



**Human Rights Commission
Meeting Minutes
Regular Meeting
August 20, 2020
Virtual/Electronic Meeting
6:00 pm to 8:00 pm**

Link to rebroadcast: <https://boxcast.tv/channel/vabajtzezyv3iclkx1a>

1. WELCOME

- a. CALL TO ORDER
 - i. Chair, Shantell Bingham, called the meeting to order at 6:05 pm
- b. ROLL CALL
 - i. Shantell Bingham
 - ii. Sue Lewis
 - iii. Jeanette Abi-Nader
 - iv. Ernest Chambers
 - v. Jessica Harris
 - vi. Laura Keppley
 - vii. Kathryn Laughon
 - viii. Andrew Orban
 - ix. Ann Smith
 - x. Lyndele von Schill
 - xi. Robert Woodside
- c. MISSION (recited by all): *Act as a strong advocate to justice and equal opportunity by providing citywide leadership and guidance in the area of civil rights.*

2. MATTERS BY THE PUBLIC

- a. PUBLIC COMMENT
 - i. None.
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC
 - i. None.

3. MINUTES

- a. Review of minutes from July 16, 2020 Regular Meeting*
 - i. Motion to approve as written
 1. Ann Smith
 - ii. Second
 1. Jeanette Abi-Nader and Laura Keppley (simultaneously)
 - iii. Discussion
 1. Ann noted there were some typos, and she will communicate those observations to Todd.
 - iv. Vote
 1. In favor: 9 (one vote added later)
 2. Opposed: 0
 3. Abstained: 2

4. BUSINESS MATTERS

- a. FINAL PREPARATION FOR JOINT WORK SESSION WITH CITY COUNCIL
 - i. Mayor Walker
 1. Notes that work session scheduled for 8/25 was confirmed while she was away
 2. Suggests postponing the meeting until the hiring of the Deputy City Manager that will oversee the Office of Human Rights
 - a. Proposed hire in September/October
 - b. Proposed work session October/November
 3. Clarifies that decisions about the HRC and OHR will not be made without including the HRC in the discussion
 4. Funding is allocated for new Deputy City Manager, OHR Manager/HRC Director, and Director of Equity & Inclusion
 5. Also looking to create a measures and solutions office that can show the data to support whether the initiatives are working
 6. Intention is to ensure that staffing and infrastructure needs are also met by dedicating adequate funds
 - ii. Commissioner notes that the HRC has had with difficulty scheduling times to meet (over past year) with City Manager's Office and Police Chief regarding several issues and asks for guidance from Mayor Walker
 1. Mayor Walker responds
 - a. Suggests that this again points to the need to hire a Deputy City Manager to field these requests
 - iii. Commissioner notes that it would have been valuable for the HRC to be made aware of the intention to hire the Deputy City Manager position described above, as it could help the HRC decide its plan of action
 1. Mayor Walker responds
 - a. She had some preliminary conversations about this with Charlene Green before she left her position as OHR Manager/HRC Director
 - b. Council approved funding for the position in June 2020
 - iv. Chair asks about hiring process for Deputy City Manager and if HRC can have input and if 8/25 meeting could be used to discuss this
 1. Mayor Walker responds
 - a. She would need to ask about that
 - b. It is rare that Council is this involved in hiring
 - i. Can give recommendations for Police Chief
 - ii. Hires the City Manager directly
 - iii. City Attorney is 50% Council employed
 - iv. Council also hires Finance Director and the Clerk
 - c. This new Deputy Manager position is personally important to her, so she is dedicating more time to it
 - d. She is not in charge of picking the interview panel
 - e. She is in discussion with City Manager about this and will bring up HRC participation with him
 - v. Commissioner asks what the top things Mayor Walker would like to see the new Deputy City Manager and new OHR Manager/HRC Director accomplish in the first year of hire

