



HUMAN RIGHTS COMMISSION

MEETING MINUTES

REGULAR MEETING

Monday, February 24, 2014

5:30 – 6:30 pm in City Hall Council Chambers

6:30 pm to adjournment in Room 1027

301 W. Second Street, Austin, TX 78701

Chair Paul Rhea called the meeting to order at 5:35 p.m.

Commission Members in Attendance:

Paul Rhea, Chair

Jonathan Luu, Vice-Chair

Elizabeth Brenner

Sara Clark

Judy Cortez

Will Krueger

DeWayne Lofton

Human Resources Department Staff Present:

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

Rose Xavier, EE/FHO Staff Liaison

1. CITIZENS' COMMUNICATION

There was no citizens' communication.

2. APPROVAL OF MINUTES

The minutes of the January 26, 2014 regular meeting were approved on a 5-0 vote; Commissioner Cortez motion, Commissioner Krueger seconded, Commissioners Lofton and Clark were not present.

3. ANNOUNCEMENTS

The Human Rights Commission Annual Saturday Work Session will be held on March 22, from 9 a.m. to 12 p.m. The Commission has requested the event to be held at the Asian American Resource Center.

4. OLD BUSINESS

- a. Discussion and possible action on the creation of a working group to work with the members of the African American Resource Advisory Commission related to the action items in the African American Economic Disparities Resolution passed at the

January Human Rights Commission meeting. The working group was created and will consist of Chair Rhea, Vice-Chair Luu, and Commissioner Lofton.

5. NEW BUSINESS

- a. Presentation from Nelson Linder, President of the Austin NAACP, regarding the Austin African American Community. Mr. Linder was unable to attend the meeting.
- b. Presentation from Susana Almanza, Director, People Organized in Defense of Earth and Her Resources (PODER), regarding the Austin Hispanic Community.

Susana Almanza, Director of the Organization for People Organized in Defense of Earth and Her Resources (PODER), spoke about City of Austin policies that have disempowered community residents, including low-income communities of color. The Parks and Recreation Department (PARC) has done away with special revenue funds and has taken away the recreation centers' flexibility to determine the programs/services for their communities. Although PARC has allowed the advisory boards of the recreation centers to apply for non-profit status, this is a not an easy process for low-income communities. The FY2013-14 Action Plan Community Needs Assessment shows that housing affordability has declined for very low income households. The policies being adopted by Austin City Council are increasing the displacement of these households in East Austin.

Daniel Llanes, Undoing Racism Austin, stated that he hopes the City of Austin and all of the members of the community action network will engage with them in Undoing Racism Austin workshops.

- c. Presentation from Lia Davis with Disability Rights of Texas and Jennifer McPhail with ADAPT regarding Austin's disabled community

Lia Davis, Disability Rights of Texas, spoke of actionable items that the City of Austin should pursue.

Ms. Davis requested the Human Rights Commission to monitor the proposed regulations around the number of non-related people in a home. These types of regulations could negatively impact those with disabilities who live in group homes or use live-in attendants. For many individuals with intellectual and developmental disabilities, group homes are an integrated, residential option and the only alternative to large institutions. Individuals with intellectual and developmental disabilities continue to fight for the right to live in a residential setting.

Ms. Davis urged the City of Austin to undertake a survey, study, or policy statement regarding the way accessibility features interact or conflict with City regulations related to zoning requirements, overlays, and impervious cover restrictions. As an example, something that may increase the accessibility of a home, such as a wider driveway, may be prohibited by some other COA regulation. It would be helpful for the City to look at how these issues intersect and to develop a policy on dealing with potential conflicts. Those who wish to make their home more accessible for themselves or visitors may be prevented from doing so in order to comply with other COA regulations.

Ms. Davis recommended that the Human Rights Commission or City of Austin conduct surveys or focus groups of specific groups to learn about accessibility issues in daily paths of travel. In particular, Ms. Davis believes it would be useful to reach out to groups who may have communication barriers that prevent them from reaching out to the City on their own. This includes individuals who are deaf or hard of hearing and individuals who are blind or have visual impairments. In doing so, Ms. Davis believes the City would learn a great deal about the very specific areas of Austin that impact the daily lives of a large number of individuals with disabilities. The City would benefit from knowing the exact intersections, crosswalks, or sidewalks that a large number of individuals with disabilities use each day. Outreach could be done at the Texas School for the Blind and Texas School for the Deaf.

Finally, Ms. Davis believes the City of Austin could do more to remind large employers of their obligations under the Americans with Disabilities Act. In particular, the City has a unique opportunity to discuss these matters as part of incentives to bring employers to Austin. During these negotiations, the City could make the employer aware of the City of Austin's commitment to diversity, which includes hiring people with disabilities.

Jennifer McPhail, ADAPT, spoke on three concerns:

The City's current affordable housing development targets people with incomes up to 80% of Median Family Income (MFI), which is approx. \$39,850 for single person. Many in the disabled community are below 15% MFI (disability payments are about \$710/mo.). Social Security disability is a little higher. Lack of affordable, accessible, integrated housing options for extremely low income people with disabilities in the Austin area remains one of the greatest barriers to living in the community. ADAPT recommends the following policy changes: increase funding for the housing trust fund and set aside a majority of the funding for projects that serve people at or below

30% of MFI; increase tax increment financing efforts throughout the city; and set aside 25% of the new development in Colony Park for low income people. Of that 25%, half should be designated for people at or below 30% of MFI.

ADAPT recommends that the Human Rights Commission endorse the Public Works Department's 20 year plan regarding sidewalk accessibility projects and that they request updates from the department on their efforts to achieve full compliance the Americans with Disabilities Act (ADA).

ADAPT recommends that the Human Rights Commission recommend to the City Council to direct the City Manager to work with PARD to create a transition plan as required by the ADA. The City needs to identify barriers that exist throughout the parks system and set aside funds to make improvements. In addition, the City is required to ensure organizations that contract to use parks facilities for their businesses are accessible to people with disabilities.

6. STATUS OF GOALS AND OBJECTIVES

- a. The status of the Commission's goals and objectives for 2013.
 - i. Goal #1 – Community Discussion on Racism and Discrimination. This goal is in progress.
 - ii. Goal #2 – Establish working relationships with community groups. This goal is in progress.
 - iii. Goal #3 – Improve Internal Human Rights Commission (HRC) - City of Austin Equal Employment/Fair Housing Office (EE/FHO) Processes and Procedures. Discussion on the process of mail being delivered to the Human Rights Commission Chair. Chair Rhea will speak with the City Clerk's Office to ensure that mail for Boards and Commissions mail is correctly identified to their supporting departments.

7. STAFF BRIEFING

Items of interest to the Commission from the EE/FHO and other City staff. Staff explained the case statistics reports presented to the Commission. The Commission has requested staff to explore preparation of a database that can track case attributes for all cases, including cases that are filed exclusively under City of Austin Code.

8. FUTURE AGENDA ITEMS

ADJOURN

The meeting was adjourned at 7:10 pm without objection.