some questions, is it appropriate to ask new questions? Ok.

Ms. van de Zwaag: As long as it's on the topic that's on the agenda you may do so.

Chair Stinger: Thank you. I very much appreciate all the work that went into this and it forced me to do some thinking beyond which I was prepared to do the first time I saw the draft policy. I did have a couple questions and I wonder if you could give the same clarification to them that you gave to the questions that were raised previously. Most of them deal with citizens protections and I'm not going to be able to find them quickly enough but there's a comment in here, I think it's under a review of field-based recordings, where you don't show a video that might embarrass an employee. You don't use a video for training that might embarrass an employee and I wondered if we could include a citizen. If I were in an embarrassing situation could that video be protected and not used in a training setting?

Mr. Jonsen: Yes, I think that's absolutely reasonable. I think the reason it was worded that way was because we do use this – I'll use a sports analogy. Just like a football team would use, they go back, they review their video for specific types of incidents – plays to see how they can improve. That's what we're talking about when we look at it from a training aspect is if we had a pursuit or an officer-involved shooting or whatever it may be, a tactical thing, we review it and if somebody did something really embarrassing that's not just to be shown in briefing just to make fun of that particular employee. Just like we would never do that for a citizen either and that's a slight modification that can easily be made.

Chair Stinger: My other comments in the same vein. They are states as protections of employees and I wondered why they weren't extended to citizens. Thank you. Commissioner Lee.

Commissioner Lee: I wanted to ask when the last time the existing policy was revised. How recent was that?

Mr. Jonsen: That I'd have to go back and ask. Again forgive me, it's just cause I'm new, I don't have the answer to that. My recollection would say it was revised a couple years ago when I think they upgraded the system but I'd have to go back and ask the Executive Staff.

Commissioner Lee: Do you happen to know when it was revised a couple years ago whether there was extensive community involvement in that process or just an internal revision?

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Mr. Jonsen: No most of the policies when they are reviewed it is internal. That goes for all our policies because like I said Lexipol requires annual modification so they come out, they go through the management staff, the supervisory Staff, they go through all the policies of the department and make any modifications they are going to make and then they submit it back to Lexipol for implementation.

Commissioner Lee: Do you happen to know when the last time the community was involved in this policy? Was it 11-years ago when the policy was first implemented or was it sometimes more recent than that?

Mr. Jonsen: I don't know and all I can say is because we put our policies online, again I'd have to go back and ask staff how often a community member has called and asked if we could modify a policy. I just don't know.

Commissioner Lee: But there hasn't been any concerted effort other than perhaps...

Mr. Jonsen: No. I would say probably not.

Commissioner Lee: You mentioned the various best practices from Lexipol and the Police Executive Leadership forum, did Palo Alto decide to adopt all of those best practices or I'm guessing that you adopted some of them based on things unique to Palo Alto.

Mr. Jonsen: Well not necessarily unique but I would say a vast majority of them. The general recommendations we've adopted. I would Palo Alto's policy is more comprehensive than other policies that I've seen and I think to that point that's important is that small little phrase of activating a prior to arrival to a call. There are a lot of policies even in Lexipol's general policy that doesn't necessarily have that in it but we've found it to be extremely valuable so we avoid any situation that may occur once we arrive, we want to activate it prior to our arrival. So, we can prevent those kinds of situations but it is comprehensive because we pretty much say if will be on during all contacts.

Commissioner Lee: So, would you say that in areas where the current or draft policy differs from the recommended policy it's more forward-looking or it's more PAPD is taking a leadership role in making a stronger commitment to something as opposed to what

Mr. Jonsen: I think we're taking a stronger commitment towards having it activated at the most reasonable times. I mean we are really pretty comprehensive on when it should be activated. This is a device that I think will be questioned time and time again from what should be released. Every agency is going through this and usually takes an incident of significance that really creates that situation where we need to really for public trust release this and it's a case by case type of thing. I've told people before I would be more than willing to look at things when that time comes but it is a partnership between whoever's involved. Whether it's my self and the District Attorney's Office or it's myself and the City Attorney's Office. It's a collaborative effort on what we release. Right now, the policy has been for this department in this City is not to release any information outside of the legal perimeters.

Commissioner Lee: I appreciate you mentioning that the adoption of this policy is really what's holding up buying the cameras. I was not aware of that. Could you envision any revisions to the policy which may render the purchase of a camera premature? Are there any changes that we would make to the policy after you buy the cameras that would result in you having to get new cameras or replacing them?

Mr. Jonsen: No, the policy is solid as far as the implementation of the cameras. I do believe, as, in any new technology, there will always be room for evaluation and reassessment. I think that – again because this is still relatively new technology to law enforcement so as we as a profession continue to integrate it into our operations there's going to come times when we had never even thought about well, you know what? We should have probably had that in our policy. Again, that's why we do this annual reassessment to determine how we can make it better.

Commissioner Lee: So, we could certainly maybe permit the police department to buy the cameras now but if six to nine months from now we had changes to the policy it wouldn't necessarily render that purchase?

Mr. Jonsen: No, a policy revision is a policy revision.

Commissioner Lee: True.

Chair Stinger: (inaudible)

Commissioner Lee: So, I have a couple comments unless there are other questions from my fellow Commissioners.

Chair Stinger: Are they comments in summary? I think it's...

Commissioner Lee: Yes or well comments in response to the answers that I have just heard.

Chair Stinger: Make a brief statement.

Commissioner Lee: I appreciate you coming and providing some clarification. I understand that the draft policy is an addition to an existing policy that takes into consideration additional equipment. I think given just how long ago the policy was first put into place, 11-years ago, and how long ago the community was involved in it and how much has gone on in our country since then. Certainly, in the last couple of years and certainly in the last 10-years. I think this is a right time for us to reconsider both the current and draft policies which is why my recommendation targets both. I fully understand logically that it's an update to an existing policy but I think the time is right to re-evaluate both and that may result in us reaffirming the existing policy. It may not. As for the best practices, I'd like to have a better appreciation as to when we've adopted best practices, great. When we differ from best practices, what is it about Palo Alto or what considerations were taken into consideration in either adopting a less or more stringent requirement than best practices suggest. Again, I think the time is right for the public to be re-engaged in evaluating the underlying policy just in light of recent national events.

Chair Stinger: So, are you moving to send your letter as written?

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Commissioner Lee: I can make that motion unless there's additional conversation to be had among the Commission.

Commissioner Alhassani: If the Council Member – I'd be curious if he has any – if you want to ask if he has any thoughts on this as a process or wants to make any comment? I was just curious for your opinion.

Council Member Wolbach: Chair?

Chair Stinger: Please.

Council Member Wolbach: So, from a policy perspective I'm looking forward to talking about this at Policy and Services and this is also the context a separate policy initiative that we kicked off about 2 ½-years ago that's hopefully coming back to Council finally.

