

APPROVED MINUTES

Human Rights Commission

Monday, January 25, 2016

5:30 PM

McLeod Conference Room
1800 West Old Shakopee Road

I. PROCEDURAL MATTERS – 5:30 P.M.

- 1.1 Call to Order and Roll Call** Present: Sheila Fishman, Dennis Kane, Daniela Kunkel (arrive 5:31), Jared Leese (arrive 5:32 p.m.), Johnathon McClellan, Savannah Salato, Ibrahim Yusuf (arrive 5:39 p.m.)
- Staff: Lorinda Pearson, Manager and Staff Liaison, Human Services Division
Heather Lambert, Administrative Assistant, Human Services Division
- Guests: Randy Quale, Manager, Parks and Recreation Division
Julie Farnham, Senior Planner, Planning Division
Tracy Smith, Administrative Coordinator, Human Services Division
Dennis Porter
Larry Granger, Bloomington Historical Society
Vonda Kelly, Bloomington Historical Society
- Chair D. Kane called the meeting to order at 5:31 p.m. A quorum was present.
- 1.2 Approval of Minutes - December 14, 2015** M/S. Fishman, S/D. Kunkel unanimously carried to approve the minutes of the December 14, 2015 meeting as presented.
- 1.3 Adoption of Agenda** M/D. Kunkel, S/S. Fishman unanimously carried to approve the agenda as presented.
- J. McClellan inquired if the Minnesota River Valley Strategic Plan would come to a vote. D. Kane stated it is the hope of the Commission to have a motion in place at the conclusion of the program.
- 1.4 Oath of Office** S. Salato read and signed her Oath of Office for a term ending August 31, 2016. D. Kane read and signed his Oath of Office for a term ending December 31, 2017.
- 1.5 Announcements** There were no announcements.

II. PROGRAM – 5:35 P.M.

- 2.1 MN River Valley Strategic Plan** D. Kane introduced Parks and Recreation Manager Randy Quale and Senior Planner Julie Farnham and thanked them for sharing information on the Minnesota River Valley Strategic Plan. He stated after the presentation, each Commissioner will be given the opportunity to address R. Quale and J. Farnham with one (1) comment or question.
- J. McClellan stated he was contacted by Dennis Porter on this issue, who will be attending this evening's meeting.
- R. Quale stated this presentation to the HRC is the same presentation that will be given at the City Council meeting this evening, January 25, 2016. He stated the State Trail is a separate issue, and even if the City Council chooses to turn down the MN River Valley Strategic Plan, the DNR will continue with planning the State Trail. He stated the purpose of this presentation is to give Commissioners an overview of the MN River Valley

Strategic Plan.

R. Quale stated the MN River Valley Strategic Plan began with an engagement process, including community Open Houses, online surveys, project webpage and stakeholder meetings with user groups and other agencies. He stated the Plan's vision is "to enhance awareness, appreciation, and enjoyment of the Minnesota River Valley by ensuring that City-owned land in the valley is used and managed in a manner that balances resource preservation with appropriate access and utilization."

The goals of the Plan are to enhance access, increase awareness, protect & preserve and improve utilization. R. Quale reported on several of the challenges and opportunities the Plan had to consider and explained how the Plan may be implemented.

R. Quale gave a brief history of the Minnesota Valley State Trail, stating State legislation authorized the Trail from Fort Snelling State Park to the City of LeSueur in 1969. The DNR received \$2.165 million in the 2014 Bonding bill to design and construct the State Trail. The DNR dual track trail design includes two treadways, one paved, one natural surface, located in a single trail corridor, with the goal of making the State Trail and the Minnesota River Valley accessible to a broad spectrum of users to enjoy.

R. Quale stated the Planning Commission and the Parks, Arts and Recreation Commission have both unanimously approved the MN River Valley Strategic Plan. The Public Hearing and Final Action is taking place at this evening's (January 25, 2016) City Council meeting.

R. Quale and J. Farnham opened discussion to Commissioners, for their one (1) comment or question. J. McClellan stated with unanimous Commission approval, the Rules of Procedure may be suspended and discussion could include comments from the public. D. Kane stated only members of the public who have sought prior authorization will be given the opportunity to speak. J. McClellan stated his position is in opposition of the paved Trail, which was stated in a letter he wrote.

