DATE: November 21, 2019

Shantell Bingham called the meeting to order at 7:11 PM.

ROLL CALL: Shantell Bingham, Sue Lewis, Ann Smith, Ernest Chambers, Rob Woodside, Catherine Spear, Melvin Grady, Pheobe Brown, Kathryn Laughon, Lyndelle Von Schill (arrived after roll call)

Idil Aktan, Jeanette Abi-Nader, Elliot Brown, Olivia Gabbay, and Matthew Tennant contacted the Office of Human Rights to say that they would not be able to attend this evening.

*Please note, the summarized notes presented below are recorded in real time and are not concise quotes from the correlated speaker. Please review the posted audio recording for specific language. The HRC intends to get word-for-word transcript meeting notes for accessibility purposes in the future.

ANNOUNCEMENTS

1. Charlene
   a. UVA MLK Community Celebration
      i. Last two weeks of January
      ii. Charlene on planning committee
      iii. If HRC has ideas let Charlene know
         1. Could do collaborative event with UVA
         2. Could do separate event
      iv. Calendar will come out soon
      v. Key note speaker: Roxanne Gaye
         1. Will be at The Paramount
         2. Tickets are free but you have to sign up
   b. New City ADA Coordinator
      i. Charles “Beck” Grimm
      ii. Next ADA Advisory Committee meeting
         1. December 12, 10am to 11:30am
         2. Independent Resource Center

2. Shantell
   a. The School of Data Science reached out to her
   b. If we are interested in partnering with them on a “Do-a-thon” on MLK Day
   c. Asks if we have any interest in working with them

3. Kathryn
   a. School of Data Science connection was started by her
   b. They want an equity/social-justice focused hack-a-thon

4. Pheobe
   a. Husband works with big data

5. Todd
   a. Suggests affordable housing database as an idea
b. Work to be done using the City and County GIS systems
c. Work to be done creating a user interface

6. Rob
   a. Notes that GIS listings with owners that are LLCs would likely be rentals

7. Ann
   a. What is a “hack-a-thon?”

8. Kathryn
   a. This is a session where students would have access to a big database
   b. They would do an intense data analysis session
   c. OHR office data would be too small a dataset
   d. GIS systems might be on the right scale

MATTERS BY THE PUBLIC (Include names of people who spoke and their concern or comment)

None.

COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

None.

REVIEW OF PREVIOUS MEETING MINUTES

- Motion to accept (Commissioner name): Pheobe Brown
- Seconded by (Commissioner name): Kathryn Laughon
- Discussion
  - Ann
    - Noted a couple of typos
    - Will let Todd know
- Vote Record
  - # In favor: 5
  - # Opposed: 0
  - # Abstained: 4 (were not present at last meeting)

BUSSINESS MATTERS

   a. Shantell
      i. Introduced Jordy as a Jefferson School African American Heritage Center Fellow
      ii. Doing research on racial covenants in Charlottesville
      iii. Notes that Jordy presented to City Council this past Monday
          1. Regarding how segregation has become institutionalized in City policy
      iv. Rob Woodside saw Jordy at a conference and invited him to present to the HRC
   b. Jordy
      i. Has been looking at inequities in Charlottesville as a journalist since 2013
      ii. Racial disparity was the primary axis for disparities in Charlottesville
      iii. City studies are the source of a lot of supporting data
          1. Youth and adult disparate minority contact with police
          2. Stop and frisk rates
3. Interactions with police, judges, and district 9 courts
   iv. Shown to be true across multiple sectors
      1. Public education
      2. Health care
         a. Hypertension and diabetes
         b. Infant mortality rates
         c. Life expectancy
         d. Patient hospitalization
   3. Economy
      a. Still only 2% of City contracts going to minority-owned businesses
      b. Wealth disparities
         i. White families median net worth = $171K
         ii. Black families median net worth = $17K (10% of white wealth)
   v. Why and how does this happen?
      1. Charlottesville portrays itself as a wealthy community
      2. But the reality of poverty lives side-by-side with wealth
   vi. Orange Dot Report examines this from a self-sufficiency perspective
      1. Ridge Schuyler has authored three of these reports
      2. The report explores the actual costs of living in Charlottesville
      3. Cites Harvard economist Raj Chetty
         a. Examines income mobility – the chance of moving from poverty to wealth
         b. Studied of 2,885 municipalities of similar size (including Charlottesville)
            i. Charlottesville ranked 2,700
         c. Opportunity Atlas takes census data nationally and analyzed the same
            i. Created tract maps of a variety of census data
            ii. Gives texture to the idea that the environment in which one lives is
                the predictor of life outcomes
            iii. In Charlottesville the atlas shows the dramatic differences in median
                 income can change within very short distances
   vii. How do the findings correlate to race?
      1. Looking back at property records is one way to explore this question
         a. 1818 plotting of Charlottesville downtown area
            i. Main St. and Water St. areas were primarily owned by African
               Americans – notes that this is not a well-known or celebrated
               historical fact
               1. Jordy is on the Historic Resources Committee and working to
                  change that
         b. 1875
            i. The majority of the county was plantation up until the Civil War
            ii. After the Civil War Charlottesville starts to urbanize downtown
            iii. The rural landscapes get turned into neighborhoods
            iv. The City begins to annex County property
         c. 1897
            i. Locust Grove was one of the earliest neighborhoods
               1. Deeds attached that say “no sale or ownership by Negros”
               2. This applied to 140 properties
a. Current overlay of City properties mostly matches the 1897 map

d. 1912
   i. City passes an ordinance saying if you are white and live on a majority white block, you cannot sell to a black family
      1. The mayor vetoes the ordinance
         a. He was a white owner of property in black neighborhoods and was concerned about hurting his own bottom line
         b. Council overrode the veto and passed the ordinance

e. 1917
   i. Supreme Court ruled that ordinances like this were unconstitutional
   ii. Other municipalities in other states had similar ordinances

f. 1915
   i. Meadowbrook Hills neighborhood established (near Barracks Road)
   ii. All deeds included the clause that “lot shall not be sold to any person not of Caucasian race.”

