



HUMAN RIGHTS COMMISSION MINUTES OF May 14, 2009 MEETING

ORDER OF BUSINESS

1. Call to Order and Roll Call

Chair Chung called the meeting to order at 4:40 p.m. A quorum was present.

Commissioners Present:

Cecilia Chung, Chair
Douglas Chan
August J.P. Longo
Linda Fadeke Richardson
Victoria Ruiz
Michael Sweet, Vice Chair
Julius Turman

Commissioners Not Present:

Khaldoun Baghdadi
Faye Woo Lee
Nazly Mohajer

Guests Present:

Alicia Cabrera, Deputy City Attorney

Staff Present:

Romulus Asenloo, Nadia Babella, Larry Brinkin, Andrew Houston, Chris Iglesias, Linda Janourova, Zula Jones, Veronica Ng, Masood Ordikhani, James Soncuya, Janel Wong

2. Public Comment on Items Not on the Agenda

Alan Ko and Don Cабianca of Cal State Constructors, Inc. requested that the Commission consider their appeal of the HRC's decision of a particular firm's LBE status and further requested that this item be placed on the agenda for the next meeting.

Lee Gray made a public comment regarding the micro local business set-aside program and the graduated LBE program mentioned in the March 26, 2009 Board of Supervisors Legislative Digest.

APPROVAL OF MINUTES



3. Adoption of Minutes dated April 23, 2009

Approval to adopt the April 23, 2009 minutes was moved (Commissioner Sweet), seconded (Commissioner Richardson) and passed with the following vote:

Ayes: 7 - Chan, Chung, Longo, Richardson, Ruiz, Sweet, Turman.

REPORT OF THE CHAIR

4. Commissioners Activities in the Community

Commissioner Richardson reported that the Commission on the Status of Women is very pleased with the work the HRC is doing and stated that they are interested in contributing their support to the HRC's strategic planning efforts.

REPORT OF THE DIRECTOR

5. Update on Activities of the San Francisco Human Rights Commission

Director Iglesias informed the Commission that he attended a meeting earlier today where the Mayor requested a reduction in the budget due to labor agreements that were not ratified. Director Iglesias will be working with the HRC's Deputy Director and Budget Analyst tonight and tomorrow to meet the budget reduction deadline of noon tomorrow.

Director Iglesias reported that the HRC gave a data presentation regarding LBE participation on City contracts to the Board of Supervisors Land Use and Economic Development Committee on May 11, 2009. This information will be further discussed during agenda item #6.

Director Iglesias updated the Commission on significant progress of the HRC's strategic planning. The HRC is reaching out to many City departments and constituents in the community and in return have received much valuable information. Numerous focus groups, surveys and interviews have been conducted with ensuing data being presented. A staff retreat is scheduled for June 15, 2009 and a Commission retreat will be scheduled possibly for July.

6. Presentation of Reporting Requirements Pursuant to 14.B LBE Non Discrimination and Contracting Ordinance

Director Iglesias stated that mandated reporting of current LBE contract data are required by the 14.B ordinance, along with a detailed annual report to be submitted to the Mayor and Board of Supervisors on July 1. On May 11, 2009 the Board of Supervisors requested general data on the number, dollar value and type of contracts awarded to LBEs. Both Director Iglesias and Deputy Director Masood Ordikhani acknowledged and thanked Administrative Analyst, Boris Delepine, for

putting this information together and expending many hours collaborating with the HRC's Equal Opportunity Division who work hard to implement and enforce 14.B ordinance requirements. Deputy Director Ordikhani then gave a contract data presentation providing an overview and general results of the 14.B ordinance. He highlighted that although the HRC has had success in keeping city contracting dollars local, LBEs do not receive a proportional share of the dollar amounts. Staff will work with contract awarding departments to collect and present more detailed data during the upcoming months, including data on discrimination against minority and women owned businesses. Commissioners followed with comments, questions and commendation for the HRC staff.