1. Mayor Walker responds
 - a. Deputy City Manager position
 - i. This is a high-level position intended to unify efforts aimed at equity, diversity, and inclusion
 - ii. Hesitates to state in advance what all the position will entail
 - iii. The key is to hire the right person with the history and experience with the issues
 1. Housing discrimination
 2. Employment discrimination
 3. Education
 4. Police reform
 - iv. The ideal will be to strive toward a community where all people can thrive
 1. This may involve restructuring and reallocation of resources
 - v. Notes some specific examples of inequity and the need to monitor
 1. Notes that she just spoke with someone experiencing difficulty attaching a voucher
 2. Expressed concern that landlords are getting resources but don't want to help solve affordable housing and eviction concerns
 3. Mentions Frontline Fair Workers Act task force participation
 - vi. Qualified candidate needs combination of lived and learned experience
 - vi. Commissioner asks if Deputy City Manager will be in addition to hiring a person to fill Charlene's position, and, if so, how long after hiring the Deputy City Manager will the OHR Manager/HRC Director be filled.
 1. Mayor Walker responds
 - a. Cannot provide timeframe
 - b. Will hire Deputy City Manager first
 - c. Deputy City Manager will oversee
 - i. OHR/HRC
 - ii. PCRB
 - iii. Human Services
 - iv. Social Services
 - v. Office of Equity, Diversity, and Inclusion
 - d. All areas under purview have equity concerns
 - e. No hiring decision for OHR Manager/HRC Director will happen until
 - i. Deputy City Manager is Hired
 - ii. HRC joint work session with Council has occurred
 - f. Funds are already approved for hiring of OHR Manager/HRC Director

- vii. HRC Chair
 - 1. Expresses understanding for Mayor Walker's reasoning
 - 2. Expresses concern about the slow bureaucratic process
 - 3. Feels like hiring the OHR Manager/HRC Director could still happen before hiring the Deputy City Manager
 - a. Mayor Walker responds
 - i. Feels that new Deputy City Manager should be part of this hiring process
 - ii. Would like Deputy City Manager to be part of rethinking the entire HRC and OHR ahead of the hiring process
 - 4. Joint work session
 - a. As a group, need to decide whether to postpone until October or November
- b. Addressing Spam attack on Q&A module
 - i. Commissioners expressed concerns over the content of the Q&A comments and that it is still visible to attendees
 - ii. Allyson notes that HRC needs to re-clarify public forum
 - 1. Chair clarifies that the public comment period is designated as the public forum
 - 2. Q&A is not being used as the public forum
 - iii. Allyson notes that the content of the Q&A should not be deleted
 - iv. Decision made for all panelists and attendees to re-join so that the Q&A comments will no longer be visible
 - v. Chair declares 5-minute recess
 - 1. Meeting will resume at 7:20pm
 - 2. Chair called the meeting to order at 7:26pm
 - vi. Post-recess roll call
 - 1. Shantell Bingham
 - 2. Sue Lewis
 - 3. Jeanette Abi-Nader
 - 4. Earnest Chambers
 - 5. Jessica Harris
 - 6. Laura Keppley
 - 7. Kathryn Laughon
 - 8. Andrew Orban
 - 9. Ann Smith
 - 10. Lyndele von Schill
 - 11. Robert Woodside
- c. Commissioner expresses agreement with postponing joint work session until Deputy City Manager is hired
- d. Chair expresses that open communication up until the joint work session would be valuable
 - i. Mayor Walker responds
 - 1. While HRC cannot be directly involved in the hiring process for the Deputy City Manager there may be some opportunity for participation in a panel
 - 2. She will talk with City Manager about options for HRC participation