h. There is a difference between restrictive covenants in deeds and the zoning ordinance that the City had passed
   i. The zoning ordinance was overthrown by the Supreme Court in 1917
   ii. The restrictive covenants were not stopped until the 1968 Fair Housing Act
   iii. The deeds also had other specifications about what the neighborhood should look like which also pre-determined who might be able to live there: those who can afford and are white
      1. The house should be no closer than 50 feet to the road
      2. No structure valued at less than $2,000 can be built
   iv. Many of these covenants get adopted into zoning practices
   v. By 1968, the only real difference between the zoning and the deeds was the racial exclusion language
   vi. After 1968, explicit racial exclusion language prohibited by the Fair Housing Act, but covert racism continues.

2. Working with Heritage Center to examine how segregation continues after 1968
   a. Minneapolis is one of the first Cities to try to dismantle this system
      i. Heritage Center is exploring their model
   b. Looking at property records from City and County (from 1888 to 1968)
i. Have 152K pages of records from City
ii. Have 150K pages of records from County

- c. 95K pages have been digitized
- d. Using Optical Character Recognition technology to search for terms that pertain to discrimination
- e. Can also use the information to create a red-lining map

3. Other Cities are mapping like this
   a. Washington DC is 3 years into their own process
      i. In DC lawyers were also challenging the covenants during the era, so there is a story to be told about that resistance
   b. Minneapolis project is oldest
      i. Called “Mapping Prejudice”
      ii. They have a team that has mapped the whole city
      iii. They are now mapping the suburbs
      iv. They are using what they have learned to influence policy
         1. Example: put $50 million toward affordable housing

4. In Charlottesville, it is a smaller area, this project can dig deeper
   a. Can look at other aspects of infrastructure
      i. Water lines and sewer lines
   b. Denial of water is also a predictor of health outcomes
   c. Restriction of utilities influences the value of property and thereby the wealth of the owners
      i. Intentional investment in white neighborhoods
         1. Property values and owner wealth increases
      ii. Intentional neglect of black neighborhoods
         1. Property values and owner wealth decreases
         2. Kelly Town is an example of a black neighborhood that was denied water access
   d. This information can be considered in the current comprehensive plan and zoning dialogue in Charlottesville

5. 2015 HUD Rule from Federal Register
   a. “The Fair Housing Act not only prohibits discrimination but in conjunction with other statutes directs HUD’s program participants to take significant actions to overcome historic patterns of segregation, achieve truly balanced and integrated living patterns, promote fair housing choice, and foster inclusive communities that are free from discrimination.”
   b. It is not enough to do no harm. If you accept money from HUD you should be actively working to undo harmful legacies.
   c. It is not clear that in Charlottesville this has been a priority.

viii. The Mapping Cville Project
1. Two goals
   a. Catalog the data and apply it to future policies
   b. Use the process of cataloging the data as a learning opportunity for students
      i. Coding
      ii. GIS mapping
      iii. Reading government records
2. Finished product will be on display at the Heritage Center  
   a. Interactive digital display  
3. Also presenting this information to students as part of tours  
4. Using a crowd-sourced method to help catalog records  
   a. Using Zooniverse software  
   b. Users can read the deed, search for answers to key questions and enter data  
   c. Data then becomes part of the catalog and mapping project  
   d. Can then tell the stories that emerge  
5. Because the historical platting and current GIS parcel data are most often the same, the data can be overlaid onto current GIS maps  
   a. There are a few places where properties have been consolidated  
   b. There are no properties that have been further subdivided  
6. Heritage Center is offering trainings on data entry  
   a. Presenting to various community organizations  
   b. Seeking people to help with the process  

c. Group discussion  
   i. Melvin  
      1. Shares that his father sold the family home on Charlton Avenue after his mother passed  
      2. The zoning is now mixed use in that area  
      3. A developer bought the property  
      4. The developer knocked down the home and build a commercial building  
      5. The developer had the right to do it  
         a. Jordy  
            i. Notes that developers have the right based on current zoning  
            ii. Suggests that just because they can doesn’t mean they should without thinking through the historical context  
   ii. Sue  
      1. Notes that the City needs to sort out the land use maps before they can improve zoning  
   iii. Charlene  
      1. Asks how the reception has been for presentations to community groups  
         a. Jordy  
            i. Reception has been positive  
            ii. Spoken to 15 to 20 groups  
            iii. Most limitations are around the technology and people’s time to contribute  
            iv. No negative responses in terms of moral opposition  
            v. Is speaking to communities where this is still playing out  
               1. Racism is not overt but the segregation is still happening because people cannot afford to live there  
               vi. He would like to see the groups he is speaking to offer thoughts on how they could change the dynamic in their neighborhoods  
   iv. Ernest  
      1. The communities where African American churches exist may be adjacent to affected communities
2. The congregants may not actually be residents of the community where their church is located
3. This makes advocacy difficult
   a. Jordy
      i. Lorenzo Dickerson has been working with several of the local churches to capture the local history
      ii. Notes that since Vinegar Hill, and the break-up of the African American community, the churches are no longer at the geographical nexus of the communities where the congregants live
   v. Ann
      1. Notes that these types of projects seem to involve the same group of people in their creation and execution
      2. Asks how can the Jefferson Center involve new and other community members
         a. Jordy
            i. Notes that Dr. Douglas’ ability to do outreach is limited by her role in keeping the Heritage Center running
            ii. She leans on people like Jordy and others to help make those new connections, and he is doing that
            iii. He notes that not everyone comes to the table when invited but that the invitation is important
      3. Notes that her daughter rented a small house on Page Street a few years ago but the demographics have changed drastically since then
         a. Charlene
            i. Was recently in a meeting about a survey that NDS is trying to do in the 10th and Page neighborhood
            ii. NDS is finding it difficult to convince people that it is important to participate
            iii. About 2/3 of homes in the area are owned by people who don’t live there
            iv. NDS has to think about what stake the renters have in participating in the survey, since they don’t own the home
            v. The owners have to consider what will happen to their property values if they participate in the survey
            vi. The neighborhood is changing significantly
            vii. In the traditional African American neighborhoods in the city
               1. Challenge is to find balance
                  a. Development and gentrification
                  b. Flavor of neighborhood and comfort levels
   vi. Jordy
      1. Notes that Jeremy Caplan owns many properties
         a. Ann
            i. That is who my daughter rented from
            ii. She had a very positive experience
      2. Mr. Caplan doesn’t live in the area either, so that might also influence the 2/3 stat
   vii. Edith Goode (member of the public)
      1. Asks about the reaction from the business community to the Mapping Cville project
a. Jordy
   i. Has not approached that sector yet, but planning to
      1. Chamber of Commerce
      2. Insurance companies
      3. Developers