Mr. James: If you could speak up just a little...

Council Member Wolbach: Oh, I'm sorry. Let me speak into the microphone more directly. Thank you. This is an interesting policy issue and the context also is in a Colleague's Memo that Council moved to Policy and Services Committee. Policy and Services Committee last June made a recommendation for staff to bring to Council regarding technology which could raise privacy concerns. So, this obviously – those are the questions that are at play. You know good supervision of law enforcement by the other parts of the city and also by the public but also wanting to protect the privacy of members of the public. I think that those are kinds of the issues around which this conversation is circling and clearly both valid so we'll get more into that at Policy and Services. I think from a process perspective it's important to move something forward to the Policy and Services Committee so that we have those conversations and having the input in the minutes or in other formats from the Human Relations Commission is very useful. Having input from individual members just as individuals who happen to serve on the Human Relations Commission is always welcome. There will definitely be an opportunity for public input in writing extensively, always in emails to the City Council or by delivering them to city staff to share with Council Members at Committee of the Council meeting or both. Of course, Council Members are usually assessable to people who want to contact us. Our contact information is on the city website and I think there will be lots of opportunity for more conversations as this goes forward. Given the breadth of issues facing the City, Policy and Services Committee and the Human Relations Commission, I think it's good for Human Relations Commission to take good dives into the policy but I also caution against letting the perfect become the enemy of the good. It might cause delay and prevent any policy from being implemented which could mean either technology gets deployed with no controls or it can't be deployed despite its potential benefits. That's always the question, right? Wanting to get something just right or wanting to have something good enough that you can get it out the door. I appreciate that you're wrestling with those questions here tonight.

Commissioner Lee: If I might suggest one change to my recommendation? Hearing what the Council Member has said and hearing what the Chief has said, I would be inclined to say let the Council consider the policy and adopt it to enable the police department to purchase the cameras but I would ask that they further direct the policy department thereafter to re-engage with the

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public in a deeper fashion about the underlying and draft policy or I guess they'll both be current policies if adopted but to re-engage with the community in the next year to determine whether the then existing policy is sufficient. Just given how much time has lapsed since the initial policy was passed.

Chair Stinger: Please.

Mr. Jonsen: If it may or may not help to accommodate that request, one of the things I mentioned that I intend to do is put a Community Advisory Group together that's made up of residents throughout the entire city. It's something that I did at Menlo Park and I said I would do it here and I have every intention of doing it here with the process being put in place around June or July. We're looking at offering opportunities to residents who have attended our 21 of our 27 community academies. We have over 400 residents throughout the city that have attended that. I think it would be a great group to offer that too since they are aware of some of the ways we operate. One of the things I did at Menlo Park was given that group the opportunity to provide comments, recommendations, and insight to our body camera policy. They came back with recommendations that we did present. It was within a year to the City Council so if the Committee is good with that I will make sure I do that within that 12-month period because I have every intention of having that panel in place. It's something that I can make as one of our first operational objectives is to provide recommendations in regards to the body camera policy.

Commissioner Lee: That's something that I would be very supportive of. Thank you for offering that.

MOTION #1

Chair Stinger: I think I'd like to make a motion and that is that we stand with the comments that we offered in March. I look forward to your presentation to Council and consider the opportunity to speak at Policy and Services, the opportunity to speak at Council, and adequate public comment. I look forward to seeing the body cameras in place and the Community Advisory Committee Group in place and revision of the policy as needed with practice.

Mr. James: Could we have one last opportunity to speak?

Chair Stinger: I'm sorry, we were supposed to be done 30-minutes ago and I'd really like to try to keep us on...

Mr. James: Maybe (inaudible -off mic)

Chair Stinger: I'm sorry, I'd really like to keep us...

Mr. James: (inaudible)

Chair Stinger: We are the Commission...

Ms. van de Zwaag: It's not normal practice to give rebuttal during public comment time. I think last time it was just an anomaly that happened.

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Mr. James: That was great that we did that.

Ms. van de Zwaag: I know but that's not a practice that the HRC – I hear your feedback on that but...

Mr. James: I understand. Would you let the Chair make that decision?

Chair Stinger: I thought I did.

Mr. Mark Peterson-Perez: No, you didn't. It's just that it wasn't clear.

Chair Stinger: I'm sorry, let me be clearer, I want to – no.

MOTION #1 DIED DUE TO THE LACK OF A SECOND

Commissioner O'Nan: So, Chair I wondered can we get some clarification on your motion because I would not be comfortable sending Commissioner Lee's letter. I think it's too prescriptive and opens up too much of a can of worms. I am very comfortable with having given our feedback in March and recommending to Council that once the body cameras are in the field for a certain period of time, be that 6-months, 12-months or whatever is arranged, that we follow-up with the police department to make sure that the -- is it called the Community...

Mr. Jonsen: It will be the Community Advisory Group.

Commissioner O'Nan: Community Advisory Group does have a chance to engage on this issue and offer any recommendations. I feel like that is not as prescriptive but it does kind of a guideline to follow in terms of implementing the next technology and shows that we have given some thought to this and that we do recommend next steps.

Chair Stinger: I think that we're being consistent.

Ms. van de Zwaag: I'm trying to understand if you need a recommendation or you're giving your feedback once again to the Chief on these suggestions that they offered and your affirmation of the different aspects of it. So, I'm a little unclear about the recommendations.

Commissioner Alhassani: Well based on what you said at the start of the meeting is the motion that we are proceeding without comment but you're recommending that we check in at some point in the future? I thought what we said at the start of the meeting was we can submit Commissioner Lee's memo as is, we can make modifications to the memo or we have it proceed without comment? Is that accurate?

Ms. van de Zwaag: The agenda title is vague enough that it allows you to go forward with a response as you so choose. It could just be the feed that you're given or if you'd like to send it back so that when it goes to Policy and Services or if it goes to Council that there's an official response. Whatever that might be it could go forward and if the Chief Staff writes a staff report and it so chooses to include a statement by the HRC, they can do so as well. So, it's really up to the HRC how they want to respond. You could leave it just the verbal feedback that you have or

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if you want to say we want to have an official statement that we want to vote on that says we, the HRC, x, y, z. You are welcome to do that as well.

Commissioner Alhassani: I think I want to second Commissioner O’Nan. If you could clarify your motion is we’re proceed given the feedback we’ve already given and we would recommend a future date that we would appreciate if the Commissioner could check in with us or the Community Advisory Committee.

Commissioner O’Nan: I’m wondering should we draft a new memo which states that we are generally approving the addition of the body cameras but we do recommend that the community be re-engaged via the Citizens Advisory Group that Chief Jonsen is planning to put into place this summer. We would like a follow-up on that at a certain time frame. Do we want to concertize this in a written form?

