

Meeting Minutes

City of Ypsilanti
Human Relations Commission

Regular Meeting
City Council Chambers – One South Huron St.
Ypsilanti, MI 48197

Monday, June 25, 2018 – 7:00 p.m.

I. **CALL TO ORDER:** 7:09 p.m.

II. **ROLL CALL:**

Commissioner Jones-Darling	Present
Commissioner Saunders	Present, [left 9:16pm]
Commissioner Shuler	Present
Commissioner Fellows	Present
Commissioner Gaines	Present, [arrived 7:14pm; left 9:16pm]
Commissioner Hunter	Present
Commissioner Choudhuri	Present, [left 9:15pm]
Commissioner Krupin-Carter	Present (non-voting member)

Staff present: Nancy Hare-Dickerson, Commission Secretary

III. **AGENDA APPROVAL:**

Saunders: Stated that there seems to be a missing document that needs to be accounted for that should be part of the Agenda and asked if the document will be read.

Jones-Darling: Confirmed that the “Annual Letter to Council” will be read into the record once at that point in the Agenda and offered his computer to commissioners who may want to visually see it.

Shuler: Stated not being able to locate the Position Statement.

(Discussion continued re: packet documents)

Choudhuri (second Hunter) moved to approve the Agenda.

Unanimous approval.

Motion carried.

IV. APPROVAL OF MINUTES

A. April 23, 2018

Jones-Darling: Asked if any commissioners desired time to review the minutes.

Hunter/Saunders: Replied affirmatively.

(Time allotted for the review of the minutes)

Jones-Darling: Noted that commissioners who may wish more time to fully read the minutes have the right to abstain from voting.

Choudhuri (second Fellows) moved to approve the Minutes of the April 23, 2018. Regular Meeting as submitted.

Voice Vote: 4 yes; 3 abstain

Motion carried.

B. May 21, 2018 – Special Meeting

Fellows (second Shuler) moved to approve the Minutes of the May 21, 2018. Special Meeting as submitted.

Voice Vote: 4 yes; 3 abstain

Motion carried.

V. AUDIENCE PARTICIPATION/COMMISSION RESPONSE

None

VI. DISCUSSION ITEMS

A. Bylaws – Final Draft

Jones-Darling: Explained that the memorandum from the City Attorney's office essentially points out details the City Attorney noted as to the bylaws and any recommendations. Asked commissioners their preference to go through the memo or to read it on their own.

Hunter: Expressed preference to go through the memorandum.

City Attorney Recommendation - Article II, Section 1

Jones-Darling: Explained that in Article II, Section 1, the City Attorney notes that the Commission serves as an advisory body and recommends that the language be reflected to concur with that in the City Ordinance in the City Charter

Krupin-Carter: Asked for the previous language.

Fellows: Indicated that it appears the Bylaws have already been adjusted to reflect the recommendations from the attorney; asked if that was done by the Chair.

Jones-Darling: Confirmed that he made some very slight adjustments to the Bylaws, not to change the meaning of wording but to clarify.

Krupin-Carter: Stated that the copy of the Bylaws that were passed out at the last meeting should have the language which was addressed in the letter from the City Attorney.

Fellows: I just pulled up our version so I can read off what it said previously.

Gaines: Asked for clarification since working through the Bylaws were already done at previous meetings.

Fellows: Explained that this is the final process because the City Attorney made recommendations to some of the Bylaw sections.

Fellows: Stated that Article II, Section 1 originally it read, "an act to remediate the legacy of historical oppression"; that the City Attorney recommends replacing the word "act" with the phrase "and possible actions that could be taken to remediate...".

Choudhuri: Stated, to recommend possible actions essentially.

Fellows: Stated that it just adds more qualifiers to it.

Choudhuri: Expressed that it seems the City Attorney has the opinion that the Commission is not an active body, an advisory body.

Hunter: Asked if that is an opinion or a fact.

Jones-Darling: Responded that that is a fact.

Choudhuri: Stated that it is a legal opinion.

Saunders: Suggested that it needs to be rephrased.

Hunter: Expressed that since there does not seem to be clear agreement amongst commissioners of whether it is opinion or fact, that maybe it should be discussed further.

Shuler: Stated that the City Ordinance that establishes this Commission says that the Commission provides recommendations to City Council.

