



# City of Palo Alto

## City Council Staff Report

(ID # 9646)

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**Report Type: Action Items**

**Meeting Date: 10/1/2018**

**Summary Title: Human Relations Commission Response to Council Resolution # 9653**

**Title: Recommendations From the Human Relations Commission in Response to Council Resolution Number 9653 Reaffirming Palo Alto's Commitment to a Diverse, Supportive, Inclusive and Protective Community (Continued From August 27, 2018)**

**From: City Manager**

**Lead Department: Community Services**

### **Recommendation**

As requested by Council, the Human Relations Commission (HRC) carefully considered Council Resolution #9653 Reaffirming Palo Alto's Commitment to a Diverse, Supportive, Inclusive and Protective Community and prepared recommendations to support and extend the Council resolution, focusing in particular on immigration and gender equity issues. The HRC prepared a letter explaining their work and recommendations, attached as Attachment A to this report. Guided by the HRC's proposals, City staff recommends that Council consider one or more of the following actions to further the HRC's proposals, providing direction to staff regarding timing and prioritization in light of overall City goals and priorities:

- 1) California State Senate Bill 54 (SB54) – Sanctuary State – Direct the City Manager to review the City's policies, procedures and programs, make any adjustments that may be appropriate, and report to Council on the City's alignment with SB54.
- 2) California State Senate Bill 31 (SB31) - California Religious Freedom Act – Direct the City Manager to review the City's policies, procedures and programs, make any adjustments that may be appropriate, and report to Council on the City's alignment with SB31.
- 3) Send a letter of endorsement to California State Senator Kevin de Leon in recognition of the City's commitment to the values expressed in SB54.
- 4) Send a letter of endorsement to California State Senator Ricardo Lara in recognition of City's commitment to the values expressed in the SB31.

- 5) Adopt Amnesty International's resolution in support of Refugee Resettlement in Santa Clara County.
- 6) Direct staff to study and return to Policy & Services with options for a City ordinance endorsing the United Nations' Convention on the Elimination of all forms of Discrimination Against Women (CEDAW). Staff's work should include:
  - a. Affirming the City's commitment to the principals of the United Nations convention of the elimination of all forms of discrimination against women, and
  - b. A discussion of the potential for a gender analysis, including potential focus, scope, and phasing of an analysis, and roles of City staff, the HRC, and Council.

### **Executive Summary**

The recommendations included in this report follow from the work of the HRC in response to Council Resolution #9653, Reaffirming Palo Alto's Commitment to a Diverse, Supportive, Inclusive and Protective Community (Colleagues Memo from Council Members Holman, Kniss, Wolbach & Burt, passed on December 12, 2016). The HRC designated an ad hoc subcommittee of the Commission tasked with reviewing the Council resolution, planning an approach to address its main areas of emphasis, and drafting a response back to Council. After conducting a baseline assessment of the areas included in the resolution and testing the results against a list of established criteria, the HRC discussed and deliberated the suggested recommendations over a series of several meetings before bringing a final slate of recommendations to the HRC at its February 8, 2018 meeting. The recommendations being brought to the Council for their consideration highlight two key areas of focus of the Resolution; immigration and gender equality. As the subject matter of the Council's resolution squarely aligns with the charge of the HRC, the Commission will continue to focus its ongoing efforts in support of a supportive and inclusive community and, when appropriate, bring forward other policies for Council consideration. Staff has added additional comments and suggestions to the HRC's recommendations, to harmonize the HRC's work with the City's governance structure and in light of Council's and the City Manager's overall work plan and goals.

### **Background**

On December 12, 2016, the Council passed Resolution #9653, Reaffirming Palo Alto's Commitment to a Diverse, Supportive, Inclusive and Protective Community. As part of the approval motion, Council moved to refer the subject matter to the HRC, for "recommendation of implementation measures and additional elements that should be considered by the Council in the future." ( Resolution #9653 - <https://www.cityofpaloalto.org/civicax/filebank/documents/55179>. Council Action Minutes 12/12/16 - <https://www.cityofpaloalto.org/civicax/filebank/documents/55464>).

