



**Human Rights Commission  
Regular Meeting  
January 20, 2022  
Virtual/Electronic Meeting  
6:30pm**

**Agenda Packet Attachments**

1. Regular Meeting Agenda
2. 12-16-2021 DRAFT HRC Regular Meeting Minutes
3. HRC DRAFT Amended Rule & Procedures
4. 2022 HRC Officers Slate of Nominations
5. OHR Staff Report
6. Resolution HR21-1
  - a. Plain Language resolution
  - b. Plain Language flyer – English
  - c. Plain Language flyer - Spanish

# Attachment 1



**Human Rights Commission  
AGENDA  
Regular Meeting  
January 20, 2022  
Virtual/Electronic Meeting  
6:30pm**

Please take Notice that this virtual meeting of the Human Rights Commission is for the purposes of planning, developing and drafting management and administration documents for the Human Rights Commission. For the purpose of addressing issues during the quarantine, this virtual meeting will be a limited public forum to discuss the agenda items designated under Section 5 below and to ensure the continuity of services provided by the Commission. The Commission Chair may limit public comments or discussion points that are unrelated to agenda items under Section 5 or that pertain to topics outside the scope of this Agenda. Members of the public are limited to three minutes of comment time per person related to the Agenda below. A maximum of sixteen public comment time slots are allotted per meeting. This will be a virtual/electronic meeting open to the public and registration information is available at [www.charlottesville.gov/zoom](http://www.charlottesville.gov/zoom).

**Link to Human Rights Commission shared Box folder:** <https://app.box.com/s/xty3wnn2s1tj8h7trkknvd79bipyxezy>

**1. WELCOME**

- a. CALL TO ORDER
- b. ROLL CALL
- 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 (Webinar attendees use the "raise hand" function, phone attendees use \*9)
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

**3. MINUTES**

- a. 12/16/2021 HRC Regular Meeting Minutes\*

**4. BUSINESS MATTERS**

- a. Rules & Procedures amendments
- b. Officer Elections
- c. CHAIR UPDATE
- d. OHR STAFF REPORT

**5. WORK SESSION**

- a. HR21-1 Plain Language\*
  - i. Resolution
  - ii. Flyer – English
  - iii. Flyer - Spanish

**6. MATTERS BY THE PUBLIC**

- a. PUBLIC COMMENT (Webinar attendees use the "raise hand" function, phone attendees use \*9)
- b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

**7. COMMISSIONER UPDATES**

**8. NEXT STEPS & ADJOURN**

\* ACTION NEEDED

Individuals with disabilities who require assistance or special arrangements to participate in the public meeting may call the ADA Coordinator at (434) 970-3182 or submit a request via email to [ada@charlottesville.gov](mailto:ada@charlottesville.gov). The City of Charlottesville requests that you provide a 48 hour notice so that proper arrangements may be made.

# Attachment 2



**Human Rights Commission  
Meeting Minutes  
MEETING TYPE  
DATE  
Virtual/Electronic Meeting  
6:30 pm**

Public link to meeting rebroadcasts on Boxcast: <https://boxcast.tv/channel/vabajtzeuuy3iclkx1a>

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. Jeanette Abi-Nader
  - iv. Ernest Chambers
  - v. Jessica Harris
  - vi. Wolfgang Keppley
  - vii. Andrew Orban
  - viii. Lyndele Von Schill
- c. Chair welcomes Victoria Horrock from the Legal Aid Justice Center, who will later be presenting on a legislative proposal that will go before the General Assembly
- d. 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 regular meeting minutes from 11/18/21
  - i. Vote
    1. In favor: 7
    2. Opposed: 0
    3. Abstained: 1
- b. Review of Community Engagement Committee meeting minutes from 12/7/21
  - i. 5 individuals at committee meeting; 5 individuals present now
  - ii. Vote
    1. In favor: 5
    2. Opposed: 0
    3. Abstained: 0

**4. BUSINESS MATTERS**

- a. Chair update
  - i. Sent letters regarding Anna Mendez's concerns about hotels and motels denying service to clients working with Partner for Mental Health
  - ii. Spoke at last City Council meeting regarding treatment of Black employees, as well as support for Jefferson School's proposal for the disposition of the Robert E. Lee statue
  - iii. Would like to circle back to Victoria's issue she will be discussing about tenant assertions
    - 1. Todd, Mary, and other individuals had a meeting with residents of Midway Manor to discuss conditions there; residents raised significant concerns about lack of repairs and other concerns
    - 2. Had decided to hold a public hearing about subsidized housing conditions in the city
      - a. Chair took action on this, including talking to Victoria and others from LAJC, individuals from PHAR, and Carrie from Midway Manor
      - b. All expressed enthusiasm for holding a special public hearing (not at the January regular HRC meeting, but at a special time)
        - i. Hearing is for residents in any subsidized housing in Charlottesville
        - ii. Currently aiming for the last full week in January (beginning 1/24/21) around 6pm; checking with the City now for availability
  - iv. Acknowledges issue of the number of individuals who will be on the Human Rights Commission in January
    - 1. Did not receive new applications for the Commission, and several current members did not reapply
- b. OHR staff report
  - i. Continuation of HRC application and membership discussion
    - 1. Todd talked to Maxicelia Robinson from the clerk's office today about this issue
      - a. As it currently stands, the Commission would be down to five members as of 3/1/22
      - b. Todd asked Maxicelia if there would be a chance for individuals to reapply, since applications open every quarter if there are vacancies
      - c. Could also request Council for a 30-day window application opening for January
        - i. Already sent in this request
        - ii. Council will make appointment decisions on 3/20/22
    - 2. Encourages current Commission members to urge people they think would be a good fit to apply
      - a. Todd will send out information as soon as application is open again; will hear back from Maxicelia sometime after 12/20/21
    - 3. Commissioner asks how individuals know their application was received, as she never received confirmation

- a. Todd will ask Maxicelia about this
    - b. Another Commissioner did receive confirmation, but both Commissioners' applications were received
  - 4. Chair adds that Commission really needs to encourage people to apply because in addition to wanting a robust Commission, the Commission requires 7 members to have a quorum
    - a. Could change this rule in January, but if the bylaws are not changed, the Commission will be unable to have a quorum
    - b. Asks Todd for new timeline for applications so more people can apply
      - i. Will also plan to alter bylaws about what constitutes a quorum in January
      - ii. Todd will send out an email as soon as he finds out when applications will be reopened
  - 5. Commissioner asks to clarify whether HRC is accepting applications from those who do not live within city limits, but still have strong ties to the city
    - a. OHR staff answers yes—this is written into the Ordinance
- ii. To adhere to the rule of 5 days' advance written notice, changes in rules and procedures for January are in Box
  - 1. This includes amendments about the quorum, ad-hoc versus standing committees, and Martha's Rules
  - 2. Todd will send out a link to these
- iii. OHR staff report is attached in agenda packet
  - 1. Even as of only November, OHR is already 700 more contacts over last year
  - 2. Last year's average was 5 per day; this year's is 11 per day
    - a. This is up considerably even from 2019 before the Office's COVID closure; 2019 average was 7 per day
- iv. FHAP revisions to the Ordinance are currently under review by the City Attorney's office; has asked OHR to do some follow-up with Fairfax, which is the only existing FHAP in existence in VA besides the Virginia Fair Housing Office itself
- v. As of 12/16/21, the Outreach and Administrative Specialist for the Office of Human Rights is a posted position on the City's website
  - 1. Go to Human Resources page and search recent postings
    - a. Listed under the City Manager's office
  - 2. If anyone knows an interested individual who has a question, let Todd know
  - 3. Application will be open until 1/7/22, but will be extended if necessary
- vi. Todd has been in regular contact with a couple residents from Midway Manor
  - 1. Wrote a letter outlining residents' concerns from the meeting to WHH Trice, the property manager
    - a. Specifically requested meeting with corporate staff; no response yet

