

**Human Rights Commission  
Study Session  
Notes**

**September 20, 2018**

**Commissioners Present:** Lorenzo Cervantes, Brad Bates, Jen Haggard, Rebecca Stith, Kim Tosch, Natalie Collins, Allen Ratcliffe, Lisa Snyder, Michealea Lemons, Melvin Nobles, Jr., Sarah Lee

**Commissioners Absent:** Jennifer Vasilez, Gina Fonseca Crescioni

**City Staff Present:** M’Balu Bangura, Wesley Taylor

**Commissioner Stith called the Study Session to order at 5:40 p.m.**

**Miscellaneous**

1. Presentation by Pierce County Pride @ Work. Several members spoke to the Commission about importance of gender-neutral single-occupant restrooms and appropriate signs for such bathrooms. Members requested the Commission’s support in proposing a change in the current law to Council.

**Committee and Task Force Work**

**2. Committee Reports**

**a. Education & Outreach**

- i. Commissioners Lemons and Collins volunteered at the McKinley Street Fair. Commissioner Lemons reported informing residents about the Human Rights Commission and the Office of Equity and Human Rights. She received a lot of inquiries about Landlord-Tenant program.
- ii. Commissioners Bates, Collins, Tosch, and Stith volunteered at the Hilltop Fair. Several residents picked up a newly-created 1-page sheet summarizing the Commission’s duties and work. There was a good turnout despite rainy weather and poor air quality.
- iii. Commissioner Stith thanked Commissioners and staff members Andreta Armstrong and Wesley Taylor for volunteering at the fairs.

**b. Policy & Advocacy**

- i. Committee Chair Tosch reported that she communicated with the Mayor’s policy analyst, Melanie Harding, about the status of the Indigenous Peoples’ Day resolution and the border-policy resolution. Harding told Commissioner Tosch that the Mayor would be calling Chair Stith about the IPD resolution in the next few days, and that it was expected to be passed in early October. She directed Commissioner Tosch to contact the liaison for the Commission on Immigrant and Refugee Affairs (CIRA) to find out about the status of the border-policy resolution including feedback from CIRA Commissioners to be provided to the Mayor. Commissioner Tosch

reported that, after making several calls and emails over a several-day period and being told sometimes conflicting information, the CIRA liaison emailed Commissioner Tosch that the border-policy resolution would be on the upcoming CIRA agenda. Commissioner Tosch expressed her frustration at how difficult it sometimes is to obtain needed information from the City.

- ii. Commissioner Tosch also reported being contacted in mid-September by the president of the Sons of Italy to set up a meeting with the Mayor, which she then helped arrange through Melanie Harding.

**c. Operations & Quality Assurance**

- i. Commissioner Stith stated that Commissioners will be asked in the Business Meeting to vote to approve the Committee's recommended enhancements to the HRC webpage and sending those recommendations to OEHR for consideration by OEHR, MCO, and IT Dept.

**3. Task Force Reports**

**a. Charity Care Language Access**

- i. Commissioner Bates announced that on September 6, MCO published and shared with 98 media outlets a press release on the Task Force's work. The press release was initially drafted by Commissioners Bates, Snyder, and Stith, and then edited and approved by MCO. Commissioner Bates also reported speaking at CIRA's August 27 meeting about the Task Force's work and the potential interest of two CIRA Commissioners in assisting the Task Force. A copy of the press release and a summary of the CIRA presentation were included in the agenda packet.

**b. Amend TMC 1.29**

- i. Commissioner Stith stated that the work of the group is on hold until CIRA has a chance to consider working on it with HRC. Commissioner Bates reported that he spoke about this Task Force's work to CIRA at its August 27 meeting. A summary of Commissioner Bates' CIRA presentation was included in the agenda packet.

**c. Racial Justice & Equity**

- i. Commissioner Lemons reported RACE: The Power of Illusion "training the trainer" on September 1 was canceled because the trainer was unavailable. The Task Force is working on creating its own training. Every member will create an outline and then the Task Force will combine the outlines to create a final outline. Task Force members also will facilitate the training. Members will meet in October to discuss the Grand Cinema movie project and RPOI training. Commissioner Haggard added that the Grand Cinema Board of Directors has agreed to host the movie and a talk afterwards.