J. Leese asked if the DNR conducts the inspections of the area. J. Farnham stated the State Trail is a DNR led project and affected property owners are involved, including the U.S. Fish & Wildlife Service, the City of Bloomington, a few personal property owners, etc. She stated background research has been conducted over the last few years, with preliminary design planning taking place the first part of 2016. The DNR would ask the City of Bloomington to enter into a cooperative agreement after preliminary design is complete. She stated the process will have a public input component.

S. Fishman asked about the purpose of this Program. R. Quale stated the purpose is for Commissioners to look at the MN River Valley Strategic Plan, reiterating the State Trail is only a portion of the MN River Valley Strategic Plan, and the DNR will continue with the State Trail planning process regardless of City Council approval or disapproval of the MN River Valley Strategic Plan.

S. Salato stated looking at the Minnesota River Valley Strategic Plan from a Human Rights perspective, she finds everything is being followed. D. Kunkel voiced agreement to S. Salato's statement.

J. McClellan asked where money will come from to maintain the trail, as the DNR has made the promise to maintain the trail; but he understands there is no more state funding to the DNR. He also asked what would happen if the DNR faulted on payments for the maintenance of the trail. J. Farnham

stated the City is not responsible for the maintenance of a state facility, and as the trail is a state facility, maintenance would fall under the DNR budget. She reported the DNR has stated they will need to ask for more funding from the Legislature. J. McClellan asked if funding of the ADA compliant trail could hurt other ADA projects in the state of Minnesota. R. Quale stated this question would need to be directed to the DNR. J. McClellan asked if the Minnesota Department of Human Rights has been involved. R. Quale stated he is not aware of any involvement.

I. Yusuf stated he had no comment or question.

D. Kane read Section 8.2 from the Human Rights Commission Rules of Procedure, "Addressing the Commission. Any person or group desiring to address the Commission shall first secure the permission of the presiding officer or communicate their concerns in writing to the full Commission." J. McClellan stated he would like to see all questions addressed.

D. Kane invited Larry Granger from the Bloomington Historical Society to speak, as he secured permission to address the Commission before the meeting. L. Granger stated he does not understand concerns about the State Trail, as it has been on the docket since the 1930's, and the Bloomington section of the trail was approved in 1969. He stated the DNR proposed the Bloomington section of the trail be developed about 30 years ago, which was not done at that time, and the money was reallocated to the Belle Plaine area. He stated it is important to get all people of all ages and abilities back to the natural roots of the community, the river. He stated the Americans with Disabilities Act (ADA) has been in place since 1980. He stated by not authorizing a paved trail, many people protected by the ADA do not have access to the river. L. Granger asked to let trail development continue, as Bloomington is finally doing something that should have been done years ago and will reinforce the sense of community for everyone. He encouraged Commissioners to attend DNR Open Houses about the trail.

M/J. Leese, S/D. Kunkel carried that the Bloomington Human Rights Commission voices support of the ADA standards for the Minnesota Valley State Trail that provides accessibility for persons of protected classes. J. McClellan moved that Commissioners do not have enough information to make an informed decision, and the impact of this trail to other ADA projects must be researched. There was no second, motion failed. S. Fishman inquired if there would be public hearings for the community to express their opinions. J. Farnham stated the HRC can be made aware of opportunities for public comment. M/S. Fishman, S/I. Yusuf carried to amend the original motion to read The HRC [Human Rights Commission] supports the continuation of the Minnesota River Valley Strategic Plan as presented [to the Human Rights Commission] this evening [January 25, 2016] with the notion the HRC [Human Rights Commission] will be notified of future opportunities for public comments. The amended motion passed with a vote of the majority, with J. McClellan in opposition.

III. CONTINUING BUSINESS – 6:15 P.M.

3.1 2016 Work Plan/2015 Annual Report, City Council Meeting, January 25, 2016

D. Kane stated he will present the 2016 HRC Work Plan and the 2015 HRC Annual Report to the City Council for Council approval at the City Council meeting tonight, January 25, 2016.