The subject matter of the Council's resolution aligns with the charge of the HRC as the Commission has long addressed diversity and inclusion issues in the community. During

the spring of 2017, HRC Chair Valerie Stinger led a community committee to plan a series of four well-attended forums on implicit bias called *Being Different Together – Taking the conversation deeper*. This was a follow up to an initial forum on the topic the previous year. The HRC has also lead successful forums on Veterans Homelessness, Domestic Violence, and Senior Issues and takes seriously its role as a leader on human relations issues in the community.

In response to Council Resolution #9653, the Commission created an ad hoc subcommittee (subcommittee) in the spring of 2017 to review the resolution, plan its approach to develop recommendations, and draft a response back to Council with assistance from Office of Human Services staff.

As the Council’s resolution covered a broad area, the subcommittee’s first task was to identify the key areas that the Resolution reaffirmed including the:

- City’s spirit of diversity and inclusion
- Rights of vulnerable populations
- Rejection of any forms of hate and bias
- City’s commitment to lead by example

To provide a sound response to Council that would include implementation measures, the subcommittee conducted a baseline assessment of the key focus areas of the resolution by interviewing key leaders in different sectors of the community, researching best practice programs and services locally, regionally and nationally, then “testing” all suggested recommendations for action against the following list of criteria which they established:

- Serves vulnerable populations
- Provides opportunity to make a difference
- Informed by best practices of successful programs elsewhere
- Leverages collaboration with local and county partners
- Is achievable and scalable
- Lies within the City’s sphere of influence
- Reasonably serves populations featured in Council Resolution

The subcommittee thoughtfully considered a series of options and initially developed a list of recommendations in seven areas:

- Immigration
- Gender Identity
- Hate Crimes
- Inclusive Public Engagement
- Citywide Diversity Learning

- Implicit Bias
- Gender

From there, the subcommittee worked through a process of refining the draft action plan to craft a package of recommendations for the coming year, which they hoped would be meaningful, achievable and reach multiple vulnerable populations in the city, while acknowledging that there are additional programs and policies of merit that they hope to recommend or phase-in in the future. The subcommittee submitted a list of draft recommendations centered on immigration and gender equality for the full HRC's consideration at their August, October, and December 2017 meetings, before the final recommendations included in this report were approved at their February 8, 2018 meeting. (link to February 8, 2018 HRC minutes - <https://www.cityofpaloalto.org/civicax/filebank/documents/63879>).

There were two items identified by the subcommittee that, with the assistance of city staff, have been resolved. The two items are gender neutral bathrooms and the City's graffiti removal policy. California Assembly Bill - AB1732 states that starting March 1, 2017, all single-user toilet facilities in any business establishment, place of public accommodation or government agency must be identified as "all-gender" toilet facilities. City Facilities staff have been working to change signage on all affected bathroom facilities. While our Public Works Department had an operational practice of removing hate related graffiti within 24 hours, they solidified their commitment by adding language to that affect to their graffiti removal policy.

## Discussion

As mentioned previously, the HRC subcommittee considered a wide range of responses in their draft action plan and brought several options for the full HRC's consideration. At the February 8, 2018 HRC meeting, the Commission voted to forward the following recommendations for the Council's consideration. (5-0-1)

Below you will find the listing of these recommendations forwarded by the HRC followed by staff analysis. HRC Chair Stinger has also provided a memorandum outlining the Commission's decision making process for Council consideration (**Attachment A – HRC Recommendations**).

### *Immigration:*

- 1) SB54 – Direct the City Manager to review the City's policies, procedures and programs, make any adjustments that may be appropriate, and report to Council on the City's alignment with SB54.

California State Senate Bill 54,  
[https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180SB54](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB54)

known as the "Sanctuary State" bill, would limit state and local law enforcement communication with federal immigration authorities, and prevent officers from questioning and holding people on immigration violations.