Ms. van de Zwaag: That’s up to you if you want that to be a memo if you just want to craft a short statement right now that you could vote on because then if it’s on another memo then it has to get re-agendized again.

Commissioner O’Nan: Let’s do it verbally.

MOTION #2

Commissioner Lee: Well and if I could maybe make one suggestion. I don’t know if you would be onboard with it but so there’s one sentence in my memo that it says at a minimum we envision a robust process including both public forums and opportunity from members of the public and experts to review the policies and submit comments online. I might suggest that we revise that particular sentence to include and/or receiving formal feedback from the Community Advisory Group or whatever the official name is. I would be in favor of submitting my memo with that revision to it to enable the police department to solicit that public engagement through so many public forms or online comments. Certainly, also perhaps exclusively from their advisory group – Citizen Advisory Group.

Chair Stinger: I guess...

Commissioner O’Nan: I’m not in favor of sending the memo even with that edit.

MOTION #2 DIED DUE TO THE LACK OF A SECOND

Chair Stinger: I guess what I thought was strong about the memo was the communication process, the transparency and I guess a part that I wanted to amend is its citizens be given equal protection to officers and employees. Two of those three questions you’ve addressed so what’s left is the communication and I’m comfortable with the Community Advisory Group being the vehicle for public input in addition to anybody being able to come to oral comment at Council. So, I would ask that you restate your motion.

MOTION #3

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Commissioner O’Nan: Alright so I would make a motion that in-lieu of forwarding Commissioner Lee’s memo we instead make a resolution that we have already provided feedback to the Palo Alto Police Department at our March meeting and in addition we encourage them to reach out to the community via the Citizens Advisory Group that Chief Jonsen has pledged to form sometime this summer in order to reassess the policy once the body cameras are in the field.

Ms. van de Zwaag: Mary’s trying to get that so she might read that back to you, Jill. Can you read what you have Mary?

Ms. Mary Constantino: I have in-lieu of forwarding...

Ms. van de Zwaag: I think we would skip that part.

Commissioner O’Nan: Ok.

Ms. Constantino: Make a resolution – I meant...

Ms. van de Zwaag: The HRC makes a resolution.

Ms. Constantino: ... we have made feedback – I was having a hard time keeping up. To – what March meeting reach out to...

Commissioner O’Nan: I’ll try to be less articulate next time. So, the resolution – ok we, the HRC, make the following resolution...

Ms. van de Zwaag: Ok not stop.

Commissioner O’Nan: ... having provided feedback to the Palo Alto Police Department at our March meeting. We now support the new body camera policy...

Ms. van de Zwaag: Maybe the proposed body camera policy.

Commissioner O’Nan: The proposed body camera policy but recommend...

Ms. Constantino: But recommend?

Commissioner O’Nan: But recommend that this policy be reassessed by the Citizens Advisory Group that Chief Jonsen has pledged to form later this year...

Chair Stinger: June/July.

Commissioner O’Nan: I was going to give him a little leeway. So that the policy can be reassessed and revised as appropriate.

Commissioner Lee: Can you re-read that, please?

Ms. Constantino: The HRC makes the following resolution. Having provided feedback to the Palo Alto Police Department at our March meeting, we now support the proposed body camera policy but recommend that this policy be re-passed by the Citizens Advisory Group that Chief Jonsen has pledged this year.

Commissioner O’Nan: Pledged to form this year.

Ms. Constantino: Pledged to form?

Ms. van de Zwaag: I think it’s Community Advisory Committee.

Ms. Constantino: Or Community?

Mr. Jonsen: Community Advisory Group.

Ms. van de Zwaag: You were right.

Ms. Constantino: This year so that the policy can be re-assessed and revised as appropriate.

Ms. van de Zwaag: So, you so move.

Commissioner O’Nan: I so move.

Chair Stinger: Is there a second?

Commissioner Alhassani: I’ll second that. I mean technically speaking it’s not just the Community Advisory Group that could assess it right? Somebody could – a member of the public could give you a suggestion and you may take it under consideration and change it anyway because these are online...

Mr. Jonsen: They can give suggestions on any of our policies...

Commissioner Alhassani: Right, right.

Mr. Jonsen: ... because they are available online.

Commissioner Alhassani: I don’t know if that nuance matters as in I think it is worthwhile that the Community Advisory Group take a look at this but obviously anybody could at any point. I don’t know if that matters in the resolution but I wanted to make that clear.

Commissioner O’Nan: Yes, I’m fine with comments coming in from any source but I think the group sounds like it will be targeted...

Commissioner Alhassani: A formal...

Commissioner O’Nan: Yes it would be more targeted community engagement which is what I think we were looking for.

Commissioner Alhassani: I would second the Chair's – I mean, excuse me, second Commissioner O'Nan's motion.

AMENDMENT #1

Commissioner Lee: Can I make a comment and a recommended amendment? I'm personally not comfortable with us necessarily endorsing the body camera policy at this point. I'm not saying that I'm not endorsing it but I don't think I'm at the point where I'm ready to endorse it. Would you be inclined to say that we support the police department purchasing the body cameras and then having the Citizens Advisory Group review the policy after they've been purchased and...

Commissioner O'Nan: I'm afraid that would end up with the equipment sitting on the shelf and not being deployed in the field because the policy has to be approved first. So, I think we need to help shepherd that process along as best we can and I think this is a situation where things have to be trialed in the field and then we'll have to take a look at where the deltas are. Then possibly close those gaps with feedback from the community which I think is a really good point that you brought up. So, but I do think we don't want a situation where equipment is purchased and sits and is not deployed.

AMENDMENT #1 FAILED DUE TO THE LACK OF A SECOND

Commissioner Lee: I see so could we treat the language in a sense that we are ok with the police department adopting the policy, buying the cameras and using them on the condition that the larger policy be revisited by the Citizens Advisory Group.

Commissioner O'Nan: I think that's pretty much what we're saying already. I don't know if there's a nuance that I'm missing.

Commissioner Lee: I'm sorry, can you read back the first part of the...

Ms. Constantino: We the HRC make the following resolution. Having provided feedback to the Palo Alto Police Department at our March meeting we now support the proposed body camera policy but recommend that this policy be reassessed by the Citizens Advisory Group that Chief Jonsen has pledged to form this year so that the policy can be reassessed and revised as appropriate.

AMENDMENT #2

Commissioner Brahmhatt: Instead of the body camera policy, can we change it to deployment of the body camera – we support deployment of the body cameras?

Ms. Constantino: Proposed body camera policy..

Commissioner Brahmhatt: Yes, instead of the policy. We will support the deployment of the body cameras and we recommend that the overall underlying policy...

Commissioner Lee: After policy is adopted that it be revisited by the Citizens Advisory Group.