Jones-Darling: Added that there are certain things that this Commission does out of function that are actions but that most of the Commission's function is advisory.

Choudhuri: Asked if what is being said is that the Commission does not act in terms of governance; it acts to advise.

Jones-Darling/Shuler: Responded affirmatively.

Hunter: Stated that City Council is an advisory body in that same sense, to some extent. Asked what is considered a fully active body in this structure, as far as commissions and councils.

Shuler: Replied that the Commission cannot give directions to the City staff to go and change the sidewalks, for example, or to do anything of that nature.

Krupin-Carter: Added that the Commission also cannot pass legislation.

Shuler: Further added that the Commission would have to give a recommendation to City Council for them to do that.

Jones-Darling: Stated that the ordinances that the Commission passes, are ordinance recommendations, not sub-committee actions of City Council.

(Further discussion re: interpretation vs fact, reference the above context)

Krupin-Carter: Stated that is only a fragment of a sentence and does not determine what the Commission does; rather, only allowing the ability to legally put forth ordinance recommendations to Council that the Commission desires to become legislation.

Hunter: Stated that that remains to be seen and expressed that it should be looked into.

Shuler: Asked Commissioner Hunter to explain what actions he would wish to reserve for the Commission to be able to do if he does not favor the change in the wording.

Hunter: Responded that that is what he would like to continue to discuss since some of the measures that the Commission is taking as far as policy change are geared towards trying to effect the larger system and this seems to possibly cushion that.

Shuler: Responded that the Commission cannot make legislative changes to effect those things; that they can only recommend that City Council pass an ordinance that does that.

Hunter: Expressed that it seems pretty toothless.

Shuler: Responded that that is what this Commission was formed to do.

(Further explanative discussion continued)

Fellows: Stated that the rewritten sentence seems to have a watering down effect, which does not seem to fit. Expressed that the Commission has done things to bring more equity to the process and does take action. Expressed her agreement with Commissioner Hunter that it is interpretation by the City Attorney.

Gaines: Expressed his agreement that the sentence seems to have a watering down effect and added that the Commission has taken many actions and has been impactful in doing so.

Shuler: Asked to hear the previous language.

Fellows: Replied that everything is the same until after the comma; then it reads “an act to remediate the legacy of historical oppression” and the new sentence is “and possible actions that could be taken to remediate the legacy of historical oppression”.

Krupin-Carter: Asked if not accepting the recommendation would make the document less legally binding.

Jones-Darling: Answered that it would make the document less legally binding in the opinion of the City Attorney.

Choudhuri: Stated that the memorandum reads, “offer the following comments and advice” indicating that it’s not that it needs to be this way but that it is advice.

Jones-Darling: Expressed agreement.

Fellows: Agreed that the Commission can accept some of the opinion and not necessarily all of it.

Choudhuri: Added that it moves it from active to extremely passive.

Fellows: Expressed agreement.

Jones-Darling: Explained that an up or down vote specifically on Section 1’s recommendation would be done; that a vote in favor would be a vote to approve the Attorney’s recommendation and a vote against would be to decline the recommendation. Asked if everyone understood the voting instructions. (Commissioners affirmed non-verbally)

Motion to approve the City Attorney's recommendation as to Article II, Section 1.
Voice Vote: 1 yes; 6 no **Motion failed.**

City Attorney Recommendation - Article II, Section 8

Jones-Darling: Read the City Attorney's recommendation – "The Commission shall, pursuant to the Ypsilanti City Code, and especially sections 58-36 and 58-67, receive opinions from the Ypsilanti City Attorney regarding any complaint and make recommendations regarding mediation as provided in YCC section 58-68".

Choudhuri: For clarification, asked if the City Attorney is recommending that mediation is the only recommendation the Commission is allowed to offer.

Hunter/Jones-Darling: Stated, no.

Jones-Darling: Explained that the wording in Article II, Section 8 allows the Commission to receive an opinion from the City Attorney which is required by the Ordinance and then the Commission makes a recommendation regarding any complaints.

Choudhuri: Stated that what the City Attorney is recommending is "make recommendations regarding mediation" and that the proposed Bylaws read, "shall make recommendations regarding those complaints", which allows for a broader range of options.