- 2) SB31 – Direct the City Manager to review the City's policies, procedures and programs, make any adjustments that may be appropriate, and report to Council on the City's alignment with SB31.

California State Senate Bill 31,  
([https://leginfo.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB31](https://leginfo.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB31))

known as the "California Religious Freedom Act," prohibits a state or local agency from providing or disclosing to federal authorities personally identifying information regarding a person's religious affiliation when the information is sought for compiling a database of individuals based on religious affiliation, national origin, or ethnicity. SB31 also prohibits state and local law enforcement from collecting information about an individual's religious beliefs or affiliations except under certain circumstances.

- 3) Send a letter of endorsement to California State Senator Kevin de Leon in recognition of the City's commitment to the values expressed in SB54.
- 4) Send a letter of endorsement to California State Senator Ricardo Lara in recognition of the City's commitment to the values expressed in SB31.

The preceding was suggested to HRC Chair Stinger by Santa Clara County Supervisor Joe Simitian, based on his experience in the California State Senate. The HRC believes these letters of thank you would publicly convey the City's recognition of the sentiment included in both laws and Staff believes that these letters would allow the City to express their endorsement of the concepts included in the legislation.

- 5) Adopt Amnesty International's resolution in support of Refugee Resettlement in Santa Clara County.

Representatives from the local chapter of the human rights organization Amnesty International approached the HRC for their consideration of forwarding a resolution to Council in support of refugee resettlement in Santa Clara County (<https://www.cityofpaloalto.org/civicax/filebank/documents/63329>). The resolution gives voice to plight of refugees worldwide.

There was discussion and concern at the HRC level that this resolution was only symbolic in nature, but there was also mention of the importance of symbolic gestures at times, especially when communities act together. Amnesty International representatives informed the HRC that they have been approaching other cities in Santa Clara County as well. To add possible "action" to this symbolic gesture, the HRC also

passed a recommendation to consider adding refugee resettlement as a priority of need during the next Human Services Resource Allocation Process (HSRAP) funding cycle.

- 6) Direct staff to study and return to Policy & Services with options for a City ordinance endorsing the United Nations' Convention on the Elimination of all forms of Discrimination Against Women (CEDAW).

CEDAW is an international human rights treaty adopted by the United Nations (UN) in 1979. ([http://citiesforcedaw.org/wp-content/uploads/2018/03/CEDAW\\_2-Page\\_15-March-2018.pdf](http://citiesforcedaw.org/wp-content/uploads/2018/03/CEDAW_2-Page_15-March-2018.pdf)). To date, 187 of the 193 UN member states have ratified CEDAW. Iran, Sudan, Somalia, Palau, United States (U.S.), and Tonga have not ratified the treaty. It should be noted that several of the countries who are signatories to CEDAW do not offer the rights and/or protections for women already included in U.S. Law. In 2002, the Palo Alto City Council passed Resolution #8217 in support of an effort for United States ratification or accession to CEDAW (<https://www.cityofpaloalto.org/civicax/filebank/documents/63324>). The Council has not acted further on any matter related to CEDAW.

In the absence of a U.S. signature on CEDAW and stalled efforts in the U.S. Senate, there is a country-wide grassroots campaign called Cities for CEDAW (with the assistance of the Women's InterCultural Network, a nongovernmental organization) whose aim is to encourage local cities and counties to pass local legislation establishing the principles of CEDAW (<http://citiesforcedaw.org/wp-content/uploads/2018/01/CEDAW-USFact-Sheet-01-2018-1.pdf>). According to Cities for CEDAW, the "principles embodied in CEDAW are fully in accord with American laws, principles and values. The U.S. Constitution already protects women's rights to due process and equality under the law, and numerous laws on both the federal and state level also protect women, prohibiting sex discrimination in employment, education, housing and credit; providing for family and medical leave and child care; and combating domestic violence and human trafficking..." However, they state that "American women enjoy opportunities and status not available to most of the world's women, yet few would dispute that more progress is needed. CEDAW provides an opportunity for dialogue on how to address persistent gaps in women's full equality, particularly regarding closing the pay gap, reducing domestic violence, and stopping trafficking."

