

ALEXANDRIA HUMAN RIGHTS COMMISSION
MINUTES OF THE MEETING OF TUESDAY, OCTOBER 15, 2019
7:00 p.m., City Hall
301 King Street, Room 2000
The Chet and Sabra Avery Room

Members Present

Danielle Beach
Amy Blackwood, Vice Chair
Francisco Durán, Chair
Damien Hammond, Sr
Matt Harris, Vice Chair
David Rigsby

Staff Present

Jean Kelleher
Miladis Martinez Gutierrez

Excused Members

Christopher Harris
Susan Kellom
Scott Schwartz

Un-Excused Member

Michael Kreps

Guests:

Alex Howe, Landlord and Tenant Relations Bd
Barbara Wilmer, Grassroots Alexandria

1. Call to Order/Introductions by Chair, Francisco Durán

Chair Durán called the meeting to order at 7:10p.m. Introductions were made. Chair Durán welcomed Alex Howe back and asked him to share his status about becoming official. Alex Howe stated that he is the liaison from the Landlord and Tenant Relations Board and said that his application is sort of in limbo from getting it officially into the City Clerk Office and getting it to City Council's docket.

2. Approval of Minutes of September Meeting

Upon a motion by Commissioner Vice Chair Harris, seconded by Commissioner Beach, the Commission approved the minutes of the September meeting. All Commissioners present voted aye.

3. Executive Committee Report

Director Kelleher stated that the Executive Committee met last Monday and said that Dr. Goodman Okpara from the Office of Housing joined them to talk about their plans for the Fair Housing testing coming up. She said that the Executive Committee approved the basis of what is going to be tested. The Housing Department is going forward in making their plans, and hired the testers, and the testing starts after the first of the year.

Director Kelleher stated that she has confirmation from Joanna Anderson, City Attorney, that she will be coming to the November Meeting. She said that she had told her that the Commission would like to meet her and to talk about constrains on the Human Rights Commission, everything from the Dillon Rule to what kind of things the Commission can and can't do. Director Kelleher also said that she has been talking to Ms. Anderson about the whole issue of the cases that are before the Supreme Court and how the Commission is not sure how that is

going to go, whether the Supreme Court will conclude that gender includes all these other particular categories. She said that Ms. Anderson and she have been talking about whether the Commission should go ahead and advocate to add gender identity to our code, we have a Dillon Rule problem with that. Director Kelleher stated that she thinks we should be ready to expand our local code, even though we know there is a problem.

Director Kelleher stated that also on November 19th there is a very challenging complainant who filed a claim against a church for basically kicking him out. Director Kelleher said that she issued a determination saying we lack jurisdiction because there is a specific exemption for bonified religious institutions in public accommodations. The complainant is not happy, and he wants to come to the Commission, he wants a hearing before the Commission, but there is no right of appeal, there is no hearing to be held. She explained to him that this is a public meeting and he certainly may be at the meeting and talk to the Commission for three minutes. He now wants an accommodation for the November meeting and wants to participate via telephone.

Director Kelleher stated that she had talked to the Chief of Police about ride-alongs for November. The Chief of Police asked to receive the names and email of the Commissioners who would like to participate in ride-alongs. The following Commissioners would like to do the ride-alongs: Commissioner Hammond, Jr., Vice Chair Blackwood, Commissioner Rigsby, Vice Chair Harris, Commissioner Beach and Chair Durán. Director Kelleher will send an email out to the Commissioner that were not present. The Chief of Police will contact all the commissioners individually to set up the ride-alongs.

4. Human Rights Campaign Municipal Equality Index

Director Kelleher distributed a hand out with information on the Human Rights Campaign Municipal Equality Index scores. She asked Commissioners to focus on first section, because that is where the Dillon Rule issue is; if you see the scoring we can only get half credit because we have sexual orientation in our code, and not gender identity, and those are the two that the Human Rights Campaign focuses on and they are really focusing on the needs and the rights of the transgender community. She said that she has given them all of her arguments about how we assert jurisdiction, and asked them for credit in the employment context. Director Kelleher said that the City provides excellent services and preserves the rights of everyone, but that is not a persuasive argument to them.

She said that we should be able to hit 100. She also stated that the City is working on getting the score increased, and one of the main ways that the City did that, was to offer trans health benefits to City employees, so the city was able to get 6 points for that. She stated that she has been working with other City Departments on all of the bonus areas, because the City does provide services in all these categories, and right now the City is only getting bonus points on the HIV/AIDS category. Even though the City provides services to Senior Citizens, Youth, and the Mayor has a bullying campaign, he needs to put some specific language in that, in order to get the points. Director Kelleher stated that she will provide the Commission with some more information as soon as she can release the new score card.

She asked Commissioners to be thinking about ways in which we can either collaborate with service providers or think of other ways that we can reach out and support trans members in the

community. She stated that the City is doing so much, but she doesn't think we are getting credit because the HRC staff that works on this MEI (Municipal Equality Index) really bases the scoring on what can be gleaned from the City's website, and so the fact that the City doesn't have everything we do for them to discover, always puts the burden back on her to do all the arguments. She asked the Commission to put the first section in the context of having the City Attorney at the November meeting, wanting to change our state law to expand it, and also maybe taking the lead and making a change to our local code, even though we know there is a Dillon Rule issue. Director Kelleher stated that in past years the City's score in 2013 was only 72 and then they got the score up, but then the criteria changed, and the scoring changed, so the score dropped from 88 to 82 in 2017 and it remained 82, but now we are back up to 90.