Jones-Darling: Explained that he amended the section in the final draft Bylaws to improve it from what the City Attorney was recommended and stated that there are several places in the final draft Bylaws where that occurs.

Fellows: Indicated that the original language was shorter, just the first sentence; that what has been added is what the City Attorney has already been doing in giving the Commission opinions on some of the complaints that have been sent in.

Hunter: Asked for the purpose of including this in the language.

Jones-Darling: Stated that the original version is that first sentence, that there is the City Attorney's recommendation; and then there is the version that he put into the document which is a combination of the two. Asked if there is a preference on the three options.

Shuler: Asked what the three options are.

Fellows: Responded that there is one version - number three in the memorandum, from John Barr; that there is the one that is currently in the language; and then the original one which is just the first sentence.

Shuler: Expressed that in knowing how the original reads, that what this sentence adds is that rather than just review the complaints, the Commission actually do something about them, which is important.

Choudhuri (second Shuler) moved to change the recommended wording of Article II, Section 8 from “The Commission shall, pursuant to the Ypsilanti City Code, and especially sections 58-36 and 58-67, receive opinions from the Ypsilanti City Attorney regarding any complaint and make recommendations regarding mediation as provided in YCC section 58-68” to the amended wording, “The Commission pursuant to section 58-36 and 58-67 shall receive opinions from the Ypsilanti City Attorney regarding any complaints and shall make recommendations regarding those complaints” and approve Section 8 as amended.

Fellows: Stated that it does not say that the Commission has to make recommendations based on the City Attorney’s opinion; just that the Commission will receive the City Attorney’s opinion.

Shuler: Added that the Commission would also consider the City Attorney’s opinion.

Voice Vote.

Motion carried.

City Attorney Recommendation - Article II, Section 5

Jones-Darling: Stated that the City Attorney is essentially recommending the same thing for Article II, Section 5; although having made no changes to Article II, Section 5, there is no need for revision.

(Commissioner Consensus)

Krupin-Carter/Choudhuri: Indicated that Section 5 and Section 8 seem to duplicate.

Choudhuri: Added that Section 8 is one aspect of Section 5.

Hunter: Stated that the City Attorney’s recommendation in number four is without explanation.

Krupin-Carter: Agreed and stated that Section 8 is just the middle of Section 5.

Fellows: Suggested eliminating Section 8 and moving the sentence up to Section 5.

Shuler: Agreed.

Choudhuri: Suggested the language read, “the Commission shall acknowledge and review complaints that arise from violations of the Non-Discrimination Ordinance.

Fellows: Indicated that the new language is Section 5 and reads, “including but not limited to referral of complaints to appropriate agencies and/or the City Attorney, mediation of complaints, or dismissal of complaints in accordance with Section 58-36 and 58-67 of the City Code”.

(Commissioner Consensus)

City Attorney Recommendation - Article III, Section 4

Jones-Darling: Read the City Attorney's recommendation - "It may be beneficial to reference the City Ethics Ordinance here. Ethical standards of conduct are found in Chapter 46, Article III." Stated that the only amendment that he made is noting that "Each member of the Commission shall be bound by Chapter 46, Article III of the Ypsilanti City Code otherwise known as the Ethical Standards of Conduct". Explained that commissioners are already bound by it because of taking the oath of office.

Hunter: Asked what that entails.

Jones-Darling: Responded that it entails doing everything stated in the section, which is if you have a conflict of interest, noting that you have a conflict of interest.

Hunter: Asked if that would be somewhere in the Article.

Jones-Darling: Responded that in Article III, Section 4, the original language that is noted, which is "Each member of the Commission shall avoid conflicts of interest, including, but not limited to, deliberating on, voting on, or reviewing a case concerning the member; the immediate family or household of the member; property owned by or adjacent to property owned by the member; or a corporation or partnership in which the member has an ownership, employment, or other financial stake" is the language that the Commission agreed on, among other things, and is pretty much verbatim of what the Ethics Ordinance says.

**Choudhuri (second Hunter) moved to approve Article III, Section 4.
Unanimous approval. Motion carried.**

City Attorney Recommendation - Article III, Section 6

Choudhuri: Stated that she appreciates the way the amendment is worded; that it is important for commissioners to know that they can request a closed hearing.