According to the Cities for CEDAW website, at present, nine cities or counties in the U.S. have passed local ordinances to become "CEDAW cities" (or counties); San Francisco, Berkeley, Cincinnati, Honolulu, Los Angeles, Miami-Dade County, Pittsburgh, San Jose and Santa Clara County. The City of Berkeley (population approximately 120,000) is the city closest in population to Palo Alto (population approximately 64,000) which has passed a CEDAW ordinance. It should be noted that the City of Berkeley already had a Commission on the Status of Women, which was designated to serve as the CEDAW oversight body. Its CEDAW ordinance does not include specific outcome

goals, but reiterates city policy and commitments with respect to core CEDAW principles. Around 25-30 cities/counties nationwide have passed local CEDAW resolutions.

CEDAW ordinances vary in their scope and approach. Smaller cities have tended to focus on broad goals and statements of support for principles of equity and human rights. Some of the larger cities and the counties, most of which already had staff dedicated to equity programs, have adopted more defined programs, including some or all of the following elements:

- Commitment to conducting a gender analysis of City operations (e.g., workforce, programs, budget)
- Establishment of an oversight body (task force) to monitor the implementation of a local CEDAW ordinance
- Provide funding to support the implementation of CEDAW principles

Consideration of forwarding a recommendation to Council on a CEDAW ordinance was discussed at the February 8, 2018 HRC agenda (CEDAW Packet – Staff Report - <https://www.cityofpaloalto.org/civicax/filebank/documents/63326>, Subcommittee report - <https://www.cityofpaloalto.org/civicax/filebank/documents/63325>, Public Letters to the HRC - <https://www.cityofpaloalto.org/civicax/filebank/documents/63804>)

While Human Services staff strongly supports gender equality and the sentiment driving the request for a CEDAW ordinance, Human Services staff communicated the following observations, concerns and questions to the HRC during their deliberations:

- Gender Equity Goals
  - What are the community’s goals for gender equity and what actions would be most impactful for them?
  - What are the HRC’s goals for gender equality and is CEDAW the right mechanism to reach these goals?
  - Would the City’s efforts be best directed outward at areas of community concern, rather than focusing on internal operations of City government?
- Time Commitment and Budget
  - The commitment of staff time and the budget needed to implement the initial and ongoing work connected to the ordinance could be significant, which could draw attention and resources away from other core functions and priorities. A comprehensive gender analysis of City operations is

beyond the scope and expertise of Human Services staff, and would require considerable time and resources from the City Manager's Office, Human Resources, ASD, and many other departments. Council will need to consider the appropriate time that this work could be undertaken without competing with other critical projects and priorities.

- Building on current approaches
  - The City does not need an ordinance to conduct a gender equity study of City operations. The City's Human Resources Department already does periodic checks into gender-based pay equity and makes recommendations for increases when needed.
  - Other meaningful avenues to impact gender equity exist and should be explored.

The HRC discussed the proposed recommendations at great length. There was strong support expressed for the concept of gender equity. Discussion centered on the unknown and perceived amount of work involved in enacting and overseeing an ordinance, setting up and managing a task force, conducting and analyzing a gender equity study, and to whom this responsibility was going to fall. Several commissioners felt that this could overwhelm the HRC and staff. Other discussion centered on the options for forwarding a resolution vs. an ordinance for Council consideration. Still other commissioners questioned whether the focus of the work of the task force should be inward facing to City operations or outward facing to meet the needs of marginalized women in the community, finally concluding that while the focus could be on the City of Palo Alto as an employer and as a policy maker, there is broader focus on the City as an influencer and community stakeholder. CEDAW framework allows Council to make a determination as to what they would like to accomplish in regards to gender equity.

