

Informal notes from the March 11, 2015 Neighborhoods Commission meeting
by L. Ames

Agenda: <[link](#)>

Topics:

**(1) Discussion of Outdoor Peddling/Vending from Public and Private Property -
Angelique Gaeta**

Various categories of vendors:

- * farmers market
- * traveling ice-cream, etc.
- * taco trucks
- * street corner
- * vendors of whole fresh fruit and veggies from private property.

This last category is a niche market, to encourage healthy food for school students, and has a special set of rules and regulations. The topic before the NC was solely on this last category.

Local business: "Fresh Carts".

Several speakers, asking for relaxed rules (e.g., less distance from residences, reduced registration fees); others came to complain about impact of vendors (although it was unclear whether they were in this niche category or otherwise).

City Staff asked Neighborhoods Commission to cosponsor a Special Session(s) to collect public comment. First (only?) meeting will be:

Sat., March 28th, 10 AM - noon, City Hall, wing room 118. [free validated parking in garage: enter from 6th St.]

(2) Presentation on San Jose Police Department Unmanned Aerial System (UAS) Draft Policy-Angelique Gaeta, Assistant to the City Manager; Tim Porter, Captain, Special Operations, San José Police Department

[UAS, also known as "drone"]

The NC meeting was disorganized.

* At our Feb. meeting, Commission voted to have an ad-hoc committee formed to draft the report and letter. This ad hoc committee met in person and discussed the issues, and then thereafter exchanged thoughts and drafts by email until we reached finished products. Chair delivered these products to Staff to be forwarded to the entire Commission for review, and this was done on Friday Feb. 27.

* On Tues, March 10, at 2:30 PM, Staff forwards to the ad hoc cmte revisions proposed by CMO (City Manager's Office) Staff. Some of the edits were trivial (e.g., typos), some stylistic, and some significant.

Chair prepared a set of PowerPoint charts to enable a discussion of the report and the recommended changes.

- * At the Commission meeting, five minutes before meeting to begin, Staff informs the Chair that the Commission is not allowed to show the PowerPoint charts as the edits had not yet been approved, and that a working draft could not be presented to the public. Subsequent conversation were based on a paper copy of the charts, going thru the various highlights and comment-box points. (Commission did not want to postpone the discussion and send it back to the ad-hoc committee because we wanted to have our recommendations be considered by the Council Public Safety Subcommittee contemporarily with those from the SJP, rather than have them arrive a month or two later.)
- * On a motion and vote by the NC, it was decided that the NC would generally keep the original wording, with the ad hoc committee quickly working out a few minor changes.
- * The ad-hoc committee worked by email again, resolving various issues and arriving at the document that Chair delivered to Staff.

Legal had concerns with draft Cover Letter, which was then revised to comply. Final product on-line: [cover-letter](#) and [report](#). NC is still awaiting final approval before letter and report can be delivered to City Council.

March 19:

Meeting of the San José Public Safety Subcmte:

- * SJP, presents overview of draft UAS program.
- * Chair of NC announces that NC recommendations will be delivered to full Council as soon as Legal approves the cover letter.
- * Public Safety Subcmte will discuss NC recommendations at June meeting.

The NC is proud of our engagement of the SJP, and the public on this project, and we believe that we have delivered a quality product. We are not pleased with the last-day changes to the report or the last-minute changes in our presentation -- it lead to a very confusing and stressful meeting.

Comments to Public Safety Subcmte:

Larry Ames, Chair of the Neighborhoods Commission.

NC worked w/ SJP, hosting 3 well-attended public special sessions, Dec, Jan & Feb, across town.

Based on that we then developed our recommendations, and at March mtg approved our report [which I held up] which will go to City Council, as soon as Legal approves our Cover Letter [which I held up].

Our recommendations are quite similar to SJP,

- * although we added a few extra constraints to preclude use for surveillance (e.g., license-plate reader or cell-phone jammer);
- * in Exigent Situation, we recommend SJP, notify the Council and also the Independent Police Auditor, a second set of eyes, to help assure that Exigent remains a rare circumstance

* One year pilot program, with public review at 9 months, so that pilot can be extended seamlessly if appropriate; also review if any major changes.

The UAS promises to be a useful tool, when used within limits.
But, as w/ many technologies, it could also be misused,
and the public has many concerns about potential misuse.

The recommended set of policies & constraints should help assure a useful program and a safe and assured public.

We on the NC enjoyed working w/ SJPD, and would be pleased to help assist in similar situations in the future.

I'd be glad to answer any questions.
