



**Draft**

**HUMAN RELATIONS COMMISSION**

**Tuesday, June 30, 2020**

Teleconference

5:00 PM

**SPECIAL MEETING**

**Commissioners Present:** Lee, Savage, Smith, Stinger

**Absent:** Regehr

**Council Liaison:** Council Member Tanaka and Kou

**Staff:** Minka van der Zwaag, Mary Constantino

**I. ROLL CALL**

Chair Smith: Good afternoon, good evening everyone. I would like to thank everyone for coming to this special meeting of the Human Relations Commission of the City of Palo Alto. As we all know we are living in some very interesting and difficult times and as the City of Palo Alto is committing to working hard to address some of the challenges we face. Particularly, the Human Relations Commission has been charged by the City Council to come back in 60-days with two specific items. A review of 8 Can't Wait Policies as described by Campaign Zero and a statement or a review report on the current and historic situation of black and brown individuals in the City. We have called this special meeting because of the shortness of time and also because of the intensity of work and the fact that generally July is a slow period in the City. We wanted to organize a work plan, we wanted to start hearing from the public, we wanted to give Commissioners a chance to input, we also have members from City Staff and City Council that are here with us that will provide some valuable input into this dialog and this discussion. Our goal tonight is to leave the meeting with a very clear idea of a work plan to meet the City Council's directive to our Commissions. I will ask that Staff do the roll call, please.

Ms. Mary Constantino, Program Assistant: Commissioner Lee?

Commissioner Lee: Present.

Ms. Constantino: Commissioner Regehr? Commissioner Savage.

Commissioner Savage: Present.

Ms. Constantino: Chair Smith?

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](mailto: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.

Chair Smith: Present.

Ms. Constantino: Vice Chair Stinger?

Chair Smith: You're muted.

Ms. Constantino: Council Member Tanaka?

Council Member Tanaka: Here.

Ms. Constantino: Commissioner Member Kou?

Council Member Kou: Here.

Ms. Constantino: Thank you.

Chair Smith: Thank you so much.

## **II. AGENDA CHANGES, REQUESTS, DELETIONS**

[The Commission moved to Oral Communications]

Chair Smith: Oh sorry, one last thing, do we have any Agenda Changes, Deletions, Requests before we move to Oral Communications? Ok, so we will go to Oral Communications.

[The Commission moved down to Oral Communications]

## **III. ORAL COMMUNICATIONS**

Chair Smith: At this time, we currently – if you – I want to open up for Oral Communications. If you have any communication that you'd like to make the HRC that is not, I repeat not part of the issue around 8 Can't Wait or the report that we're back to the City Council, please raise your hand. If you – before I acknowledge that, if it has something to deal with that area you're comments will be more effective if it's dealt with at the time we're talking about those. Staff?

[The Commission moved back up to Agenda Changes, Additions and Deletions]

Chair Smith: We have one hand. Just for consistency sake, we will ask that each public Oral Communication be 2-minutes and Staff, please set the clock. Thank you.

Ms. Minka van der Zwaag, Human Services Manager: Thank you. So, the first speaker is Jamie Hindery. Jamie, you have 2-minutes, go ahead, please.

Mr. Jamie Hindery: Thank you to the Commission, I'll be super brief. I just want to express my condolences to the Commission that City Council has decided to cut your Commission from

seven members down to five members. I think that's very sad and just I'm sad for you guys. Thank you.

Chair Smith: Thank you so...

Ms. van der Zwaag: Chair, there are no more hands for Oral Communications.

Chair Smith: Thank you so much for that public comment.

#### **IV. BUSINESS**

1. Create work plan to address the City Council referral to the HRC to address the "8 can't wait" campaign and to produce a report on the black and brown history and current community in Palo Alto - Smith – *Action* (60 minutes)

Chair Smith: Let's just get to the business at hand. Now, we've received from very specific instructions from the Council. The language reads in a motion from the Council, it was to direct the HRC to lead the 8 Can't Wait Campaign and to produce a report on black and brown history and current community in Palo Alto within 60-days. So, we are here to specifically speak on that today. I want to... what I want to do is I want to give the public their 2-minutes each to provide comment. I know that each Commissioner has had some time to think and wants to give some input. So, I'm going to do a round-robin starting from alphabetical order like we did the last time starting with Commissioner Lee. Then we will start putting the work plan up and work from there. We'll also ask, right after public comment, that – I'll ask if any of our Council Members or Staff have any input that they provided at that time and then after that, we will go into the full development of the work plan. Does that work? Alright, we – if you would like to make a comment on the directive given the HRC around 8 Can't Wait and developing a report on brown – on black and brown history and current community in Palo Alto please raise your hand at this time.

Ms. van der Zwaag: I'm just going to wait a minute Chair, as to see...

Chair Smith: There's a delay.

Ms. van der Zwaag: ... which individuals will be raising their hand. So, I have two hands raised at this point and hold on. The first hand raised is Jamie Hindery to be followed by Rohin Ghosh. So, Jamie, you have 2-minutes, go ahead, please.

Mr. Hindery: Thank you. So, implementing 8 Can't Wait seems pretty straight forward, but I'm a little bit confused and concerned about how the – how putting together the history of black and brown communities in Palo Alto is going to take place. I really would like to see us reach out to activists in East Palo Alto, Menlo Park, Redwood City, Mountain View as well because I think to get a really comprehensive idea on the history that's taken place in our community and in this area. It's going to take more than – I believe there's just 248 registered African American voters in Palo Alto and one, getting all of them to engage and then that being sufficient I think is not quite enough. I think we really need to do our diligence and reach out to the surrounding

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](mailto: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.

communities. Particularly, East Palo Alto, Menlo Park and Redwood City and get their input on this history because they're just as much a part of the Silicon Valley and our history of racism here in the Bay Area as we are. Thank you.

Ms. van der Zwaag: Thank you, Jamie. The next speaker's Rohin Ghosh to be followed by Kevin Ma. Rohin, go ahead, you have 2-minutes, please.

Mr. Rohin Ghosh: Hi, good afternoon Human Relations Committee and Commission. To be frank the – I know your mandate is to address specifically the 8 Can't Wait reforms, but I think to be clear we have to make it very clear that 8 Can't Wait is under no means enough. That has to be made very clear in the report that the HRC presents to City Council. The Palo Alto Police Department is – it's honestly a little bit of a disgrace. I mean a lot of a disgrace. We are under federal investigation. We have such a bad track record on civil rights in Palo Alto that the federal government under the Trump Administration is investigating our police department. We have police officers Thomas DeStefano still on City payroll after a very racist and wanted manner abusing our residents like Julio Arevalo and having that information be completely open. The City of Palo Alto Police Departments has more racial bias in arrests than 83 percent of other police departments. So, that means in terms of racial bias in arrests our City is worst than 83 percent of other Cities. So, these 8 Can't Wait reforms, they're paltry reforms. They do not achieve what we actually need to achieve which is a full rethink and revamp of what policing means and what public safety means. So, that is why I am asking you as a resident of this City to make sure in your report to ask City Council to expand your mandate. To say clearly that 8 Can't Wait is not enough. Thank you.

Ms. Van der Zwaag: Thank you, Rohin. The next speaker is Kevin Ma to be followed by Liz I. Kevin, you have 2-minutes, go ahead, please.

Mr. Kevin Ma: Thank you. Hello Commissioners. I agree with the previous speakers that the 8 Can't Wait – the name suggests that these are just 8 things that we just immediately, but they should be a steppingstone for further action. If you actually paid attention the 8 Can't Wait was recently – they have changed it so that it's stated that it's basically a path towards full police and prison abolishment because we do need to spend the resources to save people before they enter our current prison pipeline. Because right now everyone in kind of agrees that if you go to prison, you're in a bad situation for the rest of your life for the most part. As a result, while it is a good idea to just explore it, let's just remind ourselves that these policies like Duty Intervene, De-escalations, to the reasonable person these are like these should have been in the policies long ago. Not something we just patch on now and as previous people have specified, we currently end up having a police department that's currently under FBI investigation and there's now a lawsuit on federal court regarding our developed investigation. So, I would like the Commissioners to keep these things in mind that we still – there's still a lot of work to be done. Especially, given the current demographics of our City compared to our neighbors like Menlo Park or East Palo Alto. Those are systemic issues that while police brutality is one part of it, do those need to be addressed fully? Thank you.

Ms. van der Zwaag: Thank you, Kevin. The next speaker is Liz to be followed by Teresa. Liz, go ahead please, you have 2-minutes.

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](mailto: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.

Ms. Liz I.: Hi, I'd like to also show my support in defunding the police and displaying that we are not about reforms so we are about abolition for our community because we cannot reform out of the job of enforcing criminalizing people for survival. Police officers will incarcerate you for being homeless. That is seen as being disorderly to the public. They will or then arrest you for the fact that the City won't supply you with enough low-income housing. Palo Alto is trying to cleanse itself of low-income people and people of color by using law enforcement. Also, in tangent with not providing low-income resources or free accessible community services. Including recreational and healthcare; such and such. So, I think the 8 Can't Wait Campaign, while it may seem like a well – it's maybe well-intentioned, to claim that it will only reduce police killings by 72 percent is not enough. We're asking for 100 percent abolition and with police, it's already been reformed since its inception. Since the 13<sup>th</sup> Amendments hand fully abolished slavery but allowed for penal labor or forced servitude to be a legitimate form of punishment in the Carcel System. Police have changed and reform with the times, but only to better continue with its legacy of enforcing slavery. For the past five decades since Jim Crow ended, the federal government has made it illegal to use racist regulations. A type of reform, however black and brown people still disproportionately represent those incarcerated, living in poverty, living in food deserts, and living in poorly funded neighborhoods. And not because they're the inferior race or because they are the white man's burden. It is because of the racist, imperials, capitalist system that are made not to include low-income people, not meant to include those with disabilities, not meant to include people of color and women and trans people and gender-nonconforming people. So, you really need to opt into an idea that's abolitionist because an abolitionist will abolish criminalizing survival.