- b. Elevators continue to have problems

## 5. WORK SESSION

- a. Victoria Horrock's presentation regarding tenant's assertion bill
  - i. Chair provides background:
    - 1. At the Midway Manor meeting, all felt frustration that the burden to fix problems experienced by residents has fallen to the residents themselves
    - 2. Because Midway Manor houses many elderly and disabled individuals, these people are not always able to take serious legal action by themselves
    - 3. Chair and Victoria talked about options, and Victoria brought up a bill being proposed before the General Assembly
    - 4. HRC cannot do its own lobbying, but it can recommend legislative priorities to the City for the upcoming session
  - ii. Victoria is a Housing Attorney at LAJC, so most cases are on behalf of tenants
    - 1. At this point, most clients have complaints about conditions
    - 2. Most affordable housing has bad conditions issues, whether this be from willful neglect by property owners or a lack of funding
    - 3. Tenants face many challenges to get landlords to fix these concerns, including logistical legal barriers and fear of retaliation
    - 4. LAJC often receives questions about whether tenants can file group tenant's assertions
  - iii. A tenant's assertion is a claim one makes when enforcing a lease or health and safety provisions; a complaint filed against a landlord for failure to fulfill an obligation
    - 1. Currently, tenants cannot file group tenant's assertions
      - a. This makes it difficult for tenants to individually take the risk to speak out an entity with many more resources
  - iv. Two primary ways that tenants can enforce their lease or provisions of VA Residential Landlord and Tenant Act:
    - 1. Tenant's assertion: requires facing landlord in General District Court; there are many barriers
      - a. Must have given landlord written notice (landlords will often ask tenants to call the maintenance line, which can take months)
      - b. Must give landlord 14-30 days to complete the repairs
      - c. Only after this may a tenant file a tenant's assertion in court
      - d. Must also pay rent into escrow into the court and be current on rent, which is a big barrier for low-income tenants
    - 2. Tenant's remedy by repair (repair and deduct)
      - a. Must give landlord notice and wait 14 days to see if landlord repairs problem
      - b. Then can pay a licensed repair person to do repairs and deduct either that amount from their rent or up to \$1500 from one month's rent (whichever is greater)
      - c. A great solution, but only if a tenant has \$1500 in the



bank to pay the licensed professional up front—difficult for low-income tenants

- i. Also, for problems like with Midway Manor's elevators, \$1500 will not be enough, so other human rights issues like mold, pests, and accessibility will not be addressed
- v. There will likely be a bill at the upcoming General Assembly session to give localities more power to enforce health and safety provisions of the Landlord and Tenant Act
  1. The Landlord and Tenant Act requires landlords to provide fit and habitable premises for tenants, but localities cannot currently easily enforce this, even when there is a public safety issue
  2. Bill would allow attorney or any city or county to enforce the provisions of the VRLTA in Circuit Court
    - a. Could ask for an injunction or damages on behalf of tenants, as long as it related to health and safety
  3. Would hugely expand powers of localities and help barriers that tenants encounter when filing claims themselves
  4. Oftentimes, localities know there is a problem but feel they cannot do anything to help
- vi. Poor conditions in affordable housing are an issue that disproportionately affects communities of color across the state
- vii. Commissioner asks if the upcoming legislation will be an amendment to the Landlord and Tenant Act, and would like to hear more about what increased enforcement authority would look like (particularly what options it would give Charlottesville residents)
  1. Proposal would allow the Charlottesville City Attorney to bring forth a case on behalf of tenants or behalf of the City itself in Circuit Court
  2. Could ask for an injunction or damages (could ask a court to order a landlord to fix problems, or could ask landlord to pay to compensate tenants/pay to a fund to compensate tenants or the City for resources it had to exhaust to fix problems)
  3. In Circuit Court instead of General District Court where tenants usually enforce their rights
  4. Same Commissioner asks if there is anything in the amendment about legal fees—will this be provided by the City?
    - a. Victoria responds that she does not believe there is anything specific right now, but she can ask people working on the language about how legal fees would be apportioned
    - b. Fees could only be enforced by the City Attorney, so Victoria is unsure what would happen if the City tried to hire a private attorney to assist
    - c. There would not be legal fees for tenants involved; Victoria did not see anything to suggest they would get their attorney's fees covered in a successful suit, but this is something she can follow up on

5. Commissioner says she could imagine this being very helpful in a group setting where no one person is able to put themselves out there; asks Victoria to talk more about how difficult it is for tenants to do this on their own and if she has seen tenants do this successfully on their own
  - a. Victoria recalls a recent case in which a client's heat was out; Victoria had to give notice to the landlord that client was going to file a tenant's assertion, but could not do so until days later, after which landlord still did not get the heat fixed immediately, so the family went without heat for over a week
  - b. Charlottesville is better than other localities because landlords are known entities, but for private landlords, tenants have to track down the actual company that owns the building-- a difficult task for tenants filing cases on their own
  - c. Timing cases is also difficult because if a tenant tries to file in the middle of a month, rent was just due
  - d. Also have to be exactly up to date with all aspects of rent, including utilities, parking fees, etc.
    - i. Individual General District courts may have different processes for how to pay rent into escrow
  - e. Many clerk's offices also do not have language interpreters
  - f. With the repair and deduct solution, most tenants simply do not have the upfront money to pay licensed professionals; even when they do, landlords can sue to evict tenants for not paying rent, leaving tenants to defend themselves in court
- b. Commission discussion regarding tenant's assertion bill
  - i. Chair says HRC sent City Council a letter a couple months ago with recommendations for legislative agenda, and it seems that this could be an addition HRC should consider making; asks what Commissioners think about supporting the bill
    1. Notes it is rather late in the process, as General Assembly will convene 1/12/22
  - ii. Commissioner asks to clarify if HRC would be sending a letter to Council asking them to include the bill in their lobbying
    1. Yes, the Commission itself is unable to lobby, but it can make recommendations to Council
    2. Commissioner expresses full support
  - iii. Commissioner asks if it would be helpful to include more information about the amendment or what it would be named/proposed as, or if it will be included as a general priority
    1. Bill has not yet been pre-filed
    2. Chair asks Victoria to share the current version of the bill so the HRC would be able to describe it in more detail
    3. Victoria will check on current draft of the bill with the Virginia

