



**Human Rights Commission
Meeting Minutes
Regular Meeting
August 19, 2021
Virtual/Electronic Meeting
6:30 pm**

Public link to meeting rebroadcasts on Boxcast: <https://boxcast.tv/channel/vabajtzeuyv3iclkx1a>

Public link to HRC documents on Box: <https://app.box.com/s/xy3wnn2s1tj8h7trkknvd79bipyxezy>

1. WELCOME

- a. CALL TO ORDER
 - i. Chair, Mary Bauer, called the meeting to order at 6:33 pm
- b. ROLL CALL
 - i. Mary Bauer
 - ii. Kathryn Laughon
 - iii. Ernest Chambers
 - iv. Jessica Harris
 - v. Wolfgang Keppley
 - vi. Tobiah Mundt
 - vii. Andrew Orban
 - viii. Lyndele Von Schill
 - ix. Sue Lewis (arrived at 6:39 pm)
- 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 Housing Committee meeting minutes from March 31, 2021
 - i. Motion to approve as written
 1. Wolfgang
 - ii. Second
 1. Mary
 - iii. Vote
 1. All Commission members in favor. 3 out of 4 committee members present from committee meeting.
- b. Review of Legal Representation Committee meeting minutes from May 6, 2021
 - i. Discussion
 1. Commissioner points out this was an afternoon meeting, but was marked as 6:30 pm.
 2. **OHR staff will change this before minutes' publication.**

- ii. Vote
 - 1. All Commission members in favor. 2 out of 2 committee members present from committee meeting.
 - c. Review of Community Engagement Committee meeting minutes from June 3, 2021
 - i. Vote
 - 1. All Commission members in favor. 3 out of 3 committee members present from committee meeting.
 - d. Review of Legal Representation Committee meeting minutes from June 3, 2021
 - i. Vote
 - 1. Meeting was not called to order. All Commission members in favor.
 - e. Review of Accessibility Committee meeting minutes from June 4, 2021
 - i. Motion to approve
 - 1. Wolfgang
 - ii. Second
 - 1. N/A.
 - iii. Vote
 - 1. All Commission members in favor. 1 out of 2 committee members present from committee meeting (Sue has not yet arrived).
 - f. Review of Housing Committee meeting minutes from June 4, 2021
 - i. Vote
 - 1. Meeting was not called to order. All Commission members in favor.
 - g. Review of regular meeting minutes from June 17, 2021
 - i. Vote
 - 1. In favor: 9
 - 2. Can live with: 0
 - 3. Opposed: 0
 - 4. Abstained: 0
 - h. Review of regular meeting minutes from July 15, 2021
 - i. Vote
 - 1. In favor: 9
 - 2. Can live with: 0
 - 3. Opposed: 0
 - 4. Abstained: 0
 - i. Review of Community Engagement Committee meeting minutes from August 8, 2021
 - i. Vote
 - 1. Meeting was not called to order. All Commission members in favor.
 - j. Review of Housing Committee meeting minutes from August 8, 2021
 - i. Vote
 - 1. All Commission members in favor. 3 out of 3 committee members present from committee meeting.