Ms. van der Zwaag: Thank you, Liz. The next speaker is Teresa to be followed by Prameela. So, ago ahead Teresa, you have 2-minutes. Teresa, go ahead, please. You might need to unmute on your end. Teresa? Maybe we'll go onto our next speaker. The next speaker is Prameela. Prameela, go ahead, you have 2-minutes. Prameela?

Ms. Kristen O'Kane, Director of Community Services: Minka, it looks like she's muted.

Ms. van der Zwaag: I know and I'm trying – I've unmuted her several times on my end. So, I'm not sure what is happening. It's the same format I used for the other callers. So...

Ms. Prameela Bartholomeusz: Oh, can you hear me now?

Ms. van der Zwaag: There you go.

Ms. Bartholomeusz: Oh ok.

Ms. van der Zwaag: Wonderful, so you have 2-munites, Prameela.

Ms. Bartholomeusz: Ok and actually, I'll be really brief. I was – what I was saying earlier is that I agree very much with what Rohin had said earlier about the lack that the scope of just looking Can't Wait and that criteria. I can just say that there are a couple of other things that we should be looking at in terms of how – when do independent investigations kick in? What are the guidelines about that? I think that's really important and also audits. I think when we talk about

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](mailto: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.

requiring comprehensive reporting, we should have a process around auditing those. I know at a federal level they're talking about going back 10-years. I'm not saying that that should be the case but maybe it should be. There should be a standard that we should be looking to compare as to what seems reasonable and that way it's not just a matter of reporting. How do we know that we're reporting accurately and comprehensively? So, I would say that we should be also considering what an audit of the police department would look like. Thank you.

Ms. van der Zwaag: Thank you, Prameela and our final speaker is Owen. Owen, you have 2-minutes, go ahead, please. It says on my screen Owen, that you're using an older version of Zoom. So, that I would need to promote him to panelist to go ahead. So, I will do that just for the purpose of this 2-minute conversation. Owen?

Mr. Owen Longstreth: Hi there, can you guys hear me?

Ms. van der Zwaag: Go ahead, please.

Mr. Longstreth: So, I just wanted to briefly talk about and I think a lot of other speakers have definitely echoed this. The fact that we fundamentally need to start rethinking the way that we police in Palo Alto. There're two main points that I want to touch on. I guess the first point is and I've been to a lot of protests regarding Black Lives Matters and protests again police brutality in this town. The one thing that I've seen ever time is police officers riding motorcycles with AR-15s; with automatic assault weapons. I just want to make it very clear we do not live in Iraq. It's not a war zone here. I – that is the – this is the big thing and this is the main point that I wanted to focus on is just why we have these – this militarized police force? Is there any real reason that the police need automatic assault weapons? This is ridiculous. We fundamentally need to rethink the way that we police in this town. There's 8 Can't Wait and I also really think we need to go further, and we need to start thinking about at the minimum defunding the police. At the maximum, we need to start from the ground up thinking about how we're going to do policing in this town because when I see those men with guns riding their motorbikes around town. I don't really think of them as community members that are there to protect me and to uphold the law. They look like soldiers from an occupying army and this does not – it's just not the way that we need to do policing. Thank you.

Ms. van der Zwaag: Thank you, Owen. Hold on a minute while I get the last two speakers. Ok, the last two speakers I have are Norma and Teresa. Teresa, thank you for calling back in. I hope we can get it – you to be able to work this time, so the first speaker is Norma. Norma, you have 2-minutes, go ahead, please.

Ms. Norma R.: Hi, I'd like to just start off that – to say that Palo Alto has a history of segregation in redlining and this is literally why East Palo Alto exists with so many black and brown people. So, many of these black and brown people, they come into work in Palo Alto in minimum wage jobs, and then we are policed. I mean I work in Palo Alto and I identify as Latin mix and I've been pulled over simply for riding my bike late at night. That's not ok which leads me to my next point, 8 Can't Wait is not enough. It's reformism, it does not get to the root of the problem. You know the fact is that police uphold white supremacy. I mean we can see this in the ways that police forces emerge directly from police patrols and how they disproportionately criminalize

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](mailto: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.

black and brown people like myself. I mean I don't think I have to make the case anymore that the police are a racist institution. This is why we're here and more importantly; police don't stop crime. They simply arrive after the crime has been committed if they aren't part of the crime already. So, why are we spending so much money on them? So, I would really like to call on you to bring these questions to City Council and demand that they make an amendment in their budget. Thank you.

Ms. van der Zwaag: Thank you, Norma and our final speaker is Teresa. Teresa, go ahead please, you have 2-minutes.

Ms. Teresa Brown: Ok, thank you. Can you all hear me?

Ms. van der Zwaag: We can. Go ahead, please.

Ms. Brown: Ok, thank you. Thank you for this opportunity. I think it is important for you to hear first-hand accounts of people's negative experiences with police officers in our community. My negative experience started young as I watched my black father pulled over by Palo Alto cops without reason and questioned about where he was going. Making comments about him living in East Palo Alto. I watched as he had to explain that he was a Palo Alto resident, a homeowner, and had lived here his entire life. These incidents continued to happen over and over again to myself and my family. It becomes a status quo. We were lucky if we even got a reason as to why we were being pulled over by police. We were degraded and deemed and questioned about why we were in the City that we lived in and owned homes in and paid taxes in. This continued to happen throughout my lifetime; through my teenage years as an adult. As a teenager, I was asked to stay behind while other kids were let go from parties when parties got broken up. All of the white kids were allowed to leave, but all of the black and brown kids had to stay behind. We would be asked to spread our arms out across the pavement or the curbs and questioned about what we were doing there and detained for no reason whatsoever. Our white friends would try to advocate for us and help out; but when it comes down to it they didn't want to get in trouble and would have to leave us there behind and say hey sorry you guys, sorry you're being detained by the police because of the color of your skin. This is only the tip of the iceberg. I would like another opportunity to be able to share my experiences because 2-minutes just isn't long enough. Thank you.

Chair Smith: Teresa?

Ms. Brown: Yes.

Chair Smith: This is Chair Smith. I've going to give you my email address. We are arranging to have a community forum where people can share their experiences like this. So, my email address is [pastor@universityAMEZ.com](mailto:pastor@universityAMEZ.com) and we're going to actually decide when that meeting is during this meeting, but I would love to hear your and your father's experience. Thank you.

Mr. Brown: Thank you. I appreciate that because trying to rush it all in 2-minutes super-fast isn't going to work for me and I really do have a statement that I would like to read. It would probably take about 4 or 5-minutes to read and I think that it's important for people to hear.

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](mailto: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.

Chair Smith: Just email me. We'll make sure you have a space...

Ms. Brown: Can you repeat your email? Can you please repeat your email?

Chair Smith: [Pastor@universityAMEZ](mailto:Pastor@universityAMEZ.com), Alpha-Mike-Echo-Zulu, .com.  
[Pastor@univeristyAMEZ.com](mailto:Pastor@univeristyAMEZ.com). Thank you so much, Teresa.

Ms. Brown: Thank you.

Chair Smith: We have reached the end of our public comment time. I would like to thank each individual that spoke. I believe you've added a lot of the context of this meeting. We have some Staff members here that have been working on some community stuff. Meghan, I'm going to put you on the spot, or you don't want to say anything? You don't want to say anything? That I think fits in – don't want to do it? Ok. That fits in dovetail with what Teresa was talking about, spaces and opportunities, and information for the public in this process. So, I've asked that and then I'm asked for both Council Members to go after that if nobody else from Staff wants to speak. Do you want to say anything? You're muted City Manager.

Mr. Ed Shikada, City Manager: Always get past that hiccup. Just wanted to say thank you, Chair. I'd actually perhaps differ to the Council Members first. On behalf of Staff, I would just note that as the HRC received an assignment specifically to work on the 8 Can't Wait. Staff also received an assignment to work with City Council on a total of what are six initiatives related to racial equity. So, we'll be attacking this on a number of dimensions and really want to just stand by, and as we're getting organized in how best we can provide the support to the HRC to the Council. That we're beginning that organizing and we look forward to tonight's discussion to help us take those next steps. We do have a number of pieces of information that have been coming out and will be continuing to be coming out that represent informational foundation related to policing; as well as other issues that the Commission and the Council will be talking about. So, perhaps we can get into that in a little more detail a little later on.

Chair Smith: Councilwomen Kou, can you hear me? Sorry, there we go. I was going to say do you want to say anything at this time.

Council Member Kou: Thank you for that and thanks to all the general public who has come out and spoken also. It's good to hear what we really need to work on and I just wanted to finish also what City Manager had said about the City Council is involved in moving forward. We have distributed responsibilities throughout to HRC, but also amongst ourselves in order to tackle this head-on ourselves. I just want to provide our Ad Hoc Committees and which Council Members are on which ones. There is the Business Support that Council Member Kniss and Cormack is on and then there is also Police Data, Hiring and Policies which I am on, Council Member – sorry, Vice Mayor DuBois and Council Member Cormack. There's also Alternative Service Models which is looking into other Cities and how they deliver their public safety. Council Member Greg Tanaka and Council Member Kniss is on that. Then there is also the Transparency and Accountability Ad Hoc Committee which Council Member – Vice Mayor DuBois and Council Member Filseth is on. We also have another, the last one, which is the City-Wide Diversity Inclusion Ad Hoc Committee which is the Mayor is on along with Council Member Kniss and

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](mailto: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.