viii. Lyndele
   1. Asks about factoring in the topography of the land in the mapping
   2. Notes that the Virtual Vinegar Hill considered elevation as it thought about why the
      African American population was restricted to that area
      a. It was a low-lying, flood-prone area

ix. Jordy
   1. Notes the origin of Pantops
      a. Slave owners would position themselves at the top of the landscape to have
         a better view of the land
      b. The Pantops area was owned by Thomas Jefferson
   2. Notes the effects of elevation on Westhaven
      a. Prone to flooding and mold issues

x. Rob
   1. Notes that, east of the Rockies, the eastern parts of cities tend to be the least valued
      because of drainage and land quality
   2. The same is true on the western side of the Rockies but in reverse

xi. Pheobe
   1. Notes that restrictive covenants are still in use
   2. Worked with Habitat for Humanity
   3. Saw a restrictive covenant with one affiliate
      a. After 99 years, the home reverted back to the affiliate and not to the
         homeowner
      b. Was able to rectify with legal process
      c. Notes that the affiliate who wrote it was not educated and may not have
         done it intentionally, but wonders how often this happens
      d. The cost is high to fix these
   4. Is the Mapping Cville project looking at current deeds for restrictive covenants?
      a. Jordy
         i. They have the capacity to do it
         ii. The work is focusing on deeds before 1968 at present
         iii. Notes that Kathy Galvin brought up the ADU ordinance
            1. Accessory Dwelling Units
            2. People have written in restrictive covenants in ADU deeds
            3. While it does not cost much to put in restrictions it costs a lot
               to remove them
         iv. Hopes that other groups might pick up the work beyond 1968

xii. Shantell
   1. Does the project include UVA properties?
      a. Jordy
         i. Yes, very much, though nothing comprehensive has been done yet
         ii. Things that have emerged so far
1. UVA as a property owner was restrictive until Gregory Swanson integrated UVA in 1950.
2. UVA also served as a bank that provided exclusive loans to white property owners.
   iii. Dr. Douglas is the Co-Chair of the UVA Commission on the Age of Segregation.
      1. Looking at UVA’s role also in the county.
      2. Looking at how private landowners in the county were also involved as professors or other staff at UVA.
      3. What roles did they play in the community and how did that affect segregation?

xiii. Charlene
   1. Louis Nelson did a presentation.
   2. Noted that UVA distributed land on ground to different professors.
   3. This land was both for residence and food production.
      a. Jordy
         i. This points to the idea that UVA was a miniature plantation.

xiv. Melvin
   1. Notes that Jeremy Caplan is a good landlord.
      a. Rents to people of color.
      b. Understands the environment.
      c. Does not raise rents.
      d. Is a model for other landlords.

xv. Jordy
   1. Invites HRC to database training Saturday from 10am to 2pm at Heritage Center.
   2. Twelve 15-minute sessions.
   3. Refreshments provided.
   4. Tanisha Hudson will also be premiering her film that evening.

xvi. Shantell
   1. Would this be a good project for the Data Science Center?
      a. Jordy
         i. Suggests that perhaps they could pick up a more contemporary piece.
         ii. Mapping Cville is focusing on really engaging students and residents in the process for the opportunity for learning.
         iii. Not necessarily trying to rush to get it done.

2. Chair update
   a. Shantell
      i. Susi’s resignation.
         1. She sent in an email to announce.
         2. HRC needs to accept her resignation.
         3. HRC membership numbers are high enough that they will not fall below the requirement.
         4. Acknowledges that Susi brought a valuable perspective to the HRC as a woman living with a disability.
            a. Ann
               i. Was shocked to see the resignation and will miss her.
ii. Susi brought a very valuable perspective
iii. She encouraged us to take our time to ensure people are heard
iv. She would rather Susi would not leave the HRC but respects her choice

b. Pheobe
i. Suggests a letter to Susi accepting her resignation but thanking her for her valuable service
ii. Also welcome her to share her perspective

c. Sue
i. Can accept with regrets and appreciation for service

d. Catherine
i. Asks if Commissioners are we still saying who we are when speaking
   1. General response
      a. Yes
   2. Rob
      a. Makes transcription easier
   3. Shantell
      a. Likes the practice
      b. Wants to continue in case someone else who is deaf joins the HRC

e. Charlene
i. Notes that there was a motion on the floor to write the letter

f. MOTION (duplicate as needed for other motions)
   i. Motion being considered: Motion to write a letter from the HRC to Susi Wilbur accepting her resignation with regrets and appreciation for her service.
   ii. Motion to accept (Commissioner name): Pheobe
   iii. Seconded by (Commissioner name): Lyndele
   iv. Discussion
      1. None.
   v. Vote Record:
      1. # In favor: 10
      2. # Opposed: 0
      3. # Abstained: 0
   vi. Shantell will write the letter

vii. Rob
1. Asks if there was any specific reason presented for Susi’s resignation
   a. Charlene
      i. She had other life responsibilities
      ii. Wants to stay involved in things that are of high priority to her like the ADA work

ii. Email from Sarah Pool
   1. Shantell
      a. Sent a response
         i. Ms. Pool has not yet responded
b. Asks if everyone has seen the email from Ms. Pool