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Commissioner O’Nan: Right by my understanding from what Chief Jonsen said it’s the policy itself has to go through the proper channels and be approved before the equipment can be deployed.

Commissioner Lee: No, I’m saying that they can approve the policy but I don’t want us to take a stance as to whether we like the policy. I’m saying...

Commissioner O’Nan: Well we’re saying we support it because then that way they can begin to use the equipment but we’re putting a caveat around it saying we would like the community to take a look at it and revise it as needed. Once it’s been deployed that’s when the issues have come up.

AMENDMENT #2 DIES DUE TO THE LACK OF A SECOND

AMENDMENT #3

Commissioner Lee: So, can we say that we support the adoption of the policy for the purpose of getting body cameras deployed in a timely fashion but we would like the Citizens Advisory Group to take a comprehensive look at the larger policy in detail after it or something like that.

Commissioner O’Nan: Well I think we are basically saying that. I think you are trying to be prescriptive again and give just more details on that. I think we’re just adding to the same message.

Chair Stinger: I’ve happy with the way it’s written.

Commissioner Brahmhatt: I think the way it is right now it is conclusory. The way it is written right now with the body camera policy, it feels conclusory and it feels like we are totally on board with it which is not true. We are saying that we want it revised right? So, we are in support of the deployment of the body camera.

Commissioner O’Nan: I’m not saying I want the policy revised. I take Commissioner Lee’s point that we may want to have citizens engage with the policy and provide any additional feedback and as new technology, issues that are currently unforeseen may arise out of this deployment and then we will, as a community, want to revise the policy. Right now, we can’t see that happening so that I like that we are leaving it open for reassessment although the department already does a reassessment on a regular basis.

Commissioner Lee: But there may be revisions that we would make now that don’t necessarily come out of a technological discovery but I’m saying I’d be in favor of adopting the policy now for the purposes of immediate deployment but revisiting the existing issues or open question that we have about it. In addition to anything, we discover once we actually use them in the field.

Commissioner O’Nan: Well I guess I’m seeing this as less of an HRC role and more as the Citizens Advisory Group role. Although if they discover serious issues and need to come back to us for advice or guidance on that I would certainly be open – that’s the HRC’s role. Right now,

we're grappling with something that doesn't quite exist because we don't know what issues may or may not be forthcoming once the technology is in the field.

AMENDMENT #3 FAILED DUE TO THE LACK OF SECOND

Commissioner Lee: I'm not currently comfortable with supporting the motion so I'll be voting against it but I appreciate the discussion.

Commissioner Brahmhatt: I also vote against the motion.

Ms. van de Zwaag: Well we're not at the vote yet.

AMENDMENT #4

Chair Stinger: We're not at the vote yet. I have a friendly amendment that's very trivial but it's important to me. We say approve it based on the March presentation or the March discussion. For me it was the March discussion and the April discussion because it was that time in between that I really needed to read the policy and to look at other policies and do some research on my own to understand a little tiny, tiny, tiny, bit better of what was going on. There's a process when I think policies come to us in one meeting and we respond to them. I don't necessarily have the background too that I need to do some in-depth thinking and I think the two meetings, the March and the April meeting were very helpful to me. So, my friendly amendment is the March and April.

Commissioner O'Nan: I think that would be fine because we did have a very robust discussion and got some additional clarification from the Chief.

Chair Stinger: Your return really helped clarify the source of your policy document. Thank you.

Ms. Constantino: The March and April meetings.

Chair Stinger: Would you like to speak to your second?

Commissioner Alhassani: Well actually could I hear both Commissioner O'Nan's motion again and Commissioner Lee's proposed amendment again?

Commissioner Lee: I would say if you give me maybe just a minute and a half I'm trying to draft my revision to that but if you want to repeat what...

Commissioner O'Nan: Commissioner Lee wants to send his entire memo plus the revision

Commissioner Alhassani: Oh, no, no, sorry but I thought you made an amendment to...

Commissioner Lee: So that's what I'm working on right now and if I can tweak...

Commissioner Alhassani: Of the motion.

Commissioner Lee: Commissioner O'Nan's motion.

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Commissioner Alhassani: Can I hear Commissioner O’Nan’s motion again, sorry.

Ms. Constantino: Having provided feedback to the Palo Alto Police Department at our March and April meetings, we now support the proposed body camera policy but recommend that this policy be reassessed by the Citizens Advisory Group that Chief Jonsen has pledged to form this year so that the policy can be reassessed and revised as appropriate.

Commissioner Brahmhatt: I think while we waiting I just wanted to give a comment back to the Chief of Police. Thank you very much. I was not aware of the use in the mitigating circumstances and I’m happy to hear that there is a process where you see it without having to go through because not all situations will go to a court and get into lendeer process. So, I really appreciate you sharing that scenario. I think we missed that in our last month's meeting. It was never brought up so thank you very much for sharing that.

Commissioner Alhassani: I think there’s actually room for (inaudible). I think all of us seem like we want to see the cameras deployed and all of us want to be supportive of moving the process along. I think that’s the ultimate goal. I don’t want to speak for Commissioner Lee but I think what he’s saying is I am supportive of this but I don’t know all the details of the policy. I’m reluctant to say I support it until I get some questions answered but I don’t want to slow the police department down. I think that’s what he’s saying.

FRIENDLY AMENDMENT #5

Commissioner Lee: So, I can read back my amendment. I would say while the HRC at this time takes no official position on the draft body camera policy, we are supportive of the Council tentatively approving it in order to begin the process of deploying and using the body cameras in the field and ask that the underlying policy be re-evaluated by the Council in 1-years’ time after feedback has been provided by the Chief’s Citizens Advisory Group.

Chair Stinger: Since you asked for it do you want to comment?

Commissioner Alhassani: Just semantics like the only thing I wish we could caution is being too prescriptive on the timeline. I agree with it coming back but if the Community Advisory doesn’t get put in until the summer and the cameras aren’t deployed until a certain date like to come back to us within a year might – there might not even be enough time to assess the cameras in the field maybe. I just want to make sure there’s enough...

Commissioner Lee: Within 2-years?

Commissioner Alhassani: Yes something

Commissioner Lee: That’s fine.

Commissioner Alhassani: I don’t want to be...

Chair Stinger: Or a year after deployment.

Commissioner Alhassani: ...to death but I don't want jam the system.

Commissioner Lee: One year of deployment.

Chair Stinger: My reaction is that the first part of it would be more qualified than I prefer. I think the second part is strong. Just ask for a review within a year or 2-years of deployment. I am not negative about the policy as drafted and that those words imply...

Commissioner Lee: Can we say we are agnostic about it? Is that less negative?

Commissioner Alhassani: I had the same reaction as the Chair, to be honest. I actually liked your first version better – the first, first version better about we support...

Commissioner Lee: The deployment.

Commissioner Alhassani: What do you think Chair?