4. BUSINESS MATTERS

- a. Chair update
 - i. Published statement regarding August 12, 2017

- ii. Sent a letter to City Council and City Manager regarding right to counsel
- iii. Spoke at Monday Council meeting to connect these two pieces—the best way to honor those who made so many sacrifices on 8/12/2017 is to commit to an equitable society that ensures tenants in eviction proceedings have a right to a lawyer
 - 1. Believes there are 3 remaining issues:
 - a. Council has allocated less money than Commission deemed necessary; Commission asked for at least \$460,000 in the first year, while Council only granted \$300,000
 - b. City has not yet officially committed to 3 years of funding
 - c. City has not yet codified in ordinance the right to counsel, and has not seriously explored doing so
 - 2. Wants to follow up on these issues; suggests Housing Committee works on these issues
 - 3. Commissioner asks for the justification the City gave for dropping the funding to \$300,000
 - a. Chair responds that Council gave no response or justification besides Councilor Snook asking her if she was aware of specific statutory authority for City Council to enact the ordinance
 - i. Chair told Councilor Snook that the National Coalition on the Civil Right to Council had done an analysis opining that states with Dillon Rule could enact such an ordinance—told Councilor Snook that next step would be to get a legal opinion
 - b. Lack of commitment to 3 years is also concerning
- iv. Housing Committee sub-committee meeting spent time talking about new zoning proposals
 - 1. Committee concluded they need to bring in people to help them understand what is proposed and what the process will be; invited Sunshine Mathon from PHA, Dan Rosensweig from Habitat, and John Sales from CRHA to September’s regular Commission meeting
 - a. John is unavailable, but Sunshine and Dan are coming for an hour to present on zoning proposals
- v. Chair says Kathryn pointed out there is no longer an HRC representative attending Charlottesville Low-Income Housing Coalition (CLIHC) meetings
 - 1. Asks if there is anyone present who is interested in attending these meetings (is willing to attend if feasible)
 - 2. **Will look into when meetings regularly occur**
- vi. Chair reached out to PCRB about joint meeting
 - 1. Was told PCRB is interested
 - 2. OHR staff says that City is concerned about a joint meeting because the PCRB is still in the process of writing their ordinance, so having a joint public meeting while their ordinance

- is undefined can be confusing
3. Chair says if people want follow-up on police issues, then the Commission should talk about this during today's meeting
 - a. OHR staff adds that Chief Brackney is open to a dialogue with the Commission about its policy work; Chief recommends checking the policies on which the Commission has done work to ensure that those policies are still the same
 - b. Work had stalled out in November 2019 when draft recommendations had gone to City Attorney while PCRB was forming
 - c. Deputy City Manager for REDI adds that City Attorney has encouraged the Commission presenting these policy recommendations
 - d. Chair says that the version she and OHR staff looked at was not sent to the Chief because the draft did not look to be finalized
 - i. Kathryn says she was present in those meetings and will look if there are other versions, and Sue adds that she was involved in previous documents that were not finalized
 - ii. Chair asks Kathryn and Sue to look for other, more complete versions of the policy recommendations
 - iii. OHR staff adds that the versions he had were the ones in the 2019 Annual Report
 - vii. Chair asks OHR staff if the next HRC meeting is still slated to be in person
 1. OHR staff responds that he was informally told that in-person meetings are still on hold until at least October
 2. September meeting will still be virtual
 - b. OHR Staff report
 - i. Chart is once again included in report
 1. Highlights that the number of incoming contacts in May (the month before the office opened in person) doubled from the 4 months previous, and incoming contacts have still increased since then
 2. Points out there are 7 ongoing investigations in addition to other contacts, so people are finding the Office
 - a. Chair asks why the surge has occurred
 - b. OHR staff explains accessibility makes a difference—the Office has opened up and there are more available ways to contact the Office
 - ii. Opportunity for outreach September 24 3:30-5:30pm at Westhaven—door-to-door, tabling, informal community cleanup work, chatting with residents, etc.
 1. Let Todd know if want to attend
 - a. Jessica volunteers
 - iii. Received a response from Erik Steinecker from HUD with comments on

ordinance redraft

1. Is going to review comments, ask him questions, and make necessary modifications
 2. Is trying to push this ahead to get ordinance in front of Council perhaps before year's end
- iv. Commission email sign-up is occurring next week
1. If having technical difficulties, call IT
 2. Call Todd so he can give code over the phone
- v. Recruitment
1. There are many Commission members leaving next year, so encourage potential members to apply
 2. Chair asks for timeframe
 - a. OHR staff recommends to check regularly under the Boards and Commission page on City website, as application opens and closes
- vi. Recommends Commission look into community partners for researching if pursuing a larger project—OHR will not be able to do much with research for HRC due to staffing
1. Chair asks Deputy City Manager for REDI if there could be additional positions for OHR in addition to the Director
 - a. Ashley responds that budgeting for fiscal year 2022 was complete when she came in, and it allocated resources for two OHR team members; she plans to ask for additional staff for budgeting year 2023
 - b. There is no guarantee on this because it is a new ask, but she will work with OHR to take appropriate measures to acquire additional staffing
 - c. Chair is certain that Commission wants to support these efforts when able
 - d. Ashley says January is when budgeting process begins to speed up, so she will be there to advocate with the City Manager; says that Commission could advocate with Council, so she will tell HRC when to start making plans