2. Sue
   a. Asks Shantell to summarize the issue
      i. Shantell
         1. She submitted concerns to the City Manager’s Office
         2. Did not feel the City responded to her promptly and efficiently
         3. Felt she was being treated unfairly
         4. She tried other routes to submit a complaint and was not happy with the response
         5. She then reached out to HRC
            a. Asked HRC potentially to encourage the City Manager to better handle complaints from people with disabilities
         6. The first time she sent the email it did not reach everyone on the HRC and it was subsequently forwarded
         7. In her response, Shantell...
            a. Empathized with Ms. Pool’s concerns as a blind woman
            b. Offered to support her as much as the HRC is able
            c. Noted that the HRC has no other tools other than supporting Ms. Pool’s filing with the Department of Justice
         8. Shantell notes that, at this point, Ms. Pool has pursued all avenues and now it is a grievance with the support she received from the City

ii. Charlene
   1. There have been other people who have come to the OHR after having filed complaints with other agencies
   2. They come to the OHR because...
      a. The respondent is failing to comply with the agency’s ruling
      b. The agency is not enforcing its ruling
   3. They come to the OHR and ask if we can enforce
   4. Per City Attorney
      a. The OHR cannot enforce another agency’s decision
   5. Part of Ms. Pool’s request was that the OHR make the City comply with the DOJ’s findings
   6. We recommend that they follow up with the agency that presented the initial finding
      a. The complainant could refile or ask what the best response should be
      b. The OHR can help the complainant figure out who they should talk to
      c. The OHR has no jurisdiction over another agency’s finding
         i. This is part of Ms. Pool’s and others’ frustrations
7. Ms. Pool is also frustrated with the response from the City Manager’s Office

iii. Ann
   1. Asks if her issue has to do with housing

iv. Charlene
   1. No it has to do with ADA compliance on construction sites
   2. The City is responsible for shutting down construction until they are compliant

v. Shantell
   1. Asks for Charlene for clarification
      a. Understood Ms. Pool to be asking the HRC to encourage the City Manager to treat people with respect, as she felt intimidated by him

vi. Charlene
   1. Notes that it would be up to the HRC to decide how to respond to that particular request

vii. Shantell
   1. HRC could submit a letter to the City Manager
      a. Encourage a prompt response
      b. Encourage treating people with disabilities better
         i. Even if the impact was unintentional, it affected this citizen negatively

viii. Ann
   1. Concern about sending a letter to the City Manager
      a. We were not in the conversation with the City Manager
      b. We are only hearing her side of the conversation
      c. Would be unfair to the City Manager
      d. We would be advocating with incomplete information

ix. Kathryn
   1. Asks which City Manager Ms. Pool is speaking about

x. Charlene
   1. Dr. Richardson

xi. Lyndele
   1. Suggests alerting the City Manager that a citizen has felt disrespected
   2. The HRC would not necessarily be saying the Dr. Richardson was disrespectful but that the HRC received a report and we felt it important to share that with him

xii. Charlene
   1. Dr. Richardson has already received a note from Ms. Pool regarding her displeasure with his response
   2. He is aware of her response

xiii. Sue
   1. An citizen complaint against City staff should go to City Council
2. The HRC is not responsible for any City staff other than Charlene and Todd
3. The HRC cannot tell any other City department head how they should be doing their job
4. If HRC were to respond to her concerns about City staff, we should indicate that redress would come from City Council

xiv. Kathryn
1. We cannot give away the power of our Commission
   a. While it is true the HRC has limited power
   b. We do have the power of our voice
   c. If we feel that something has happened that is unjust we can say something about it

xv. Sue
1. Asks to whom we would speak these concerns

xvi. Melvin
1. If someone complains about how someone talked to them, we cannot send the other party a letter
2. We can encourage her to go to City Council
3. We do not know what was said

xvii. Pheobe
1. If we are concerned, can we invite someone from City Manager’s Office to speak to HRC about the situation?
   a. Charlene
      i. Suggests that this would not be appropriate
2. Clarifies
   a. Would like information about the process that the City Manager’s Office uses for handling complaints like this
   b. Then we would have something to compare it to and would understand the process

xviii. Charlene
1. If someone cannot get an issue resolved and they want to be heard, OHR generally recommends people to take it City Council
2. Considering future HRC responses to complaints from citizens about how they were treated by City staff
   a. Suggests talking about this at the retreat

xix. Ernest
1. Asks if Dr. Richardson replied back to Ms. Pool after she sent him the letter noting concerns about his response
   a. Charlene
      i. Does not know
      ii. He may not have but another department head has responded

xx. Rob
1. The biggest problem is we do not know Dr. Richardson’s side of the story
2. It would be unwise to advise against Dr. Richardson solely on the basis of what Ms. Pool has said

xxi. Todd

1. Notes that there may have been no verbal dialogue between Ms. Pool and Dr. Richardson
   a. Charlene
      i. We do not know
      ii. Ms. Pool was concerned about confidentiality