REGULAR BUSINESS

7. **Overview of Draft Massage Parlor Legislation and Request for Letter of Support** *Presenter: Supervisor Carmen Chu*

Linda Janourova, HRC Representative, reported that the HRC is a member of the San Francisco Collaborative Against Human Trafficking. Ms. Janourova stated that Katherine Dodd of the Mayor's Office attended the last coalition meeting to report on legislation that has been introduced in the last few months and to ask for the coalition's respective organizations' support. Supervisor Carmen Chu then gave an overview of the massage parlor legislation that she sponsored, which places more stringent controls on establishments that provide massage as an "accessory use". This legislation simply asks that proprietors seeking to add massage as an "accessory use" go through the same public process as those who provide massage as their primary use. Supervisor Chu thanked Linda Janourova for her work on this issue and requested that Commissioners approve a letter in support of this legislation. Commissioners asked questions and commented in support of the legislation. They further commended Supervisor Chu for her leadership in addressing this important human rights issue.

Carol Leigh of BAY SWAN (Bay Area Sex Workers Advocacy Network) made a public comment in opposition of this legislation as she considers it discriminatory against women and immigrants.

Patricia West of the Sex Workers Outreach Project, the St. James Infirmary and a Board Member of the Harvey Milk LGBT Club stated that the community was not involved in the drafting of this poor legislation and requested that the Commission oppose it. She further stated that the Harvey Milk LGBT Club has voted against this legislation.

Slava Osowska of IWW spoke in opposition to this motion stating that this legislation will further criminalize sex workers and asked the HRC to take a position in support of sex worker's rights.

Lori Nairne of Legal Action for Women requested that the HRC oppose this legislation and take a deeper look at it before they sign. She also presented a statement of information for Commissioners to consider.

Rachael West of the U.S. Prostitutes Collective urged the Commission not to support this legislation. She stated that restricting massage parlors is a moralistic crusade against massage establishments and the people who work in them and she said that by supporting this legislation the HRC will be involved in creating a more dangerous situation for women.

Commissioners thanked those who publicly addressed the Commission stating that these public comments are legitimate issues and will be taken into account.

After discussion, a motion to adopt a letter in support of Supervisor Carmen Chu's massage parlor legislation and to instruct the director or staff to represent the Commission's position before the Board of Supervisors and any other administrative body where the Commission's position would be reasonable to communicate was moved (Commissioner Sweet), seconded (Commissioner Richardson) and passed with the following vote:

Ayes: 7 - Chan, Chung, Longo, Richardson, Ruiz, Sweet, Turman.

COMMITTEE REPORTS

8. **Lesbian Gay Bisexual Transgender Advisory Committee**
Report of the April 18, 2009 Planning Retreat and the April 21, 2009 Monthly Meeting
Presenter: Nadia Babella

This item was tabled to a future meeting.

9. **Lesbian Gay Bisexual Transgender Advisory Committee**
Approval of Letter of Concern to the San Francisco Health Commission regarding HIV/AIDS/STD Advertisements Being Stigmatizing
Presenter: Larry Brinkin

Larry Brinkin stated that the LGBT Advisory Committee held a panel discussion regarding the Department of Public Health campaigns that encourage the practice of serosorting. The Committee is concerned of the stigmatizing effect of such campaigning and that a subtle message may be sent that people who are HIV positive should be shunned. The LGBT Advisory Committee is now asking the Commissioner's approval of a letter to the San Francisco Health Commission, requesting they have a discussion themselves about this issue and whether it is effective as a public health campaign.

Mark Dunlop, Former Human Rights Commissioner, commented that although this particular campaign is not currently running, the practice of serosorting continues to be a very heated discussion and the human rights aspect around this issue has not been addressed. Commissioner Dunlop said research indicates that serosorting is probably a bad idea and it is important for the HRC to send a message to the San Francisco Health Department that the human rights aspect of this issue should be considered.

After discussion, a motion approving a letter of concern to the San Francisco Health Commission regarding HIV, AIDS and STD advertisements being stigmatizing was moved (Commissioner Turman), seconded (Commissioner Richardson) and passed with the following vote:

Ayes: 7 - Chan, Chung, Longo, Richardson, Ruiz, Sweet, Turman.

10. **Local Business Enterprise Advisory Committee
Report on March 18, 2009 and the April 15, 2009 Meetings**
Presenter: Andrew Houston

This item was tabled to a future meeting.

11. **Commissioner Discussion on Matters of Interest for Possible Inclusion of Future
Agenda Items**

This item was tabled to a future meeting.

12. **Adjournment**

The Commission lost quorum. Chair Chung adjourned the meeting at 7:00 p.m.

RESPECTFULLY SUBMITTED BY: Doreen Arevalo