



## HUMAN RIGHTS COMMISSION

### MEETING MINUTES

**Monday July 25, 2011  
REGULAR MEETING  
City Hall Council Chambers & Room 1027  
First Floor, 301 W. Second Street, Austin, TX 78701**

Chair Judy Cortez called the Board Meeting to order at 5:31 p.m.

#### Commission Members in Attendance:

Judy Cortez – Chair  
Tom Davis – Vice Chair  
DeWayne Lofton  
Delia Meyer  
Paul Rhea  
L. George Reynolds

#### Human Resources Staff Present:

Yamile M. Ortiz, EE/FHO Staff Liaison  
Tony Robertson, EE/FHO Executive Liaison

### **1. APPROVAL OF MINUTES**

The minutes from the meeting of May 23, 2011 and June 27, 2011 were approved - Commissioner Reynolds motion, Commissioner Meyer second on a 6-0 vote.

### **2. CITIZENS COMMUNICATIONS**

None

### **3. NEW BUSINESS**

- a. Regarding an anonymous letter of concern referencing allegations of discrimination against the City of Austin Parks and Recreation Department.

Susana Almanza: Executive Director from PODER [People Organized in Defense of Earth and her Resources]. Ms. Almanza received an anonymous letter requesting her assistance in correcting discriminatory actions against minorities in the Austin Parks and Recreation Department. Ms. Almanza forwarded it to the Human Rights Commission – Chair Judy Cortez and read the letter to the Commissioners and the public.

After Ms. Almanza read the anonymous letter she expressed that this letter has serious concerns and that she also forwarded this letter to the City Council Member, Mike Martinez and Assistant City Manager, Bert Lumbreras. She also mentioned that Mr. Lumbreras call her on Friday July 22, 2011 to let her know that his office is looking to resolve this situation with Mr. Washington – Director of the Human Resources Department.

Commissioner Cortez stated that the Human Rights Commission takes this situation seriously and the Commission has the obligation to address any citizens' complaints because they are very important. Commissioner Cortez asked Mr. Mark Washington how the Human Resources Department was addressing this situation.

Mr. Washington stated that the department takes all complaints seriously and confirmed that he received the letter and they are reviewing the course of disciplinary actions, the type of performance improvement plan to see if there are any disparate treatments in the department. Mr. Washington added, because it is a personnel matter and because of the nature of the case, he could not talk about it at this time. Mr. Washington said that he will bring an update of the findings to the next HRC meeting.

Commissioner Davis asked how the city binding document works. Mr. Robertson the Administrator for the Equal Employment Fair Housing Office responded that once an employee signs a binding contract document, this individual honors that contract. Mr. Washington explained that any type of agreement is mutual like in this case separation agreements are mutual.

Commissioner Cortez said that she contacted Mr. Madani as the letter indicated he is a former employee who already retired from the Parks and Recreation Department and he stated to Commissioner Cortez that he also left the company because of the same reason of discrimination issues.

Mr. Washington stated that each City Department has their own Human Resources Manager and in this case he is working diligently with Mr. Rick Ramirez from the Parks and Recreation Department and the Employee Relations Manager, Mr. Jeff Burton addressing and dealing with the allegations in every detail

Commissioner Davis requested the phone number for the Employee Relations office which deals with investigations. Mr. Washington gave the number: 974-3310.

Commissioner Lofton asked what the demographics in the Parks and Recreation Department are. Mr. Washington responded that three weeks ago they were working on developing diversity strategies to recruit members of the community from all diverse backgrounds. Mr. Ramirez stated that his department periodically reviews those strategies and they did not identify any deficiencies in the representation as it reflects in the community.

Commissioner Meyer asked how many employees work for the Parks and Recreation department. Mr. Ramirez responded; 580 regular full time employees and 1,100 temporary seasonal employees.

Commissioner Cortez asked what reassurance would be to prevent retaliation against minorities. Mr. Washington said that the department practice is zero tolerance to retaliation.

Commissioner Reynolds asked about the procedures against retaliation. Mr. Washington responded that there are procedures in place but he did not have them with him; he said he will bring and talk about the personnel procedures during the next meeting.