2. Notes that if Ms. Pool confirmed that the conversation did only take place over email, and she authorized the release of those emails, then the HRC could in fact see what transpired between her and Dr. Richardson

xxii. Sue

1. Asks if Ms. Pool is asking HRC to respond further
2. If so, the only thing we can say is...
   a. We appreciate the concerns over how she was treated
   b. The OHR and HRC does not have any jurisdiction over any other City employee
   c. For redress she should go to City Council
   d. It does not fall under any of the protected activities

xxiii. Charlene

1. Confirms with Shantell that she has already responded

xxiv. Shantell

1. She did respond to Ms. Pool’s email
2. She feels split on the issue
   a. There is nothing else that the OHR can do
   b. Regarding the intimidation
      i. Is concerned that any Citizen would feel intimidated by the City Manager’s Office
      ii. That would be a barrier for anyone to submit a complaint
3. Emphasizes the importance of treating people with respect at all times
   a. People need to feel that the City is welcome to feedback
      i. Especially from people with disabilities, given the high turnover in ADA Coordinators

xxv. Charlene

1. New ADA Coordinator came in on the back end of this particular concern
2. He is trying to address her concerns
3. We have not had a chance to speak with Mr. Grimm about this issue yet
4. Recommends moving on

xxvi. Rob

1. Asks if Ms. Pool filed a complaint under a protected activity
2. Assumes the protected class to be disability because she is blind

xxvii. Charlene
1. The denial of access to City streets
   a. Public Accommodation would be protected activity
   b. Addressed through mediation agreement between the City and the Department of Justice
2. The concern about the relationship with City staff
   a. City Attorney has to determine if this is a Public Accommodation issue

xxviii. Melvin
1. Reaffirms that he feels she should bring this to City Council
2. Dr. Richardson would be present to hear her concerns

xxix. Rob
1. This could be difficult if she feels intimidated by him

xxx. Charlene
1. Suggests that Ms. Pool is not someone who would allow that to get in her way

3. CRB letter of support
   a. Tabled as Olivia is absent
   b. Still need to think about HRC relationship with CRB

4. Contemplating relationship with Office of Equity and Inclusion
   a. Thinking about this and the CRB relationship and overlap could be done at the retreat

5. Changing of HRC meeting time to 6:00 pm
   a. Assumes that there general consensus
   b. Asks for a motion
      i. **MOTION**
         1. Motion being considered: Motion to change the HRC meeting time to 6:00pm
         2. Motion to accept (Commissioner name): Catherine
         3. Seconded by (Commissioner name): Kathryn
         4. Discussion:
            a. Ann
               i. Asks when this was discussed
            b. Sue
               i. Asks if this is in previous minutes
            c. Kathryn
               i. We can discuss it now
            d. Rob
               i. Clarifies that Ann is asking where this came from
            e. Shantell
               i. There have been side-bar conversations and general feelings that we would like to start earlier
f. Ann
   i. If that is the case, then the HRC is lacking transparency between all members
   ii. Side-bar has got to go
   iii. If it affects the whole body then it needs to be a full body discussion
   iv. Side-bar conversations split the group

g. Shantell
   i. Clarifies what she meant by “side-bar”
   ii. In meetings people have approached her to share that a change in meeting times would be okay

h. Pheobe
   i. Notes that it was discussed at another meeting in September in a group setting.
   ii. It was a casual discussion

i. Sue
   i. Notes that she was at that meeting and does not recall the discussion at all

j. Catherine
   i. Notes that she has not talked to anyone else about it
   ii. For her personally it would be better to start at 6pm and that is why she made the motion with the topic was raised
   iii. She has not had prior discussions with other HRC members about this topic until tonight

k. Kathryn
   i. Reiterates that this is the time for group discussion

l. Lyndele
   i. Agrees that 6pm would be a good start time

m. Rob
   i. Agrees that 6pm would be good
   ii. Notes that there are only 10 out of 16 members present
   iii. This should be clarified with the whole group
   iv. We can send out a notification to the HRC ahead of the next meeting to let them know we will be voting on it

n. Sue
   i. Feels ambivalent about the time
   ii. Concerned about the process
   iii. On City calendar as 7pm
   iv. This should be a retreat discussion
   v. We cannot make that decision at this meeting
o. Shantell
   i. Appreciates the discussion
   ii. Also would like to move to 6pm
   iii. Notes that there is a motion on the floor

p. Kathryn
   i. In reference to public notice, we do not have to give a year’s advance notice of meeting times
   ii. Believes HRC would be well within its rights to change the meeting time during a regular HRC meeting

q. Melvin
   i. With everyone not present it does not feel right to make that decision
   ii. Personally in favor of 6pm
   iii. This should be a retreat discussion with everyone present not a quick decision

r. Pheobe
   i. Notes that perfect attendance is not a reasonable expectation at any HRC meeting

s. Charlene
   i. Suggests that if HRC does choose to change the time, could vote at the December meeting to start the new time in January
   ii. Then the colleagues who are not present would have a chance to express their feelings to Shantell or be present at the December meeting
   iii. Suggests this because she is recommending the retreat be in February

t. Sue
   i. Inclined to agree with Charlene’s proposal
   ii. Suggested the retreat because she felt that tonight was not the night for this decision

u. Melvin
   i. Agrees with Sue
   ii. Suggests at least providing notice that it is coming

v. Sue
   i. The rest of the Commission needs to be notified that this will be a topic of discussion at the next meeting to take effect in January

w. Shantell
   i. Calls attention to the motion on the floor

x. Vote Record
   i. # In favor: 2
   ii. # Opposed: 4
iii. # Abstained: 3
y. Shantell
  i. This topic will be tabled for further discussion at the December meeting

3. Nomination committee for elections
   a. Charlene
      i. Bylaws state that HRC will be voting in January for Chair and Vice-Chair
      ii. Bylaws call for a Nomination Committee of at least three members to bring forth nominations at December meeting
      iii. Chair should call for a Nomination Committee of three people
      iv. Nomination Committee does not have to meet in-person
         1. Can communicate by phone or text
         2. Come prepared with a panel of nominations at December meeting
   b. Shantell calls for volunteers for the Nomination Committee
      i. Melvin
      ii. Pheobe
      iii. Lyndele