5. WORK SESSION

- a. Committee Reports
 - i. Accessibility (Committee Chair – Wolfgang)
 1. Committee Chair shares that committee was not able to meet (did not schedule a time)
 2. Committee Chair had a conversation with Sin Barreras
 - a. Sin Barreras shared data on schools—used school data as proxy variable to indicate that US Census data has drastically underreported number of Spanish-speaking individuals in the city and county
 - b. Committee Chair is using data to get same estimates with low-English-proficient individuals
 - c. International Rescue Committee is currently trying to get data, but this is slow because current influx of refugees

3. Making progress on drafting language access plan, but committee has not been able to meet
 4. Committee member points out it is hard to see people from Neighborhood Development Services; they are doing reorganization there, so it is unclear with whom to get in touch
 5. Commission Chair asks OHR staff if Commission has decided on standing times to ensure committees can meet
 - a. OHR staff responds that the first and second Thursdays starting at 6:30 are reserved for committee meetings; HRC can decide which committees meet when
- ii. Community Engagement (Committee Chair – Jessica)
 1. Committee Chair shares that committee was not called to order despite scheduled meeting
 - iii. Housing (Committee Chair – Kathryn)
 1. Committee Chair says that most matters have already been covered by Commission Chair
 2. Biggest decision was to invite Sunshine and Dan to the next regular Commission meeting
 - iv. Legal Representation
 1. No Committee Chair. Committee did not meet (did not schedule a time)
 2. Commission Chair asks about proposed resolutions document
 - a. OHR staff responds that document was brought up at very first committee meeting, but has not been brought back up
 - v. OHR staff asks about which committees want to meet when
 1. Accessibility—9/2/21 at 6:30pm
 2. Housing—9/2/21 at 7pm
 3. Community Engagement committee will get back to Todd about meeting on 9/9/21
 - a. Lyndele cannot make this time, Andy is unsure of availability, and Jeannette is not present at this regular meeting
 - b. Committee member asks if there is time earlier in the day that the committee can meet
 - i. OHR staff will reach out to Communications to ask about an earlier meeting during the afternoon (between 1-4:30pm)
 - ii. Lachen says Brian or Joe will have to confirm
 4. Legal Representation committee (Kathryn and Jessica)
 - a. Could consider resolution as a full Commission or break into committee to workshop it more
 - b. Discussion about what UVA Office of Equity and Inclusion is doing
 - i. Kathryn was going to look into this
 - ii. OHR staff will ask Communications about a longer, 2-hour block during the day for 9/9/21
- b. Resolution A21-1 HRC advocacy and action
 - i. OHR staff says draft resolution was sent to HRC Chair and Kathryn