Cormack. So, I do want to say this is going to be work through July and at least on my Committee's I'm really hoping that we'll work through July and come back with something back in August. I can't see the City Manager's face because my notes are over it so August. So, thank you and I look really forward to a really robust discussion here so that we can move forward on address racism. Lastly, I just remember, I do believe history is very important. What happened here in Palo Alto in terms of racism is a lot important to discuss and to know about so that we know what had taken place here in Palo Alto. So, while we do want to reach out and find out regionally what the – what racism there was, but also Palo Alto itself. Thank you.

Chair Smith: Thank you so much. Council Member Tanaka.

Council Member Tanaka: Sure, so I'm really glad to see that you guys are teeing up this topic because I think what's really important for the HRC to do is go really deep on these issues, have a very robust debate because on Council we have so many different things going on. That it's hard for us to really dive in and understand the pros and cons and how to tune these to make these things better. So, I really look forward to you guys doing this and try to make sure that we do the best for the City. One thing that I just want to mention and I – this wasn't part of the formal motion and so this is just more my personal opinion at this point. I think a lot of minorities have raced racism in Palo Alto, not just brown and black people. I mean myself – I was backing down on Middlefield and I had a bunch of – this minivan pulled up to me with a bunch of five white guys in there. Five young white guys starting yelling at me saying hey, you brought the Coronavirus, all this kind of stuff, and so I think – this as an Asian, right? So, there are a lot of anti-Asian stuff going on, not just the police brutality stuff. So, I guess I don't want to expand the scope but that's my own personal feeling is that there's racism all around and I think we want to eliminate all of it. So, but anyway, I know you have a pretty big scope already and you guys have a limited amount of time, but I'm hoping that you guys are able to make headway for all the minorities in our City; not just brown and black.

Chair Smith: Thank you so much. I think racism to different individuals all come from the same root issue. So, if we can get to the root issue, I think we start addressing some of the significant challenges. I would like to...

Council Member Tanaka: Well, I guess I just want to say, I mean what's happened is because the Coronavirus originated from China, so a lot of the Asians are getting blowbacks. I mean all – it caused to lose jobs, it caused – it's not, as far as I know, that's not the reason; but a lot of people – a lot of Asians, especially Chinese, are getting accused of this kind of stuff which to me is pure racism.

Chair Smith: Yes, and it started in February. It didn't – it's not a recent thing. It started at the very beginning. So, I would at this point what I'd like to do is to my distinguished fellow Commissioners, give each of you 5-minutes. I know you've had a lot of time to do personal research, you have a lot of your different angles. So, I want to give – I want to do a quick round-robin. Everybody gives their initial thoughts, spend 5-minutes, let us know everything that you have on your mind about this. Then I'm going to start walking through some – let's do a basic framework of a plan and how we deal with some of the things that we – how do we organize our work and do we get the right result? Because at the end of the day it's great to have some

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](mailto: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.

discussion, but I really want us to have a finished product and some impact and deliver at Council some actionable items. Also, we are going to hear a lot from the public. We're going to hear a lot from the public, so although it might not all be in our scope. We should be collecting that information and passing it up the chain even if it's hey, we heard from a 100 people and we heard this four times, we heard this three times, this is a commonality. So, at least Council has visibility to what we're hearing in all the work that we're going to be doing. So, we're going to do this in a very democratic way, alphabetically. Last time we started at the beginning of the alphabet so this time we're going to start with Commissioner Stinger and work our way back. Commissioner Lee being the last one and then I'll be the last to speak, alright? Vice Chair and you have 5-minutes, please.

Vice Chair Stinger: Thank you. I'll begin with the 8 Can't Wait. The – my sense was the 8 Can't Wait is that our goals are to do – come at it with an appreciation of the strengths of PAPD, but also a statement of the concerns about the PAPD's interactions with the community. I think we can do that in several ways. I'd like – my timeline shows a study session with the Chief and a representative of the union so that we can hear more from the people on the – who are seeing our citizens every day. I think we need a study session with the community. Some of this ought to be collaboratively with the Citizens Advisory Committee. They've spent a lot of time with the police force and should be able to give us some good insights as well. My goal would be to have a report that shows what are the success criteria for the 8, what – in Cities where it has been adapted – adopted, what has made it work, and are we there in Palo Alto? What are the characteristics of a failed implementation? How do we avoid those? But then I'd like to go beyond that to say what policies build on the 8 and identify those as places for additional study in our report out to the Council. I want to look at – I hope we identify cultural changes needed in the police force and I think we need to be very careful – we need to be very specific about how we want to collect data. So, that we know at the end of year if we in fact have made our goals. I think that some of the changes that have been tried, sensitivity training in some areas, have had some effectiveness, but maybe not enough. So, we need to be very careful to say – to have a plan in place to implement as successfully as we can, but also measure how implementation. Moving onto the second piece, racism in Palo Alto and our understanding of the history of racism and the contemporary issues. This is something that I was really and – I was excited about and continue to be excited about. I think it's important to have a goal of increased awareness of historic racial inequities local and the contemporary consequences. I want to bring it home. I also realize, however, that since the Council's referral to us, a lot of activity is going on in the community, and that's great; but I – that leads me to say that increasing awareness may not be the end goal. It has to be tied to an understanding of which policies we want to change and the priorities of those changes. So, we need to take the data that we find from Palo Alto's Historical Society, Stanford has – the archivist has agreed to – I've had some discussion with the archivist to help us look at statistical data and experiential data of what it's like to be on campus. What's it like to be a professional in Palo Alto? I want to look at both sides. The numbers of professionals, the numbers of people, but also what's it like to walk down the street. I think we had a video the other day, it's a look, what's it like to be in Palo Alto, but I want to tie it – my request would be that we tie it to action items; prioritizing action items. Some of the inputs I want to look at are, as I said, the Palo Alto History Museum. We have had, in the past, a speaker Jennifer Eberhardt who has helped us with understanding biases and she's done a lot of statistical work.

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](mailto: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.

Ms. Constantino: That's 5-minutes.

Vice Chair Stinger: She's part of a lab at Stanford Spark. 1-minute? Ok.

Ms. Constantino: 5.

Vice Chair Stinger: I'll just say that I have talked to her – the Director of the Spark Lab and they're willing to help us with looking at models for racism and how we talk about race and how we have a community conversation.

Chair Smith: Thank you so much, Vice Chair. Commissioner Savage.

Ms. van der Zwaag: Can I just interject one minute, Chair Smith? So, Mary will be the timekeeper for the 5-minutes, so when you see Mary come on the screen she – you will know that you're 5-minutes is up for this session. So, just wanted to let you know that. Sorry for interjecting.

Chair Smith: Thank you so much.

Commissioner Savage: I just want to thank the City Council for having the faith and confidence in the HRC to undertake the 8 Can't Wait Policies and the history of black and brown people. I'll have more to say about all of this once we get into the discussion tonight for the work plan, but that's it for now.

Chair Smith: Thank you so much. Commissioner Lee.

Commissioner Lee: Hi, good evening. I don't have a particular order in which I'm going to be speaking, but I'm just going to talk about some of my thoughts. So, I agree with a lot of the public commenters that certainly 8 Can't Wait is just the beginning. It's a bare minimum. I think even this Commission, based on our last meeting and we rarely agree on anything, but if you look at the motions that we made at the last meeting. I think we all agree that this is a first step and a bare minimum. So, I really encourage the City to not only talk about additional measures that it can take, but to actually get around to actually implementing them. Because a lot of times we spend time talking about it, but not actually doing it. So, I implore the City and our Commission to as we focus on the task at hand, that we also look to other things that we can do to advance this cause. The second point I wanted to make is I really hope that through this process that it's truly an independent and community-driven process. One where's there's an independent review of these 8 Can't Wait Policies and whether the PAPD fully complies with them. I think certainly the people who work for our police department are good people. I've known quite a few of them but withstanding, I don't think we can expect even good people to be unbiased in judging themselves or their own policies. So, I really want to implore this Commission to be an independent and community-driven body to provide that oversight and to provide that independent review. So, that there is accountability and credibility within the community about where the policies currently stand and what changes need to happen. My third point, you know as we all very busy, I hope we can count on Staff during this time. Again, lots of very well intention and very good people on Staff, but during my 3-years on this Commission,

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](mailto: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.

there have been times when the Staff's response hasn't been not nearly as timely responsive or as complete as I would have hoped it would have been. In order to do this important work, we're going to need to rely on Staff and to rely on them to provide timely responsive, and complete information. I hope moving forward that someone from the police department will be attending our meetings. This is the second meeting we've had as a Commission and we have five or six Staff members on the call, but no one from the police department. So, I really do hope that they make the time to participate in our meetings so that we can complete the work at hand. The fourth point is I really hope that this Commission steps up. This is going to take a lot of time and I know in the past we've been reluctant to have long meetings or have a lot of meetings to really spend a lot of time working on some of these issues. So, I really do hope that we just dig deep and find the time to do this important role – important work. I hope this Commission now realizes its purpose in this community and the fact that we by municipal code are here to recommend policy and action to the Council. Again, I know this Commission has been reluctant to play that function in the past, but we really have an opportunity to step up to the bat and really do our community a good service by actually recommending change and recommending policy to our Council. I also hope that our Council listens to this HRC. I mean even though we submitted a letter to them based off our last meeting, it was barely mentioned at the Council meeting. I know the Chair read it during public comment, but we are an official advisory body to the Council, and I hope that Staff and Council really gives us the due that we're owed and actually listen to and consider some of the recommendations that we put forward. You know a lot of the actions recently just don't suggest that the Council or Staff take them very seriously and I hope that they do. I will speak more to the specific proposal at hand, but again I think this is going to take a lot of work, and we need to put in the time. I hope to provide the public ample time to provide public comment so that they can tell us about their stories, tell us about the change that they want to see. I think 2-minutes is not nearly enough for the type of work that we need to do and if it means that we have 3 to 5-hour meetings. I'm willing to put in that work and I hope my colleagues are as well. We're here to be a conduit for the community and I hope that we provide the time and forum to do that. We also have a lot of experts in this community. A lot of lawyers, a lot of civil rights experts, a lot of folks who we can really leverage to do this work. Not only so that we can make a better recommendation, but so that we can make an independent and community-driven one. So, I hope as part of this process we really...