Fellows: Stated that in number six of the memorandum, the City Attorney spells out the Open Meetings Act – that a closed session could happen "if the named person requests a closed hearing", which she appreciates; that the reference would be helpful for those unfamiliar with the Open Meetings Act.

(Discussion continued re: awareness of requesting a closed hearing)

Jones-Darling: Stated that after the words "protect privacy", he eliminated the period and inserted "as long as the named person shall request a closed session, the Commission shall act in accordance with MCL 15.261, otherwise known as the Open Meetings Act".

Choudhuri: Asked for a footnote to be added and then list that section in that footnote so the important criteria in the Open Meetings Act is referenced in the document.

Shuler: Asked to include as a subsection the same quote recommended by the City Attorney.

Fellows: Stated that having the full version makes it clearer.

Krupin-Carter: Added that it is better to have the language explicitly laid out so there is less chance for confusion.

Saunders: Agreed.

Hunter: Asked for Section 6, as amended, to be read.

Jones-Darling: Stated "If any discussion occurs regarding a member or officer performance leading to recommendation for dismissal, such discussion and identification of persons shall occur in closed session to protect privacy. The member or officer must request the closed session".

Hunter: Asked if that is how it ends.

Jones-Darling: Responded that there is the language in Section 6.1 which is the verbatim of what the Statute says and as noted on the top page of that part of the recommendation from the memorandum.

Choudhuri (second Fellows) moved to approve Article III, Section 6 as amended. Unanimous approval. Motion carried.

City Attorney Recommendation - Article IV, Section 1

Jones-Darling: Explained that Section 1 states that in order for a Chair or Vice-Chair to be elected, they must have served at least one year on the Commission; and that the City Attorney indicates that although he sees no reason for it, there is no reason to object.

Hunter: Asked for the reasoning.

Jones-Darling: Responded that the reason is for the experience. Asked if commissioners were okay with Section 1 as is.

(Commissioner Consensus)

City Attorney Recommendation - Article IV, Sections 2 and 4

Jones-Darling: Read the City Attorney's recommendation - "...the Code provides that the City Clerk shall serve as secretary to the Commission". Agreed that this is so.

Stated that in the original of Section 4, it reads “the Commission shall designate”. Stated that no ordinance says that the secretary of the commission is the city clerk and, therefore, it is “the Clerk who shall designate” is the only thing that was changed.

Choudhuri: Asked if the wording in Section 2 which references “Secretary of the Commission” should read “The Chairperson and the City Clerk acting as Secretary to the Commission” rather than “as Secretary of the Commission”.

Jones-Darling: Agreed.

Fellows: Stated that the sentence now reads, “The Chairperson and City Clerk (or their designee) shall sign approved minutes of meetings and receive communications and petitions sent to the Human Relations Commission”.

(Consensus of commissioners)

City Attorney Recommendation - Article IV, Section 9

Jones-Darling: Stated that the City Attorney says that there needs to be due process, to which he concurs, and recommends that language be added to note that there must be “an affirmative two thirds vote of the entire Commission membership, but only for cause and after notice and the opportunity for a due process hearing on the merits”.

Choudhuri: Asked to have the original language read.

Fellows: Read, “The Commission may vacate an officer from their seat during a regular meeting only by affirmative vote of at least two thirds of the current roster of the Commission.”

Saunders: Asked if the original had the rest of the language, “but only for cause and after notice”.

Jones-Darling: Replied that the language, “but only for cause and after notice was included but that the City Attorney noted that that was problematic because there was no opportunity for due process. Read the amended section as follows - “The Commission may vacate an officer from their seat by an affirmative two thirds vote of the entire voting commission membership, but only for cause and after notice and the opportunity for a due process hearing on the merits”.

Choudhuri (second Saunders) moved to approve Article IV, Section 9 as amended.

Unanimous approval.

Motion carried.

City Attorney Recommendation - Article V, Section 2

Jones-Darling: Read the City Attorney's recommendation - "The Code requires that the Commission hold its meetings quarterly. This is a little different than four meetings per year". Stated the amended language as "The Commission shall hold a minimum of one meeting each quarter".