Poverty Law Center, which takes the lead on most tenant/landlord lobbying

- a. Will be an amendment to the VA Landlord and Tenant Act, likely Code Section 55.1-1259
- iv. Chair offers to draft the letter as a person who was once a housing lawyer if it is the will of the Commission to do so
- v. Commissioner expresses support and thanks Victoria for sharing this information
- vi. Chair calls Commission to vote on supporting the idea that a locality can bring a tenant assertion by recommending City Council support the General Assembly bill
  1. In favor: 8
  2. Opposed: 0
  3. Abstained: 0
- c. Commissioner asks to revisit Section 8 assistance contract between Midway Manor and the City to ensure there is a longer-term solution
  - i. Clarifies the contract was between Midway Manor and HUD
  - ii. Subsidy was re-authorized for only 2 years when previously it was 40 years
  - iii. Concerning because building is in a prime location and inhabited by elderly and disabled individuals who would have a very difficult time finding housing elsewhere
  - iv. Chair says HRC was planning on bringing up this issue at the affordable housing public hearing in the end of January
    1. PHAR was interested in making sure that City Councilors are present at this hearing to have them listen to the poor conditions and lack of subsidy
    2. Does not know if there are any other actions HRC can take at this time to express concerns about the subsidy issue
  - v. Commissioner expresses frustration because the issue is not between Midway Manor and the City, so HRC has less room to operate; asks how HRC could have power in this situation
    1. Chair says if there were no ability to change this, the City should be thinking about alternative housing arrangements for this vulnerable population
  - vi. Commissioner suggests asking the City to make a plan, like incentivizing developers, in case the units go away in a year and a half
    1. Chair asks Victoria if HRC will be able to cover all of this during the public hearing
      - a. Victoria recommends making some kind of visual/informational companion to organize the issues to be brought up at the hearing
      - b. Midway Manor is not the only property in the area that is facing the end of its subsidy contract
      - c. LAJC Charlottesville office has a database for when local subsidized housing properties' contracts end
  - vii. Chair says there will be another call between herself, PHAR, and LAJC after 1/1/22, so if anyone else from the Commission would like to help plan for the hearing, they can join this planning process

1. Wolfgang will join; Mary will send time and date of the next scheduled phone call
- d. Committee Reports
- i. Accessibility Committee (Chair—Wolfgang)
    1. Re-voting on HR21-1; slight change in wording at the bottom of the document-- “above and beyond minimum requirements” to “above and beyond legal requirement” upon recommendation from City Attorney
    2. Vote
      - a. In favor: 8
      - b. Opposed: 0
      - c. Abstained: 0
    3. Lyndele will draft a plain-language version to present at the next meeting
  - ii. Nominating Committee
    1. Jeanette, Andy, and Kathryn
    2. Jeanette reports committee sent out email with nominations form for the positions of Chair and Vice-Chair
      - a. Asked Commissioners to submit nominations for themselves or another person by 1/7/22
      - b. Form asks respondents to provide a paragraph for why they are nominating a person, as well as features descriptions of what the positions entail
    3. Nominations Committee will contact everyone and confirm, then send a proposed slate with the agenda packet when it comes out
      - a. At the meeting, there will be an opportunity to make any additional nominations
    4. Vote will occur at the beginning of the next regular meeting; after the vote, the new Chair will then transition to leading the meeting

## 6. MATTERS BY THE PUBLIC

### a. PUBLIC COMMENT

#### i. Ange

1. Asks whom a tenant would contact to get involved with the process
  - a. Chair asks if this would be about a specific case or the legislative proposal
2. Ange asks if this process applies to tenants who do not have a formal lease
  - a. Victoria is no longer present, but Chair says everyone in Virginia has a presumption of a lease
    - i. However, the statute is very technical, so Chair recommends contacting LAJC for assistance if they are interested in getting involved

### b. COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

#### i. None

## 7. COMMISSIONER UPDATES

### a. Wolfgang

- i. Saw on City website that Charlottesville bus system is being extended for free fares for another 4 years, until 2026
    - b. Jessica
      - i. Community Engagement Committee met
        - 1. Thought about ways to hear from the public; put together a plan to administer a poll to the public asking about issues of most interest
        - 2. Would like to host an event in the new year (date tentative) to address the points of greatest interest
        - 3. Open-forum event would be focused intentionally on certain topics, maybe with an expert or other form of education
        - 4. Lyndele and Jeanette made the poll; waiting to hear from Todd on how it can best be administered to the public
        - 5. Encourages those not present at the meeting to review the notes
        - 6. Lyndele adds a link in the chat to the draft poll; asks for comments or suggestions on how best to ask the public
          - a. Format is to pick the two issues a respondent deems most important to talk about
        - 7. Commissioner asks if there is a current plan on how to release poll to the public
          - a. OHR staff has not yet asked Communications, as he wants to be cognizant of their capabilities since they will soon be down another staff member
            - i. Also has not asked about availability for the housing meeting in the last week of January nor the town hall meeting in February
            - ii. Will do this outreach soon
- c. Wolfgang
  - i. Asks if Commissioners can advertise the reopening of the HRC membership application through their own channels
    - 1. Since it is a public posting, this is allowed
    - 2. Just be sure to wait until the applications are reopened
    - 3. Jessica encourages fellow Commissioners to reapply, as she feels that the Commission is getting into some very worthwhile work
  - ii. Asks if there will be another retreat for Commissioners in the beginning of the year
    - 1. Will be left to the new Chair to determine when and how this will take place
    - 2. OHR staff recommends it not happen in January or February because the Commission may look very different in March
    - 3. Will put this in the agenda for discussion during January's meeting

## 8. NEXT STEPS

- a. **Mary**
  - i. **Draft letter to City Council recommending they support the tenant's assertion bill for the next General Assembly session**
  - ii. **Send time and date of next scheduled phone call for affordable housing**

public hearing to Wolfgang

- b. Todd
    - i. Ask Maxicelia about application receipt confirmation
    - ii. Send email to Commissioners about when applications reopen
    - iii. Send Box link to Commissioners with changes to rules and procedures for January
    - iv. Ask Communications about:
      - 1. How best to release poll to the public
      - 2. Availability for affordable housing public hearing during the week of 1/24/22
      - 3. Availability for town hall meeting during February
    - v. Add discussion about retreat to January's agenda
  - c. Lyndele
    - i. Draft plain-language version of HR21-1 for the next meeting
- 9. ADJOURN**
- a. Meeting adjourned at 7:32 pm

Pending HRC Approval

# Attachment 3

**RULES AND PROCEDURES OF THE HUMAN RIGHTS COMMISSION  
CITY OF CHARLOTTESVILLE, VIRGINIA**

The Human Rights Commission, established pursuant to Article XV, Sections 2-430 to 2-443 of the Charlottesville City Code (the Charlottesville Human Rights Ordinance), hereby adopts the following rules and procedures for the execution of its duties and responsibilities thereunder:

**1. Composition of the Human Rights Commission**

**1.1.** The Commission membership shall consist of no less than nine members appointed by City Council, and shall be broadly representative of the City's population, with consideration of racial, gender (including gender identity, transgender status, and sexual orientation), religious, ethnic, disabled, socio-economic, geographic neighborhood and age groups within the City.

**1.2** Of the members first appointed, at least three shall be appointed for terms of three years, at least three shall be appointed for terms of two years, and at least three shall be appointed for terms of one year. Thereafter members shall be appointed for terms of three years each. Despite the expiration of a member's term, the member shall continue to serve until a successor is appointed by City Council. Any vacancy during a term shall be filled by the City Council for the unexpired portion of that term. Following notice to the member, any member of the Commission may be removed for good cause by a majority vote of City Council.

**1.3** Members of the Commission shall serve without compensation, but funds may be appropriated in the City's annual budget for reasonable and necessary expenses to be incurred by Commission in the conduct of its prescribed functions.

**2. Officers and Duties**

**2.1 Officers.** The officers of the Human Rights Commission shall be a Chair, a Vice Chair and a Secretary, who shall have the duties set forth below.

**2.2 Duties of Officers.**

**(1) Chair.** The Chair shall be elected from the Commission's membership. It shall be the duty of the Chair to execute all documents on behalf of the Commission, to act as liaison between the Commission and the Office of Human Rights and Director of the Human Rights Commission, to cause all resolutions, approvals and other actions of the Commission to be executed or carried out, to determine that all matters delegated to the Commission by state statute, city ordinance, or at the instance of the City Council are properly brought before the Commission.