3.2 2016 Work Plan
 • Public Relations
 ••DDAC
 • Equality

J. McClellan briefly left the room at the conclusion of the Program, and was not present to give a report on the DDAC.
 J. Leese stated he accepted the Martin Luther King, Jr. Day Proclamation at

- Martin Luther King, Jr. Day the January 4, 2016 City Council meeting, and it went well. D. Kunkel stated she accepted the Martin Luther King, Jr. Day Proclamation at the School Board meeting on January 11, 2016.
- 26th Annual MLK Holiday Breakfast D. Kane stated he attended the 26th Annual Martin Luther King Holiday Breakfast on January 18, 2016 at the Minneapolis Convention Center. The theme was “Civil & Right, Are You Living the Dream”. There were over 2,000 people in attendance. D. Kane stated the breakfast was entertaining and informative, and he was happy to witness 2015 Omar Bonderud Award winner, The Honorable Michael J. Davis, be named a Lifetime Local Legend. J. Leese stated the event received attention in the local media.
- Black History Month Activities T. Smith stated the Human Rights Commission, with the League of Women Voters, is hosting a screening and panel discussion of “Selma: The Bridge to the Ballot” on Tuesday, February 2, 2016. A reception will take place from 6:30 – 7:00 p.m., followed by the film screening from 7:00 – 7:45 p.m., concluding with a panel discussion from 7:45 – 8:30 p.m. Dr. Joyce Ester, President of Normandale Community College, will moderate the panel discussion. Dr. Artika Tyner, Professor, University of St. Thomas, Susan Sheridan Tucker, Executive Director, League of Women Voters Minnesota, and Ann Kaner Roth, Deputy Secretary of State (MN) will be the distinguished panelists. D. Kunkel, J. Leese and S. Salato signed up to volunteer at this event.
- Public Relations
 - Diversity Day Committee D. Kunkel stated the Diversity Day Committee recently met with Wing Young Huie, the featured speaker for the May 6, 2016 Diversity Day. Wing Young Huie is a professional photographer who documents people in a culturally diverse and changing urban landscape. D. Kunkel stated the Diversity Day Committee is excited for his presentation.
 - Metro South Resource Fair D. Kane stated S. Fishman will represent the Human Rights Commission at the Metro South Resource Fair on February 23, 2016. He stated he worked the Human Rights Commission booth at this Fair last year and it is a good opportunity to raise awareness about the Human Rights Commission in the community.

IV. NEW BUSINESS

- 4.1 **Quarterly Inquiry/Complaint Report (October, November, December 2015)** L. Pearson announced the 2015 4th Quarter report was included in Commissioner packets. There were zero inquiries in October and November and one inquiry in December.
- 4.2 **Guide for Commission Members** D. Kane stated S. Fishman drafted the “Guide for HRC Board Members Responding to Questions,” which is included in Commissioner packets. L. Pearson explained this information was put together to help Commissioners know what information to share at community events when the public asks Commissioners questions. D. Kane thanked S. Fishman for her work on this project. S. Fishman stated it might be helpful to have more resources listed under the final bullet point. L. Pearson stated individuals may be referred to the Human Services Division, which has access to a variety of local resources. J. Leese suggested adding language about contacting the Human Services Division, and they may refer the individual to the appropriate agency. M./J. Leese, S/J. McClellan unanimously carried to approve the “Guide for HRC Board Members Responding to Questions” with J. Leese’s suggestion added.
- 4.3 **Other Communications Criteria for HRC** D. Kane referred Commissioners to the Human Rights Commission Rules of Procedure, Section 3.7. It reads: “Other Communications shall meet the

following criteria: a. Consist of information about Commission activities as summarized in its records. b. Not be advocating positions of behalf of the City of Bloomington unless specifically approved by the City Council. c. Have the approval of the Chairperson. d. This shall not preclude individual Commission members from communicating personal opinions so long as it is made clear that this does not represent the position of the Commission or the City.”

4.4 Memo to Mayor and City Council: Selection of HRC Members

D. Kane stated a memo was shared with the Mayor and all Councilmembers about the selection of new members for the Human Rights Commission. This memo is included in Commissioner packets. D. Kane stated the City Council will interview candidates for the Human Rights Commission before the City Council meeting of January 25, 2016. Council is expected to approve the recommended candidates for the Human Rights Commission at this evening's (January 25, 2016) City Council meeting.

V. FINAL COMMENTS

As J. McClellan was out of the room at the start of the discussion of the 2016 Work Plan, he stated he attended the January 5, 2016 DDAC meeting. He stated discussion at the DDAC meeting covered Somali culture and integrating it into schools; the Engagement Series 2016 “One Nation Many Beliefs,” covering various religious, spiritual and secular beliefs on January 23, 2016; the use of Google docs; ESL; ways to spend more time implementing activities for students that include a cultural aspect; and bringing in a Consultant to speak to the DDAC.

VI. ADJOURNMENT

M/D. Kunkel, S/I. Yusuf unanimously carried to adjourn the meeting at 6:49 p.m.