**Hunter (second Choudhuri) moved to accept Article V, Section 2 as amended
Unanimous approval. Motion carried.**

City Attorney Recommendation - Article V, Section 4

Jones-Darling: Read the City Attorney's recommendation - "I recommend that "Audience Participation/Commission Response" be changed to "Public Comment."

**Saunders (second Choudhuri) moved to approve Article V, Section 4.
Unanimous approval. Motion carried.**

City Attorney Recommendation - Article VIII, Section 1c

Jones-Darling: Read the City Attorney's recommendation - "makes use of the word 'canvass' and I am unclear as to the meaning".

Saunders: Stated that the word "canvass" should be left in because of extensive discussion about its use.

Fellows: Read the current Section 1c language as follows - "There will be a limit of three (3) consecutive 'excused absences' or two (2) consecutive 'unexcused absences' for any member of the Human Relations Commission. If any member meets the above criteria for consecutive yearly scheduled regular meetings, the Commissioner will be canvassed and recommended for dismissal unless extenuating circumstances exist".

Hunter: Indicated that the language should be amended, as the meaning of "canvass" may be unclear to some.

Shuler/Choudhuri/Krupin-Carter: Stated their preference for the amended language.

Choudhuri: Read the amended language as follows – "the Commissioner will be asked to provide cause and recommended for dismissal unless extenuating circumstances exist".

**Choudhuri (second Hunter) moved to approve Article VIII, Section 1c as amended
Unanimous approval. Motion carried.**

City Attorney Recommendation - Article VIII, Section 1d

Jones-Darling: Read the City Attorney's recommendation – "The Commission would have no authority to impose the requirement or suggestion contained in the last sentence. If this language were retained, it would have no force or effect".

Shuler: Asked how the Section read previously.

Jones-Darling: Read the original Section 1d language as follows – "The 'recommended for dismissal' action as required will be initiated by the City Clerk's office staff and forwarded on to the City Council for official action. The commissioner shall be replaced as soon as possible by the Mayor and City Council in order to maintain the prescribed number of Human Relations Commission members."

Read the current Section 1d language as follows – "The 'recommended for dismissal' action as required will be initiated by the City Clerk's office staff and forwarded to the City Council for official action. The Chairperson of the Commission shall work with the Mayor and City Council to locate appropriate individuals to fill any vacancies".

(Discussion continued re: possible reasons for the recommendation)

Choudhuri: Suggested deleting the words "as required" for clarity.

Shuler (second Saunders) moved to approve Article VIII, Section 1d amendment as further amended.

Unanimous approval.

Motion carried.

City Attorney Recommendation - Article IX, Section 1

Jones-Darling: Read the City Attorney's recommendation as follows – "Amendment of the Bylaws requires notice to all members a reasonable amount of time before the action. I suggest the section be changed to read in part as follows:" Stated that the language presented is the exact recommendation provided – at least 15 days notice of a change and it must include the proposed language to change the Bylaws.

Hunter: Suggested thirty days.

Saunders: Stated that there has to be a certain number of readings before a vote can occur.

Shuler: Suggested adopting the language provided by the City Attorney which is that notice is given in a preceding meeting prior to the meeting that it's done.

Krupin-Carter: Added that that would also essentially be thirty days.

Shuler (second Saunders) moved to approve Article IX, Section 1.

Unanimous approval.

Motion carried.

Shuler (second Fellows) moved to adopt the Bylaws of the Human Relations Commission as presented and amended.

Jones-Darling: Asked as an amendment to the motion that the City Clerk be directed to notify City Council that the Human Relations Commission has adopted its Bylaws; provide City Council with a copy of the final Bylaws; and post the Bylaws to the City website.

Hunter (second Choudhuri) moved to approve the amendment to the above motion.

Shuler: Noted that Article IX, Section 1 provides for amendments to the Bylaws; So if commissioners find something that causes concern, it can be re-examined.

Roll Call Vote of the Final Bylaws:

Jones-Darling: Yes
Fellows: Yes
Choudhuri: Yes

Saunders: Yes
Gaines: Yes

Shuler: Yes
Hunter: Yes

Unanimous approval.

Motion carried.

Jones-Darling: Thanked the commissioners for their hard work and diligence.

B. Position Statement

Jones-Darling: Indicated that the reason for preparation of a Position Statement is to lay out the position of the Commission in regards to complaints of source of income discrimination.