Chair Stinger: I'm getting confused. Can you read the...

Commissioner Lee: Well so I could delete the first part and say we are supportive of the Council tentatively approving the policy in order to begin the process of – in order to being deploying and using body cameras and ask that the underlying policy be re-evaluated by the Council within one year of deployment after feedback has been provided by the Chief's Citizens Advisory Group. So, we could delete that first preamble.

Commissioner Alhassani: Commissioner O'Nan what do you think of that?

Commissioner O'Nan: I don't think the Council tentatively approves things and again I'd be a little cautious

Ms. van de Zwaag: That's the confusion I have that you're saying you're tentatively approving – how can you tentatively approve...

Commissioner Lee: So, they approve it and then reconsider it in one year.

Ms. van de Zwaag: Then it's not really a tentative approval. They have approved it...

Commissioner Lee: Ok well so approve it and reconsider it.

Ms. van de Zwaag: ... and then the rest of it is your call to make. I just wanted to make that clarification.

Commissioner Lee: So, we are supportive the Council approving the policy in order to begin deployment and use -- or is deployment and use the same thing? Deployment of body cameras and asked that the underlying policy be reconsidered by the Council within one year of deployment after feedback has been provided by the Citizens Advisory Group.

Chair Stinger: Community Advisory.

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Commissioner O’Nan: I don’t like the one-year time frame either. I feel like I’d be cautious about sort of telling Council what to do. I think we need to couch or caveat in a more diplomatic way.

Commissioner Lee: Well I mean it’s always advisory right but it’s been 11-years since the first policy was drafted. I would hate for 3 to 4 years to pass before citizens are re-engaged in this topic. I don’t think one year after deployment is asking too much. Certainly, the Council can decide to get rid of that requirement but I would want our recommendation to have umph to it.

Commissioner O’Nan: It could take a couple years though for issues to arise from the deployment of new technology. It could take some time for the Citizens Advisory Group to wrestle with those issues and decide what the appropriate recommendations are. They’re dealing with now than just body cameras. That’s one thing that would be on their plate.

Commissioner Lee: Well certainly they could reevaluate it multiple times after incidences arise but I wouldn’t want to wait for things to happen for them to do that initial evaluation.

Commissioner O’Nan: I just don’t know that they’ll have anything to...

Chair Stinger: Just to move things along, why don’t you read your proposal... your motion and let’s see if we have a second?

Commissioner Lee: We are supportive of the Council approving the policy in order to deploy body cameras in the field and ask that the underlying policy be reconsidered by the Council within one year of deployment after feedback has been provided by the Chief’s Citizen Advisory Group.

Chair Stinger: Is it community or citizens?

Ms. van de Zwaag: He’s still working on it.

Chair Stinger: Yes, I know I just want to at least want to say the title right.

Mr. Jonsen: I actually prefer Community Advisory Group...

Chair Stinger: Then let’s do that.

Mr. Jonsen: Because it’s all inclusive.

Chair Stinger: Do I have – is there a...

Ms. van de Zwaag: Well you still have another motion that’s been seconded that’s on the table so...

Commissioner Lee: So that’s my...

Ms. van de Zwaag: ... as far as protocol is concerned...

Chair Stinger: We need to vote on that.

Ms. van de Zwaag: You need to vote on one and then you can consider another unless the second will accept I believe the whole thing as a friendly amendment. Go ahead.

Council Member Wolbach: Or at least on Council if somebody's dissatisfied with the motion on the table they can propose an alternate amendment and that alternate amendment would have to be seconded and then would supersede the existing one.

Ms. van de Zwaag: Ok so in this case...

Council Member Wolbach: I'm not recommending one path or another, just talking procedural options.

Ms. van de Zwaag: You're agnostic about it.

Council Member Wolbach: No, I have strong feelings but I'm not sharing them because I want to let the Commission make its recommendation and then I will review it...

Ms. van de Zwaag: I mean about the process.

Council Member Wolbach: I know I'm saying that you can use these are your process options and just you know, there you go.

Commissioner Alhassani: I think we're – oh sorry.

Commissioner Brahmbhatt: I was just wondering because I really like the work that Commissioner Lee did and to the extent there's a way to get the tentative recommendations and the open question to the Council's attention.

Ms. van de Zwaag: That's up to you to decide.

Commissioner Brahmbhatt: Then we could have an in-addition Commissioner Lee and Brahmbhatt have recommended this policy tentatively and this open question. I think the other three are not comfortable but I would like the tentative policy and those open questions to be brought to the City Council's attention.

Commissioner Lee: So...

Ms. van de Zwaag: But we need to decide on what's on the table? That's something that's completely different so if we go there...

Commissioner Alhassani: I think we're very, very close. Commissioner O'Nan you are wonderful word-smith. Is there a way to tweak what Commissioner Lee has written because I think I generally agree with you. If there is a way to tweak it to make it that would give you less heartburn?

Commissioner O’Nan: Yes thank you, I actually do suffer from heartburn so that’s a good point. I would say and recommend...

Commissioner Lee: Ok and recommend.

Commissioner O’Nan: I don’t like the one year. I would say can we within...

Commissioner Lee: Two years?

Commissioner O’Nan: ... two years. Provided by the...

Commissioner Lee: The Chief’s Community Advisory Group?

Commissioner Alhassani: I mean for what it’s worth...

Commissioner O’Nan: Well I would say not the Chief’s

Commissioner Alhassani: ... I mean the Chief comes once or twice a year already as is.

Commissioner O’Nan: ... by the Committee Advisory Group

Commissioner Lee: By the police departments?

Commissioner O’Nan: Yes. Ok, so can you read that back Commissioner Lee?

Commissioner Lee: We are supportive of the Council approving the policy in order to deploy body cameras in the field and recommend that the underlying policy be reconsidered by the Council within two years of deployment after feedback has been provided by the police department’s Community Advisory Group.

Commissioner O’Nan: I would just change the ‘and’ to a ‘but’.

Commissioner Lee: I was thinking that too.

Commissioner Lee: But recommend.

Chair Stinger: What’s the but?

Commissioner O’Nan: But recommend.

Commissioner Lee: But recommend.

Commissioner O’Nan: So, we say that we support the deployment but we recommend with this caveat to ensure community engagement.

Commissioner Alhassani: Was that a friendly amendment?

Commissioner O’Nan: Yes. That was a friendly amendment.

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Commissioner Lee: Do you want to second it?

Commissioner Alhassani: Yes.

Council Member Wolbach: Accept?

Commissioner Lee: You accept it?

Commissioner Alhassani: I accept the friendly amendment.

Ms. van de Zwaag: Yes, there you go.

Commissioner Alhassani: Shall we vote?

Commissioner O’Nan: Can we vote?

Chair Stinger: So, we have one motion...

