



Meeting Record *(Amended)*

Human Rights Board (HRB)	Date: April 11, 2016 Call to Order: 4:14 PM
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Attendees

Maria Barth	Jason Blank	Miya Burt-Stewart
Fayola Delica	Marta Estevez	Ellen Feiler
S.F. Makalani-MaHee	Gregory Milford	Jose Morera
Michael Rajner	Phyllis Shaw	Ben Sorensen
	Barbara Ann McGovern, Board Coordinator	Adam Katzman, Asst. Cty. Atty.

Members Absent

Judith Ann	Rob Gillette	
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Key Decisions

- 4/11/16 Agenda adopted; 1/11/16 Meeting Minutes approved.

Action Items

	Description	Resource	Status
1.	Provide Human Rights Section FY15 Actual Budget figure	Ms. Lopez-Arango	In progress
2.	Request for FY17 board budget for printed materials in upcoming events	Director Edward Labrador	In progress
3.	Chair to communicate Board's support to Mayor Kiar for a County Commission press conference re: legislative discrimination in NC and MS to relate Broward County values and stand in solidarity with Charlotte, NC	Director Edward Labrador	In progress
4.	Board recommends County Commission prohibit nonessential travel by County employees to NC and MS, condemn discriminatory laws, and further adaptations for future passages of such discriminatory laws	Director Edward Labrador	In progress
5.	News Release promoting Broward 100 Inside Out Championing Human Rights in collaboration with Advisory Board for Individuals with Disabilities and Commission on the Status of Women	Ms. McGovern	In progress
6.	Host a forum with community organizations to provide in-service presentation on Human Rights Act and request Human Rights Act link on organizations websites and prepare a News Release for this event	Board Members/ Ms. McGovern	In progress
7.	Provide a list of 2016 scheduled Human Rights Section outreach events to board members; include the Wilton Manors Stonewall Festival & Parade on June 18, 2016	Mr. Cohen	In progress
8.	Provide the date for the Continuum of Care ad hoc committee on "housing status" as a protected category under the Human Rights Act	Mr. Michael Wright	In progress

Discussion Points

HUMAN RIGHTS SECTION UPDATES

B. Human Rights Section Budget (Myrna Lopez-Arango)

Members received a copy of the Office of Intergovernmental Affairs and Professional Standards (OIAPS) FY 2016 Adopted Operating Budget and the OIAPS Organizational Chart FY 2016-2017. Our office consists of 21 positions; the budget indicates 18 current positions as three positions are grant funded or direct-cost funded. OIAPS consists of four sections.

- 1) Professional Standards: performs investigations, in particular Broward County employees, for discrimination; equal opportunity; HIPAA related; ADA; wage recovery, in which we service residents that are having problems getting paid; whistleblower complaints; and other types of internal investigations is how we call them.
- 2) Intergovernmental Affairs: deals with legislative issues and that is where Mr. Labrador focuses; there is a Legal Counsel; Legislative Coordinator for federal-related issues; Legislative Coordinator for state-related issues; and Board Administration for the 72 county boards.
- 3) Grants Coordination: currently with OIAPS, but may be moved somewhere else in the future.
- 4) Human Rights Section: Equal Opportunity Officer and two investigators who handle housing cases, we have a contract with the U.S. Department of Housing and Urban Development (HUD); and Human Rights Act only cases, as well. Administrative Staff provides administrative support.

OIAPS Budget, Human Rights Section, FY14, FY15, FY16. FY17 budget has been submitted to the County. Mr. Makalani-MaHee asked why the decline. Ms. Lopez-Arango stated that by FY14 there was no EEOC contract so there was a slight decline, but she was not sure. Ms. Shaw noted that OIAPS is halfway through the FY16 budget and asked for the FY15 Actual Budget figure. Ms. Lopez-Arango responded that FY15 Actual Budget had not been published as yet, but she will find out. She noted that the members could access the budget page on the BC-Net or on the internet.

Fair Housing Assistance Grant. The numbers have changed drastically due to system changes, staff changes, and an open position for a long period of time. We budget for \$100,000, but often make more than that amount which is dependent upon how many cases the section completes. This is a target amount.

Mr. Rajner noted the decrease in outreach activities by the Human Rights Section. He would like to see the June 2016 Stonewall Festival, Wilton Manors, added to the outreach activities. Ms. Lopez-Arango noted that as part of the HUD contract, the section has to provide a lot of information on where the money goes and how it is used. Mr. Makalani-MaHee requested specific examples of "Personal Services." Ms. Lopez-Arango responded, this includes salaries, retirement, taxes and things like that. She noted for HUD funding for FY16 is targeted at \$100,000 and the county funds the balance. The HUD funds include training and administrative costs.