**Study Session adjourned at 6:35pm**

**Human Rights Commission  
Business Meeting  
Minutes  
September 20, 2018**

**Commissioners Present:** Lorenzo Cervantes, Brad Bates, Jen Haggard, Rebecca Stith, Kim Tosch, Natalie Collins, Allen Ratcliffe, Lisa Snyder, Michealea Lemons, Melvin Nobles, Jr., Sarah Lee

**Commissioners Absent:** Jennifer Vasilez, Gina Fonseca Crescioni

**City Staff Present:** M’Balu Bangura, Wesley Taylor

**Commissioner Stith called the meeting to order at 6:40 p.m.**

**Roll Call was taken. A quorum was present.**

**Agenda Approval**

- Commissioner Stith called for a motion to approve the HRC Business Meeting agenda for September 20, 2018. The motion was made, seconded, and carried.
- Commissioner Haggard then moved to amend the agenda to include a second item on a gender-neutral bathroom ordinance under New Business. Motion was made, seconded, and carried.

**Approval of Minutes**

- Commissioner Stith called a motion to approve the Study Session and Business Meeting Minutes of August 16, 2018. A motion was made, seconded, and carried.

**Public Comment**

- Jarell Sanders, a member of Pierce County Pride @ Work, would like HRC to collaborate with PCPW to propose an ordinance to the City Council to remove gender specific requirements for single-occupant bathrooms.
- Forrest Calvin Read, a resident of City of Tacoma for 7 years, who identifies as a non-binary individual and works for Pierce County, spoke in support of proposing this resolution.
- Dana Coggon is a member of Pierce County Pride @ Work, a Tacoma resident, and an employee of Kitsap County. Coggon witnessed the process when Bainbridge Island enacted a similar law. Coggon believes it is possible to do the same in Tacoma and encourages HRC to help move the proposed ordinance forward to City Council as this make people feel safe in Tacoma.
- Alexandria Semesac, who works for Pierce County and has lived in Tacoma for 3 years, stated that she absolutely supports this ordinance.

## **Chair's Report**

- Commissioner Stith reported that Mayor Woodards called her with an update regarding the Indigenous Peoples' Day resolution. Mayor confirmed that the resolution should be approved on October 2, 2018. The resolution will be similar to what the HRC proposed but not identical, taking out references to Columbus Day, and adding mentions of the Puyallup Flag being installed in Council Chambers and the renaming of the Puyallup Bridge. The 2<sup>nd</sup> Monday in October will be known as Indigenous People Day. The Celebration of Indigenous People Day this year may be in November, which the Mayor said is national Native American Month. Stith asked the Mayor if she knew the status of the border policy. The Mayor said that she has not yet gotten requested feedback from the Commission on Immigrant and Refugee Affairs (CIRA), but will have her assistant Melanie Harding look into it.
- Commissioner Stith noted that OEHR's Tri-Commission Equity Training on October 13 would last several hours and the Charity Care Task Force's forum on October 20 would last two hours. She asked whether Commissioners were interested in canceling the regular meeting on October 18 in an effort to respect everyone's time given these other commitments. A motion to cancel the regular October meeting was made, seconded, and carried.

## **Commissioner's Reports**

- Commissioner Bates is talking to OEHR about some logistics for the Charity Care forum and asked about Commissioners' interest in attending. The forum is scheduled for October 30, 2018. Commissioner Bates stated that he had invited members of CIRA to attend the forum and had asked OEHR director Diane Powers to speak at the forum.
- Commissioner Ratcliffe stated there have been 33 RSVP's so far for the Charity Care forum, not including speakers, and asked Commissioners to let him know who wants to attend.
- Commissioner Lemons stated that she has attended several neighborhood community meetings and planned to attend more, and invited other Commissioners to attend these community meetings if they have time.
- Commissioner Haggard announced a new non-profit, Queer Tacoma, will be having the kick-off mixer for the organization and to thank Alma Mater for donating its space. Event will be at Alma Mater's Matriarch on September 24, 2018, from 6-8pm.
- Commissioner Cervantes announced a September 30, 2018, showcase featuring local artists at Star Center starting at 4 pm.
- Commissioner Lee listed several different upcoming events and will email Commissioners the details.

