

Human Rights Commission

Study Session Notes

June 20, 2019

Commissioners Present: Michealea Lemons, Melvin Nobles, Jr, Kim Tosch, Natalie Collins, Allen Ratcliffe, Lisa Snyder, Sarah Lee, Rosita Castellano, Taniesha Lyons, Sarah Nunez, Sarah Rumbaugh

Commissioners Absent: Jennifer Vasilez, Ronita Boullt, Carol Mitchell, Julie Tran

City Staff Present: Thomas Okae-Asare

Guest: Mayor Victoria Woodards, Deputy City Attorney Steve Victor

Chair Lemons called the Study Session to order at 5:35

Chair Lemons acknowledged that the City of Tacoma is on ancestral grounds.

Committee Meetings

- Committees met to discuss projects and work plan development

Response to SEIS Recommendation Letter

- **Mayor Victoria Woodards**, spoke about how the City cannot legally re-open the SEIS. She noted that the Governor stated that he no longer supports the LNG plant in Tacoma; but he cannot do anything about it. She also states that there was ambiguity about what “meaningful consultation” with the Puyallup Tribe meant and required.
- **Deputy City Attorney Steve Victor**, spoke about land use aspects of the issue. He stated that the key issue concerning this activity is zoning. He noted that once a municipality forbids an activity in zoning, it cannot be challenged. He spoke about how the process is designed to access impacts but is largely designed to permit projects. The plant was allowed under the old zoning. The determination of significance and permit conditions were done correctly and thoroughly. He noted that the tribal consultation was legally correct in terms of the 1991 Land Use Settlement. If nothing is heard from the other party, then they proceed to the next stage.
- **The Mayor** adds that even though the City met the legal burden in the consultation process, it is not enough and the City is collaborating with the Puyallup Tribe to specify exactly what the definition of “meaningful consultation” should be.
- **Commissioner Lee** states that she disagrees with the Steve Victor’s prospective. She suggests that the City of Tacoma look into ways of how to better communicate with sovereign nations. She also urged them to look into other City’s that have had similar issues with companies and performing additional SEIS reviews. She notes that the land use laws are framed from a white colonial settlement mentality and referenced the work of Jean Dennison, Associate Professor of American Indian Studies at UW as an example of how to improve relations.
- **Commissioner Tosch** states that the tribe should have been consulted with separately and to a higher degree due to their position as a sovereign nation.
- **The Mayor** states the City is going to contract with a third party to see if there is any issue that can trigger an additional SEIS, but the City is having difficulty in the search and no one has been retained yet.
- **Deputy City Attorney Steve Victor** notes that an SEIS will not be a re-opening of previous work and that an SEIS is not meant for that purpose.

- **Commissioner Ratcliffe** inquires whether the final decisions will be subject to public review.
- **The Mayor** assures that any agreement will be public.

Council Consideration Request (CCR)

- **Mayor Woodards** spoke about a proposed CCR to ban previous alary questions in applications.
- **Commissioner Ratcliffe** expresses support for this.
- **The Mayor** asks for the HRC to write a letter of support and have prepared within 30 days.
- **Commissioner Rumbaugh** introduces a motion to support the letter.
- **Commissioner Tosch** seconds the motions and motion passes with no objections.

The meeting is adjourned at 6:46.

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Business Meeting Notes

June 20, 2019

Commissioners Present: Michealea Lemons, Melvin Nobles, Jr, Kim Tosch, Natalie Collins, Allen Ratcliffe, Lisa Snyder, Sarah Lee, Rosita Castellano, Taniesha Lyons, Sarah Nunez, Sarah Rumbaugh

Commissioners Absent: Jennifer Vasilez, Ronita Boullt, Carol Mitchell, Julie Tran

City Staff Present: Thomas Okae-Asare

Guests: Andrew Strobel, Terique Scott

Chair Lemons called the meeting to order at 6:50 p.m.

Roll Call was taken. A quorum was present.