Motion by Mr. Makalani-MaHee to request a Human Rights Board FY17 budget for \$1,000 for printed materials for upcoming events. Seconded by Ms. Shaw. *Passed Unanimously.*

Mr. Cohen advised the section has 49 closed housing cases and well on track to pass where we were last year at June 30th. We should be above the budgeted \$100,000. The two investigators have a caseload of approximately 50 housing cases. Additionally, the two investigators with Mr. Cohen have 62 Act only cases and they are in the process of being reassigned.

Outreach events: MLK event, National Fair Housing Month Celebration Luncheon on April 1, 2016, and a realtors' event in Sawgrass. Ms. Shaw suggested a list of events for board members so they may attend and talk about the Human Rights Board. Ms. Feiler commented that the Outreach Planning Group has lists of monthly health fairs throughout the community.

[4:29 PM Mr. Sorensen leaves the meeting, but joined shortly after via telephone.]

A. **FL 2016 Regular Session Legislative Update** (Daphnee Sainvil)

The Board members were provided with a copy of the legislative recap (copy attached to these Meeting Minutes).

Ms. Sainvil read the recap. She will update this document and provide a link for the Board.

C. **2016 Sunset Review Process**

The Sunset Review process is performed every four years (previously in 2012) to ensure that the purpose and mission of

each board is being conducted and that staffing and other costs are justified. A review panel will be scheduled to meet with the Board Coordinator, Assistant County Attorney, Intergovernmental Affairs staff, and Chair and Vice Chair of the board. A document comprised of responses is prepared and sent to the Board Coordinator who will provide to their board. The recommendations to the County Commission: retain the board, modify the board or sunset the board by termination or move into another appropriate board or authority.

The Board Coordinator submits the 2016 Sunset Review form by April 29, 2016. The review panels will be scheduled in June and July while the County Commission is on summer recess. After mid-July, the Board Coordinator will receive the recommendations from the review panel and the Board Coordinator will provide that to the board membership for their review. The goal is to provide the final recommendations to the Board of County Commissioners before their winter recess.

CHAIR'S REPORT

Mr. Rajner spoke with Mayor Kiar concerning the legislation passed in North Carolina and Mississippi. The Mayor was not sure what the most appropriate action would be for the Board of County Commissioners. The City of West Palm Beach issued a prohibition on any city travel to those states. Mr. Rajner suggested a press conference. Mr. Rajner inquired if there is support for him to send a communication to the Mayor expressing Board support for a press conference.

Motion by Mr. Makalani-MaHee for approval of the Chair's communication to Mayor Kiar expressing the Human Rights Board support for a press conference to relate the County's values, diversity, our multi-cultural community and the protections provided to all citizens, and to stand in solidarity with Charlotte and others who attempt to exercise home rule authority to address the concerns in their local communities. Seconded by Mr. Morera. *Passed Unanimously.*

Mr. Makalani-MaHee stated the County should not support an entity where our citizens would be less safe and have less freedoms than here in Broward County. As a resident and member of this Board, if I could be arrested for using a restroom in North Carolina, I am perfectly okay in saying we should not be sending funds there. Ms. Shaw remarked that there should be a conversation with the County to say this is a concern of the Human Rights Board, whether it is County employees going to these areas or whatever the case may be -- this is a concern. Ms. Shaw then stated the Board should wait, as other states are sending strong messages to these states that this is unacceptable. Mr. Makalani-MaHee responded that the challenge in waiting is that discrimination doesn't wait. Wilton Manors is considering a travel ban, but not to cancel any contracts with vendors based in North Carolina or Mississippi.

Motion by Mr. Blank that the Board recommend to the County Commission that Broward County employees be prohibited from travelling to North Carolina or Mississippi for work purposes, except for emergency services or emergency situations. Seconded by Mr. Makalani-MaHee.

Amended Motion that the Board recommends the County Commission prohibit nonessential travel by County employees to the states of North Carolina and Mississippi except for emergency services or emergency situations, and further condemn the discriminatory laws, and further consider adaptations for future passages of such discriminatory laws. *Passed Unanimously.*

UNFINISHED BUSINESS

A. Broward County Human Rights Day Proclamation

The proclamation presentation is scheduled for June 14, 2016, Good and Welfare meeting, 2 PM.