- several months ago about taking action between meetings
- ii. Is helpful because HRC can cite resolution when making a statement or letter between meetings as following a specific, established protocol
 - iii. Commissioner expresses support for the purpose of the resolution, but raises concern about what constitutes “strong advocacy action statements”
 - iv. Chair asks whether and how Commission would like to change current draft
 1. Commissioner supports resolution as is, besides possibly adding “managing a social media platform” to the “specific advocacy action” section
 2. Chair suggests removing the word “systemic” to allow the Commission to respond to one-time issues
 3. Chair is comfortable with resolution as is
 4. Community Engagement Committee Chair says her committee (specifically Jeanette) was planning to look at this resolution and make edits
 - a. OHR staff clarifies committee was sent HRC draft as a template for its own resolution, and Jeanette was working on a different draft on format for statements
 - v. OHR staff will add “managing a social media platform” to the “specific advocacy action” section and remove “systemic” from the resolution
 - vi. Vote on passing resolution will occur next meeting to allow for other Commission members to review the draft
- c. Resolution HR21-1 about legal representation fund for parties (specifically respondents) to a complaint
- i. OHR staff asks if Commission wants to go over resolution in Legal Representation committee (which has not been able to meet) or in full Commission
 1. Chair says resolution does not include a number, and asks Legal Representation committee what would need to be done to provide a number
 2. Committee member asks if it is wise to pursue funding for both this resolution and the right to counsel project
 - a. HRC Chair says right to counsel passage could serve as a model for other funding proposals
 - b. HRC Chair suggests discussing resolution in committee and offers to participate in committee to allow for consulting national coalitions or other resources for coming up with a number
 - ii. Chair asks OHR staff at what stage respondents would be provided counsel
 1. OHR staff says mediation is when one would likely want to consult an attorney
- d. 2022 General Assembly legislative recommendations to City Council
- i. Commissioner expresses support for Virginia requiring that all localities assign the Sunday prior to Election Day for early in-person voting
 - ii. Chair asks what the process is for bringing suggestions forward, evaluating them, and voting on them

1. Commissioner responds that process is not too complicated—in the past, HRC opened discussion in meetings, and members said yes or no then sent list to City Council
- iii. Chair would like to (if it is the view of City Attorney) follow up on Charlottesville making the legislative change to pass a right to counsel ordinance
- iv. Commissioner asks when the City will formalize their legislative agenda
 1. OHR staff responds he was told “early fall” timeframe
 2. Clerk whom OHR staff talked to said she heard Councilors voice concern for eviction moratorium, fare-free transportation, and expanding authorization for electronic meetings; they have not met yet, and there is no clear time frame, but now is the time to present more researched options for consideration by the full Commission
 3. Commissioner asks if another small sub-committee could meet
 - a. Chair says an ad-hoc committee could meet in relation to issues the Commission is working on; she can participate
 - b. OHR staff will add this committee to 9/2/21’s schedule
- e. Human Rights Ordinance FHAP revisions
 - i. OHR staff says no action needs to be taken other than to read the revisions
 - ii. Eventually, OHR staff will draft more revisions and an HRC committee will look and think about what they want Council to see from it

6. MATTERS BY THE PUBLIC

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

7. COMMISSIONER UPDATES

- a. Commissioner asks if Chair received response from Chief Brackney
 - i. Chair says yes, but Chief was not sent the policies yet, so no action
 - ii. Sue and Kathryn will look through old emails to find the policies to go over

8. NEXT STEPS

- a. Todd
 - i. Will change time on minutes before posting 05/06/2021 Legal Representation Committee meeting minutes
 - ii. Will reach out to Communications to ask about an earlier 2-hour block for committee meetings on 9/9/21 during the afternoon (between 1-4:30pm)
 - iii. Resolution A21-1: will add “managing a social media platform” to the “specific advocacy action” section and remove “systemic”
- b. Mary
 - i. Will look up regular meeting time for CLIHC
- c. Kathryn and Sue
 - i. Will look for other, more complete versions of policy recommendations to send to Chief Brackney
- d. Committee meetings

- i. 9/2/21-- Accessibility 6:30pm, Housing 7pm, new ad-hoc committee (will discuss City Council recommendations) 7:30pm
 - ii. 9/9/21 (afternoon times TBD)— Community Engagement, Legal Representation
 - e. Community Outreach September 24 3:30-5:30pm at Westhaven—let Todd know if want to attend
 - f. Next meeting
 - i. Sunshine and Dan will come talk about zoning proposals
 - ii. Vote on passing Resolution A21-1
- 9. **ADJOURN**
 - a. Meeting adjourned at 8:04 pm

Pending HRC Approval