**(2) Vice Chair.** The Vice Chair shall be elected from the Commission's membership, and shall exercise the powers and perform the duties of the Chair during the absence, disability or disqualification of the Chair.

**(3) Secretary.** The Director of the Human Rights Commission shall be the Secretary of the Commission. The Secretary shall not be a member of the Commission, and shall have no right to vote. It shall be the duty of the Secretary to keep minutes of the Commission's proceedings in accordance with the requirements of the Virginia Freedom of Information Act ("FOIA") and any other applicable provisions of law; to give notices required by law or these bylaws; to prepare, in consultation with the Chair, the agenda for all meetings of the Commission; to be custodian of and maintain the Commission's public records and other records, as required in the performance of its duties and functions; to inform the Commission of correspondence relating to the business of the Commission and to respond to such correspondence unless responsibility is otherwise assigned by the Chair; to act as liaison with the City Manager, City departments and agencies, and to execute on behalf of the Commission any documents requiring the signature of the Secretary. In the event the Secretary is absent from any meeting, the Chair presiding at the meeting shall designate an individual to perform the duties of Secretary for that meeting.

**2.3 Terms and Vacancies.** The term of office for the Chair and Vice Chair shall be for one year. The Chair shall be eligible for reappointment to no more than one additional one year term. Should any vacancy occur among the offices described above, the Commission shall fill that vacancy as promptly as practicable and the individual elected to such office shall serve for the unexpired term of that office.

**2.4 Officer Elections Procedures.** The Chair shall appoint a nominating committee of no less than three members of the Commission, who shall meet in October of each year to make recommended nominations for the offices of Chair and Vice Chair. The recommended slate will be presented to the full Commission at the December meeting. At the Commission's January meeting of each year, the officer election rules currently in place (attached) may be invoked by any member who wishes to make nominations in addition to the Nominating Committee's recommended slate.

### **3. Meetings**

**3.1 Annual Meetings.** The Commission shall hold an annual organizational meeting, which shall take place during the first regular meeting of the Commission in the month of January of each year. At the organizational meeting, the members of the Commission shall elect officers, establish its regular meeting schedule, and adopt the work plan for the ensuing year. The Commission may also conduct such other business as shall be placed on the agenda in accordance with the provisions of these bylaws.

**3.2 Regular Meetings.** Regular meetings shall be held on the third Thursday of each month. The basic order of business will be as set forth in 4.3, following below.

**3.3 Special Meetings.** Special meetings may be called by the Chair, the Vice Chair in the absence of the Chair, or by any two members, upon written request to the Secretary.

**3.4 Work Sessions.** Work sessions are special meetings that may be held at the request of the Chair, or the Vice Chair in the absence of the Chair. Work sessions shall be held for the purpose of inquiry and discussion and no official action shall be taken at such meetings.

**3.5 Public meetings; exceptions for Closed Sessions.** Meetings of the Commission shall be open meetings, as that term is defined within FOIA, except that the Commission may hold closed meetings when authorized pursuant to Va. Code Section 2.2-3711, and upon compliance with the closed meeting procedures and certification requirements set forth within Va. Code Section 2.2-3712.

**3.6 Notice of Meetings.**

**3.6.1.** The Secretary shall give notice of all meetings (annual, regular, special and work session) to all members of the Commission, five days prior to such meeting, or, for a special meeting or work session, such other notice as is reasonable under the circumstances. Such notice shall state the time and place of such meetings. With respect to regular meetings and the annual meeting, such notice shall be accompanied by an agenda prepared in accordance with the provisions of these rules and procedures and accompanied by such documentation as may be reasonable to permit the members of the Commission to consider the business which they are called upon to act. With respect to work sessions and special meetings, the notice shall state the purpose of the meeting or the nature of the discussion or inquiry to be undertaken and shall be accompanied by such documentation as may be available and practicable to provide to enable the members of the Commission to thoughtfully consider the business to come before the meeting.

**3.6.2.** The Secretary shall place notice of the date, time and location of each Commission meeting in a prominent public location at which notices of City Council meetings are regularly posted, and shall also post such notice on the City's website. This public notice shall be posted at least three (3) working days prior to the meeting; however, notice of a special meeting or work session may be given upon fewer than 3 days' notice, if reasonable under the circumstances and if such notice is given contemporaneously with the notice provided to Commission members. At least one copy of all agenda packets and, unless a specific FOIA exemption applies, all materials furnished to Commission members for a meeting, shall be made available for public inspection in the office of the Director/ Secretary at the same time such documents are furnished to the Commission.

**3.6.3.** For the purposes of this section, and as used throughout these rules and procedures, the term “notice” shall mean and include any format within the definition of a “public record” set forth in FOIA, at Virginia Code Sec. 2.2-3701.

#### **4. Conduct of Meetings.**

**4.1 Quorum.** A minimum of seven members of the Commission (“quorum”) A majority of currently serving Commissioners must be in attendance at a meeting of the Commission in order for business to be legally transacted. Except as expressly provided in Virginia Code Section 2.2-3708(G) or 2.2-3708.1, the Commission shall not conduct a meeting where its business is discussed or transacted through any means of communication where the members are not physically assembled.

**4.2 Procedure.** All meetings of the Commission shall be conducted in accordance with Roberts' Rules of Order (Newly Revised) as applicable to small boards. The Chair of the Commission, or in his or her absence, the Vice Chair, or in the absence of both, the person having been designated by the Chair as parliamentarian shall preside at meetings of the Commission.

**4.3 Proceedings.** At any meeting of the Commission, the Commission may hear, review, discuss and act upon, and otherwise transact business related to, any matters within its role, and within the scope of its duties and responsibilities, as described within the Charlottesville Human Rights Ordinance. At any regular meeting and annual meeting of the Commission, the order of business to come before the meeting shall be as expressed on the agenda sent out with the notice of the meeting provided, however, the presiding officer, with the consensus or affirmative vote of a majority of the Commissioners, may change the order of business on the agenda for any reason, or may add a matter to the agenda.

**4.4 Voting.** All business transacted by the Commission shall be authorized by a vote of the majority of members present and voting taken at a lawful meeting conducted in accordance with these rules and procedures. At all meetings of the Commission, each member present shall be entitled to cast one vote providing there is a physical quorum. A decision on whether to hold a public hearing on a complaint of an unlawful discriminatory practice shall not be valid unless authorized by a majority of the full Commission members. No vote of the Commission shall be taken by secret or written ballot. A member may vote by telephone or other electronic communication means as expressly authorized by FOIA Section 2.2-3708.1.

**4.5 Committees.** The Commission may, in its discretion, delegate any of its duties or responsibilities to a panel of not less than three Commissioners. Any such panel shall constitute a committee of the Commission, which shall transact the delegated business of the Commission following the same rules, procedures and meeting requirements applicable to the Commission, except it shall not be authorized to vote on any matter. Rather, any such committee shall bring its recommendations to the full membership of the Commission for a vote in accordance with these rules. No such committee may include individuals who are not members of the

Commission; however, the Commission may appoint advisory committees or form task forces which may include individuals who are not members of the Commission.

**4.5.1 Standing Committees.** The following standing committees of the Commission have been formed by resolution in accordance with these rules and meet regularly as follows:

Administrative Matters Committee

Community Engagement Committee

Age, Disability, and Religious Discrimination

Committee Race Discrimination Committee

Sex Discrimination Committee

The Chair of the Commission appoints members of each **standing committee** and a Chair of each committee is selected from committee members. Commission staff is responsible for assisting Committee chairs with setting Committee meeting agendas and preparing Committee reports for presentation to the full Commission during its regular meetings.