4. Retreat planning
   a. Charlene
      i. Recommends meeting in February
         1. Proposed dates
            a. 2/1
            b. 2/8
            c. 2/15
      ii. The retreat will not be held at the Dardene school
      iii. Proposes using an Air BNB house used previously
      iv. We will have a draft of the report to Council
         1. HRC will review report at January meeting
         2. Will request to present to Council in February
            a. The report will likely be given during the second Council meeting in February
            b. Tuesday, February 18, 2020
         3. HRC can see report at retreat before submission to Council
            a. Rob
               i. Asks which report Charlene is referring to
                  1. Charlene
                     a. Annual report to Council
         v. Retreat is also the opportunity to discuss the focus of 2020
   b. Ann
      i. Suggests February 1st
      ii. February 15th could be a secondary option
      iii. Cannot do February 8th
   c. Charlene
      i. Proposes 10am to 3pm
         1. Will communicate with house owner to reserve for 2/1/2020
      ii. Asks if HRC wants CNE to facilitate
   d. Shantell
i. Shares context of some of the ideas up for discussion
   1. Relationship of HRC to other organizations
      a. CRB
      b. Office of Equity and Inclusion
   2. Review the 8-month period of using Ad Hoc vs. Standing Committees
   3. She and Kathryn have developed a list of core issues to consider in 2020
ii. These topics may benefit from an outside facilitator
e. Catherine
   i. Suggests that an outside facilitator would be beneficial
   ii. Could be a different facilitator than before
f. Charlene
   i. Confirms that 2/1 is the first option
   ii. Confirms that 2/15 will be the secondary option
g. Rob
   i. Asks if there is a reason why this is a preferable location as opposed to a government owned option or church
h. Ann
   i. Suggests that the environment is much nicer for a retreat than a government or church building
i. Charlene
   i. Notes that she views this at the HRC’s treat
   ii. Considering that HRC members serve as volunteers
   iii. Can use some of the donations that the OHR has received for doing presentations (~$2,000)
j. Catherine
   i. Notes that she cannot make 2/15

5. OHR Staff Report - Todd
   a. Todd
   i. Presents an overview of the report submitted to the HRC by email (attached)
   ii. Data entered through July and into first week of August
      1. July saw the highest number of external contacts of the year
      2. Anecdotal evidence indicates word-of-mouth may be a primary reason people are coming
   iii. Active investigations
      1. Still same investigation ongoing
      2. One more affidavit notarized today
      3. Investigative report will be submitted to Charlene soon
   iv. Service provision outreach
      1. None specifically
      2. Some referrals through interactions at other meetings
      3. Notes that current number of contacts is feeling close to capacity
         a. Considers this in the context of potential FEPA of FHAP status
   v. Education
      1. No new requests for the refugee simulation
   vi. Facilitation and Leadership
      1. CRRB work in progress
         a. Taking time as we build the organization from scratch
b. Intentional pace of construction that involves PHAR and community input
  c. Likely beginning of next year will be ready to engage with research

2. Housing hub and navigation
   a. Growing pool of participants in discussion
   b. Next meeting December 3, 2019, 3:30pm, City Hall Conference Room
   c. Discussion will focus on
      i. Tools to help people find and keep housing
      ii. Changing landlord hearts and minds about renting to people they might not rent to otherwise – building relationships
   d. Working on housing database with two people
      i. Law student
      ii. Home to Hope navigator – Shadae Gilliam

b. Sue
   i. IMPACT is focusing on affordable housing this year in the City and County
   ii. Asks how OHR might be involved with their research team

c. Charlene
   i. We will be meeting with them on 12/3/19 at 1pm

6. OHR Staff Report - Charlene
   a. Charlene Green
      i. Dance and Step Show
         1. 750 attendees
         2. Questions from OHR were focused on history
            a. Youth who answered got a pizza coupon
      ii. Legislative Agenda
         1. Sent an email with regard to a mistake in timing with submitting suggestions
         2. She will send HRC recommendations to Council
         3. She thought there would be two readings and there was only one
      iii. Dialogue on Race Media Accountability Project
         1. Emerged from the 2017 Dialogue on Race
         2. Group creating a tool to examine two local TV stations and Daily Progress
         3. Working with media studies department at UVA
         4. Working with retired professors Bob Covert and his wife
         5. Working with 11th grade English department at CHS
         6. Have created a survey for the heads of both stations and the Daily Progress
         7. Have an observation tool for CHS students
         8. Will collect information then host a series of public conversations
      iv. Disproportionate Minority Contact Report
         1. Draft report has been discussed with planning committee
            a. Charlene is on the planning committee
         2. Tweaks to be made with consulting firm from NC and FL
         3. Findings were not unusual
            a. Blacks receive more serious violations than white when arrested for similar crimes
            b. Blacks are more likely to be held without bail
         4. The final report will go out after tweaks
   5. Charlene will send the final DMC report to the HRC
Working with Siri Russell on map of Equity Conversations
City Website is going to be updated
  1. Invites HRC to submit recommendations to her or Todd
Equity Center at UVA is looking for an Executive Director
  1. Pay is $75K
Piedmont Housing Alliance looking for a Deputy Director