- e. HRC VACANCIES*
 - i. Staff provides summary of vacancies
 - 1. Currently 2 unfinished terms are open
 - a. Catherine Spear
 - b. Idil Aktan
 - 2. After August 31, Melvin's term will conclude
 - a. He is eligible for re-appointment
 - b. It is not clear if he has applied or intends to
 - 3. After October 31, Ann's term will conclude
 - 4. Council will make appoints in September
 - ii. Vice Chair expresses support to fill 3 vacancies
 - iii. Chair offers two suggestions regarding recruitment
 - 1. Could share ideas for preferred skills or desired backgrounds with Council
 - 2. HRC could encourage people that might be interested to apply
 - iv. Commissioner asks how the current total number of members is determined
 - 1. There is no current upper limit
 - 2. An ordinance amendment could address this
 - v. Commissioner expresses concern about specifying characteristics for new applicants, as it might exclude people with a passion for the work
 - 1. Suggests reviewing applications and then making recommendations to Council based on a review of the applications
 - 2. Additionally, not all Commissioners would agree as to the recommended characteristics or preferences
 - vi. Chair notes that suggesting preferences could have the opposite effect of encouraging someone to apply who might not otherwise
 - 1. For example someone who was previously incarcerated
 - vii. Commissioner agrees that identifying desirable skills in applicants is valuable.
 - 1. This is not the same thing as discouraging people from applying
 - 2. An upper limit might also discourage people from applying
 - viii. Vice Chair
 - 1. Would like ad hoc ordinance committee to bring suggestions on this and the rest of the ordinance amendments back to the HRC
 - ix. Staff
 - 1. Will recommend to Clerk to fill the current number of vacancies
 - 2. Will share applications with HRC prior to the next round of appointments
 - x. Commissioner suggests providing information to new applicants
 - 1. Specify what is entailed in being a Commissioner
 - 2. The current description is very brief
- f. ORDINANCE REVISION UPDATES
 - i. Commissioner asks about voting on proposed amendments
 - 1. Can the HRC vote on some pieces individually, or do we need to wait until all proposed revisions are ready to discuss
 - a. Allyson Davies replies
 - i. HRC can vote on specific sections separately

- ii. HRC can vote to agree that revisions are prepared to be recommended to Council
 - iii. HRC should recommend a complete document to Council with all amendments approved
 - ii. Summary of meeting to discuss ordinance revisions
 - 1. Lyndele, Sue, and Allyson met to discuss work on amending the ordinance
 - 2. Notes from that meeting are included in the agenda packet
 - 3. Allyson summarizes the different amendments being considered
 - 4. Allyson is preparing a memo on the enforcement authority regarding education
 - iii. Suggestion to include a vote on the language amending the protected classes as part of the next HRC meeting
 - iv. Commissioner asks about HRC purview over education
 - 1. Staff summarizes (Allyson has already left the meeting)
 - a. Based on a read of Allyson's draft memo, the HRC has no enforcement authority over public education
 - b. The public schools are state agencies with authority under state law to address concerns of discrimination that happen within the schools
 - c. A local municipal government cannot regulate a state agency
 - d. This may mean an ordinance amendment that changes "education" to "private education," which has been the narrative for some time, but we needed the background information to explain why
- g. UVA STUDENT RETURN AND COMMUNITY HEALTH
 - i. Commissioner notes concern
 - 1. Believes that UVA is trying to address
 - 2. Notes that there is recurring news as universities open that cases are going up
 - 3. Considered suggesting writing a letter, but thinks there may not be time
 - ii. Commissioner suggests that a letter is still possible
 - 1. Final decision to be made on August 28
 - 2. Graduate and professional students are already here
 - 3. Decisions about undergraduates are still pending
 - iii. Other Commissioners voice interest in a letter
 - iv. Letter could be addressed to President Jim Ryan
 - v. Commissioner asks if there are any template letters to work from
 - vi. Discussion on the content of the letter
 - 1. Ask UVA that undergraduates not return in-person
 - 2. Puts staff at UVA and City residents at risk
 - vii. Ann offers to draft the letter tomorrow and share with Shantell
- h. HRC REGULAR MEETING TIME
 - i. Discussion
 - 1. Proposal to move time to 6:30pm
 - 2. May help people who are working be able to attend
 - 3. May help people be able to eat dinner in advance

4. Consider shortening the meeting if it starts later
- ii. Motion
 1. Ann Smith
 2. Move the meeting start time to 6:30pm.
 - a. Seconded
 - i. Sue Lewis
 - ii. (Andrew Orban)
 - b. Discussion
 - i. Suggestion that meeting should last 2 hours
 - ii. Commissioner expresses concern about setting an end time
 - iii. Commissioner express that clearly defined agenda is important to be productive
 - iv. Commissioner expresses that there should be flexibility for what each person can contribute
 - v. The two-hour limit is currently only a limit imposed by the City of Charlottesville
 - vi. The motion is only to adjust the start time
 - vii. Commissioner notes that it is helpful to have some sense of timeframe for planning childcare
 - viii. Flexibility on meeting length allows for discussion and comments
 - ix. City limits the time because there are staffing constraints within Communications as they serve multiple boards and commissions
 - c. Vote
 - i. In favor: 8
 - ii. Opposed: 2
 - iii. Abstained: 1