## **5. Conflicts of Interest.**

**5.1** All members of the Human Rights Commission are subject to the Virginia State and Local Government Conflict of Interests Act (Va. Code 2.2-3100 et seq.) (“COIA”) and are required to read and familiarize themselves with the provisions of COIA.

**5.1.1.** In the event that any member shall have a “personal interest in a transaction” as defined by Va. Code Section 2.2-3101, in a matter before the Commission, the member shall be required to make a declaration of such interest before participating in the transaction, and the member may be required to disqualify himself from participating in the transaction. The member’s obligations in a given situation shall be determined in accordance with Va. Code Section 2.2-3112. It is the obligation of each member to ascertain whether he or she has a personal interest in a transaction, and to take action in accordance with Va. Code 2.2-3112 immediately upon concluding that a personal interest does exist; however, the issue of personal interests of a commission member may also be raised by other members or by individuals who are not members.

Any member of the Commission may request an advisory opinion from the Commonwealth's Attorney or the City Attorney or his or her representative, as to whether a personal interest exists and, if so, what are the Commissioner’s obligations under COIA. An opinion of the Commonwealth’s Attorney or the City Attorney shall have the effect specified in Va. Code Sec. 2.2-3121.

**5.1.2.** Every declaration and disqualification required pursuant to COIA shall be reflected in the public records of the Commission for a period of five (5) years, in the office of the Director/ Secretary.

**5.1.3.** In the event of a disqualification, the disqualified member shall be prohibited from (i) attending any portion of a closed meeting when the matter in which he or she has a personal interest is discussed, and (ii) discussing the matter in which he or she has a personal interest with other members of the Commission, with the Director, or with other officers or employees of the City government, at any time.

**5.1.4.** At all times, Commission members shall conduct themselves and the Commission's business in accordance with all applicable requirements of COIA, including those provisions not specifically referenced within these rules and procedures.

## **6. Community Participation**

**6.1** Public notice. Public notice of all meetings of the Commission will be provided as set forth in 3.6, above. In addition, the Commission may direct the Secretary to give additional or special notice, or advertise or announce specific matters before the Commission, as the Commission may deem appropriate.

**6.2** Public Participation. At the beginning and at the end of each of its open meetings the Commission will receive public comment in accordance with City Council's "Rules for Public Participation," which Rules are hereby adopted and incorporated by reference within these rules and procedures, as rules of the Commission.

## **7. Amendments.**

These bylaws, rules and procedures may be amended by vote of a majority of the Commission at any meeting provided, however, notice of such proposed amendment shall be given to each member of the Commission in writing at least five days prior to such meeting.

**AMENDMENTS**

**Charlottesville Human Rights Commission Policy on Individual Participation in Meetings by Electronic Means under §2.2-3708.1 of the Virginia Code  
Administrative Policy No. 1: Approved May 21, 2015**

- I. **Policy Statement:** It is the policy of the Charlottesville Human Rights Commission (CHRC) that individual members of the CHRC may participate in meetings of the Commission by electronic means as permitted by Virginia Code §2.2-3708.1.
  
- II. **Eligibility:** This policy shall apply to the entire membership of the CHRC and without regard to the identity of the member requesting remote participation or the matter considered or voted on at the meeting.
  - A. **Emergency/Personal Absence:** Members unable to attend the meeting due to an emergency or personal matter qualify under this policy provided that the individual can identify with specificity the nature of the emergency or personal matter, the public body holding the meeting the meeting records in its minutes the nature of the emergency or personal matter, and the remote location from which the member participate is identified in the minutes.
  
  - B. **Disability Absence:** Members of a public body unable to attend the meeting due to a medical condition qualify under this policy provided that the individual notifies the chair of the public body that such member cannot attend a meeting due to a temporary or permanent disability or other medical condition that prevents the member's physical attendance, the public body records this, and the remote location from which the member participates is identified in the minutes.
  
- III. **Quorum Required:** Whenever an individual member wishes to participate from a remote location, a quorum of the CHRC must be physically assembled at the meeting location, and arrangements will be made for the voice of the remote participant to be heard by all persons at the meeting location.
  
- IV. **Meeting Procedures:** The reason that the member cannot attend the meeting and the remote location from which the member participates will be recorded in the meeting minutes. When such individual participation is due to an emergency or personal matter as designated in section II A above, such participation is limited to two meetings or 25 percent of the meetings of the CHRC per member each calendar year, whichever is fewer.

- V. **Approval Process:** Individual participation from a remote location shall be approved by the Chair of the CHRC, unless such participation would violate this policy or the Virginia Freedom of Information Act (FOIA).
  
- VI. **Challenges:** If a member's participation from a remote location is challenged, then the Commission members present shall vote whether to allow such participation. If the commission votes to disapprove the member's participation because such participation would violate this policy, such disapproval will be recorded in the minutes with specificity.
  
- VII. **General Applicability to Committees:** This policy applies to all committees, subcommittees, and task forces of the CHRC. Where remote participation occurs at a sub-committee or task force the chair of such committee shall assume responsibility for the approval process.

**Election of the Chair and Vice-Chair  
Adopted March 20, 2014**

The Human Rights Commission Rules and Procedures (2.2) provide that a Chair and Vice-Chair shall be annually elected. This is to set forth the customary procedure as modified from the 2013 City Attorney memo regarding the election of Mayor and Vice-Mayor for the City of Charlottesville.

1. The Director will Chair the meeting during the officer elections process.
2. The Director will ask for nominations for the Office of Chair.
3. Only names that are moved and seconded will be placed in nomination. Any Commission member may move or second his or her own name.
4. After one or more persons are nominated and it appears that no one else wishes to make a nomination, the Director will ask if there are any further nominations. If there are no responses, the Director will declare that nominations for the Office of Chair are closed.
5. Commissioners will then vote on the first person nominated for the Office of Chair. A Commission member who is nominated may vote for himself or herself.
6. If a majority of those present and voting affirmatively vote for the first candidate, that person is elected Chair and there is no further voting. If the first candidate does not receive a majority, the Commission will then vote on the second person nominated. If no nominee receives a majority, there will need to be a motion, second and vote on reopening nominations.
7. After a Commissioner is elected as Chair, the same procedure will be followed for the election of Vice-Chair. Following the election of the Vice-Chair, the newly-elected Chair will chair the remainder of the meeting.



# Attachment 4



**Human Rights Commission  
CHAIR OFFICER NOMINATIONS 2022**

**2022 Human Rights Commission Officer Nominations Form**

Name of Person to Be Nominated Jessica Harris

Officer Position (Chair or Vice Chair) Either Vice Chair or Chair

Explanation for Nomination – In the space below please briefly describe why you are nominating this individual to be a 2022 officer of the Human Rights Commission:

I am nominating Jessica Harris for either Chair or Vice-Chair of the HRC. She has demonstrated her leadership and vision during HRC sessions this past year, and if she is willing to serve, she would be excellent in either position in 2022.

Your Name (you may nominate yourself or others) Wolfgang Keppley

Date 01/12/2022

**2022 Human Rights Commission Officer Nominations Form**

Name of Person to Be Nominated Jessica Harris

Officer Position (Chair or Vice Chair) Chair or Vice Chair (as she chooses)

Explanation for Nomination – In the space below please briefly describe why you are nominating this individual to be a 2022 officer of the Human Rights Commission:

Jessica brings core values that are aligned with the HRC both in the work we do and the way we work together. She would be a strong advocate to bring our priorities to City Council and make an excellent chair.