Read **Paragraph 1** as follows - "It is the position of the Human Relations Commission that the meaning of 'income' as defined in 58-62 of the City Code includes housing vouchers issued by the United States, a federal agency, the state, or a political subdivision of the state. These vouchers include those issued by the United States Department of Housing and Urban Development under section 1437f of 42 United States Code. These vouchers are to be considered due to the individual as long as the individual remains eligible for a state or federal program which has a primary purpose of providing affordability within housing. The denial of these vouchers due to known property conditions or actions on the part of a landlord shall in the view of the Commission constitute a violation of section 58-63 of the City Code". Explained that paragraph one of the Position Statement means that Section 8 housing vouchers, as issued by the US Department of Housing and Urban Development, are considered a

source of income and that the Commission will, from this point on, consider that as a valid reason for someone to issue forward a complaint of discrimination if the property is made in such a condition that they cannot receive their Section 8 voucher or the landlord has made an action not accepting Section 8 vouchers.

Choudhuri: Asked for clarification of the meaning of “due to known property conditions or actions on the part of a landlord”.

Jones-Darling: Responded that as a part of Section 8 requirements, before you are able to receive a voucher, you must go through a property inspection and that the property inspections are in accordance with the US Department of Housing and Urban Development standards and there are specific inspectors designated in each municipality that do the inspections. Stated that if a property owner knowingly acts to fail that inspection to prevent the Section 8 voucher to be issued, that that is considered discrimination.

(Discussion ensued re: identifying discriminatory behavior; denial of vouchers possibly constituting a violation)

Shuler: Suggested the last sentence of paragraph one be amended to read, “The denial of these vouchers for any reason, but including due to known property conditions” because the way it currently reads, it’s only if it’s due to property conditions.

(Discussion continued re: the broadness of the words “for any reason”/possible alternatives; possible enforcement mechanisms)

Jones-Darling: Stated that, based on discussion, he amended the last sentence of paragraph one to read, “The denial of these vouchers due to known property conditions or actions on the part of a landlord to willfully deny a voucher shall, in the view of the Commission, constitute a violation”.

Read **Paragraph 2** as follows: “Additionally, it is the position of the Human Relations Commission that the meaning of ‘income’ as defined in 58-62 of the City Code includes student loans, grants, or scholarships granted by any individual, association, partnership, private or public corporation, United States or federal agency, the state or a political subdivision of the state, or another legal entity. If these student loans, grants or scholarships are given on a regular basis they are to be considered debts and the denial of these sources of income shall, in the view of the Commission, constitute a violation”.

Explained that the meaning of paragraph two of the Position Statement is to address, for example, landlords who will not accept student loan payments as a source of income.

Fellows: Suggested amending the language to “any source of income” in order to include other forms of income in addition to student loans, grants, or scholarships.

(Discussion ensued re: broadness of the words “any source of income” and possible ramifications of use of the words “any source of income”)

Choudhuri: Suggested that if what the Commission is trying to do is to say that access to safe housing is an inalienable human right unrelated to income, then why not just say that.

(Discussion continued re: different forms of income; acceptable/unacceptable)

Saunders: Stated that the discussion is about two different things; that there is the inalienable right for housing, regardless of anything else and then there is how it gets paid for.

Choudhuri: Asked for clarification – that in the last sentence of paragraph two, if the language “are to be considered debts” would be “considered income”. Suggested that in paragraph three, the word “sturdy” be changed to “safe”.

Saunders: Agreed and stated “and affordable”.

(Discussion continued re: different forms of income; acceptable/unacceptable)

Paragraph 3

Choudhuri: Suggested that the word “additionally” be deleted, as the last paragraph is summation. Also suggested the deletion of “to advise City Council and the City Manager to keep this under advisement” in the last sentence of paragraph three.

(Discussion re: paragraph three/last sentence language)

Jones-Darling: Read the amendment of the last sentence of paragraph three as follows: “It is the position of the Human Relations Commission to advise the City Council and the City Manager to promote this as a standard of the City of Ypsilanti”.

Shuler: Asked for clarification of the first sentence in paragraph three; if the fact that it is “a healthy living environment” implies that that is the standard.

