



HUMAN RIGHTS COMMISSION

MEETING MINUTES

REGULAR MEETING

Monday, October 28, 2013

**5:30 – 8:00 pm in City Hall Council Chambers
301 W. Second Street, Austin, TX 78701**

Chair Paul Rhea called the Commission Meeting to order at 5:36 p.m.

Commission Members in Attendance:

Paul Rhea, Chair

Elizabeth Brenner

Sara Clark

Judy Cortez

DeWayne Lofton

Jonathan Luu

Human Resources Department Staff Present:

Joya Hayes, Assistant Director, Human Resources

Jonathan Babiak, Administrator, Equal Employment/Fair Housing Office (EE/FHO)

Rose Xavier, EE/FHO Staff Liaison

1. CITIZENS' COMMUNICATION

- a. Angelica Noyola, citizen, spoke on the Urban Farms Ordinance and believes this is a human rights issue. Ms. Noyola believes that an individual's right to a healthy home environment is being threatened by current urban farms due to slaughtering of animals in residential areas.
- b. Susanna Almanza, citizen and Co-Director of People Organized for the Defense of Earth and her Resources (PODER), spoke on the Urban Farms Ordinance. Ms. Almanza requested that the HRC put the item on their future docket to review as a human rights violation.
- c. Daniel Llanes, citizen, PODER member, and chair of the Govalle/Johnston Terrace Neighborhood Contact Team, spoke on the Urban Farms Ordinance. Mr. Llanes believes the current ordinance needs to be amended to remove residential zoning, leaving urban farms only in commercially zoned areas.

2. APPROVAL OF MINUTES

The minutes of the September 23, 2013 regular meeting were approved on a 6-0 vote; Commissioner Cortez motion, Commissioner Brenner seconded.

3. ANNOUNCEMENTS

There were no announcements.

4. OLD BUSINESS

- a. Discussion of possible recommendations to the City Council related to the presentation by Nelson Linder, President, NAACP, Austin Branch, and resolutions proposed by Mr. Linder related to economic disparities in Austin's African American Communities, Austin Police Department policies and programs that may disparately impact African Americans including use of force and deadly force policies, and additional oversight over the Austin Police Department by City Council.
 - i. Resolution recommending the City Council to direct the City Manager to direct the Austin Police Department to adopt changes in their policies and procedures was approved on a 5-1 vote. Commissioner Lofton motion, Commissioner Luu second. Commissioners Lofton, Luu, Rhea, Brenner and Clark voted for approval. Commissioner Cortez voted against the resolution.
 - ii. Mr. Linder requested the Commission to make a recommendation regarding the use of force specifically against African Americans. The resolution was not approved by a 3-2 vote. Commissioner Brenner motion, Commissioner Lofton seconded. Commissioners Lofton, Rhea and Brenner voted for approval. Commissioners Clark, Cortez and Luu abstained.
 - iii. It was recommended that Mr. Linder's request would be tabled until the November meeting, allowing for further discussion and understanding.
- b. Discussion and possible action on a request for the Commission to become a sponsor of the Transgender Day of Remembrance 2013 on November 20, 2013 at 7 p.m. at City Hall.
 - i. Beverly West, City of Austin Attorneys' Office, discussed the City's interpretation of the bylaws and the Code. Ms. West stated that the City Attorneys' Office is not to provide legal advice to the Commission on policies or recommendations but rather supports the Commission and provides an interpretation of the Commission's authority under the City charter and code.

- ii. The City Attorney's Office interpretation is that the sponsorship is limited to events that the Commission initiates and is involved in the creation, planning and execution of the program or event. Lending the Commission's name, which includes lending the name of the City of Austin, has to be approved by the Austin City Council.
- iii. Under the interpretation by the City Attorney's Office, the Commission can request the City Council to approve the lending of the Commission name to the Transgender Day of Remembrance event. Also, the Commission could initiate, plan and coordinate their own event to commemorate transgender individuals.
- iv. Vote for the Commission to request Council approval to sponsor the Transgender Day of Remembrance was approved, 4-2. Commissioner Brenner motion, Commissioner Luu seconded. Commissioners Brenner, Rhea Cortez and Luu voted for adoption. Commissioners Lofton and Clark voted against.

4. NEW BUSINESS

- a. Election of officers for FY 2013 – 14; Paul Rhea was elected Chair and Jonathan Luu was elected Vice Chair, both by unanimous vote.

5. STATUS OF GOALS AND OBJECTIVES

- a. The status of the Commission's goals and objectives for 2013.
 - i. The Commission will set up a date in November and facilitate community discussion discrimination.

6. STAFF BRIEFING

- a. The EE/FHO has completed its 2013 contract with EEOC and completed 135 resolutions and 148 intakes which results in approximately \$85,000 in revenue

7. FUTURE AGENDA ITEMS

- a. Discussion on APD Training with regard to racial profiling, use of force, and discipline.
- b. Training on the overview of the complaint process from EE/FHO staff.
- c. Discussion of the Youth Unlimited Program.
- d. Discussion of Urban Farms Ordinance
- e. Vote on 2014 schedule

8. ANNOUNCEMENTS

ADJOURN

The meeting was adjourned at 9:00 pm without objection.