Commissioner O’Nan: No this is what’s on the table. This is it.

Commissioner Lee: Before we vote can I ask a clarification question? So, whatever we end up voting on, will the minutes and the initial memo be included in the packet of materials sent to the Policy and Services Committee? What is the typical protocol in terms of what makes it way?

Ms. van de Zwaag: I would not think that the entire HRC discussion on this. That really depends on the writer of that memo that goes forward. If they decide to include the conversation at the HRC level that goes forward, I can’t speak to that. It usually includes the background information of where it’s been discussed. If they talk about going to the HRC then it would include the minutes of the HRC, memo and the documentation that went with it.

AMENDMENT #6

Commissioner Lee: Can I ask for another friendly amendment that we include the minutes and the initial memo which was presented? They don’t have to read it but I mean at least they have it.

Chair Stinger: Council Member Wolbach?

Council Member Wolbach: So, this meeting is recorded. Depending on how long it takes to get to City Council the full minutes may have been completed or not or sorry before it goes to Policy and Services. I would just reiterate that individual members of the Commission are welcome and encouraged along with any member of the public who is interested in engaging on this topic and wants to engage on this topic to communicate with City Council as a whole by emailing city.council@cityofpaloalto.org, contacting us through other contact information which is available on the city website either prior to it coming to Policy and Services Committee or prior to coming to full Council. Also, by speaking at a Committee or and/or at a Council meeting so there are many opportunities for opinions which are not part of a motion to be shared with the Council and with the Policy and Services Committee.

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Commissioner Lee: It's just included in a nice package.

Commissioner Alhassani: It feels weird to include a memo that we obviously the majority was against in a packet.

Commissioner O'Nan: Yes.

Commissioner Alhassani: I think the Council Member is also reiterating an obvious fact that one of the nice things about Palo Alto is that members of the City Council are very approachable and it's pretty easy to make your voice heard as a citizen. I would encourage you to submit your memo to the City Council but I'm probably comfortable with the minutes being sent but to include a memo as part of a packet that we obviously would have voted against had we put it on the table feels a little weird to do.

AMENDMENT #6 FAILED DUE TO THE LACK OF A SECOND

Commissioner Lee: Well we didn't vote on it so we don't know how it would have turned out. I mean they can access it at the beginning anyway. So, I'll just send it myself separately.

Commissioner Alhassani: Can we vote on...

Chair Stinger: Then we have a vote on the motion. Does anyone need Commissioner Lee to read it again? Are we comfortable?

Commissioner Lee: I'll send this to you but I'll read it one more time. We are supportive of the Council approving the policy in order to deploy body cameras in the field but recommend that the underlying policy be reconsidered by the Council within two years of deployment after feedback has been provided by the police department's Community Advisory Group.

Chair Stinger: Thank you. All in favor? Opposed? Abstain? As read it passes 5-0.

MOTION PASSED WITH A VOTE OF 5-0

Chair Stinger: Thank you. Thank you very much.

Commissioner Alhassani: Thank you, Chief.

Chair Stinger: We appreciate your time.

Commissioner Lee: Thank you very much.

Chair Stinger: Commissioner Lee thank you for the motion and thank you for all the work that you've put into the backgrounding. I found it – it really helped me to spearhead my research and my thinking.

2. Debrief of Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Listening Forum

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Chair Stinger: Going onto Agenda Item Three or Two, sorry. We had a lesbian, gay, bisexual, transgender, queer plus listening forum exactly a week ago. Do you want to talk to it?

Commissioner O’Nan: I’d be happy too, thank you, Chair Stinger. As our Chair mentioned, we held a lesbian, gay, bisexual, transgender, queer questioning listening forum here in Palo Alto last Thursday night at the Mitchell Park Community Center. This work was part of collaboration with the Santa Clara County Office of LGBTQ Affairs and that office is fairly new. They’ve been doing what they are calling a roadshow to go to the various cities that comprise Santa Clara County. The first city they visited was Mountain View back in January and Palo Alto was the second stop on this tour. So, we were very honored that they came to our city and we had a very great forum. We had keynote speakers including our own Council Member Wolbach; we had Maribel Martinez who is the head of the Santa Clara Office of LGBTQ Affairs. We had some other speakers as well and we then broke out into very, very interesting roundtable discussions. The people who participated in the discussion included Commissioner Lee, Chair Stinger, myself, Minka, Mary – Mary were you part of one of the discussions? You were just making sure everybody ate, right? We had delicious food there. We had community members who identify as LGBTQ, we had friends, we had a family, we had allies, and we had people who work with the LGBTQ community. So, the discussions were very multi-faceted and I found very, very interesting. We also had people at all different socioeconomic levels and all different age levels. We learned many, many things from the discussion. One is that the LGBTQ community does not feel less included here in Palo Alto as I think we would have hoped. Most of the people that I spoke with do not feel under threat here but they also didn’t feel like culturally they there was really a place for them here in Palo Alto which is kind of sad. I also heard from an LGBTQ high school student that he was so at fear during his time at the Palo Alto Unified School District that he transferred out of the district and now attends a private charter school because he felt so unsafe. That was really sad to hear as well. So, there was a lot of learning and a lot of listening that took place and I think the Chair and I, in collaboration with the County Office, will need to figure out how we want to distill these learnings and then what we want to pass on. Furthermore we launched a City-wide survey that anyone can take whether they are LGBTQ, whether they are a friend or family member of someone who’s LGBTQ, whether they’re an ally, whether they are not connected to the community at all but simply want to express their opinion about Palo Alto and its treatment of the LGBTQ community. So that survey is – is it online yet?

Ms. van de Zwaag: Yes, it’s been online since the day after the forum.

Commissioner O’Nan: Ok, so it’s on the city website and again anyone can take it. We’ll be hopefully getting many, many responses over the next couple of months. Then we’ll compile those results as well and then collaborate with the county on that.

Commissioner Lee: Is that the survey that was handed out at the forum?

Commissioner O’Nan: Yes, that was the paper one and then we have the online version which will be up for a while. So yes, we cast a broad net and I really am eager to learn more about what we can do to better support the LGBTQ community.

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Chair Stinger: Thank you. I guess I would just like to reiterate two things. We heard things about priorities that were consistent across the group that was there and probably have enough incentive to go forward. With the quantification that will come from the survey, we'll have even more justification for moving forward. I think a couple of the things that I heard that were particularly interesting were diversity or sensitivity training for police, recreation, the school staff and a large interest in the common space community center either as a resource or entertainment center and the need for role models and mentors. Some ways of documenting oral histories and being more involved in the validation of the community and their stories and making their stories stand out. I think one of the highlights for me was having representatives from the county anxious to partner with us going forward so I think we'll be able to take one initiative and make it a reality in the next calendar year. Any questions from anybody?
Comments?