Jones-Darling: Stated that it should read “is a standard”.

Shuler: Added that “a standard not to be abridged by the government” reads like there is a written standard that spells out what a healthy living environment is. Read the amended paragraph three as follows – “It is the view of the Commission that the right of housing, that is a healthy, accessible, safe and affordable living environment is an inalienable human right to be protected by the government”. Asked if the attempt is to eventually put the Position Statement into the Ordinance.

Jones-Darling: Stated that it would be a statement of interpretation of the Ordinance, as a point of starting.

Shuler: Asked how this is published.

Jones-Darling: Responded that it will be posted on the website.

Shuler: Asked if the next step is to send it to City Council for approval, to publish it as a policy statement on the website.

Jones-Darling: Stated that the next step should be that we publish it as a policy statement and that it be sent to City Council for their advisement.

Fellows: Added that another step would be to act on this in good faith and do more research around it, including possibly meeting with the Ann Arbor Human Rights Commission if the Commission would like to keep pursuing this.

Jones-Darling: Is there a further motion to amend the motion to put some actionable points into it?

Shuler: I'd like to offer that as a friendly to the motion

Fellows (second Hunter) moved to approve the Position Statement as amended.

Roll Call Vote of the Position Statement as amended:

Jones-Darling: Yes	Saunders: Yes	Shuler: Yes
Fellows: Yes	Gaines: Yes	Hunter: Yes
Choudhuri: Yes		

Unanimous approval.

Motion carried.

C. Article III – Discrimination Amendments

Jones-Darling: Stated that the first one is in Section 58-65 of the City Ordinance with an added clause (c) which reads, "No employer shall request the criminal or economic history of a person applying for a position until an offer of employment has been made". It makes it so you cannot background check someone until that point. You cannot make a basis of an employment offer off of the standard that this be done.

Fellows: Noted that although some commissioners have left the meeting, a quorum remains.

Shuler: Asked if the proposed changes are those that are bolded.

Jones-Darling: Confirmed, and asked commissioners to review them.

Shuler (second Fellows) moved to table Article III – Discrimination Amendments and Annual Letter to Council to the next meeting and that the Annual Report to

the Mayor and City Council be disseminated to commissioners for reading prior to the next meeting.

Unanimous approval.

Motion carried.

Jones-Darling: Stated that he will send a draft copy of the Annual Report to City Council as a communication from himself; that a *draft will be included in the minutes for this meeting; and that he will email a draft to commissioners. (*See below for Annual Report)

VII. AUDIENCE PARTICIPATION/COMMISSION RESPONSE

None

VIII. PROPOSED BUSINESS

A. Article III – Discrimination Amendments

B. Annual Letter to Council

IX. NEXT MEETING DATE: Monday, July 23, 2018

X. ADJOURNMENT:

Commission Chair Jones-Darling adjourned the meeting of the Human Relations Commission at 9:21 p.m.

***SUPPLEMENT:**

**City of Ypsilanti Human Relations Commission
Annual report to the Mayor and City Council**

The members of the Human Relations Commission (HRC) respectfully submit the following report to inform the Mayor and City Council of Ypsilanti, Michigan what the Commission accomplished in 2017 and has set as priorities for 2018.

Commissioners:

The Commission finished 2017 with the following individuals are commissioners: Amber Fellows, Ka’ron Gaines, Kyle Hunter, Sam Jones-Darling, Willow Krupin-Carter, Tanasia Morton, Theresa Saunders and John Shuler. Throughout 2017 we saw D’Real Graham, Krista Nordberg, and Jennifer Symanns depart the Commission.

We were delighted to have Dr. Devika Choudhuri join us in early 2018. Our current number as of June 4, 2018 is 7 commissioners and 1 youth Commissioner, this leaves two regular commissioner vacancies and one youth vacancy.

Accomplishments of the 2017 year:

- **Goals:**

The HRC conducts our goal setting session as our first meeting in January. In 2017, we set forth three major goals for the 2017 years and I am happy to report that each of them have found resounding success within our community.

1. Immigration Enforcement Forum

- This forum hosted in September brought together members of law enforcement, policy makers and the community to discuss the rising presence of the Immigration and Customs Enforcement Agency in the Ypsilanti area. In addition, members of the community were briefed on city ordinances preventing the disclosure of information related to immigration status and city non-discrimination ordinance protections for immigration status. The forum was attended by over 50 individuals at Ypsilanti Community High School.