Vice Chair Blackwood stated that Whitman-Walker conducts Gender Marker Change Clinics every quarter; where basically attorneys help people, who are looking to obtaining gender marker changes for people who reside in Virginia, Maryland and DC. Commissioner Beach suggested inviting someone from Whitman-Walker.

5. Equity Initiative Update and Next Steps

Director Kelleher stated that the hiring for the Equity Officer is moving along and said that interviews are being conducted on October 29, 2019. She said that there is going to be a community panel that is being put together for early November, so they are hoping to have this person committed by the end of November. Chair Durán asked if a Commission member can be on the community panel. Director Kelleher said that she will check, because she is going to be on the panel and said that Commissioner Chris Harris will be on the panel from NAACP and he could represent the Commission as well.

Director Kelleher stated that the equity work group brief City Council on September 24, 2019.

6. Old & New Business

Outreach at NVCC September 28

Vice Chair Blackwood reported that the outreach event at Northern Virginia Community College was fun and distributed a lot of information. She stated that we shared a table with the EEOC, the Sexual Assault Center and the Domestic Violence initiative. Vice Chair Blackwood requested budget funding for purchasing giveaways to hand out at outreach events.

Intakes 1st Q FY2020

Director Kelleher stated that the intakes were up during the first quarter of the City fiscal year. She also provided a list of the number of cases that were closed in the last quarter of the federal fiscal year.

Equal Justice Initiative

Director Kelleher stated the first Public Meeting was held on September 21 and the Steering Committee is meeting tomorrow. She said that they are planning a public meeting for Saturday November 16, which will be a facilitated meeting for the various committees to meet with member of the public who want to have active roles. Director Kelleher will be sending the list of the committees, the sign-up sheet and what initial meetings are scheduled.

Director Kelleher mentioned the Executive Order that the President has signed on refugees, and that the total number of refugees that the United States is committed to taking is going way down. She stated that this new executive order allows states and localities to opt out of taking refugees. Director Kelleher said that she is drafting a resolution for City Council today reaffirming support for resettling refugees in the city.

Chair Durán reported that he attended a meeting of all the Chairs and said that one of the outcomes that they hope to do is find an opportunity for the Commission to partner on events or activities for the public and they asked them to brainstorm and share one with the group. He said that the one he brainstorm was the Commission's potential April meeting that the commission has on their calendar, which is about income and equality, the amazon effect housing. He stated that Michelle Crocker was there, the Executive Director of the Northern Virginia Affordable Housing Alliance and she is very interested in helping the Commission partner with the Affordable Housing Advisory Committee and maybe thinking about a panel they can do for the Commission's April meeting. He added that each Board and Commission shared their legislative proposals and said that most of the others had very little on their legislative proposals and were impressed by how much the Human Rights Commission had in their legislative proposals.

Chair Durán also mentioned that on Monday the City celebrated Indigenous Peoples Day and said that the Commission took part in endorsing that and supporting it. Commissioner Rigsby stated that the City was in the New York Times.

Commissioner Beach stated that there was a law that was supposed to go into effect today, "the public charge." She said that there have been about twelve lawsuits, one of which was in New York. She said that this law will prevent an individual from seeking to adjust status for permanent residence (Green Card). She said that people are afraid to apply for Medicaid or benefits for their child.

7. Liaison Reports

Commissioner Hammond, Jr. stated that the HIV/AIDS Commission did not meet. Vice Chair Blackwood said that their meeting was rescheduled for October 16th. Alex Howe from Landlord and Tenant Relations Board stated that at the main point at their meeting was going over their recommendation for the 2020-2021 budget. He said that they had the following statements on the budget: Preservation for the affordable housing should be the highest priority for the City, provide substantial support for low income minority and limited English proficiency residents in Arlandria/Chirilagua, to ensure the availability for affordable housing and protect households from eviction economic displacement as Amazon kick to proceed; provide funding for legal assistance for low income households at risk of eviction through LSNV or other agencies. He stated that for their legislative recommendation, they endorsed ones from the Arlington Landlord Tenant Commission. There are two things, one was tax credit program to incentivize Landlords to accept housing choice vouchers and the other one is a proposal to basically create a State-funded rental assistant program to help low income households who are not receiving federal assistant. Because there is a big gap of people who are just outside eligibility or there is not enough housing choice voucher or other types of subsidies for people needing rent assistance. He reported that one was brought up from Melodie Seau in the Office of Housing was a very

specific one, there is an apartment building in Alexandria that to get around rent increase laws, they are basically creating made up fees, that are trying to insert those into new contracts for people who are renewing or for new residents coming in.

He also reported that there is a set of buildings that are being turned into a thirty-one-unit multifamily building, the issue is that there is a twelve-room boarding house there. None of this was mentioned before at all during the development process, when the developer went in to get the permits, so it was never brought up, until it went to City Council and the developer was asked what was going to be done with people at the boarding house; the developer said that it wasn't on the contract so it wasn't their problem. City staff at the last minute had to scrape this together to give them a lump sum to help the people living there. The oldest person that lives there is 81 years old and their rent is about \$400 dollars, so even with a generous subsidy based on how long they have lived there, it is not enough money. The City will be helping as much as they can to help relocate them.

8. Announcements /Adjournment

MOTION: adjourn the meeting.

Matt Harris/Beach **PASSED** unanimously

The meeting adjourned at 7:53 p.m.