Commissioner Lee: Just have a few comments since I attended the event. I thought it was a very informative event. I left with a profound sense that there's just much to do as progressive in the Palo Alto area there is a lot of work to be done. It seems like the school district has been making good progress on it so any lessons that we can learn from the school district and add them as appropriate to the city I'm sure will be a topic of discussion. There are certain opportunities for additional education that needs to happen in this community that are impeding the school district's ability to be teachers and educators on these sorts of issues within the schools. Which are consistent with other concerns that have come up recently and on other topics? So, there's definitely an opportunity for us to re-engage with different segments of our community to educate them so that they support these initiatives. There are certain policy recommendations that I will be putting forth in an additional memo which I think I would ask that we consider and submit to the Council even before this survey is completed. I think there's certain things that we know that should be done and may be easier to tackle while we some of the larger, long-term issues. I think there are certain policies like gender-neutral bathrooms which I'd love to see some further movement on sooner rather than later on. So, look forward to some additional amendments from me on that.

Chair Stinger: Thank you. I think I'm just going to close this with a quote from one of the participants in my table. "No child needs to feel alone in their experience" and I don't think anybody needs to feel alone, particularly in Palo Alto.

3. Discussion of FY2018/19 work plan projects and upcoming retreat

Chair Stinger: The third agenda item – thank you. I didn't mean to turn it off, thank you. The third agenda item is a discussion of our work plan for this year. Let's see I guess its Inclusive Public Engagement is maybe one of the only ones that we haven't spoken about tonight and there were two pieces of this. Inclusive Public Engagement was a title gave to a group of activities to bring the immigrant community to consider the immigrant community as we looked at policies and programs; particularly programs, excuse me. One avenue we were looking at was being more active in Welcome to America which is a program the third week in September. It's a standalone group, Welcome to America that the Y typically does a small effort and they are looking to increase their Welcome to America program this year. I've been exploring ways that we might be able to collaborate with them and make a bigger statement – a bigger presence with that. I went to the Diversity and Inclusion Committee of the Family Y last night and they'll

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consider some alternatives and get back to us and give us some choices. The other element that we are looking at was leadership training for new immigrants. Mountain View has successfully done a program in Spanish in their community. There are other models of programs in different cities where they've been actively recruiting and working with the immigrant community to introduce the concepts of civic engagement as we see them in our communities. I have been working with a couple different groups to see if we can either do a leadership training or maybe a Welcome to Palo Alto information center that would be a bridge to leadership training. There is more work to be done in that area; it's a little slow going right now. Commissioner Brahmbhatt do you have any updates for us?

Commissioner Brahmbhatt: No, I was thinking maybe we can also have a survey on the digital and cyberbullying issue to get information as to how many citizens are facing those issues and collect that information because I'm kind of blocking on what needs to be done. There are programs that are already educating people and citizens and parents and kids at different stages through the community events and things like that. There are things that are already happening and so I'm kind of blocking at what is it that we can do at the HRC level that would make an impact? I was thinking maybe we start with a questionnaire or survey to get a little more detail as to how can we make a difference. So that's where I'm at right now. If you could send similar to what LGBTQ – I mean these are like similar issues so if you have a survey thing.

Chair Stinger: That might be a good idea. I can't respond to that but the idea of really defining very carefully where we can make a contribution and what value-added we have. That's the first step and that's a sound step to take so either in some personal interviews or the survey or both. I think that's a really good idea to reinforce the proposal. I'd open it up to the rest of the Commission, my suggestion would be if you could do that in the next two months it would help when we get to the retreat for planning for next year. If you were comfortable with your recommendation that would be good timing.

Commissioner Brahmbhatt: I think that the other issues that go hand in hand is when you write no child needs to feel alone and you do hear of incidents and episodes where the friend's situations play out and there are kids who feel isolated. It seems to me it is accepted in the community overall that it's ok to isolate someone as long as it's like ok, these things do happen when you are growing up and it's kind of an expected normal. So, I think there needs to be a shift because I was recently speaking with a couple of students who are graduating and she's from a really prestigious University and she was talking about students who came from the Silicon Valley; Monte Vista High School and Pally. Their attitude and mannerisms and things like are very competitive but because you are from Silicon Valley and from a very competitive place there is meanness with their oral thing that kind of creeps in. I don't know we could change the community or the culture to be really good. To excel in what we are doing but not be competitive at the cost of being empathetic and caring about people and things like that.

Chair Stinger: Let's spend some time with that offline and peruse that line of questioning both the quantification of the need and the direction that you want to take it.

Commissioner Brahmbhatt: That would be good. I'm just thinking along those lines.

Chair Stinger: Anything you want to say?

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Commissioner Alhassani: I don't have much to add but what I will do is try to come up with a more concrete idea of June to tee it up. I have been playing phone tag a little bit with the event we had been talking about offline previously. I'll try to get the ball rolling more and get it ready for June.

Chair Stinger: That's great. Thank you. I guess the last thing is do I have any reports on HSRAP grantee visits? Site visits? I know Theresa has done hers and she's not here to report them.

Commissioner O'Nan: I've done two that I'd be happy to report on. I visited Outlet which is part of Adolescent Counseling Services and Outlet serves the LGBTQ community so it was very timely for me because I had been stepped in these issues working on the listening forum. We had a really interesting and informative visit there. Outlet is really looking to try to expand their outreach and serve even more people, more kids and do to more community training. So, if we at the HRC see opportunities for that, I think they would really like to partner with us. I also learned that they would be very happy to give tours of their facility which is in Redwood City off of Veterans Boulevard. They are going to send me some dates so if any Commissioner would like to go back out either with me or on their own to understand more about Outlet and Adolescent Counseling Services which it's larger umbrella organization. They'd really love to have us. They said they haven't had a visit from any HRC Commissioner since I think before Ray Bacchetti passed away so it's been awhile. They were really glad that I came and touched base with them. The second that visited this week was Kara which is one out our new HSRAP grantees. They do grief support. They are a really, really fascinating non-profit. They are growing rapidly. There is tremendous demand for their services. They are doing all kinds of things. They have launched a new Spanish language set of services and have had to make a number of adjustments in their delivery model to serve the needs to Spanish language families. They are running a camp for children in grief. That takes place in July. They offered to have me or any of my colleagues go up to Livermore to have a 4-hour tour of the camp if we want to see what the activities they do with the kids to help them honor the loved one that they lost and help them come to terms with their grief. Also, do what they call normalization activities to help the kids move on from that. So, I'm very much looking forward to having a chance to go and see the camp although I was warned it's like 100 degrees up there in Livermore in July so just be aware. They have a second facility, I visited them on Kingsley Avenue here in Palo Alto but they have rooms over at All Saints which is just across the way from us and they offered to have me and again my colleagues if you'd like to join go over to the Episcopal Church to see how they set up rooms for the children that they work with. They do all kinds of different therapies with them. They have all kinds of different toys and arts and crafts and things so that we'd be happy to see those. So, I will get the dates and I will let my colleagues know and I hope some of you might be able to join in.