WORK SESSION
1. Police Policies Ad Hoc Committee Report
   a. Catherine
      i. Seeking feedback
      ii. At last Ad Hoc meeting looked at biased-based police policy
      iii. Decided to focus on this policy first
      iv. Wrote a proposed policy based on other municipality best practices
      v. Next step as of last HRC meeting (notes that she was not at the last HRC meeting)
         1. Send to attorney that works with CPD – but unassigned
         2. Where are we now?
         3. Is there support for moving it forward?
   b. Charlene
      i. There is a limbo situation while Council figures out how CRB will move forward
      ii. Lisa Robertson does not want confusion over which group is reviewing which policy
      iii. CRB also wants to review police policy
      iv. Tyler Haun has made police policies available on their website
      v. CPD is in the process of determining the changes they want to make
      vi. Lisa Robertson will not move forward with HRC recommendations until there is resolution around the CRB’s role
      vii. Charlene concerned that HRC has a responsibility through the ordinance to review policy
         1. Does this mean HRC does not review police policies because CRB is doing it?
   c. Catherine
      i. Asks if Lisa Robertson has seen HRC recommendations
         1. Charlene
            a. Yes
      ii. Confirms that CPD policies are currently on the website but not our recommendations
         1. Charlene
            a. Correct
      iii. Asks if the CRB affiliates have seen the HRC recommendations
         1. Notes that the HRC does have an obligation to review
         2. Notes that there is anecdotal criticism of the HRC for a lack of action
         3. How can we show that we have submitted our work but that the HRC cannot move forward due to other actions
         4. This would show the public that the HRC is doing something
         5. The public could then speak up about this to Council
         6. This would help insure that the people working on the CRB are aware
   d. Charlene
      i. Agrees with Catherine
      ii. Notes that a perfect storm of transitions and uncertainties that has caused this to be stuck
iii. Suggests that she and Todd could work on a public statement for Council on 12/2
   1. Provide an account of the policy work the HRC has done
   2. Give the CRB and Office of Equity and Inclusion something to consider as they move forward

e. Shantell
   i. Thanks Catherine for her work
   ii. Believes that there is plenty of work around the CPD for both HRC and CRB
   iii. Suggests taking time at the retreat to discuss how we collaborate with CRB and others
   iv. Suggests the same discussion about the Office of Equity and Diversity
       1. Hopes to discuss further with Mike Murphy when she returns

2. Community Engagement Ad Hoc Committee Report
   a. Melvin
      i. IRC has provided 45 people to speak
      ii. There are some suggestions for changes to the script
         1. Focus the message on what people can do rather than can't do
      iii. Waiting to schedule with the 45 people

OTHER BUSINESS
1. Commissioners comment on meetings and other events attended since the last monthly meeting.
   a. Catherine
      i. Americans Who Tell the Truth
      ii. A partnership with the Jefferson School African American Heritage Center
      iii. February to March will be presentations throughout Charlottesville
   b. Lyndele
      i. Her organization is sponsoring two gatherings
         1. Leadership Conference
            b. 75 students
            c. This summer at The Omni
         2. National Society of Black Physicists Annual Conference
            a. Charlottesville in November 2021
            b. 450-600 professionals and students
            c. Looking for City and other partners
   c. Ann
      i. Joy Johnson, Chair of PHAR, and a group of women came to her church
         1. Shared information about the redevelopment of South First Street
         2. Was impressed with the engagement of community members
         3. Was impressed with African American contractor
            a. Engaged with Section 3
            b. Coming out of Chicago
         4. Work will start in March 2020
         5. Jordy may want to engage
            a. Could be good for the students he is working with to engage
      ii. Thought about the quorum question that Rob raised
         1. Smaller groups sometimes use 1/3 plus 1
2. Might be good to discuss at the retreat

iii. PVCC outreach
   1. Sent a contact to Charlene
   2. They are interested

   d. Sue
      i. Went to Equity Center event
      ii. Part of a group of certifying employers who pay a living wage (at least $15/hr)
         1. Celebration on December 14, Saturday 10am, Northside Library
         2. 17 employers – mostly non-profits
         3. It is hard to find for-profit enterprises
         4. Asks for recommendations for businesses to recognize
         5. It is hard to get restaurants because of various barriers

   e. Rob
      i. What happened with the person who spoke during matters by the public with interest in a disability awareness festival
         1. Charlene
            a. That is what spurred the ADA PSAs

MATTERS BY THE PUBLIC

1. Don Gathers
   a. Cameras have been posted in black and minority neighborhoods
   b. Asks if this has been discussed by the HRC
   c. Points to concerns of further over-policing

COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

1. Ernest Chambers
   a. Is also concerned about this
   b. Dr. Richardson mentioned it in the most recent Council meeting
      i. He said that residents had asked for the cameras
   c. Wes and Mayor Walker seemed like they did not know about this
   d. Suggests that the HRC pay attention to the public response
   e. Asks how can we find out more information

2. Kathryn
   a. Suggests that HRC should formally ask Council for more information
   b. Felt that Dr. Richardson’s comments were unclear
      i. He said that certain citizens asked for the cameras
   c. City then issued a press release stating that citizens cannot ask for cameras
   d. Dr. Richardson was replying to Ms. Rosia Parker’s comment from two weeks prior

3. Melvin
   a. Suggests tabling discussion for a future meeting

4. Charlene
   a. Pulls up footage online for HRC to hear
   b. Audio from Council meeting is on recording of minutes but is not transcribed in the minutes

5. Don Gathers
   a. Reads the press release that the City issued
6. Ann  
   a. Knows a person who lives in Westhaven who was surveyed about cameras by the City  
   b. Does not know who conducted the survey  
   c. The person was in favor of cameras because her kids were being bullied  
   d. At the time she last spoke with her the cameras were not up  
   e. She knows there were also people against the cameras

7. Don Gathers  
   a. Would like to know who conducted the survey and when  
   b. Notes that there are 126 families in Westhaven

8. Ann  
   a. Offers to find out who conducted the survey and when

9. Charlene  
   a. Notes that cameras placed in public housing would require approval by CRHA  
   b. There has been discussion of putting cameras in public housing but nothing formalized

10. Don Gathers  
    a. Notes that the cameras are on both ends of Westhaven  
    b. Notes that there is another camera at Prospect