Ms. Constantino: That's 5-minutes.

Commissioner Lee: ... are open to receiving comments from experts. Thank you.

Chair Smith: Thank you for the comments. Alright, Mary, you can start my time now. It's become abundantly clear to me that in Palo Alto our police force has a perception issue. There is a gap on certain parts of our community with trust and credibility. In between – knowing both sides of the story I know that there is some significant challenges on both sides. I think our goal right now, particularly as we start the dialog around 8 Can't Wait, and we start the dialog about police reform is not just the policy, but where do we see transparency? Where do we see accountability? Where do we see this moving forward? I would like to disagree with my fellow Commissioner. I've spent a lot of time on the phone with Staff for the last 3-weeks. I've probably have between the City Staff spent about 20 to 25-hours on the phone talking about

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](mailto: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.

several different issues. First from being the Pastor of the oldest black church in the community to a lot of different challenges. So, I believe that face value that the City is willing to make some changes and let us figure out how do we get there and how do we work? The reality is, is as the HRC we serve the entire community. That means we serve those that are in the police force and those that get policed. Those that are black, those that are brown. So, we need in this report to be as fair to all sides, and really ask hard questions in civil ways to get to the best solution. I know we've had some significant reports of issues with our police department. I have the unfortunate thing to grow up in a town that we got federally investigated by the police every year. So, I've seen really, really bad policing. I've seen bad policing cost people a lot of lives. So, I know we have issues, but I believe that we have some – we can get to a better place here than I've seen historically in other places. Those are my thoughts. Mary, can you please put up on the screen sort of the working plan that we've moved forward with and what we've discussed with Staff and what we've discussed with the City? The reality is, is that we, as a Commission, have very limited time, we need to do a lot of work, Commissioner Lee was very correct in that, and what I wanted to do this meeting was organize our work, start a task – assigning some subtasks and start moving forward. I think we have – as the motion is – I copied it from it – to – we have been given by the Council to work through 8 Can't Wait. We are working right now. The first meeting would be public comment and expert panel that will be our regular HRC meeting on Thursday – on the Thursday night. I'm willing to start the meeting a little early or extent a little later. What I want to be able to do there is to really advertise out on all channels, social media, X, Y, Z, from City personally, and have people come and tell all what they want to hear about policing. I really think that this is an opportunity to gather data. I think Council Member Tanaka said it best. He said City Council can't go as deep because they have so much on the plate. We're going to deal with 8 Can't Wait and the reality is, is that if you look at how the Resolution was written by the City, 8 Can't Wait is just the tip of the iceberg. So, we want to be able to A: address that with some expert stuff, hear from the community, but we also want to be able to say to Staff or to say to the Council this is also what we're hearing from the community. These are some other trends, these are some other themes that we're hearing, these are some other experiences that we are hearing and we want to do that. At that night we will have PD with us, I am still working on an expert... on some experts. I've spoken to Judge Cordell; her schedule doesn't allow us to be with us that day. We've also reached out to 8 Can't Wait. We've also – the Chief is confirmed to be with us for that meeting. We are working on some of the expert panels. We are also – want the public to come and this is where we start getting into the nitty-gritty of the points of what 8 Can't Wait is, what are the different things, we hear from the Chief, we hear from experts, we hear from the community, and I want to make this just a session to absorb information however long it takes. I mean I do agree with Commissioner Lee on this. There is a lot of thought – people have put a lot of thought, people have a lot of emotion, people have a lot of input, and we want to create this space for people to speak freely and create in that. The next group, well I'm still waiting with Staff because people did have vacation planned long before we started this process. So, we're working some final details and should have this worked out. We're going to do a working group a -- with us and the police department. What we're going to try to do is dive deep into the policy, ask hard questions around the policy, how do policies get changed, are there things that are required by Council, are there things that are required by contract with the union, are there things that are – that can be changed by just changing a policy manually internal, what's the transparency, what is the consequences? We're going to work through all of that in

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](mailto: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.

that working group. At the end of that, we will have – sorry – we will have a – we will start doing our final draft of recommendation. We should have that altogether by the week of the 27<sup>th</sup> – of the 27th of July. What I would like to be able to do is create a grid that would to the City and go to Council. So, I – this is 8 Can't Wait, this is the current policy, this is the – and this is the needed change or is it alright? What is it – how does it do it? The grid will be on the front. If we need to do more explanation in the back of it, we can, but what I would like to do is really present Council with very clear information on where we are. We've reviewed it ourselves, we've written up our own stuff, we are – this is how we see it. Also, if we could scroll down a little bit more, Mary. I would – this is a broad conversation we are just the kick-off. Council Member Kou said it best. The Council has I think four or five working groups with four or five different things that they're looking at. Whatever we're hearing, everything has value that we're hearing. So, I really want to be able to send to Council we're hearing this, we're hearing that, we're hearing this, we're hearing that in these different areas. So, they at least can have the opportunity to do that. The final thing is the community report. I think this is the greatest opportunity we have. Many people get very focused on 8 Can't Wait, but I will tell you I am starting to receive emails. I received an email from a mother with probably 100 megabytes of documentation and letters and back and forth dealing with the challenges of policing and City response and all of this. There are a lot of stories out there. At one of the protests, I believe the one that was on Juneteenth, that was really impactful because we had eight speakers that shared their history of being black in Palo Alto. What was particularly stunning to me was you had somebody that went to high school in '71 and you had the person that graduated this year and they're stories almost match. So, this is the initial framework. I want to open this up for to discussion and hear feedback from Commissioners and the liaisons from the Council that are part of this Ad Hoc discussion. If Staff has anything to add, please add at this time. Go ahead and raise your hand please if you want to say or state anything. Yes, Commissioner Lee.

Commissioner Lee: Hi, so before we get to the timeline here and I appreciate you putting that together. I did want to just respectfully, with all due respect disagree with the Chair's prior comments. I don't think our job as a Commission is necessarily to be fair to all sides or be advocates for the police department. I mean I strongly believe that the system itself is already tilted heavily in that favor already and that's one of the reasons why we're doing this work now. My primary concern is again, doing what's best and what's right for minority communities and communities that are impacted by police misconduct. So, while I appreciate the Chair's thoughts and opinions on those. That's going to be my focus. In regards to the...

Chair Smith: So, Commissioner Lee, can I make one quick response to that? When I said be fair to the police, we have a significant issue in the City of Palo Alto; 70 percent of their calls are originated by people in the community calling people that they think are suspicious. So, when I say be fair to the police, I'm also talking about a culture in a City that expects people to – expects police to show up to police them. So, I'm sorry I wasn't clear on that comment, but I want to make sure that we don't advocate the responsibility of the citizenship to add to their part of the challenge. I'm sorry I wasn't clear about that.

Commissioner Lee: No, I would agree with you. I think this is something that us, as individuals, as a community needs to work on as well, but certainly there are notwithstanding those cultural

and societal issues. There're issues within the system itself. With regards to the timeline, I'd be very interested in, hopefully during this meeting, getting some additional details specifically regarding how much time we are giving members of the public to provide public comment. To the extent that we can really block out some serious time in advance and give people a better expectation of how much time they have. I mean on our meeting agenda it says 5-minutes, but I don't think we've ever done 5-minutes. So, if we can really just be very upfront with how much time folks have and dedicate as much time as possible, I think would be good.

Chair Smith: How much...

Commissioner Lee: To the extent that – sorry, go ahead.

Chair Smith: How much time do you think is appropriate?

Commissioner Lee: I think at least 2-hours would be...

Chair Smith: No, per comment.

Commissioner Lee: ... good for public comment.

Chair Smith: Per comment.

Commissioner Lee: I would say 5-minutes would be good...

Chair Smith: Ok.

Commissioner Lee: ... as a starting point. In terms of the expert panel, I'm very thankful that you booked the Chief to come and speak with us, but I do hope that the panel is very heavily rated towards folks unaffiliated with law enforcement which it sounds like it is. To the extent that you can circulate that tentative list to the Commission in advance, I think would be helpful. So that if any one of us identifies any gaps that might be missing, we can go out and try to find an expert to fill that gap or to fill that perspective. So, if we can get that in advance and not be surprised a day or two before that would be good.

Chair Smith: Thank you so much, Commissioner. One of the things I was going to bring up here was each of us brings different facets to the Commission. So, I believe that it shouldn't only be the Chair or Staff that populate the Commission. So, if they have recommendations with some – sorry, it shouldn't only be Staff or Commission Members that populate the panel. So, if we have recommendations from other Commissioners, I would love to hear them, and we would love to bring them in because I believe the richness of the conversation is added by having as many voices as possible.

Ms. van der Zwaag: Chair Smith...

Commissioner Lee: Chair would...

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](mailto: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.

Ms. van der Zwaag: ... City Manager Shikada would like to say something.  
Chair Smith: Yes, thank you. City Manager?