## **New Business**

- Commissioner Stith went over the recommendations made by the Commission Operations and Quality Assurance Committee (COQA) to enhance the HRC webpage and requested a motion to approve sending the recommendations through liaison Andreta Armstrong for consideration by OEHR, MCO, and IT departments. She noted that the webpage prototype is based on CIRA's webpage and the Spokane HRC webpage. Commissioner Ratcliffe then moved to send the recommendations to OEHR for the City

to consider, along with a cover email explaining that in addition to the attached webpage prototype, the Commission would like the webpage to have a link to HRC/OEHR/community events and to MCO press releases related to human rights, and that the Commission expects the City to consult with Commission prior to any changes to the webpage being made. The motion was made, seconded, and carried.

- Commissioner Haggard proposed that the Policy and Advocacy Committee (P & A) be delegated authority to work with Pierce County Pride @ Work to draft and recommend an ordinance on gender-neutral single-occupant bathroom designations to the City Council before the end of the year. During the discussion, Commissioner Bates stated that an update should occur in the next study session meeting and the Commission should be involved in the creation of the ordinance. Commissioner Stith noted that the delegated authority requested by Commissioner Haggard in her motion is similar to the authority delegated to the same committee to move the proposed Indigenous Peoples' Day resolution forward. Commissioner Haggard then made a motion to delegate authority to P & A Committee to: (1) partner with Pride @ Work to galvanize support and (2) refine and finalize a draft ordinance to recommend to Mayor and Council with goal of passage no later than December 2018. The motion was made, seconded, and carried.

### **Staff Report**

Staff did not have an opportunity to report due to the late time and because the settlement agreement in the packet did not include a summary of the case and a second settlement agreement was not in the packet. Commissioner Stith suggested that Commissioners agree on a date and time the following week for a special meeting by phone. A majority of Commissioners indicated that they could participate in a special meeting on Wednesday, September 26, at 5:30 p.m. regarding both settlement agreements.

**Meeting is adjourned at 7:37 pm**

**Human Rights Commission  
Special Business Meeting (Via Conference Call)  
Minutes  
September 26, 2018**

**Commissioners Present:** Lorenzo Cervantes, Kim Tosch, Melvin Nobles, Jr., Rebecca Stith, Natalie Collins, Lisa Snyder, Sarah Lee

**Commissioners Absent:** Gina Fonseca, Jennifer Vasilez, Jen Haggard, Brad Bates, Allen Ratcliffe, Michealea Lemons

**City Staff Present:** Andreta Armstrong, Wesley Taylor, M'Balu Bangura

**Commissioner Stith called the meeting to order at 5: 45 p.m.**

**Roll Call was taken. A quorum was present.**

**Agenda Approval**

Commissioner Stith called for a motion to approve the following HRC Business Meeting agenda for September 26, 2018:

Vote to approve Settlement Agreements in two employment cases:

- *Constance Terry vs. WA ST DSHS*
- *Sam Kulla vs. Citizens for a Healthy Bay*

Report out No Reasonable Cause (NRC) finding in one fair housing case:

- *Steve Kerns vs. Joshua Shemon*

The motion to approve was made, seconded, and carried.

**Minutes**

- Employment Investigator Bangura explained the settlement terms of *Constance Terry vs. WA ST DSHS*, HRC# 4851/ EEOC# 38F-2018-00006C. Commissioner Stith called for a motion to approve the Settlement Agreement. A motion to approve was made, seconded, and carried unanimously.
- Employment Investigator Bangura explained the settlement terms of *Sam Kulla vs. Citizens for a Healthy Bay*, HRC# 4861/ EEOC# 38F-2018-00011. Concerns were raised about inconsistencies in the provisions waiving the complainant's potential claims and because only the respondent benefited from the provisions on indemnification, non-disparagement, and attorneys' fees. Investigator Bangura described the parties' settlement negotiations. Commissioner Stith called for a motion to approve the Settlement Agreement. A motion to approve was made, seconded, and carried 5-2.

- Fair Housing Program Coordinator Taylor reported out the NRC finding in *Steve Kerns vs. Joshua Shemon to Commissioners*, HRC# 4840 / HUD# 10-18-6893-8

**Public Comment**

- No Public Comment

**Meeting was adjourned at 6:15 pm.**