After much discussion, the HRC generally felt it had deliberated the matter to the level of its ability, given the fact that it does not have the authority to analyze or authorize the staff and/or financial resources needed to implement CEDAW, that the decision should be made to forward a recommendation to Council for discussion and decision on whether to pursue a CEDAW ordinance and where the focus should lie.

The HRC's Council Liaison, Cory Wolbach, was present at the meeting and expressed support and encouragement for forwarding a recommendation for the Council's consideration. The HRC passed a recommendation (6-0), so that Council could enter into a discussion regarding CEDAW, and if affirmed, provide its counsel on the depth and scope of the City's commitment and resource allocation.

Staff continues to have concerns regarding the focus, time commitment and cost

involved in enacting a CEDAW ordinance. Staff highly recommends that if Council does direct staff to study a CEDAW ordinance and return to Policy & Services, that it considers recommending a flexible framework which includes the following:

- Limited scope of work
- Pre-established length of time for completion, with the ability to revisit on an annual basis to consider staff and financial resources for the coming year before authorizing additional studies.

### **Resource Impact**

Recommendations 3, 4 and possibly 5 can be pursued with existing staff and within current budgets. Recommendations 1 and 2 will require more time and effort from the City Manager's Office and City departments that perform relevant work. Depending on the Council's direction and the nature and scope of any resulting ordinance, Recommendation 6 could be manageable with current staffing and budgets or could require new staff and additional budget allocations. Given these potential implications, Council will need to consider the appropriate time that this work could be undertaken without competing with other critical projects and priorities.

### **Policy Implications**

The following elements of the 2030 Comprehensive Plan connect to the topic of this staff report.

Policy S-1.6 Work with the PAPD to develop effective, transparent law enforcement strategies that protect the privacy and civil liberties of the public and results in a safe community for all people

GOAL C-1 Deliver community services effectively and efficiently.

Program C1.2.3 Identify barriers to participation in City programming and facilities across gender, age, socioeconomic and ethnic groups and sexual identity and orientation, as well as mental and physical abilities, and adopt strategies to remove barriers to participation.

GOAL C-5 Sustain the health, well-being, recreation and safety of residents and visitors and improve the quality, quantity and affordability of social services for all community members, including children, youth, teens, seniors, the unhoused and people with disabilities.

Policy C-5.3 Celebrate diversity in Palo Alto.

Policy C-5.7 Implement the Healthy Cities Healthy Community Resolution that supports

healthy social, cultural and physical environments that promote and support well-being and creative expression for ourselves, our families and our community.

**Attachments:**

- ATTACHMENT A- HRC RECOMMENDATIONS-final.- 5-7-18

MEMORANDUM

March 7, 2018

To: City Council

From: Valerie Stinger, Chair  
Human Relations Commission (HRC)

Subject: Policy Recommendations from the HRC in Response to the Council Resolution Reaffirming Palo Alto's Commitment to a Diverse, Supportive, Inclusive and Protective Community (#9653)

Executive Summary

The HRC received direction to provide implementations responsive to Council Resolution #9653. After consideration of the needs in the city and assessment of alternative responses, a work plan, including policies and programs, was prepared. Policy recommendations, focusing on (1) immigration and (2) gender equity are recommended to Council in this memo.

- 1) Refer California State Senate Bill 54 (SB54) – Sanctuary State - to City Attorney to confirm that City's policies and procedures are consistent with SB54.
- 2) Refer California State Senate Bill 31 (SB31) - California Religious Freedom Act - to City Attorney to confirm that City's policies and procedures are consistent are consistent with SB31.
- 3) Send a letter of endorsement to California State Senator Kevin de Leon in recognition of the City's commitment to the values expressed in SB54.
- 4) Send a letter of endorsement to California State Senator Ricardo Lara in recognition of the City's commitment to the values expressed in SB31.
- 5) Adopt Amnesty International's resolution in support of Refugee Resettlement in Santa Clara County.
- 6) Direct staff to draft a Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) ordinance, that,
  - a. Affirms the City's commitment to the principles of the United Nations Convention on the Elimination of all forms of Discrimination Against Women, and
  - b. Authorizes a gender analysis and designates a body to conduct and oversee the analysis and its powers, scope and responsibilities.

