

## HUMAN RIGHTS COMMISSION

April 15, 2010  
DRAFT Minutes

Commissioners Present		
Margaret Akdeniz	Raji Bains	Vanessa Burbach
Kalvin Gill	Clarence Madrilejos	John Marienthal
David Parker	Megan Young	

Commissioners Absent		
Andrae Macapinlac	Edward Walker	

### **Staff:**

Ernest Azevedo, City Manager's Office

Lt. Tom Sims, Police Department

Patricia Deignan, City Attorney's Office

Dennis Hawkins, City Clerk's Office

#### (a) Call to Order

The meeting was called to order at 6:40 p.m. by Commissioner Burbach.

#### (c) Approval of Minutes

Upon motion by Commissioner Parker, seconded by Commissioner Young and carried unanimously, the Minutes for February 18, 2010 were approved. All present voted to approve the minutes.

#### (d) No Ceremonial Items at this Time

#### (e) Open Forum

Members of the public are invited to speak on any item that does not appear on this agenda and that is within the subject matter jurisdiction of the Commission. Speakers are limited to 2 minutes. Please note that the Commission may not take action on issues brought forth under Open Forum, but may refer issues to staff for action at a further meeting.
--

(1) One member of the public came up to the microphone to speak to the Commissioners on an item not on the agenda.

(2) Upon motion by Commissioner Parker, seconded by Commissioner Marienthal and carried unanimously, item (e)(2) was moved to be heard upon the availability of staff.

(3) Upon motion by Commissioner Burbach, seconded by Parker and carried out unanimously, item (f)(3) was moved to be heard last from the items presented for action.

(f) Standing Reports

- (1) Council Liaison Report - no report at this time.
- (2) San José Department Liaison Report – Lt. Simms provided an update on the recent Special Meeting for Public Safety, Finance and Strategic Support Committee, which focused on receiving public input of the City’s Community Engagement Efforts. Additionally, Lt. Simms offered to arrange ride a longs for the Commissioners to observe the downtown activities on Cinco de Mayo (5<sup>th</sup> of May).
- (3) Staff Report - no report at this time.

(g) Discussion and Action Items

- (1) Human Rights Commission Procedural Training – City Attorney and City Clerks Office
  - (a) Patricia Deignan, City Attorney’s Office and Dennis Hawkins, City Clerk’s Office presented information on the Brown Act, By Laws, Council policies.
- (2) Boards and Commissions Code of Ethics Form
  - (a) Patricia Deignan, City Attorney’s Office and Dennis Hawkins, City Clerk’s Office distribute the Code of Ethics Form for Commissioner signature.
- (3) HRC Draft Bylaws
  - (a) A working document was distributed to the Commissioners present. Revisions will be made and the item will be addressed by the HRC next month. Additional revisions and amendments may occur prior to action taken by the Commissioners.
  - (b) Changes/Additions to the draft Bylaws include:
    - (1) Item (3)(g)(2) - Requesting City Manager Office staff, either in person, telephonically or electronically to place an item on the agenda.
    - (2) Item (4)(a) - Commission officers shall be elected by the Commission annually during the May meeting to serve for one year. Originally, elections occurred in November, however, Commissioners would like them to occur in another month, therefore, the final recommendation of the month would be determined at the next meeting.
    - (3) Item (4)(f) - In the absence or vacancy of the Chairperson, the Vice-Chairperson shall perform all duties as outlined in 4d. Other Commissioners may represent the Commission in the community at the discretion of the Chairperson.
    - (4) Item (4)(g) - In the absence or vacancy of the Chairperson and Vice-Chairperson, the Parliamentarian shall perform all the duties as outlined in 4d.

(5) Item (4)(h) - In the absence or vacancy of the Chairperson, the Vice-Chairperson and Parliamentarian, any member may call a meeting to order and a Chairperson Pro Tempore shall immediately be elected to conduct the meeting.

(6) Item (8) Eliminate Excused Absence language and refer to the municipal code language for Commissioners Absences.

(7) Item (8) Insert the following language referring to Attendance Records: Staff shall maintain attendance records of the Commission. Staff shall report attendance to the Liaison and Clerk's offices when a commissioner has missed more than half of the regularly scheduled meetings for any reason. Furthermore, staff shall report to the Liaison and Clerks office the complete attendance history during a commissioner's term when that commissioner is applying for reappointment.

(8) Item (9)(g) - Though Commissioners are not required to serve on a Committee, such participation is strongly encouraged. The Chair shall nominate Chairpersons and members of Committees who shall then be approved upon a majority vote of the total commission membership.

(9) Item (9)(f) – Eliminate the existing Standing Committees and add the following language to the section: The Commission may create or dissolve Standing Committees, along with any Ad Hoc Committees when deemed necessary.

(10) Item (11) – Eliminate the Commissioner Emeritus Position, along with the language in this section to adhere to the Commission municipal code.

(4) Boards and Commissions Outreach and Recruitment Process

- (a) Dennis Hawkins, City Clerk's Office discussed the overall City process and role of the Clerk's Office in the process.

(5) 2010 HRC Committee Membership Nominations and Elections

- (a) Upon motion by Commissioner Burbach, seconded by Commissioner Parker and approved 6-2, the item was tabled until the next meeting.

(h) Standing Committee Reports

- (1) Outreach Committee – no report at this time.
- (2) Public Safety Oversight Committee – no report at this time.
- (3) Youth Commission Liaison – no report at this time.
- (4) Senior Commission Liaison – no report at this time.

(i) Correspondence

No Correspondence items at this time.

(j) Adjournment

Upon motion by Commissioner Young, seconded by Commissioner Akdeniz and carried unanimously, the meeting was adjourned at 9:30 pm (Yes: 8; No: 0)

To request accommodation or alternative format for City-sponsored meetings or printed materials, please call (408) 723-4114 or (408) 294-9337 (TTY) as soon as possible, but at least three business days before the meeting.  
For questions, please contact Ernest Azevedo at (408) 535-8119.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Manager at San José City Hall 200 E. Santa Clara Street, 17<sup>th</sup> Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body.