Chair Stinger: Thank you. That's great. Moving on reports from officials – I'm sorry.

Commissioner Lee: I think another update I would make for the work plan is that the CEDAW recommendation has been tentatively rescheduled for June 11th I believe.

Ms. van de Zwaag: I was going to give that feedback during my time.

Commissioner Lee: Oh great.

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V. REPORTS FROM OFFICIALS

1. Commissioner Reports

Commissioner Lee: I have a couple updates so I had an open question with the City Attorney Office through Minka regarding the RV presentation that was given to us a couple months ago. I had asked for clarification as to whether state law prohibited parking on roadways if they'd been parked there for more than 72-hours or if the city has had discretion to remove or otherwise modify that requirement? They concurred with my assessment that state law does not prohibit parking for more than 72-hours and gives local jurisdictions such as ours the authority to authorize removal if it's been there 72-hours or we could decide to change or revise that authorization. So, based on that feedback I will be drafting yet another memo for the Commission's consideration as a short-term measure. Not necessarily addressing the larger homelessness issue by any means. In light of the feedback that the City Attorney's Office provided and the information provided by both the City Managers and the police department about the RVs along El Camino. I also wanted to let the Commission know that I had attended the School Board Meeting last week where they made their school naming decision and while that was uniquely a school district issue it certainly raised issues that I think certainly fall within the purview of this Commission and it demonstrated a need for us to engage with the Chinese Immigrant segment of our population. You know I was very disappointed by the opposition that arose and equally disappointed by the decision on the School Board not to name the school after Freddy Terman. I think what it demonstrated that we as a Commission, as a city and as a community really need to listen more to that community, to engage and understand and hear them but at the same time not let that daunt us from making the tough decisions even if a particular community is strongly opposed to something. I think was a case where there were sort of historical biases and prejudices which came along as baggage in which unfortunately influences public policy in a way that I think was counterproductive or counter to the values that we as a Commission and a community hold fast. So, I'm personally committed to working on that issue as a member of the Chinese-American community. Hopefully during our retreat, we can discuss ways that the Commission and the community and the city can work on those issues to correct, educate, inform, and hopefully change hearts and minds on that and related issues.

[The Commission moved back down to tentative agenda]

Chair Stinger: Thank you. We won't open that up.

2. Council Liaison Report

Chair Stinger: Commissioner – aw, Commissioner I'm sorry.

Commissioner O'Nan: I think we have Council...

Chair Stinger: Council liaison.

Commissioner O'Nan: No report Corey?

3. Staff Liaison Report

Ms. van de Zwaag: Yes, so it's been moved as stated and the other thing is at this point the HRC retreat is tentatively for June the 16th. We will have to check if that also works for our new

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Commissioners when they come on board but at this point, I'd like you to hold Saturday, June 16th. I really would love to find a date that works for everybody but I'm not sure that that's possible in the summer.

Commissioner O'Nan: What's the timeframe?

Ms. van de Zwaag: We are still working on – the Chair and I will be meeting about that but it is going to be longer than usual. We usually have a 4-hour retreat. We might have like a 5 to 6-hour retreat. I think there's a lot of good work that we – the Committee needs to do together.

Commissioner Alhassani: Would you anticipate they will have the new Commissioners voted on.

Ms. van de Zwaag: That is my understanding that the hope is still that they would be voted on at I believe the May 14th, was that correct date, Mary?

Ms. Constantino: May 10th.

Ms. van de Zwaag: May 10th Council agenda. No, they are being interviewed on the 9th and then the next Monday is the hope that it would go back to Council but that's still on tentative. That is the hope for the date.

Commissioner Lee: And would we have selected a new Chair and Vice-Chair by that time?

Ms. van de Zwaag: That is my understanding, yes.

Chair Stinger: Tentative agenda.

Commissioner Alhassani: Can I ask is there any update on the food pantry that's been moved to Stevenson House? La Comida, thank you, sorry.

Ms. van de Zwaag: La Comida?

Commissioner Alhassani: Is there any update on La Comida that you know of by any chance?

Ms. van de Zwaag: My understanding I'm not sure its public knowledge yet but it...

Commissioner Alhassani: It's about to be.

Ms. van de Zwaag: I don't know if it's public knowledge yet. The best of my knowledge is that you should anticipate a very positive announcement.

Commissioner Alhassani: Great.

Ms. van de Zwaag: I will add that they are very successful in their current location. When I talked to the Director, there are still over 100 people every day at the meals Monday through Friday. It wasn't a huge decline so they were very pleased that they have kept some of their people but also been able to engage a new audience in South Palo Alto for that very important program.

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Chair Stinger: Thank you.

VI. TENTATIVE AGENDA FOR NEXT REGULAR MEETING: Thursday, May 10, 2018.

Chair Stinger: Tentative agenda.

Commissioner Lee: So, did we do Commissioner Reports already or was that lumped in with the work plan?

Chair Stinger: We sort of skipped over that, yes. Would you like to go back to Commissioner reports because I did skip over that?

[The Commission moved back up to Commissioner Reports]

Chair Stinger: I'm going to move onto tentative agenda for the May meeting.

Ms. van de Zwaag: Yes, I think a retreat discussion and we will see if there is a HSRAP grantee that wants to come to our new listening exercise that we've talked about.

Chair Stinger: Should we have a submission for the recommendations to Council? The immigrant and CEDAW?

Ms. van de Zwaag: We can talk about that. I don't think that falls within the timeline of the staff reports so we can talk about that at the leadership team level.

Chair Stinger: Ok. I hopefully will have an update on some of the remaining work plans for this year.

Ms. van de Zwaag: Ok.

Chair Stinger: If there is no other further business I would like to make a statement. I'm going to adjourn our meeting with a statement remembering and commemorating the Reverend Martin Luther King's life. There have been many events in the community this week and I don't want this week to go without making a comment. I want to remember that in his belief and inclusivity and dialog, MLK walked and talked and listened and was present where and when there was divisiveness. We will honor MLK by our commitment. Our mission statement is clear. It reads by promote awareness of issues and enabling conversations that enhance inclusion the HRC strives to create a community where servility, respect, and responsible actions are the norm. Tonight, as we adjourn I'd like to renew our commitment to the HRC to seek civil discourse, to share traditions that speak to divisions existing in our community such as those which surface during the school renaming debate or those which continue on development and housing. Quoting Martin Luther King, "Our cultural strength has always been driving from our diversity of understanding and experience." My comment is we can do better as a community. Meeting adjourned.

VII. ADJOURNMENT

Meeting adjourned at 9:13 p.m.

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