Mr. Shikada: Thank you, Chair, Members of the Commission. Perhaps just to expand on my earlier comments and reinforcing the discussion you're having now. Maybe just a suggestion in terms of how you put in context the work you're doing with what the City Council is taking up. That at the risk of maybe reading a lot of precision into the Council's direction. This is the one element of the five or so specific actions that the Council took a few weeks ago that has a timeline too it. So, I think Chair, you'd referred to this as an opening and in many ways, this is the opening chapter to what is a phase of war in a variety of specific areas. So, to the extent, if it is helpful, given the tight timeline that the Commission has to identify your immediate... the responses to your immediate assignment related to the 8 Can't Wait, but as it's been pointed out. Those are really a starting point and a foundation. So, through the conversations that you'll be having among the Commission as well as with the community. I suspect you'll identify both what applies specifically to those either as well as perhaps a series or a list of other issues that you want to refer to the City Council that should be looked at more closely and -- through the variety of Ad Hoc Committees that have now been established. Again, just a quick recap on everything from the Police Policy Manual and data collection and hiring practices that are all in the operation of the current policing model. To transparency and accountability which describes in some ways what happens when things go wrong and when or at least or allegations of things going wrong and what's the process by which those issues are evaluated and then ultimately resolved and then communicated to the community to alternative models. We've heard of other Cities and other organizations that have different models. So, that's another body of work and then finally the City-wide diversity and inclusion. So, all of which are -- have somewhat discreet areas of follow up that Council will be doing deep dives themselves. So, the work that the Commission will be doing over the next month or so really does set the stage for the additional work that the Council and Staff will take on. So, if that's a helpful context for you then I would offer that and again, that Staff is to provide its support.

Chair Smith: Thank you. Council Member Kou.

Council Member Kou: So, I just wanted to clarify, so according to the agenda today. I think you're trying to establish a framework for how to move forward with Council's ask or direction. So, are you Commissioner Lee asking for 5-minutes for each of the commenters today or during the Town Hall that's been scheduled down the line because that's I think where we're -- where the Commission is gathering and listening to the community?

Commissioner Lee: Well, I think we've already done public comment today so it's too late, but in any future meeting that the Commission has, whether it's the Town Hall or any of these work meetings that we're doing, I would like to request that the public be given 5-minutes each.

Council Member Kou: Ok, so I just want to make sure that's -- I think we also have a limited time on these HRC Committee meetings. I know that I have to jump off at exactly 7:00 because I have another Parks and Rec Commission meeting to attend. So, I think that we need to

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](mailto: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.

accomplish the goal of what the agenda is. So, I hear you and I just want to make sure that if it's a community meeting, especially a Town Hall, that is given the amount of time so that you can hear from the general public in terms of their concerns and even their suggestions and recommendations. So, that can be taken into consideration by the Committee. I also wanted to just say that Vice Chair Stinger's comments and suggestions were very, very thoughtful. So, thank you so much for that, and if that might be something that we can work around in terms of setting metrics and so forth with the 8 Can't Wait. Maybe that might be a start into looking into all the 8 Can't Wait Policies. Thank you for the time.

Chair Smith: Thank you so much Council Member. Commissioner Lee, you have your hand up.

Commissioner Lee: I wanted to ask if you had any specific framework for the next meeting in terms of inviting experts? Were you going to give them a certain amount of time each to present on whatever topic they wanted as it relates to this or were you going to give them specific questions to answer? I'm wondering what your initial thoughts were on the next meeting. Maybe we can just go meeting by meeting and flush it out.

Chair Smith: Ok so basically, I was going to give time-based on number of experts. If you have two you can give them 15 or 20 minutes. I don't think anybody could listen to somebody more than 20-minutes without dozing off or losing focus, so give them 15-20-minutes to give us some overview. Also, frame the discussion before public comment and it would depend on the number of experts because if we – I think the right number is about two or three individuals. I think we want to hear somebody that is deeply versed in police reform, somebody that is deeply versed in actual police policy. One thing that we have to really – also, somebody that we have invited, hopefully, they will come, is the Police Union because the reality is as you read the newspaper there is a lot push back from Police Unions on certain changes. So, we want to get them in the conversation because I believe culture and by in from your field positions is really critical. So, we'll have them as part of the – we are hopeful to have them as part of the discussion. Is that helpful?

Commissioner Lee: So, maybe can you list the experts that you have right now and what categories do you think they would fit?

Chair Smith: So, we have the Chief, that's one. I have a call out to Stanford to somebody from the Spark Lab. A reach out to Meghan who is the public relations – not the – the community advocate person. We have...

Commissioner Lee: Sorry, can you say that one again? Who was that?

Chair Smith: We reached out to Stanford, the community relations person, to get somebody from the Spark Lab to work with us, but we're waiting for a response.

Commissioner Lee: What is the Spark Lab?

Chair Smith: That's Jennifer Eberhardt's group. The – remember...

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](mailto: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.

Commissioner Lee: Ok, oh got you, ok. Yes, yes.

Chair Smith: The ones that worked with Oakland. We have an ask out to Campaign Zero and to see if they can get somebody out also. We have an invitation out also to the Police Union and we have the Chief of Police that has confirmed. Did I say him already? So, that's where we are at this moment.

Commissioner Lee: I would like to suggest that we include someone from the ACLU or a similar organization as well as a law professor from Stanford or some other local law school. I think having a lawyer – I mean I'm a lawyer, but I'm not this kind of lawyer. So, I think a lawyer would be very helpful.

Chair Smith: That would be – if you can do some research on that and give us some references. I think we would be open to – we're open to it. It's hard pinning a lot of these experts down because for some reason they're in high demand now. So, one of the things...

Commissioner Lee: When is the last date you would absolutely need to know if someone can?

Chair Smith: Let me talk with Staff about that. They'll text me in a few minutes with that. We have Council Member Tanaka.

Council Member Tanaka: I just wanted to respond to some of the comments that I've heard which is really like Chair Smith, what you're trying to do. You're really trying to hear a different set of perspectives and I think that's really important because you probably could hear from a larger, more diverse set of perspectives than we can on Council given your guy's focus and time. So, I think that's really great and also, I have to agree with what the City Manager said which is we definitely, first, and foremost, need to do the job at hand. If you guys have time to do extra that's great, but for myself as a Council Member, I actually appreciate that you guys color outside the lines too. So, if you guys have time to go beyond (inaudible) because for us on Council we – we're so focused on – well, our problem is we're not focused on this particular issue as much as you guys are. So, we can't go as deep as you guys can and so I think you guys can go deeper and perhaps provide that kind of – for -- guide this that we can't get on our own. So, I would appreciate that actually and speaking about Police Unions. I don't know if you saw but probably about early June, there were a bunch of articles that came out on MPR, on Washington Post, New York Times, etc. about the fact of unionized – police unionization and police brutality. It was actually quite interesting, so I think it's really great that you're getting a union representative to talk about that because sometimes...

Chair Smith: We're trying, we're trying. They haven't committed yet.

Council Member Tanaka: Yes, I know, I understand, I understand, but I think that's quite interesting. If you haven't – maybe all of you guys have seen this already, but there's actually a lot of really good articles on this that talk about how as police forces unionize, how police brutally increased while the crimes actually decreased. So, I think it's interesting to see that trend and it will be interesting to see how – if the HRC can help work on this for our City and we

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](mailto: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.

resolve this issue.

Chair Smith: I agree with that. Thank you so much. I haven't heard from Commissioner Stinger or Commissioner Savage and I really want to give them an opportunity to interject. I believe they always give great wisdom when they speak. Commissioner Stinger and then we'll have Commissioner Savage. You have to unmute Commissioner.

Vice Chair Stinger: Sorry. I'm very enthusiastic about the work plan that you've put forth and I appreciate Commissioner Lee's flushing it out some. I look at it as five – and what I heard was five goals; reform, policy, culture, model Cities, and metrics. I think we're pretty close to having speakers speak to each of those. You talked about the Chief, a union representative, maybe an ACLU lawyer, somebody from Campaign 8, somebody from the data collection Spark Labs. The other source that we might be able to look to is the county as they've put recommendations together for change beyond the 8 in the county. They may have some legal Staff that could help us appreciate the objective changes.

Chair Smith: I like how you've made that so synced. Thank you. Commissioner Savage, would you like to add?

Commissioner Savage: Yes, so it sounds like you've got a real handle on speakers coming up for the next meeting and that's great. My personal interest is 8 Can't Wait and the policies versus the current Policy Manual from the police department. So, I'm hoping that I will be able to have a discussion with some members of the Command Staff of the Palo Alto Police Department and go through the 8 Can't Wait one by one to see which ones are done. We can put those aside and the ones that aren't completed we'll see if there's a timeline, if the wording can be changed, corrected, revised, in the Police Manual and just to get that done with. As some of the earlier speakers said, 8 Can't Wait is not nearly enough. That may be, but it's the first step no matter what. So, I'd like to really tackle that, get that done with, and then proceed from there.

Chair Smith: Thank you so much for that. You lead into my next point. The working group's final recommendation meeting we are tentatively going to have somebody from PD with us going through each one. I want to encourage each person to go on 8 Can't Wait, they have a website. They have some really good written material around what it is. So, to prepare for that maybe I'll have Staff email that to everybody so they can read it ahead of time. What I – that's going to be the opportunity to do that level of work that you're talking about because I think we need to in the next two weeks or three weeks really be doing our research. So, when we do get there we do understand policy, but I think one of the questions the public will ask us is transparency, what are the repercussion – what are the consequences of violating this action, and how quickly can – how quickly do we see that? I think Atlanta has put pressure on a lot of other police departments in the country with their response to Rayshard Brooks' incident. They moved within two to three days, so I think a lot of people in the public, rightly so, are asking how do we get to that level of speed in situations? So, these – it's – there're going – these are going to be some of the harder questions that we're going to have to ask because I think the public is going to say to us great, you have 8 Can't Wait, but what does that mean as far a transparency; as far as the speed of response if something is done? I think that's where the credibility will come in. I

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](mailto: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.

saw Director O’Kane come on the screen earlier. Did you want to say something or was that just a technical issue?