i. VOTING RIGHTS

- i. Chair asks how HRC can support
 1. Outreach
 2. Voter registration
- ii. Discussion
 1. There are various organizations doing this work
 2. Door-to-door outreach with flyers
 - a. Voter registration
 - b. Restoration of rights
 3. Re-sharing information across social media
 4. Being aware of what other organizations are doing
 5. Could also address through the legislative agenda
 - a. Add the legislative agenda discussion to the next HRC meeting
 - b. Could start a Google Document for sharing legislative ideas
 6. Spreading information about early voting
 7. Thinking about accessibility for people with disabilities
 8. UVA Equity Center is also wanting to assist
 - a. They are looking for community feedback

- 9. Some mail-in and early voting requires printing
 - a. The HRC could help find printing resources for those who don't have online access
 - 10. Need to check what Virginia Organizing is doing
 - 11. League of Women Voters is also considering these issues
 - iii. **Shantell and Jessica will work together on voting rights work**
 - j. OHR STAFF REPORT
 - i. All information is in the agenda packet
 - ii. HRC members can read and ask questions
 - k. CHAIR UPDATE
 - i. None
- 5. **WORK SESSION**
 - a. AD-HOC COMMITTEE UPDATES
 - i. None
- 6. **MATTERS BY THE PUBLIC**
 - a. PUBLIC COMMENT
 - i. Walt Heinecke
 - 1. Glad to hear Mayor talk about HRC working on voucher discrimination
 - 2. Suggests looking into FHAP workshare agreement with HUD
 - 3. Regarding the letter with 9 recommendations from various social justice organizations
 - a. Asks which of the recommendations the HRC has discussed and voted to support
 - b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC
 - i. Chair responds
 - 1. Some recommendations were integrated into recommendations for changes to the position description for the OHR Manager/HRC Director
 - 2. Allyson Davies reviewed the ordinance change suggestions and provided legal guidance on the scope of potential amendments
 - a. Not all suggested changes required amending the ordinance
 - ii. Walt responds
 - 1. Requests a written itemized response regarding each recommendation
 - 2. Would like to know this from the standpoint of public action
 - iii. **Jeanette will draft the requested response**
 - 1. **Kathryn also offers to help**
 - 2. **Shantell will also assist**
 - 3. **Document will be shared with all Commissioners**
 - 4. **Commissioner asks for clarification on what constitutes action that requires public notice**
 - iv. Commissioner response
 - 1. Requests list of the names of the specific people from the different organizations who endorsed the letter
 - v. Staff response
 - 1. OHR/HRC does have general authority to investigate housing discrimination

2. Recommends referring people to OHR, especially around discrimination related to vouchers/source of funds
- vi. Commissioner response
 1. Many of the recommendations in the letter to which Walt refers are being reviewed by the ad hoc committee concerning ordinance amendments
 2. Just because organizations make recommendations does not mandate a response or specific action

7. COMMISSIONER UPDATES

- a. Cultivate Charlottesville is hosting an uprooting racism training that will be open to the public
 - i. Virtual training by Soul Fire Farm
 - ii. November 19, 1 to 4pm
 - iii. Pre and post work included

8. NEXT STEPS

- a. Suggestion to include a vote on the language amending the protected classes as part of the next HRC meeting
- b. Ann offers to draft the letter to UVA regarding student return
 - i. She will draft tomorrow and will share with Shantell
- c. Add the legislative agenda discussion to the next HRC meeting
 - i. Could start a Google Document for sharing legislative ideas
- d. Shantell and Jessica will work together on voting rights work
- e. Jeanette will draft the requested response to the nine recommendations in the letter from several social justice organizations
 - i. Kathryn also offers to help
 - ii. Shantell will also assist
 - iii. Document will be shared with all Commissioners
 - iv. Commissioner asks for clarification on what constitutes action that requires public notice

9. ADJOURN

- a. Meeting adjourned at 8:48pm