Your Name (you may nominate yourself or others) Jeanette Abi-Nader

Date 1/11/2022

**2022 Human Rights Commission Officer Nominations Form**

Name of Person to Be Nominated Mary Bauer

Officer Position (Chair or Vice Chair) Chair

Explanation for Nomination – In the space below please briefly describe why you are nominating this individual to be a 2022 officer of the Human Rights Commission:

Mary served a great term as Chair of the HRC in 2021. I think we all benefited from her legal experience, her articulate representation of our needs to Council, and her initiative to draft statements representing the Commission. If she is willing to serve again, she would be an excellent Chair for 2022.

Your Name (you may nominate yourself or others) Wolfgang Keppley

Date 01/12/2022

**2022 Human Rights Commission Officer Nominations Form**

Name of Person to Be Nominated Mary Bauer

Officer Position (Chair or Vice Chair) Chair

Explanation for Nomination – In the space below please briefly describe why you are nominating this individual to be a 2022 officer of the Human Rights Commission:

She brings a wealth of experience both as a leader and as a lawyer involved in matters pertaining to human rights. She has done an excellent job chairing the HRC and I would like to see her continue in her role as chair.

Your Name (you may nominate yourself or others) Andy Orban

Date 1/12/2022



**Human Rights Commission  
VICE-CHAIR OFFICER NOMINATIONS 2022**

**2022 Human Rights Commission Officer Nominations Form**

Name of Person to Be Nominated     Jessica Harris    

Officer Position (Chair or Vice Chair)     Vice Chair    

Explanation for Nomination – In the space below please briefly describe why you are nominating this individual to be a 2022 officer of the Human Rights Commission:

Jessica has been very involved in community outreach and feel that she does an outstanding job representing the Human Right Commission. She has great energy and enthusiasm for thinking of ways the commission can advocate for the community. I think she would be a great leader for the HRC.

Your Name (you may nominate yourself or others)     Andy Orban    

Date     1/12/2022    

**2022 Human Rights Commission Officer Nominations Form**

Name of Person to Be Nominated     Jessica Harris    

Officer Position (Chair or Vice Chair)     Either Vice Chair or Chair    

Explanation for Nomination – In the space below please briefly describe why you are nominating this individual to be a 2022 officer of the Human Rights Commission:

I am nominating Jessica Harris for either Chair or Vice-Chair of the HRC. She has demonstrated her leadership and vision during HRC sessions this past year, and if she is willing to serve, she would be excellent in either position in 2022.

Your Name (you may nominate yourself or others)     Wolfgang Keppley    

Date     01/12/2022

**2022 Human Rights Commission Officer Nominations Form**

Name of Person to Be Nominated      Jessica Harris

Officer Position (Chair or Vice Chair)      Chair or Vice Chair (as she chooses)

Explanation for Nomination – In the space below please briefly describe why you are nominating this individual to be a 2022 officer of the Human Rights Commission:

Jessica brings core values that are aligned with the HRC both in the work we do and the way we work together. She would be a strong advocate to bring our priorities to City Council and make an excellent chair.

Your Name (you may nominate yourself or others) Jeanette Abi-Nader

Date      1/11/2022

# Attachment 5

**Office of Human Rights**  
**Todd Niemeier Monthly Staff Report**  
**January 2022**

**Service Provision Data:**

- Data entered through the end of December 2021
  - Data for open and closed inquiries and complaints has been updated.
  - Lily Gates, OHR Intern, continues to be the data entry superhero – Thanks, Lily!
  - I removed the “Formal Investigations” data from the bottom of the data chart because some cases move in and out of investigation and the information is better reflected in the individual cases section below.
- Revisiting a secure web-based customized case management system with IT
  - OHR Staff received confirmation that One Drive provides an equal level of security for confidential data as the internal network.
  - Given the functionality of the Excel-based system and the ability for OHR staff to modify the system as needed without IT support, we will move the current system to One Drive in 2022 to allow for multiple users to simultaneously enter data into the system, which was a primary barrier of the system previously.

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
<i>Open office days in the month</i>	22	20	21	22	23	20	22	22	20	23	19	18	252
<i>Total Incoming &amp; Outgoing Contacts</i>	171	139	145	133	197	272	307	287	330	442	307	229	<b>2959</b>
<i>Total Incoming Contacts</i>	83	70	71	68	131	176	195	209	238	308	237	175	<b>1961</b>
<i>Average Incoming &amp; Outgoing Contacts/Day</i>	8	7	7	6	9	14	14	13	17	19	16	13	<b>12</b>
<i>Average Incoming Contacts/Day</i>	4	4	3	3	6	9	9	10	12	13	12	10	<b>8</b>
<i>Referrals from Sin Barreras</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Contacts in Spanish</i>	0	1	3	9	6	6	3	4	0	9	5	0	<b>46</b>
<i>Total Staff Follow-ups (Outgoing)</i>	49	33	30	30	39	45	48	32	48	49	39	29	<b>471</b>
<i>Total Third-Party Contacts (Outgoing)</i>	39	36	44	35	27	51	64	46	44	85	31	25	<b>527</b>
<i>Total Client Follow-ups (Incoming)</i>	45	34	36	27	65	120	105	128	154	157	131	102	<b>1104</b>
<i>Total Third-Party Contacts (Incoming)</i>	28	28	19	30	45	40	73	54	74	130	86	64	<b>671</b>
<i>Total General Contacts (Incoming)</i>	3	4	3	4	6	12	11	15	2	8	12	4	<b>84</b>
<i>Total New Inquiries (Incoming)</i>	6	3	12	7	14	4	5	11	8	12	6	4	<b>92</b>
<i>Total New Complaints (Incoming)</i>	1	1	1	0	1	0	1	1	0	1	2	1	<b>10</b>
<i>Total Allegations (Both I&amp;C)</i>	2	1	1	1	4	0	1	3	1	8	4	3	<b>29</b>
<i>Total I&amp;C: Locality - Cville</i>	6	3	5	3	12	3	5	8	4	6	3	3	<b>61</b>
<i>Total I&amp;C: Locality - Albemarle</i>	1	0	1	2	0	0	0	0	1	0	0	0	<b>5</b>
<i>Total I&amp;C: Locality - Other or Not Specified</i>	0	1	7	2	3	1	1	4	3	7	5	2	<b>36</b>
<i>Total Inquiries: P.A. - Employment</i>	0	0	1	1	2	0	0	1	1	2	3	2	<b>13</b>
<i>Total Inquiries: P.A. - Housing</i>	6	3	8	5	8	1	5	4	3	5	2	1	<b>51</b>
<i>Total Inquiries: P.A. - Public Accommodation</i>	0	0	1	1	0	0	0	2	1	2	0	1	<b>8</b>