11. MOTION  
    a. Motion being considered: Motion to formally request that the City Manager provide information about the cameras including how they are being placed by police, for what purpose, and how the decision is made  
    b. Motion to accept (Commissioner name): Kathryn  
    c. Seconded by (Commissioner name): Lyndele  
    d. Discussion:  
      i. Catherine  
         1. Suggests adding for what purpose the cameras are being placed  
      ii. Kathryn  
         1. Reiterates Catherine’s suggestion  
      iii. Lyndele  
         1. Suggests adding how the decisions are made  
      iv. Kathryn  
         1. Is interested in the process  
         2. With two weeks to prepare a response  
            a. Dr. Richardson said it was a citizen request  
            b. City then said that citizens cannot request  
      v. Catherine  
         1. In reference to the CRB again  
            a. Would like to know what the HRC’s role should be given the CRB’s role  
      vi. Charlene  
         1. Notes that the HRC cannot investigate the police  
         2. The clarification needs to be made about who reviews police policies  
         3. Should also be clarified in the HRC ordinance

e. Vote Record:  
   i. # In favor: 8 (one member had already left the meeting)  
   ii. # Opposed: 0
iii. # Abstained: 0

Meeting Adjourned: 9:50 PM

**ACTION ITEMS**

a. **Ann**
   a. Will notify Todd of the typos she notice on the October minutes

b. **Todd**
   a. Will make the correction on the October minutes per Ann’s observations

c. **Shantell**
   a. Write a letter from the HRC to Susi Wilbur accepting her resignation with regrets and appreciation for her service.

d. **Unassigned**
   a. Notify all HRC members of proposed motion to change the HRC meeting time to 6pm
   b. HRC intends to vote at the December 2019 meeting

e. **Nomination Committee: Melvin, Pheobe, & Lyndele**
   a. Bring forth nomination for Chair and Vice-Chair at the December HRC meeting

f. **Charlene**
   a. Schedule the Air BNB house for the HRC retreat on February 1, 2020

g. **Charlene**
   a. Send the DMC report to HRC once finalized

h. **Charlene & Todd**
   a. Draft some sort of public statement around the policy work the HRC has done in 2019 before Council meeting on December 2, 2019
   b. This would be for groups like the CRB and Office of Equity and Inclusion to take into consideration as they contemplate their formation

i. **Ann**
   a. Find out who conducted the survey in her friends neighborhood about surveillance cameras and when the survey was conducted

j. **Unassigned**
   a. Present a formal request to the City Manager to provide information about the cameras including how they are being placed by police, for what purpose, and how the decision is made
CALL TO ORDER

ROLL CALL

ANNOUNCEMENTS

MATTERS BY THE PUBLIC

Public comment permitted for those who sign up before the meeting (limit 3 minutes per speaker) and at the end of the meeting on any item

COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

MINUTES*

BUSINESS MATTERS

1. Jordy Yager, Jefferson School African American Heritage Center Fellow
   “Race and Land Covenants”
2. Chair update
3. Nomination committee for elections
4. Retreat planning
5. OHR staff report, Todd Niemeier and Charlene Green

WORK SESSION

1. Ad Hoc Committee updates
   a. Policy Review
   b. Community Engagement

OTHER BUSINESS

1. Human Rights Commissioners comment on meetings and other events attended since the last monthly meeting

MATTERS BY THE PUBLIC

COMMISSION RESPONSE TO MATTERS BY THE PUBLIC

*ACTION NEEDED
Service Provision Data:
- The chart below is based on service data entered as of 11/21/19
  - Data entry for August stops on 8/1/19
  - Values may change in future reports following reviews for accuracy and categorization updates
- Key to abbreviations and terms
  - Total Contacts = Includes externally generated contacts and staff contacts going out
  - Total External Contacts = Includes only contacts coming into the office
  - I = New Inquiries
    - Service provision involving any of the protected activities
    - Complaints of discrimination that fall outside the OHR’s jurisdiction
  - C = New Complaints
    - Complaints of discrimination that fall within the OHR’s jurisdiction for which the Complainant chose to take action
  - P.A. = Protected Activity
  - P.C. = Protected Class
  - Counseling = Contacts involving referrals to services or direct non-investigative assistance
  - Referral = Contact resulting in a referral to another agency for assistance
    - CSRAP = Charlottesville Supplemental Rental Assistance Program
    - LAC = Legal Aid Justice Center
    - CVLAS = Central Virginia Legal Aid Society
    - PHA = Piedmont Housing Alliance
    - EEOC = Equal Employment Opportunity Commission
    - DPOR = Department of Professional and Occupational Regulation (VA Fair Housing Office)

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Active Investigations:
- One investigation ongoing
  - Public Accommodation Discrimination on the basis of race
  - Three affidavits pending notarized signatures
  - One potential pending witness interview

Outreach:
- Service Provision
  - None since last HRC meeting
  - Anecdotal evidence of word-of-mouth referrals, though this is not traced in the data
  - Currently at or near capacity in terms of daily external contacts and ability to follow-up
- Education & Awareness
  - None since last HRC meeting
- Facilitation & Leadership
  - Public Housing Association of Residents Community-Based Research Review Board (CRRB)
    - Next meeting: Monday, 10/21, 9am, at LAJC
      - In the process of finalizing the MOU between PHAR, The UVA Equity Center, and the UVA IRB
      - Still determining the legal and financial structure of the CRRB
      - Draft position descriptions and applications for Board Members and CRRB Coordinator under review
      - Current outreach to community members interested in serving as paid Review Board members
  - Housing Hub/Housing Navigation
    - Next meeting: Tuesday, December 3, 2019, 3:30pm, City Hall Basement Conference Room
      - Continued discussion focused on efforts to improve affordable housing navigation
      - Affordable housing database still expanding
        - Partnering with a law student through LAJC
        - Partnering with Mr. Shadee Gilliam through Home to Hope