2. Strategies to Combat Gentrification and Housing Discrimination

- The Commission agreed that Housing is considered a basic human right and that the right to be secure and safe within one's housing is as important as being physically and psychologically safe in the workplace. The Commission is uniquely aware that implicit racism and classism exists within all economic development due to systemic issues within our country. The Commission has acknowledged that the City of Ypsilanti cannot be insulated from the effects of housing discrimination and the forces of gentrification being conducted in other portions of the county. As part of this discussion, we agreed also that source of income discrimination includes the refusal of acceptance for federal housing vouchers (Section 8) and student loans.

- The Commission met in joint session with the Planning Commission and Sustainability Commission to discuss how each commission could act within their jurisdictions to combat gentrification. This meeting has resulted in a master plan update process.

3. Amendment to the City's Non-Discrimination Ordinance

- The HRC provided City Council with an amendment to the City's Non-discrimination ordinance in mid-2017. The updated NDO included language from the Michigan Department of Civil Rights' model ordinance with the addition of Immigration Status as a protected class.
- The HRC believes to date that the Ypsilanti NDO is the most progressive ordinance to protect minority and historically disadvantaged persons anywhere within the State of Michigan.
- In addition to adding several more protected classes, the ordinance cleaned up language and specified some ambiguity which will allow the HRC and the City to enforce the ordinance to the best of our ability.

Goals for 2018:

For 2018, the Commission has determined the following goals:

1. Implementation of Commission Bylaws
 - The Commission has drafted and is preparing to adopt a set of bylaws. The bylaws will set out standards for compliance with policies, how the Commission approaches discrimination cases, and how the Commission handles the behavior of its members.
 - The Bylaws are expected to be adopted at the regular meeting to take place at the end of June 2018.
2. Housing Discrimination and Gentrification
 - The Commission has determined that housing discrimination and gentrification are two of the most important issues to the City of Ypsilanti's long-term future as a diverse community. Housing, which in our belief is the ability to have a solid roof over one's head that is hazard free and enables the person to develop naturally is a basic human right.
 - The Commission has determined that as a body there is little we can do in the way of development aside from ensure our community is educated on historical patterns of discrimination which includes gentrification.
 - The Commission has directed the Chair and Vice-Chair to work closely with the Planning Commission to ensure a coordinated citywide effort on affordability.
 - The Commission has directed the Chair and Vice-Chair to work with the City of Ann Arbor's Human Rights Commission to establish a future time and day for a joint-session of the two bodies to discuss Housing Affordability and Source of Income discrimination within our two communities.
3. Cultural Competency
 - The Commission has determined that the need for cultural competency training is an ongoing concern for the city. We are currently evaluating options for potential policy and training opportunities which the Commission may wish to engage in.

Statement on Community Input:

As a Commission, we believe that the right of the community to provide valuable input into the workings of their government is beneficial to the City of Ypsilanti. We wish to see continuing opportunities for dialog between neighbors both within the city and within our surrounding communities. The Commission believes this type of input is the best possible method to ensure that tensions between the citizenry and the City are minimal and to expand the base of understanding that is required within our diverse and growing community. As part of the bylaw discussions we have determined that our public comment procedures were arcane, we have reformed them and sought to grant a person a minimal of three minutes and granted the Chairperson the ability to extend that time based on the amount of people wishing to participate in public comment.

On Gendered Language:

It is the intent of the Commission to eliminate all gendered references within city ordinances as is legally possible to do. This is to ensure that we may seek to be inclusive of the diversity within our community and acknowledge that gendered language seeking to establish a binary which does not exist except within a social construct.

Finally, on behalf of the Human Relations Commission I would like to thank the community for being supportive of our initiatives. We as a Commission know that some of the issues we discuss are not always easy conversations to have, politically correct, and many topics are loaded with a vile history of intolerance. We must continue to look forward as a community to develop the best possible outcomes for every person that resides within our community whether it be for a day or for decades. It is upon each of us to think about these decisions we make now and look to the future.

Respectfully,
Sam Jones-Darling
Chairperson, Human Relations Commission