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
Total Inquiries: P.A. - Credit	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Inquiries: P.A. - Private Education	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Inquiries: P.A. - Other (Unprotected)	0	0	2	0	4	3	0	4	3	3	1	0	20
Total Complaints: P.A. - Employment	0	0	0	0	1	0	1	0	0	0	1	0	3
Total Complaints: P.A. - Housing	1	1	1	0	0	0	0	1	0	1	1	1	7
Total Complaints: P.A. - Public Accommodation	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Complaints: P.A. - Credit	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Complaints: P.A. - Private Education	0	0	0	0	0	0	0	0	0	0	0	0	0
Total Complaints: P.A. - Other (Unprotected)	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total employment discrimination allegations</b>	0	0	0	1	1	0	1	0	0	2	2	1	8
Employment allegations in Charlottesville	0	0	0	0	1	0	1	0	0	1	1	0	4
Employment allegations in Albemarle Co.	0	0	0	1	0	0	0	0	0	0	0	0	1
Emp. allegations in Cville referred to EEOC	0	0	0	0	0	0	0	0	0	0	0	0	0
Emp. allegations in Alb. Co. ref. to EEOC	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total housing discrimination allegations</b>	2	1	1	0	2	0	0	1	0	4	2	1	14
Housing allegations in Charlottesville	2	1	1	0	0	0	0	1	0	4	1	1	11
Housing allegations in Albemarle	0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total public accommodation discrimination allegations</b>	0	0	0	0	0	0	0	2	1	2	0	1	6
Public accommodation allegations in Cville	0	0	0	0	0	0	0	1	0	0	0	0	1
<b>Total Other (Unprotected) activity allegations</b>	0	0	0	0	1	0	0	0	0	0	0	0	1
Total I&C: P.C. - Age	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - Disability	1	0	1	1	1	0	1	0	0	1	1	1	8
Total I&C: P.C. - Marital Status	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - National Origin	0	0	0	0	0	0	0	1	1	0	0	0	2
Total I&C: P.C. - Pregnancy	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - Childbirth or Related Medical Conditions	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - Race	1	1	0	1	0	0	1	2	0	2	1	0	9
Total I&C: P.C. - Color	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - Religion	0	0	0	0	0	0	0	0	0	0	0	0	0
Total I&C: P.C. - Sex	0	0	0	0	2	0	0	0	0	0	1	0	3
Total I&C: P.C. - Gender Identity	0	0	0	0	0	0	0	0	1	0	0	0	1
Total I&C: P.C. - Sexual Orientation	0	0	0	0	0	0	1	0	0	1	0	0	2
Total I&C: P.C. - Source of Funds	1	0	0	0	0	0	0	0	0	0	0	0	1
Total I&C: P.C. - Not specified	4	3	12	5	12	4	4	8	4	7	6	2	71
Total I&C: P.C. - Other (Unprotected)	0	0	0	0	0	0	0	1	2	2	0	2	7





<b>Measures</b>	<b>Jan</b>	<b>Feb</b>	<b>Mar</b>	<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>	<b>Oct</b>	<b>Nov</b>	<b>Dec</b>	<b>TOTALS</b>
<i>Total Housing Complaints: P.C. - Race</i>	0	1	0	0	0	0	0	1	0	0	0	0	<b>2</b>
<i>Total Housing Complaints: P.C. - Color</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Housing Complaints: P.C. - Religion</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Housing Complaints: P.C. - Sex</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Housing Complaints: P.C. - Gender Identity</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Housing Complaints: P.C. - Sexual Orientation</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Housing Complaints: P.C. - Source of Funds</i>	1	0	0	0	0	0	0	0	0	0	0	0	<b>1</b>
<i>Total Housing Complaints: P.C. - Not specified</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Housing Complaints: P.C. - Other (Unprotected)</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Age</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Disability</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Marital Status</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - National Origin</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Pregnancy</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Childbirth or R.M.C.</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Race</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Color</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Religion</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Sex</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Gender Identity</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Sexual Orientation</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Not specified</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Pub. Accom. Comp.: P.C. - Other (Unprotected)</i>	0	0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Total Open Inquiries</i>													<b>15</b>
<i>Total Closed Inquiries</i>													<b>75</b>
<i>Total Dismissed Inquiries</i>													<b>0</b>
<i>Total Open Complaints</i>													<b>5</b>
<i>Total Closed Complaints</i>													<b>4</b>
<i>Total Dismissed Complaints</i>													<b>1</b>
<i>Primary Service: Appointment Set-up</i>	3	2	1	0	8	19	11	2	3	3	5	3	<b>60</b>
<i>Primary Service: Clerical Assistance</i>	0	5	1	0	3	13	18	3	0	1	0	0	<b>44</b>
<i>Primary Service: Counseling</i>	17	21	17	8	18	20	18	16	6	10	6	9	<b>166</b>
<i>Primary Service: Event Information</i>	0	0	1	0	0	1	0	0	0	0	0	0	<b>2</b>
<i>Primary Service: Investigation Activity</i>	7	27	39	33	35	12	22	18	23	14	4	6	<b>240</b>
<i>Primary Service: Information</i>	144	84	86	87	128	206	227	238	292	404	268	202	<b>2366</b>

Measures	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	TOTALS
Primary Service: Mediation Related Services	0	0	0	5	4	0	11	8	6	10	24	9	77
Primary Service: Outreach Coordination	0	0	0	0	1	0	0	2	0	0	0	0	3
Primary Service: Public Hearing	0	0	0	0	0	0	0	0	0	0	0	0	0
Primary Service: Volunteer Coordination	0	0	0	0	0	1	0	0	0	0	0	0	1
Primary Service: Helpline - COVID Response	0	0	0	0	0	0	0	0	0	0	0	0	0

### Administrative and Reporting:

- Hiring process: Community Outreach & Administrative Specialist
  - Application period closed on 01/07/2022
  - Director currently reviewing all applications ahead of building and interview panel and scheduling interviews
  - Timeframe is not definite, but target is to have completed initial application reviews by 01/21/2022
- 2020 Departmental Scorecard update completed
  - Link to Scorecard: [Human Rights \(clearpointstrategy.com\)](https://clearpointstrategy.com)
  - Data for individual service satisfaction surveys from 2019 and 2020 entered.
  - Need to create and distribute collaborative partner satisfaction surveys
    - This may be something we have to develop in early 2022
- 2020 Annual Report in progress
  - Will use Departmental Scorecard as basis for the annual report
  - No requests from Council yet for annual or quarterly reports
  - No progress made on the report this month, as intake and service provision continue to dominate staff time
- Amendments to Charlottesville Human Rights Ordinance for FHAP substantial equivalence under review
  - Draft amendments completed and under review by Deputy City Manger for REDI and City Attorney's Office
  - Met with DCM for REDI and Deputy City Attorney on 12/15/21
    - They had questions about the added obligations that the revisions place on the City Attorney's Office and asked TN to get more information about potential workload
  - OHR staff met with the Director of the Fairfax County OHR on 01/10/22 to ask about their experience with attorney workloads under the FHAP
    - OHR staff presented the following to DCM for REDI and Deputy City Attorney on 01/10/22 for review
      - For the first 7 to 8 years of the FHAP workshare most cases settled through mediation
      - Over the last few years there has been an uptick in cases filed in court
        - This has proven highly dependent on the complainant, i.e. unrealistic expectations for settlement coupled with the realization that with a determination of probable cause they can elect to go to court, so they may hold out for a determination
      - During the busiest year, 6 or 7 cases went to court, but this was unusually high
      - Because the remedies under Virginia and federal law are comparable for housing discrimination civil suits, most cases were filed in state court
      - Additionally, not all housing cases are dual filed with the OHR and HUD
        - Each case is reviewed and a decision is made on a case by case basis in collaboration with HUD

- The Director of the Fairfax OHR also stressed the importance of having sufficient staffing in place prior to turning the key on the FHAP and to work in close partnership with the City Attorney's Office at all stages of the complaint process, especially if the evidence looks like it may lead to a determination of probable (or reasonable) cause
- No new work on FEPA agreement, as FHAP process take precedence
  - Recall that the FHAP agreement provides substantial opportunities and resources to expand and improve the OHR, whereas the FEPA really only just increases workload with insufficient support to increase staffing or training
- Looking into EEO processes for City employees through OHR
  - During the meeting with the Director of the Fairfax County OHR, OHR staff asked about their processes for handling County employee complaints of discrimination
  - They have a separate ordinance that guides their internal EEO process, which is separate from their processing of complaints as a FEPA
  - The EEOC still handles employment complaints filed against the County by County employees, but the OHR will often have done an internal EEO investigation ahead of the EEOC complaint filing, which informs the County Attorney's response to the EEOC
  - The Director of the Fairfax County OHR shared both their EEO ordinance as well as their Human Rights Ordinance for review

**Complaints pending authorization for further action:**

- Case 2021-11
  - Housing discrimination on the basis of disability
    - Awaiting response from Complainant regarding incomplete complaint

**Active Fact-finding Inquiries:**

- None.