Commissioner Cortez commented that both parties had the opportunity to hear each side of the situation; she thanked Mr. Washington and the department managers for coming and keeping the Commission updated.

b. Regarding the State Senate Bill 9 resolution relating to the Sanctuary Cities.

Commissioner Cortez requested the Commissioners to pass and vote for the resolution. Before voting, Commissioner Lofton had inquires about passing this resolution; he questioned what the Human Rights Commission is trying to achieve passing this resolution? He commented that the Commission needs to maintain relevant.

Commissioner Rhea explained and talked about the discrimination issues on race and immigrants. He said that even though the legislation did not pass, the Commission is standing up to pass this resolution.

Commissioner Cortez commented that they generated policies, recommendations to the City Council Members to pass this resolution even though it is considered as a symbolic gesture; the commission stands by it.

Commissioner Reynolds spoke about reviewing the duties of the Commission in the City Ordinance. He said that the Commission has other duties and they need to get along with each other.

Commissioner Cortez asked if any one has other questions or inquires about passing the resolution. Commissioners agreed to vote and approved the resolution, Commissioner Davis motion, Commissioner Rhea second on a 7-0 vote.

At 6:10 pm Commissioner Cortez invited the public to move to room 1027 for a Non Voting Work Session.

#### **4. OLD BUSINESS**

For discussion and possible action:

a. Update on working Committees responsible for the 2011 International Association of Official Human Rights Agency (IAOHRA) - Conference in Austin.

Mr. Robertson showed the Commissioners the IAOHRA name tag for the conference and he presented the final and complete conference agenda.

Mr. Robertson handed out the minutes of the last conference planning meeting of July 6, 2011. He reviewed and shared that transportation and security arrangements have been finalized. Mr. Robertson confirmed that the IT support group will sponsor a cyber café with 6 laptops available. He mentioned about the promo bags with gifts inside there are plenty of bags to give away during the conference.

Mr. Robertson mentioned about the LBJ Night, Monday event from 6:30 pm to 9:00 pm. Sponsored by the National Association of Realtors. He explained that the event is called the East End & Walk Jazz – New Orleans style.

b. Update on the Annual Work Plan and its priority value.

Tabled.

c. Whether Archived videos of the Human Rights Commission meetings should be made available to the public on demand as are videos of many other citizen board and commission meetings.

Commissioner Reynolds commented that the Human Rights Commission monthly meeting is not available to the public on demand. Carla Scales said that she will talk to Channel 6 and will bring an update during the next meeting.

d. Updates and revisions of the Human Rights Commission website to make it more understandable and accessible to the public.

[http://www.ci.austin.tx.us/cityclerk/boards\\_commissions/boards/bid33.htm](http://www.ci.austin.tx.us/cityclerk/boards_commissions/boards/bid33.htm);

Commissioner Reynolds handed out actual information and added suggestions for changes of the Austin Human Rights Commission's website with the History and Mission Statement, General Duties, Protecting Individuals against unlawful Employment, Housing, Public Accommodations, and Living with HIV or Aids Discrimination for the Commissioners to review and bring their comments for the next meeting.

## 5. STAFF BRIEFINGS

- Equal Employment Fair Housing Office (EE/FHO) Updates by Tony Robertson, Administrator.
  - Mr. Robertson informed the Housing Contract was completed on July 31, 2011. The Employment contract will end by September 30, 2011.
  - Mr. Robertson talked about the Community Meet and Greet event of July 16, 2011, it was successful, and it brought more clients to the EE/FH office.
  - Mr. Robertson appeared in the YNN Channel News and Channel 6 promoting the event, same as Enrique Serrano who appeared in Univision Spanish Channel.

## 6. FUTURE AGENDA ITEMS

- Discussion of possible agenda items for the next regular HRC meeting.
  - Commissioners will discuss items noted in the New Business section: a - Allegations of Discrimination. Old Business section: a - IAOHRA / Conference in Austin; c – Human Rights Commission Videos available to the public on demand; d - Human Rights Commission Website

## ADJOURN

Chair Judy Cortez adjourned the meeting at 7:05 pm without objection.