Ms. O’Kane: Sorry, that was a technical issue. I lost connection and had to get back on.

Chair Smith: Ok, sorry about that. Commissioner Lee.

Commissioner Lee: I wanted to get some clarification on something that Commissioner Savage alluded to. Are we as individual Commissioners empowered to go and speak with members of the Staff or the command Staff to – as part of our individual research or are we doing that through these meetings because I want to make sure that we’re all operating on the same playing field...

Chair Smith: We are...

Commissioner Lee: To have access to Staff or not?

Chair Smith: We are doing it at the meetings. The research I believe -- Meghan can say this, we – the City is going to provide some information as far as policies and where and this, that, and third for us. Plus, we will provide the 8 Can’t Wait information, but we won’t deal with the Staff directly on this. I do have one thing that I am working with the City Manager and the Chief of Police. We are recording a frank conversation around reform. This was sparked out of our work when we wrote the letter. When did we write the letter? I think we wrote the letter right after George Floyd died and an immediate response so this is a continuation of that work. I see that you took the mic off City Manager.

Ms. Shikada: I was just going to chime in if it would help. Yes, certainly, and appreciate the Chair helping us with this. This is, as I mentioned, part of some information that we’d like to roll out. We’ve gotten quite a bit of community interest in what’s happening, what’s going on in Palo Alto related race and equity. So, this would be a good opportunity for us, Police Chief, myself, and Chair Smith to talk about here’s what’s happening. So, really it would pick up on tonight’s conversation and in terms of some of the next steps as well as we’ve already started to talk about the actions that the Council has gotten us moving on. One of which we haven’t talk about tonight and I would note it that Commissioner Lee’s background, the mural, which is being painted today. If the inspiration points, I may even be able to turn around my camera because I’m overlooking Hamilton Avenue where you would be able to see the finished product. So, that’s another area as we talk about the community conversations, community express, and the work ahead. So, that’s just a little background on that upcoming video.

Chair Smith: Commissioner Lee...

Commissioner Lee: Just to clarify my question.

Chair Smith: Commissioner Lee, yes, go ahead.

Commissioner Lee: Just to close on my question, so none of us should be reaching out to Staff as part of our personal research, right? That's sort of the ground rule moving forward because it sounded like Commissioner Savage was going to reach out to command Staff about the 8 Can't Wait. So, I wanted to make sure that the rules were clear to all of us, so if that's happening and it's not happening, we all have equal access.

Chair Smith: So, is the one thing I will say. Commissioner Savage has relationships with people in the community. It – with people in the policing community because of her history. That would like asking me not to reach out to other Pastors and talking about god. I mean there are built-in relationships.

Commissioner Lee: I mean but we're talking about the Staff, right?

Chair Smith: If she – and has a conversation with people and her it's her personal conversation I cannot stop that. If you want to reach out to Staff, go ahead.

Commissioner Lee: Ok, well, as long as that is clear.

Chair Smith: If they respond or don't, I don't have control over that.

Commissioner Lee: Also, regarding the video that you're recording. That's – you're doing that as an individual, right?

Chair Smith: Yes, I'm doing that – no, I'm doing...

Commissioner Lee: But you know what I mean...

Chair Smith: No, I'm doing that as the Pastor of the oldest African American church in Palo Alto.

Commissioner Lee: Ok. I just wanted to point out that as beautiful as the statement was that was issued, it did not indicate that – I mean I used your title...

Chair Smith: So...

Commissioner Lee: ...and I – according to our Commissioner Handbook we need to make it clear when we're not speaking on behalf of the Commission. So, if something was on a City website, I think just add a little disclaimer. I do this all the time as a lawyer. Add a disclaimer that again, you're not speaking for the Commission. You're just speaking in your other capacities would be great, thank you.

Chair Smith: Yeah, we'll operate just like the Council operates. I want to get back to the core issue. Commissioner Stinger I'm going to have you share and then I'd like to see if I can get a motion and second and vote to move forward with this work plan; because I would love to honor the time that Parks and Rec. Commission has given us and allow them to have their time and

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](mailto: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.

their broadcast time at the right time. So, I'd like us still to at least work this motion out and move forward, but I'd like to have Vice Chair speak, please.

Vice Chair Stinger: I have two comments to make and I also want to move quickly onto the motion and the next piece of the conversation, but I feel strongly and if this is inappropriate then please just say so. I think if we as a Commission ask Commissioner Savage to be the representative to the task force, that would be the mechanism. It wouldn't be a casual conversation, but an official representation. As you're on the video, I would ask that you do represent us as our Chair. I think there's a way to say when it comes to a recommendation or a final decision saying I'm speaking personally now. This is not an issue that has come before the Commission, but when we talk about visions and wishes and hopes for the community. You are our Chair and I would like you to speak to that.

Chair Smith: Thank you for that vote of confidence Commissioner Stinger. Council Member Kou.

Council Member Kou: Thank you. Just two things, first I want to – I'll – just to bring up there were two surveys that were done when we were considering the budget. One was the City's survey and the second one was my own just to gather more information from the general public. Both of it had very high percentage of interest in ensuring that our safety – public safety is intact and that they are here to protect and serve. Then two, I wanted to say if there's any way to look at the 8 Can't Wait and see where is the oppression and suppression actions and policies that you can change. That would be really superb, especially for black lives and brown lives. That's the one area that for over 400-years that we have not been able to move forward on. It keeps on taking one step – two steps forward going back again. So, in this charge from the Council please take into the consideration the oppression and suppression that's too – thank you.

## **MOTION**

Chair Smith: We definitely will and I think this is going to be a robust conversation. Ok, I am ready to accept a motion and a second on the work plan. Can – let me create a motion. I move that we move ahead with the work plan as presented this evening. Mary, can we copy and paste the work plan and just put it in the motion and just say as the work plan below because this evening doesn't give a good reference point? Can I get a second on the motion?

## **SECOND**

Commissioner Savage: I second.

Chair Smith: I just want to explain to those that are watching. Our Commission currently stands at seven because we had a special meeting, we only have four Commissioners here. So, we need all four Commissioners to vote in favor of the work plan to move forward. Yes, Commissioner Stinger?

Vice Chair Stinger: I had a question. Are we voting on the whole work plan or the work plan with regard to the 8 Can't Wait?

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](mailto: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.

Chair Smith: We can split up into two motions.

Vice Chair Stinger: I wanted to elaborate on the second part of it.

### **FRIENDLY AMENDMENT**

Chair Smith: Oh, we can – I – Commissioner Savage will you accept a friendly amendment that this motion is to move on the work plan just on 8 Can't Wait?

Commissioner Savage: Yes.

Chair Smith: Thank you. We have a friendly amendment that this is only – this motion – this part of the work plan we're only voting on 8 Can't Wait.

Ms. van der Zwaag: Chair Smith, can I interject? It would be helpful for Staff and for the members of the public if the motion was clearer than it was because at this point it says as presented. So, I'd really like it to be specific language of we move that...

Chair Smith: That's why I'm asking her to place the plan – paste the plan below so everybody can see the exact plan so that there's detail there. Mary is there any way just to show the Google Doc for now and then we can paste it at a – thank you. Sorry, Mary. So, we are timeline, format, and additional recommendations, that's what we are currently voting on. The timeline, the format, and the additional recommendations. Is everybody clear on that? Exactly. Alright, is that clear enough Minka? She's bringing it back up. She's putting it in the other document. You're muted.

Ms. van der Zwaag: I'll wait till I see it back on. I just wanted to have that clarity. That is much better, thank you Chair.

Chair Smith: Ok. We are up for discussion. Commissioner Lee.

### **SUBSTITUTE MOTION #1**

Commissioner Lee: So, I'd like to make a substitute motion. It's effectively the what's currently on there with the following additions. Mary, would you mind scrolling up just a little bit? That for the expert panel meeting, that we – that part be at least 2-hours and that each individual Commissioner be permitted to invite one expert – at least one expert if provided to the Chair by Friday.

Chair Smith: We have a substitute...

Commissioner Lee: Would that be enough time, Friday?

Chair Smith: We need 48-hours.

Ms. Constantino: Would you repeat that Steven?

Commissioner Lee: So that – the substitute motion is everything that’s above plus for the expert panel meeting that the expert portion of it be at least 2-hours and that each Commissioner be permitted to invite one speaker – one expert.

Chair Smith: Point of protocol. Would this not be a friendly amendment rather than a substitute motion?

Commissioner Lee: It may be.

Chair Smith: It’s an addition to the overall motion, not a replacement of a motion.

Commissioner Lee: Well, so it may be friendly if you accept it, but if you don’t accept it then I’m – it’s going to be a substitute motion.

Chair Smith: Ok, let’s go with substitute motion.

Commissioner Lee: 2-hours and each Commissioner be permitted to invite one speaker. I’d also like to add that public comment should be at least 5-minutes per speaker for all of the meetings. Just to clarify the expert panel meaning the expert portion of that meeting should be 2-hours. So, that we have 2-hour of expert testimony.

Chair Smith: You do realize that that motion basically null and void all the ability of the Chair to organize and run the meeting, right? So, you’re basically saying the Chair can’t run the meeting as he sees fit in that motion.

Commissioner Lee: I understand what I’m doing.

Chair Smith: Ok. Do we have a second on the motion?

Commissioner Lee: Actually, can I break out my substitute motion? Can we vote on one separately?

## **SUBSTITUTE #1 MOTION DIES DUE TO THE LACK OF A SECOND**

Chair Smith: The motion’s already on the floor. You can make another substitute motion, go ahead.