Approval of May Study Session and Business Meeting Minutes

- **The Chair** asked if there was a motion to approve the June Business Meeting agenda. **Commissioner Ratcliffe** moved to approve the agenda, **Commissioner Collins** seconded, motion carried.
- **The Chair** asked if there was a motion to approve the May Study Session and Business Meeting minutes. **Commissioner Collins** moved to approve the minutes with minor corrections. The motion is seconded by **Commissioner Tosch** and passed.
- **The Chair** asks the Commissioners if the templates of the minutes are okay.
- **Commissioners nod in the affirmative**

Public Comment

- **Andrew Strobel** is recognized to speak as a citizen. Mr. Strobel says that he is disappointed at the way the city has characterized the tribe's position. He urges the commission to push the City to engage with the tribe. He does not see the legal reason for not pursuing a supplemental EIS. He notes that other cities do this all the time. Mr. Strobel urges the Commission to push the City to analyze the tribe's position. He truly wants the city to engage in meaningful consultation.
- **Commissioner Ratcliffe** wants to ask the mayor for quarterly progress reports of the investigation into whether the City can enforce a legal action against the LNG plant.
- **Commissioner Snyder** inquires as to what outcomes the tribe would like to see.
- **Andrew Strobel** states that he can't speak on the tribe's behalf, but he wants to see a city that does not look at an email as "meaningful consultation".
- **Commissioner Lee** was concerned about the city's framing of the SEIS. She has a fundamental disagreement with the city's rationale.
- **Andrew Strobel** disagrees with the mayor's characterization of the Governor's letter. He states there is a fundamental legal policy being made due to fear of a lawsuit. He states that he thinks the City of Tacoma would rather be sued by the tribe than by PSE.
- **Terique Scott** is recognized to speak at a citizen. Mr. Scott represents Balance Our Tax Code. His group wants to introduce a capital gains tax. He wants to build a stronger coalition for next year's legislative session. He asked to return to a future meeting and give a proper presentation.

- **Chair Lemons** said she would be in contact with him to arrange.
- **Commissioner Rumbaugh** suggests a better name for the tax.

The Chair notes that the meeting will go past 7:30pm.

Chairs Report

- **Chair Lemons** spoke about her experience attending the Citizens for A Healthy Bay (CHB) Bay Patrol ride. She also speaks about the RJEC's third community conversation held at the Family Investment Center in the Salishan community.
- **Commission Tosch** attended the conversation and speaks about the experience for herself.
- **Chair Lemons** speaks about the Willie Stewart Community Service Scholarship Event, the Hilltop Action Coalition meeting and Queer Night Out. She also spoke with **Councilmember Chris Beale** about the housing ordinance that will involve the HRC, but will have another meeting with him at the Planning Commission before additional information is shared.

Commissioner Reports

Commissioner Tosch went to training at Rebuilding Hope and attended a Hilltop Neighborhood celebration. She wants to inquire about adding citizenship to the Tacoma Municipal Code's list of protected classes. She wants to get a meeting with **Councilmember Ushka** to discuss this. She also went to the Northwest Detention Center. She was deeply disturbed by what she saw.

Commissioner Ratcliffe speaks about the presentation on Charity Care from last year. He also speaks about the racial disproportionalities in many drug courts.

Commissioner Nobles speaks about Tacoma Urban Leagues event, The State of Black Tacoma. He recognized the publicity the HRC received around the gender neutral bathrooms. He also acknowledged that yesterday was Juneteenth and recognized its importance.

The Chair spoke about a recent hearing the U.S House of Representatives about reparations, that was also held yesterday.

Commissioner Ratcliffe speaks about the upcoming anniversary of the Stonewall riots.

Staff Reports

Staff reported out a No Reasonable Cause finding and an administrative closure in two employment cases. Staff also asked the commission to think of nonprofits that the Human Rights Department can partner with in ongoing outreach efforts.

The meeting is adjourned.