Motion by Ms. Feiler to change citizens to people, and rededication "in" to rededication "to."
Seconded by Ms. Estevez. *Passed Unanimously.*

C. Press Release Promoting Broward 100 Inside Out Championing Human Rights

Prepare a press release in collaboration with Advisory Board for Individuals with Disabilities and the Commission on the

Status of Women to highlight the project and have a paragraph in the press release to talk about their board. The overall goal is outreach to make sure people know about the HRB, to invite us, and know when our meetings are to come and give comment.

Motion by Mr. Blank to adopt the proposition. Seconded by Ms. Shaw. *Passed Unanimously.*

B. Human Rights Board Forum(s) Relating to Human Rights Day

Consideration of a forum for organizations around Human Rights Day (June 21, 2016). The County has community partnerships and invitations can go to nonprofits and other groups and be provided an in-service presentation on the Human Rights Act and have discussions with the organizations on the possibility of advertising a link on the Human Rights Act on the respective organization's website. Subsequent to an evaluation/debrief of the forum, move forward with a larger forum for the public to provide comment and concerns on human rights and discrimination in Broward County that the HRB needs to hear. The organizations forum would require a press release and flyers; perhaps utilize *Advantage Marketing Program* for a breakfast meeting; reserve a venue such as the Urban League or other organization that is large enough; set up a panel or roundtable to hear from organizations on their concerns and where the HRB can play a bigger role in learning things from their perspective.

Motion by Ms. Shaw to authorize the Outreach Committee to work with Ms. McGovern to prepare a News Release for the organizations forum. Seconded by Ms. Feiler. *Passed Unanimously.*

NEW BUSINESS

A. Discussion on how to proceed with request relating to "housing status" as a protected class

Dave Wallace, Director, Public Policy Advocacy, United Way

Pablo Calvo, Director, SSVF Program, MISSION UNITED, United Way

Mr. Wallace spoke on the challenges of veterans in employment and housing, and specifically on some discussion to include veterans' status as a protected class under the Human Rights Act. He noted with rising rents and historically low vacancy rates, local landlords can be highly selective in choosing a tenant for even lower to moderate income units. Landlords cite reasons for not renting to veterans such as: low income, poor credit, or a history of evictions, and source of income. A majority of veterans served report at least one disability and other veterans have more than one disability. Landlords know disability is a protected status and so advise potential renters that they do not rent to veterans.

Mr. Calvo noted veterans are twice as likely to have experienced homelessness and landlords don't want tenants who are homeless or have been homeless in the past. This disproportionately affects veterans. Landlords don't want tenants who are disabled because they would have to make changes to the unit; they don't want tenants with PTSD because they would cause problems – landlords know they can't say this, so they say they do not want to rent to veterans. The trend this United Way program has seen in the past 2½ years is more than 10 times, but less than 20 times. Miami-Dade County does have a separate carve out for source of income, so landlords cannot say we don't take government funds or Section 8.

Michael Wright, Broward County Homeless Initiative Partnership / Continuum of Care Administrator.

We administer over 20 million dollars in HUD continuum of care funds, County funds and State funds. The trigger for "chronic" homelessness is a disabling condition. The Department of Veterans Affairs funds 390 cash vouchers in the community for veterans who have disabling conditions and those who may or may not be chronic homeless. There are about 25 agencies that fund homeless individuals in Broward County. This concern was raised at the National Fair Housing event on April 1, 2016.

Mr. Sorensen suggested a workshop on this issue. Mr. Wright advised that the Continuum of Care (COC) board had a recommendation from Mr. Weinberger on housing status. Mr. Steve Werthman will chair the COC ad hoc committee and is in the process of scheduling a meeting. Mr. Blank referenced an article in the *Chicago Sun Times*, February 2, 2016, which

granted veterans protected status in Chicago's Fair Housing Ordinance which is the 17th protected class in that ordinance. Mr. Rajner prefers to wait for the ad hoc committee experts who deal with homelessness to come up with more information for the Board to consider on this issue. Mr. Wright was asked to provide the date of the ad hoc committee meeting so the HRB may attend.

Ms. Estevez volunteered to present some of the figures on SSVF and MISSION UNITED numbers which are directly targeting the veterans in our community and bring anecdotal numbers as to the number of cases being handled; or have representatives handling the different types of cases come and speak to the numbers and trends.

Mr. Blank remarked that he was not sure that making veterans a protected class would be the best way to handle it. He requested Mr. Katzman to provide a comprehensive view of state statutes, county or municipalities ordinances that make "housing status" and "veterans" a protected class for housing, etc.

Ms. Barth suggested researching what other counties have done around the country and use the data of locations that have already implemented this versus finding someone who has experienced this discrimination.