**Active Investigations:**

- Case 2020-2
  - Housing discrimination on the basis of race
    - Investigative Report submitted 9/2/2021
    - Inconclusive determination presented to Complainant on 12/1/2021
    - Awaiting response from DCM for REDI regarding follow-up meeting with Complainant
- Case 2021-4
  - Employment discrimination on the basis of sex
    - Investigation authorized 05-03-2021
    - Investigation in progress
- Case 2021-5
  - Employment discrimination on the basis of sexual orientation and race
    - Mediation at impasse

- Formal investigation in progress

#### **Pending Mediation:**

- Case 2022-1
  - Housing discrimination on the basis of disability
    - Awaiting response form Respondent

#### **Active Mediation:**

- Case 2021-2
  - Employment discrimination on the basis of race
    - Awaiting signature of Complainant on settlement agreement

#### **Closed Cases:**

- Case 2021-1
  - Housing discrimination on the basis of source of funds
    - Complaint non-jurisdictional due to Respondent exemption under state law
- Case 2021-3
  - Public Accommodation discrimination on the basis of sex and disability
    - Settlement reached through mediation
- Case 2021-6
  - Housing discrimination on the basis of race
    - Informal conciliation reached
- Case 2021-7
  - Employment discrimination on the basis of race
    - Settlement reached through mediation
- Case 2021-8
  - Credit discrimination on the basis of color, national origin, race, and sex
    - Complaint was non-jurisdictional because respondent was operating from out of state
- Case 2021-9
  - Housing discrimination on the basis of disability
    - Complainant chose to drop the complaint after finding adequate resolution
- Case 2021-10
  - Employment discrimination on the basis of race, color, and sex
    - Dismissed as non-jurisdictional because the Human Rights Ordinance provides no mechanism for conciliation, investigation, or rendering of findings for employment discrimination complaints against the City of Charlottesville.

## Outreach:

- Service Provision
  - Most outreach on hold given staff capacity to address the overwhelming volume of active and incoming inquiries
  - Midway Manor
    - On 11/23/21, OHR sent letter to W.H.H. Trice outlining resident concerns and requesting a meeting with corporate representatives.
- Education & Awareness
  - On hold due to staff capacity
- Facilitation & Leadership
  - Outdoor Equity
    - OHR Interns have consolidated the information for the presentation but now need guidance from OHR staff to assemble the final presentation
    - This project is on hold given other priorities
  - Public Housing Association of Residents – Residents for Respectful Research (RRR)
    - First three R3 Resident Reviewers have been hired and started Tuesday, 01/18/2022
    - The R3 Coordinator has developed a comprehensive onboarding and training curriculum for the Reviewers
    - OHR Director continues to serve on the advisory board to provide input and guidance, as requested
  - Affordable Housing
    - Thomas Jefferson Planning District Commission (TJPDC) awarded \$250K Virginia Eviction Reduction Program (VERP) implementation grant
    - Piedmont Housing Alliance has opened the Financial Opportunity Center and Housing Hub
      - OHR staff engaged to provide input regarding barriers to affordable housing and perspective on housing navigation
      - The FOC & Housing Hub may serve as the future home of the affordable housing database developed by Code of Charlottesville in partnership with PACEM and the OHR
        - Stakeholder meeting held on 11/4 to discuss potential data sharing across affordable housing navigation databases
    - UVA Equity Center Virginia Housing Justice Atlas Advisory Group
      - Multi-partner group working in collaboration with RVA Eviction Lab to collect data on evictions
      - May be a good source of information for future advocacy regarding right to counsel
  - CRHA Resident Services Committee – Neighborhood Crisis Intervention sub committee
    - Continued monthly and sometimes bi-monthly meetings to develop a potential alternative, peer-supported crisis intervention system that can supplement and support clinical services and can intervene in lieu of ECO/TDO system
    - This continues to be a focal point for OHR Director engagement as many individuals seeking services through the OHR present with mental health challenges and some have come for assistance during mental health crises

# Attachment 6

**CHARLOTTESVILLE HUMAN RIGHTS COMMISSION  
RESOLUTION TO ESTABLISH A CITYWIDE LANGUAGE ACCESS PLAN**

**RESOLUTION #: HR21-1**

Commented [Lv51]: Link to "official" resolution

**\*PLAIN LANGUAGE VERSION\***

The purpose of the Charlottesville Human Rights Commission is to act as a strong advocate for justice and equal opportunity.

The Human Rights Commission recommends that the City of Charlottesville develop and use a Citywide Language Access Plan that supports the right of all residents to communicate with the City in their preferred language.

A citywide plan is important because an estimated 15.7% of Charlottesville's population speaks a language other than English at home. A citywide plan will:

- allow people with limited English language proficiency to make use of City services
- show the City's commitment to serving all members of the public
- act as a citywide policy to support all staff in meeting the City's commitment to providing meaningful access to all residents
- support Title VI of the Civil Rights Act of 1964

This recommendation is guided by City commitments to:

- make electronic communication accessible to all members of the public
- work to make City services accessible to everyone
- ensure that residents have access to information about their rights and resources

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Mary Bauer, Chair, Human Rights Commission

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Date

The Commission is guided by the Charlottesville Human Rights Ordinance: City code Article XV. Sec. 2-433.

\*What we mean by Plain Language: We will use clear, simple language to describe our work. We believe that understanding the work of government is a basic human right.



DRAFT

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# Charlottesville Human Rights Commission

## Language Access Plan

We commit to being a strong advocate for human and civil rights.

The Human Rights Commission recommends the development and use of a citywide Language Access Plan that will allow all residents to communicate with the City in their preferred language.

A citywide Language Access Plan will:



support all residents in making use of City services



show City commitment to serving all members of the public.



act as a citywide policy to support all staff in giving meaningful service to all residents.

Resolution HR21-1  
Language Access Plan



# Charlottesville Human Rights Commission

## Plan de acceso lingüístico

Nos comprometemos a ser un firme defensor de los derechos humanos y civiles.

La Comisión de Derechos Humanos recomienda el desarrollo y uso de un Plan de Acceso al Idioma en toda la ciudad que permitirá a todos los residentes comunicarse con la Ciudad en su idioma preferido.

Un plan de acceso al idioma en toda la ciudad:



Apoyar a todos los residentes en el uso de los servicios de la ciudad.



demuestre el compromiso de la Ciudad de servir a todos los miembros del público.



actuar como una política de toda la ciudad para ayudar a todo el personal a brindar un servicio significativo a todos los residentes.

Resolución HR21-1  
Plan de acceso lingüístico