The HRC also acknowledges that to support the proposed programs and policies, we are making extensive demands on staff. Their limitations could constrain our ability to successfully achieve our goals for diversity and inclusion. The HRC relies on and works with staff to carry out these programs, set additional priorities, initiate new work and

monitor outcomes. We believe that our ability to continue the work would be enhanced by additional staff, consultant services or interns. We ask that Council recognize the demands on staff to support diversity and inclusion, and we ask that staff and/or consultant services be dedicated to Diversity and Inclusion.

#### Discussion of Recommendations

The HRC had responsibility to propose policies and institute programs to validate the principles stated in Council Resolution #9653. The programs complement the policy recommendations and are shown in Attachment 1. Discussion of the policies recommended to Council follows.

The Commission would like Council to be aware of the full plan of programs that support Resolution #9653 in the initial phase. Much of the program work in Attachment 1 is underway as the HRC has the capacity to bring forward these programs. It should be noted that these programs represent a start. It is the intent of the HRC to continue our efforts to support the Resolution. It should also be noted that the city measures well on many scales of inclusion and the intent of most proposals is to be proactive and community building, more than corrective. With consideration for your time and priorities, we bring forward for your approval only the policy recommendations. (Full report on subcommittee response on Resolution #9653 presented at 2/8/18 HRC meeting -<https://www.cityofpaloalto.org/civicax/filebank/documents/63327>).

The following recommendations were discussed and voted on at the February 8, 2018 Human Relations Commission Meeting.

#### Recommendations concerning Immigration and Religious Affiliation

- 1) Refer California State Senate Bill 54 (SB54) – Sanctuary State - to City Attorney to confirm that City's policies and procedures are consistent with SB54.

California State Senate Bill 54, (Text – SB54 - [https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill\\_id=201720180SB54](https://leginfo.legislature.ca.gov/faces/billNavClient.xhtml?bill_id=201720180SB54)) known as the "Sanctuary State" bill, would limit state and local law enforcement communication with federal immigration authorities, and prevent officers from questioning and holding people on immigration violations. SB54, (including Chpt. 17.25, California Values Act) curtails the use of resources to allow mass deportations that separate families; keeps schools, hospitals, court houses safe and accessible, and is aligned with the city's legislative priority to oppose attempts to undermine rights of any group, whether by federal government; or by coercing states or local government; or by weakening existing laws and enforcement thereof against harassment, discrimination, and hate crimes. The bill went into effect on Jan. 1, 2018.

- 2) Refer California State Senate Bill 31 (SB31) - California Religious Freedom Act - to City Attorney to confirm that City's policies and procedures are consistent with SB31.

California State Senate Bill 31, (Text SB31 - [https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill\\_id=201720180SB31](https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180SB31))

known as the "California Religious Freedom Act," prohibits a state or local agency from providing or disclosing to federal authorities personally identifying information regarding a person's religious affiliation when the information is sought for compiling a database of individuals based on religious affiliation, national origin, or ethnicity. SB 31 also prohibits state and local law enforcement from collecting personal information about an individual's religious beliefs or affiliations except under certain circumstances. SB31, California Religious Freedom Act, prohibits the use of state and local governments to create a Muslim registry. This measure was approved by the Governor on October 15, 2017 and took immediate effect.

- 3) Send a letter of endorsement to California State Senator Kevin de Leon in recognition of the City's commitment to the values expressed in SB54.
- 4) Send a letter of endorsement to California State Senator Ricardo Lara in recognition of the City's commitment to the values expressed in SB31.