## **SUBSTITUTE MOTION #2**

Commissioner Lee: Ok, then I’ll make another substitute motion that the expert portion of the panel meeting be 2-hours.

Ms. Constantino: Wait a second.

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](mailto: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.

Commissioner Lee: Sorry, was there a second there? I heard someone in the background.

Chair Smith: No, that was Mary answering you. Alright...

Council Member Kou: Can I ask was the first substitute motion withdrawn or is it failed? What was the first...

Chair Smith: It failed.

Council Member Kou: ...substitute – ok.

Chair Smith: There was a second.

Council Member Kou: Thank you.

Chair Smith: Second substitute motion?

### **SUBSTITUTE MOTION #2 DIES DUE TO THE LACK OF A SECOND**

### **SUBSTITUTE MOTION #3**

Commissioner Lee: Ok, so this one has no second? Ok. My next substitute motion would be that...

Chair Smith: Wait.

Commissioner Lee: ... each Commissioner...

Chair Smith: I mean – ok, wait, go ahead with the substitute motion.

Commissioner Lee: That each Commissioner be permitted to invite one expert...

Chair Smith: Ok.

Commissioner Lee: ... and then the final one would be that public comment should be 5-minutes for all meetings and I appreciate your indulgence with my motions.

Chair Smith: Do we have a second?

### **SUBSTITUTE MOTION #3 DIES DUE TO THE LACK OF A SECOND**

### **VOTE**

Chair Smith: Thank you so much for your motions, Commissioner Lee. One of the critical things

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](mailto: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.

I think for all of those that are watching, one of the critical abilities of a Chair is to organize a meeting as is needed. So, generally, you won't see motions on times and limits done because that would voice the Chair. So, can we go back to the initial motion, please? We had a second on it. I'll take a vote now. Commissioner Lee?

Commissioner Lee: Abstain.

Mr. Shikada: If I might make an observation, Mr. Chair?

Chair Smith: Yes, yes, yes City Manager.

Mr. Shikada: I noted that early on you made a reference to needing four affirmative votes in order to pass this motion. I'm not a parliamentarian expert, but I believe because you're effectively simply setting the order of business for your next meetings...

Chair Smith: Oh.

Mr. Shikada: ... that...

Chair Smith: It's a simple majority.

Mr. Shikada: A simple majority should suffice because you're basically deciding how to run your next meeting which would seem to be an appropriate discussion for or decision for the body that is present to make. Again, it's a formal recommendation to the Council that might be a different matter, but that's not the case here tonight.

Commissioner Lee: Point of order Mr. Chair.

Chair Smith: Yes sir?

Commissioner Lee: Yes, just to clarify it, I mean I'm not a parliamentarian either but I'm a lawyer. The municipal code indicates that all action of this body requires four affirmative votes.

Council Member Kou: Of those present.

Commissioner Lee: No, just as four affirmative votes to carry it.

Chair Smith: So...

Mr. Shikada: We do run into this with the Council from time to time...

Chair Smith: Yes.

Mr. Shikada: ... and again, if it's an action I guess is the question of the definition of an action and here you're not actually taking an action. You're setting...

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](mailto: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.

Chair Smith: You're just setting an agenda, so it's quite simply we're doing agenda planning for the next month instead of us taking action. So, in our traditional agenda planning atmosphere, we don't – we just go with who was at the agenda planning meeting as a simple majority. Alright, so we'll go with a simple majority. Thank you so much, Council Member Kou and City Manager for helping us clarify that. Alright, Commissioner Savage, what is your vote on this?

Commissioner Savage: Aye.

Chair Smith: And Commissioner Stinger?

Vice Chair Stinger: Aye.

Chair Smith: I vote aye. We have a simple majority on our agenda and work plan for the next – for this task.

### **MOTION #1 PASSED 3-1 WITH COMMISSIONER REGEHER ABSENT**

Chair Smith: Is there any – I just want to make a few closing observations as the Chairperson for this Commission. I just want to really clarify something. These issues are going to be extremely charged and we can have opinions, but I want us to be clear on what our manual says in Page 15. It says the Chairperson's role: The Chair shall represent the viewpoint – view, and opinions of the Commission/Committee as a whole when speaking on its behalf. The Chair or his or her designee is the media point of contact for information regarding the Commission activity. When speaking in public your – for members, when speaking in a public state whether your comments represent your appointed body, or they represent your own views. Members must not represent their views as the body unless it has been a definitive vote on hand. This – I just want to us to -- as we deal with things that are highly charged, highly political, and we are deliberative body. Let us – I encourage everybody to speak your free mind, but to please be very clear in your distinction when you make those comments that you're speaking for yourself and not for the Commission. We just want to clarify that for everybody before we go into this which I feel is going to be way more deliberative and way more charged and something that has a lot of different opinions attached to it. Do we have any other comments, issues, concerns?

Commissioner Lee, I see you have your hand up.

Commissioner Lee: Did the Vice Chair have other motions that she wanted to bring forward? I thought I heard a couple ideas for ones during discussion.

Chair Smith: Yes, we have not dealt with the other half of our work plan. Currently, we have the August – our August meeting being the public forum commentary on the work plan I proposed earlier. I just wanted us to get through the first part of the more mechanical part which was dealing with the policy. Then in August 13<sup>th</sup> public forum on experiences of black and brown in Palo Alto and we can work history in on that, so that was my initial framework. Commissioner Stinger, I would love to hear how you'd like to modify and work with that?

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](mailto: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.

Vice Chair Stinger: I was just hoping that we could flush that out a little bit. No – I – no disagreement with what you have. I'd like to maybe make a comment that the deliverable would be just a summary of the history; not a report, a timeline. The experiences that we want to share might be stories or videos and all of it should be related to policy recommendations.

Chair Smith: How would you like to phrase that motion, please?

Vice Chair Stinger: May I see Mary what we have so far on the Google Doc? The part that we didn't – that we cut out.

Chair Smith: Timeline, community report, public forum on experiences of black and brown on August 13<sup>th</sup>. This – where it says timeline community report.

Vice Chair Stinger: The end goal of the public forum would be to...

Chair Smith: That has to get cut out of the original motion and made into its own motion, Mary. Yeah, just that timeline part.

## **MOTION #2**

Vice Chair Stinger: The community report would include a synced history and be geared to recommendations for further policy – I'm sorry, be geared to further policy recommendations.

Chair Smith: We have a motion on the floor. Let us – let me repeat it. The community report will have a synced history and geared towards future policy. We are looking to have – do you want that ready for the August 13<sup>th</sup> piece or do you want that to come out of the August 13<sup>th</sup>...

Vice Chair Stinger: I'm sorry, no that's a good point of clarification. The community report which comes out of the public forum.

Chair Smith: Ok so this is the deliverable from the public forum and we'll say the history be brief or clear. What do you want? Do you want ...?

Vice Chair Stinger: Let's see, that we shall – will – the community report comes out of the community forum will include a brief history and be geared toward future policy recommendations or maybe it's priorities.

Chair Smith: Can I say we'll include a very focused history?

Vice Chair Stinger: That's better.

Chair Smith: Because I don't think we want a brief history. I think we want a focused history around the challenges specifically given to us by Council. So that – because there's a great book, it's probably like 200 or 300 pages that's black history in Silicon Valley. Somebody gave it to me. Beautiful book, but I think what we need to do is really get the five to ten pages of the

challenges in the history so that Council can have that. So, do you think that's a focused history would be?

Vice Chair Stinger: That would be better and...

Chair Smith: So, that's the motion. The way that motion's going to be carried out is the timeline with the community report and the public forum and experiences of black and brown in Palo Alto on August 13<sup>th</sup>. Does that sound like a – is that solid for you? Is that clear for everybody?

Vice Chair Stinger: Let me try a second sentence. The Commission will also partner with organizations such – with art and organizations to – oh I don't know what the word is – to recognize the spirit of Palo Alto – to recognize the goodwill that exists in Palo Alto. I'm trying to think of – to recognize – to make change – exist in Palo Alto to make change.

Chair Smith: Oh, to recognize the positive energy to make change or...

Vice Chair Stinger: Thank you.

Chair Smith: ... positive momentum to make change without because are you trying to identify the people that are currently in the community that have goodwill towards making change?

Vice Chair Stinger: I'm sorry, ask the question again, please?

Chair Smith: I said are you trying to recognize the people that currently live in the community that have goodwill toward change? Is that what we're heading for?

Vice Chair Stinger: Yes, and I want to partner with them too.

Chair Smith: Ok. Does that – is that motion clear to the rest of the Commission? Yes, Commissioner Lee.

Commissioner Lee: Can we elaborate about what the geared towards future policy recommendations? I'm not quite understanding.

Vice Chair Stinger: I think as the charge from the Council reads now it is just to present a history and I think that there are enough – people are working in the community to increase their awareness of the history that exists. I think we could add value to that by prioritizing a focal point. A reason for collecting the history and a reason for understanding what has taken place in our community.

Commissioner Lee: So, are we summarizing the policy recommendations that we hear from the community during the forum, or are we figuring out what those policy recommendations are ourselves?

Vice Chair Stinger: I was thinking more of summarizing what we've heard. I think it's premature

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](mailto: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.

to say that we would be able to actually...

Commissioner Lee: Ok. Would you mind modifying the motion to say to summarize the policy recommendations discussed at the community forum?

Vice Chair Stinger: I think maybe – I hear where you're going.

Commissioner Lee: I mean are we adding anything to those policy recommendations or are we just distilling them?