Motion by Mr. Sorensen to rely on Mr. Michael Wright for the Continuum of Care (COC) ad hoc committee to investigate and present information regarding housing status to the HRB at the next board meeting, and with Ms. Estevez and Mr. Sorensen and any other committee members in partnership with MISSION UNITED and support from County staff to provide information about the possibility of "veterans" as a protected status. Seconded by Mr. Morera.

Ms. Burt-Stewart remarked that the motion mentions to consider Mr. Wright for any information, but Mr. Wright is surprised to hear that a veteran has issues with housing. Mr. Wright explained that he came to this meeting to discuss housing status. Mr. Wright had spoken to Mr. Rajner and Mr. Rajner noted his (Mr. Rajner) conversation with Mr. Calvo at the Fair Housing Celebration event. Mr. Wright stated that he was not aware that this was an issue. He stated he is aware of discrimination that happens to individuals every day and it is his job to make sure it doesn't happen in full compliance with County agreements. Mr. Wright clarified that when he said he wasn't aware, he meant he was not aware of the memo Mr. Calvo handed out on the other information.

Amendment to the Motion by Ms. Barth to receive the information to see what other counties and states have done. Seconded by Ms. Estevez.

Amended Motion to rely on Mr. Michael Wright for the Continuum of Care (COC) ad hoc committee to investigate and present information regarding housing status to the HRB at the next board meeting, and with Ms. Estevez and Mr. Sorensen and any other committee members in partnership with MISSION UNITED and support from County staff to provide information about the possibility of "veterans" as a protected status, and to receive information on what other counties and states have done. *Passed Unanimously.*

Motion by Mr. Blank to extend the meeting for 20 minutes. Seconded by Mr. Makalani-MaHee. *Passed Unanimously.*

BOARD POLICIES (Daphnee Sainvil)

Ms. Sainvil provided handouts of the *Broward County Advisory Boards Policies* and the memorandum from County Administrator Bertha Henry on the communication policy, upon appointment or reappointment, and provided a read through of the following:

Communication

It is policy that a board member is prohibited from approaching their Commissioner on an issue, prior to action from the full board, until the memo is delivered to the Mayor and Commissioners. At that time, a board member may speak to their

Commissioner. Mr. Rajner stated he objects to this policy – it is a poor policy and he will go to his appointing Commissioner about this policy as it is not appropriate. Mr. Rajner remarked that this is contrary from what he was told by another Commissioner. (7/11/16 - Amended verbiage requested by Mr. Rajner: I objected to OIAPS's delay in sharing the policy and educating us on the policy.)

Terms of Appointees

Board members serve until the expiration of their nominating or appointing Commissioner and that includes re-election or election of a new Commissioner who has six months to reappoint the board member or appoint a new member. There are no fixed terms for the Human Rights Board. Must be a resident and registered voter.

Categorical Requirements

Eight categorical requirements and eight non-categories and the member must be in the respective district.

Dual Office Holding Prohibition

Members may only serve on one County advisory board. Caveat: if a member is serving simultaneously on another quasi-judicial board on the municipal level, you must select one or the other. A county employee may not serve on this board.

Meeting Schedule

This board meets quarterly. A member may not miss more than two properly noticed meetings in a calendar year or two consecutive meetings which rollover from year to year. There are six excused absences noted in the Boards policies. If you receive a subpoena, send to Ms. McGovern who will forward to the Office of the County Attorney.

Vacancies on the Board

Applicant may send their resume to boards@broward.org or to the Board Coordinator.

Public Participation at Advisory Board Meetings

Public comment taken before item is voted on by the board.

Standards of Conduct

Board members are subject to statutory provisions; Broward County Code of Ordinances; Ethics, Conflict of Interest-- Gifts and Lobby Prohibitions. Members of boards may not lobby the department that oversees the board – for this board, Intergovernmental Affairs and Professional Standards. Members may not lobby their Commissioner on policy that has not been discussed by the full board, or a memorandum on the recommendation has not been sent to the Mayor and Commissioners.

Quorum

Majority of board members.

Business Cards/Stationery Not Permitted

Advisory board members may not go out to the public and portray their singular ideas. If the County Commission has not passed policies in agreement with the board members recommendations, the member may not advocate to outside entities on those recommendations.

Member Updates to Appointing Commissioner

Commissioners may receive updates from the full board, and a member may update their Commissioner on what has been happening. Again, no recommendations that have not gone before the entire advisory board.

With no further business to come before the Board, the meeting was adjourned at 6:37 PM.

**The next scheduled Board meeting will convene:
Monday, July 11, 2016, 4 PM, Governmental Center, Room 301.**

If any Board member or other party would like more information about the contents of the recorded minutes, a compact disk will be available by contacting the Human Rights Section at 954-357-7800.