Council Resolution #9653 states, "The City of Palo Alto recognizes, values, and will proactively work to ensure the rights and privileges of everyone in Palo Alto, regardless of religion, ancestry, country of birth, immigration status, disability, gender, sexual orientation, or gender identity." The HRC is recommending that the Council direct the City Attorney to review SB54 and SB31 to confirm that City policies and procedures are consistent with this new law. The HRC acknowledged that City Attorney review is typically standard operating procedure, but also felt that in this climate, with this legislation it's a profound statement to visibly confirm that indeed we are following these state laws. Compliance with and endorsement of SB54 and SB31 confirm our commitment to the legislation and to *'everyone "living, working, and visiting" in Palo Alto, regardless of religion ..., immigration status'*. Endorsement can communicate that the legislation is consistent with our values and our commitment to actively carry out the elements of the legislation.

It is worth noting that subsequent to the HRC vote the Trump administration sued California over immigration laws. ("<https://www.nytimes.com/2018/03/06/us/politics/justice-department-california-sanctuary-cities.html>") Thus the HRC had no discussion of whether to follow state or federal legislation and the consequences of the decision.

- 5) Adopt Amnesty International's resolution in support of Refugee Resettlement in Santa Clara County.

Representatives from the local chapter of the human rights organization Amnesty International requested that the HRC forward to Council a resolution in support of refugee resettlement in Santa Clara County. (Refugee Resolution -

<https://www.cityofpaloalto.org/civicax/filebank/documents/63329>). The resolution gives voice to plight of refugees worldwide, including such points as:

- The world is facing the largest refugee crisis since World War II, with over 21 million refugees, 86% of whom are hosted by developing countries who do not have the resources to adequately support such large numbers
- 51% of refugees are children
- Refugees in most urgent need of resettlement are identified based on their vulnerabilities and risk of further exposure to violence and exploitation - including children traveling alone, female-headed households, victims of torture, the physically disabled and members of the LGBT community

While the Commission did vote to forward the resolution, there were concerns over what Palo Alto, alone, could realistically accomplish and the symbolic nature of the resolution. These remain. The representatives expressed hope of building countywide commitment for the support of refugee resettlement. Support across the county has not yet been verified.

While the HRC generally does not support resolutions considered symbolic in nature, it was acknowledged that symbolic gestures may be warranted at times, especially when communities are motivated to act together. Attempting to address the symbolic nature of the resolution, the HRC passed a recommendation to consider adding refugee resettlement as a priority need during the next Human Services Resource Allocation (HSRAP) funding cycle, if warranted at that funding cycle.

#### Gender Equity

- 6) Direct staff to draft a Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) ordinance, that
  - a. Affirms the City's commitment to the principles of the United Nations Convention on the Elimination of all forms of Discrimination Against Women, and
  - b. Authorizes a gender analysis and designates a body to conduct and oversee the analysis and its powers, scope and responsibilities.

CEDAW is an international human rights treaty adopted by the United Nations (UN) in 1979 and is considered a comprehensive international agreement on the basic human rights of women. To date, 187 of the 193 UN member states have ratified CEDAW. Iran, Sudan, Somalia, Palau, United States (U.S.), and Tonga have not ratified the treaty.

Council Resolution #9653 states, "The City of Palo Alto recognizes, values, and will proactively work to ensure the rights and privileges of everyone *living, working, and visiting* in Palo Alto, regardless of..., gender." The recommendation to Council includes

a statement of values, grounded in a plan of action. Enthusiasm for the process and what could be accomplished exists.

It is clear that gender equity is not yet realized, even in progressive Palo Alto. Gender discrimination in Palo Alto, as well as the current political and social climate, highlight longstanding, pervasive, and still unresolved gender equality issues that continue to affect the women of our community, nation and the world. There is a continued need for the City and community to proactively identify where there are opportunities for improvement and to suggest policies and programs, which can be adopted to address gender equality issues specific to the City of Palo Alto.