Chair Smith: So, can I interject? Most people when they're sharing their experience and history, or present experience generally aren't coming with a – they don't – the average person's mind doesn't come back with a policy recommendation. They probably will have some – how can I say this -- patterns of challenges so maybe we can take the information given us. So, the young lady Teresa that was there earlier, she's going to tell a story. She's talking about certain experiences she had in the City. If we hear three or four stories then we should say the City needs to look at what policies are affecting this or this experience is that they're – where is the policy here instead of saying this is the policy; because I know from a lot of the people I'm currently talking too they don't know the policy, they just know the impact. Do you follow what I'm saying?

Commissioner Lee: Yes, I guess I'm wondering are we just translating the impact into the applicable policy or are doing any sort of felt drawing, or are we adding any of our own independent judgment to that translation?

Chair Smith: I think we will – I'll be honest with you, I think we hear – let's say we hear 20 or 30 stories at this night and we come up with or we come up with something that shows a – a few things that show up three or four times from different perspectives. I do believe there is going to be some wordsmithing and some I won't say editing but some translation to show the themes and the patterns; because we will have...

Commissioner Lee: So, we're not judging which themes or patterns are worth  
(inaudible)(crosstalk)

Chair Smith: No, we're just looking for the pattern.

Commissioner Lee: Got you, ok.

Chair Smith: That's part of the HRC's mandate is to give the public perspective, so our job is to present the pattern. Not to write our own narrative to the pattern so I think there's a fine line there.

Commissioner Lee: Got you and who would be writing this community report?

Chair Smith: We haven't made any assignments yet.

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](mailto: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.

Commissioner Lee: Ok. I think that – I will be looking for volunteers on that so we can – that I think is a further discussion. What I would like to take this motion now so that we can be respectful of the Parks and Recs time and we close out before 7:00.

Commissioner Lee: Will we vote at a future meeting about who we designate to write the report on our...

Chair Smith: Yes.

Commissioner Lee: Ok.

Chair Smith: I will add it as an agenda item as we get closer to the date. Do we have a second on this motion, please?

Vice Chair Stinger: So, I want to leave the parenthetical in. Does that – do you want to leave that in?

Chair Smith: Yes, I do.

Commissioner Lee: Could I ask if the maker and seconder would entertain a friendly motion?

Chair Smith: There isn't a seconder yet.

Vice Chair Stinger: I have no second.

## **SECOND**

Commissioner Lee: Oh ok. I will second it.

Vice Chair Stinger: Thank you.

## **FRIENDLY AMENDMENT**

Commissioner Lee: Then let me ask the maker after the phrase include a focused history, can we say something to the effect of including any inconvenient and uncomfortable truths...

Vice Chair Stinger: Oh, absolutely.

Commissioner Lee: ... about racist policies and impacts. Something like that. Inconvenient and uncomfortable truths...

Vice Chair Stinger: That can...

Commissioner Lee: ... and then are you thinking maybe, coma, policies and impacts?

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](mailto: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.

Chair Smith: Remember I think (crosstalk)

Commissioner Lee: Maybe just circle...

Chair Smith: I think if you put any inconvenient uncomfortable truths and impacts you do it because again, people's minds don't work in policy, they just know impact.

Commissioner Lee: Ok, let's do impacts. I don't want this just to be a feel-good exercise. I want us to really confront...

Chair Smith: Oh, this is not going to be a feel-good exercise.

Commissioner Lee: I know, I know, but oftentimes that's the... (crosstalk)

Chair Smith: Oh no, oh no.

Commissioner Lee: ...I mean just based on my 3-years; I mean sometimes that's the focus. So, I want to make sure that's clear that wherever this leads us, even if it's inconvenient and deeply uncomfortable, we need to confront it.

Chair Smith: Yes, very good.

Vice Chair Stinger: That is the intent.

Commissioner Lee: Ok.

Chair Smith: Ok.

Commissioner Lee: So...

Chair Smith: So, we...

Commissioner Lee: ... that's accepted by the maker?

Vice Chair Stinger: Yes.

Commissioner Lee: Ok, great.

## **VOTE**

Chair Smith: Can I do the votes now? Commissioner Lee?

Commissioner Lee: Aye.

Chair Smith: Commissioner Savage? You can raise your hand if it's an aye. Aye. Ok, Commissioner Stinger?

Vice Chair Stinger: Aye.

Chair Smith: Commissioner Smith? Aye. Ok, I think we have covered the business of the Human Relations Commission tonight. Oh wait, Director O'Kane can you please speak?

**MOTION PASSED 4-0 WITH COMMISSIONER REGEHR ABSENT**

Ms. O'Kane: Thank you, Chair Smith. I wanted to ask some clarification on the second sentence. The Commission will also partner with art and organizations to recognize the positive – whoops – the positive momentum to make change. I just I'm curious what that means and what that looks like?

Chair Smith: So, I know that myself and the Vice Chair spoke to, example Laura at the Palo Alto Museum, and she's helping us with the history and there's also of positive momentum around her wanting to work with this or the archive at Stanford. So, we want to acknowledge those partners that are helping push this thing forward and at least say there is community momentum around it. Does that make sense?

Ms. O'Kane: It does, thank you. I just want – but – because the art – the word art through me off because the Public Art Commission is also doing some work and I wanted to make sure there was distinction...

Chair Smith: Yes, yes, yes, yes.

Ms. O'Kane: I just mean there wouldn't be a partnership at (crosstalk)

Vice Chair Stinger: No.

Ms. O'Kane: I just want us to be clear on that.

Vice Chair Stinger: No, I was thinking of the Art Museum. The...

Chair Smith: The museum?

Vice Chair Stinger: ... doing some programs next year that we could partner with.

Ms. O'Kane: Ok, thank you for that clarification.

Chair Smith: Thank you so much.

Commissioner Lee: Chair Smith?

Chair Smith: Yes?

Commissioner Lee: Were we planning – were you planning on having us vote on having the public forum at this meeting or are we going to discuss details and finalize those at a future meeting?

Chair Smith: Public forum is our next meeting. That goes on the regular agenda planning. It's a regular agenda meeting – agenda meeting.

Commissioner Lee: Ok so we haven't officially said we're doing the public forum yet? That will be the next...

Chair Smith: Well, no, which one? Are you talking about the public forum – ok we have two public forums. We have the police...

Commissioner Lee: The August 13<sup>th</sup> one.

Chair Smith: Oh yeah, that's going to be discussed a little bit more down the road. I want to get – I want to deal with the expert panel and HRC... and the 8 Can't Wait first. Council Member Kou.

Council Member Kou: I wanted to ask is your expert panel in the community meeting going to be taped?

Chair Smith: That's a Staff question. I don't know.

Council Member Kou: Minka?

Ms. van der Zwaag: I will work with the Media Center or another avenue to have it taped. Now I see always the option of having it taped. Having it live on the Media Center is a matter of schedule. So, I will say that it's 6:55 so at 7:00 if the meeting is not over we'll need to take a 10-minute break. I'm not saying this to stop conversation or end the meeting, but just to give you that timing that at that point we will need to let viewers know that if they are looking for the Parks and Rec Commission they need to go on the Zoom call. So, I just wanted to let you know so that will be in about 5-minutes. So, I think Council Member needs to leave for that.

Chair Smith: Council Member?

Council Member Kou: So, I just want to say it's a great conversation and thank you for all the work that each and every one of you are doing, and thanks for all the support from Staff. I look forward to the next meeting, but I'm going to sign off early so thank you.

Chair Smith: Thank you so much. Is there anybody else that has – oh, is that your hand Commissioner Lee?

Commissioner Lee: Yeah, I had a quick – is the expert panel, is that an actual special meeting of the Commission?

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](mailto: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.

Chair Smith: No, that's a regular – that's – we're using our regular meeting.

Commissioner Lee: Oh, so it's a publicly noticed meeting.

Chair Smith: Yes, everything's a public – every meeting we do will be publicly noticed. None of this – we have found out our Commission cannot have any closed meetings.

Commissioner Lee: Typically, aren't publicly noticed meetings broadcast on Midpen? Are there -- are some of those meetings not?

Ms. van der Zwaag: Not all public meetings are broadcast live on the Media Center. There are times where there are conflicting City meetings. So, a meeting might be recorded for later view, but there is not a specific Brown Act regulation that it needs to be broadcast live. For instance, our retreats are not broadcast live.

Commissioner Lee: Yes, ok.

Ms. van der Zwaag: Oh, we will do our best to – if that's a real of importance then we would need to do our best with other meetings and the Commission to do so. To find the time that doesn't conflict with something else.

Commissioner Lee: Ok, thank you.

Chair Smith: Ok, I think we have covered all our bases today. Is there anything else that we need to go over? I would like to adjourn this meeting. I would like to thank each of you. As I said earlier if you have any recommendations for people to have on the panel we are open to as many resources and sources. So, please, please, please let me know as soon as possible so we can start having the discussion to get them included. The earlier you let me know the more likely it is to happen. Alright, thank you, everybody. Please, have a good evening. I want to also take time to thank both Council Members for taking time out of their busy schedules to be with us. I also want to take time to thank Staff. What people don't realize is they have had legitimately spent 15 to 20-hours in discussion with Staff over the past 3-weeks on a lot of various community issues and I believe they are taking this very seriously. So, I'm going to publicly state it, thank you City Manager, Director O'Kane, Director Minka, and all of the other folks that are working here. This is hard work, but we're going to get to the end of it. Thank you, everybody. Have a good evening. We will see you next Thursday.

#### **IV. REPORTS FROM OFFICIALS**

[This item was not heard]

##### **1. Commissioner Reports**

##### **2. Council Liaison Report**

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](mailto: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.

### **3. Staff Liaison Report**

#### **VI. TENTATIVE AGENDA FOR NEXT REGULAR MEETING: Thursday, July 9, 2020**

#### **VII. ADJOURNMENT**

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](mailto: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.