To clarify, the recommendation herein is asking Council to direct staff to draft an ordinance, which first affirms the City of Palo Alto's commitment to the principles of CEDAW; and second, authorizes a gender analysis and designates who would conduct that. That draft ordinance would return to Council. If approved, it would become law, the CEDAW ordinance. The gender analysis would then be authorized and could proceed. The body authorized to conduct the gender analysis would bring back meaningful recommendations, based on their analysis.

With respect to composition of the body, it is recognized that City resources are limited. To augment City resources, the body could be made up in different ways including: (1) using existing staff and budgetary resources, (2) dedicating new staff and budgetary resources, (3) hiring outside consultants, (4) leveraging support from local universities, community groups, stakeholders and experts, or (5) some combination thereof. To assist the body in conducting and/or overseeing the gender analysis, community expertise might well be leveraged.

The body would be responsible for directing the study of specific, locally relevant gender study priorities, establishing a work plan, conducting and/or overseeing the gender analysis, and preparing recommendations for policies and programs.

The proposed recommendation was supported in public oral comments and discussed at length by the HRC in their February 8, 2018 meeting. (CEDAW Packet – Staff Report - <https://www.cityofpaloalto.org/civicax/filebank/documents/63326>, Subcommittee report - <https://www.cityofpaloalto.org/civicax/filebank/documents/63325>, Public Letters to the HRC - <https://www.cityofpaloalto.org/civicax/filebank/documents/63804>)

As noted there was strong support for the concept of gender equity and the CEDAW process, particularly the opportunity for dialogue, flexibility in implementation, focus on local gender issue concerns, and the value of a public commitment. There were also questions about the amount of work, the budget for the work, the mechanism of a binding ordinance, the leadership resources required, and the optimal framework. Staff noted that the commitment of HRC and staff time needed to implement the initial and

ongoing work connected to the ordinance are not completely known and look to be quite significant which could draw HRC and Human Services staff away from other core functions and priorities.

The Commission's deliberation centered on the goals and hoped for outcomes from a commitment to the principles of CEDAW and from a gender analysis specific to Palo Alto concerns. Those endpoints contrasted with concern that the resources were neither in place nor available to get the job done efficiently. Taking into account all the elements of the deliberation, the belief in gender equity was strong enough to go to the next step of enquiry. That is, at its core, how would this City move forward on a gender analysis. Balancing enthusiasm and outstanding questions, the HRC passed a recommendation (6-0), so that Council could enter into a discussion regarding CEDAW, and if affirmed, provide its counsel on the depth and scope of the City's commitment and resource allocation.

Attachment 1

Programs in Progress or Under Consideration to Support Council Resolution #9653

These represent the work of the HRC and the Office of Human Services and are included here for information only.

<b>GENDER IDENTITY</b>
-Collaborate with the County of Santa Clara to conduct a Listening Campaign to understand how to best support LGBTQ youth, the adult and working community, and seniors and friends and family
<b>HATE CRIMES</b>
-Collaborate with County to ensure that city reporting needs are included in proposed Hate Crime Reporting System -Formalize operational policy for graffiti removal
<b>INCLUSIVE PUBLIC ENGAGEMENT</b>
-Expand Welcoming America Week programming, with local partners -Investigate a collaboration to institute an Immigrant Leadership Training Program -Host a Community Dinner -Be more strategic in inclusive outreach (investigate ILG models) -Investigate the possibility of a language access policy
<b>CITY WIDE DIVERSITY LEARNING</b>
-Consider a City/School/Library/Public Art/Children's Theatre Consortium program focusing on a topic such as the history of Japanese Internment or Holocaust or Racism or Bigotry -Sponsor joint program, e.g. History of Racism or Historical 'Otherness'
<b>IMPLICIT BIAS</b>
-Staff dialogue and training to strive for diversity and better communications
<b>GENDER</b>
-Explore and consider recommending the strategy for becoming a CEDAW city