



Legislation Details (With Text)

File #: 20-1271 **Version:** 1
Type: Agenda Item **Status:** Approved
File created: 9/21/2020 **In control:** Board of Supervisors
On agenda: 9/29/2020 **Final action:** 9/29/2020
Title: Chief Administrative Office recommending the Board receive an update relative to the work being done by the Human Rights Commission, consider a proposal to hire an external facilitator to provide training to the Human Rights Commission on the science of implicit bias and de-biasing interventions as well as how to effectively hold a dialogue with people who have experienced discrimination, and assist the Commission in the development of the roles and responsibilities of the Commission, and provide direction to staff.

FUNDING: General Fund.

Sponsors:

Indexes:

Code sections:

Attachments: 1. A - Letter of Support, 2. B - Draft ALF Proposal

Date	Ver.	Action By	Action	Result
9/29/2020	1	Board of Supervisors	Approved	Pass

Chief Administrative Office recommending the Board receive an update relative to the work being done by the Human Rights Commission, consider a proposal to hire an external facilitator to provide training to the Human Rights Commission on the science of implicit bias and de-biasing interventions as well as how to effectively hold a dialogue with people who have experienced discrimination, and assist the Commission in the development of the roles and responsibilities of the Commission, and provide direction to staff.

FUNDING: General Fund.

On June 30, 2020, Supervisor Parlin made a recommendation to the Board to consider requesting the Human Rights Commission to update its bylaws with language to create a formal process for issues brought before them before putting any issues on their agenda. Based on a motion by Supervisor Novasel, seconded by Supervisor Hidahl, the Board directed that the Chief Administrative Office and County Counsel to work with the Human Rights Commission to prepare a proposal on how to proceed.

Since that time, the Commission has held three meetings during which they discussed potential changes to their bylaws, developing a draft work plan, and the Commission's role in the County, in which staff from the CAO, County Counsel and Human Resources all participated in the discussion. Included in this discussion, and as currently stated in the ordinance establishing the Human Rights Commission, it identifies one of the responsibilities of the Commission is *"To inquire into incidents of tension and conflict among or between people, including people subject to prejudice and discrimination due to race, religious creed, color, national origin, ancestry, physical disability, mental disability, marital status, gender, sexual orientation, socioeconomic status, civic interest, or any other factors, and to take action by means of conciliation, conference and persuasion to alleviate those*

tensions and conflict."

At their August 17, 2020, meeting the Commission discussed the process to be used to identify an external subject matter expert to facilitate conversations and education of County staff and stakeholders. The Commission discussed possible facilitators for the Commission to receive training and guidance, and reviewed a proposed scope of work from the American Leadership Forum. At their meeting on September 14, 2020, the Commission voted to recommend the Board of Supervisors support the training effort. A letter of support, signed by the Chair of the Human Rights Commission, is attached (Attachment A).

The American Leadership Forum provides this type of training, and has provided services to the City of Elk Grove and the City of Sacramento, and other vendors may be available to conduct this training as well as Human Rights Commission Design work. A draft proposal detailing the content of the training and design work is attached (Attachment B). With Board approval, staff will evaluate the content of the available trainings and return to the Board with a recommendation for approval of an agreement. The estimated cost for the proposal by the American Leadership Forum totals approximately \$20,000.

ALTERNATIVES

The Board could choose to authorize funding up to \$20,000 to hire a consultant to assist the Human Rights Commission. The Board could also choose not to take any further action and continue with the status-quo, or the Board could choose to disband the Human Rights Commission.

PRIOR BOARD ACTION

Legistar Item #20-0840

OTHER DEPARTMENT / AGENCY INVOLVEMENT

County Counsel, Human Resources

CAO RECOMMENDATION

Issues surrounding human rights, and specifically implicit bias training, are relevant to our organization and essential for our employees. This topic was discussed at a meeting with Department Directors and there was strong support to provide additional training in this area to County employees. As a result, Human Resources is taking the lead in getting trained on this issue which will then be incorporated into the County's staff development program at no material cost to the County. If it is determined that additional funding is necessary to integrate this training into the County's workforce development programs, staff will return to the Board with a specific request.

Based on the observations of the last three Human Rights Commission meetings, and recognizing commissions/committees are typically established to liaison with the community rather than County employees, the Commission is struggling to identify their overall purpose and objectives. As a result, a higher amount of staff time than was anticipated is required to ensure agendas and supporting documents are posted in a timely manner, as well as attend the Commission meetings to assist with compliance with the Brown Act and meeting protocols. As stated at the time the Board directed staff to develop this Commission, consideration should be given to adding additional staffing resources to the Clerk of the Board to support this commission and other committees/commissions that do not currently receive staff support.

If the Board wishes to continue with the efforts of the Human Rights Commission it is recommended that direction be given to staff to finalize an agreement for services with the American Leadership Forum or similar consultant for an amount not to exceed \$20,000, and return to the Board for approval of the agreement as well as with a budget transfer transferring funds from contingency to cover these costs. In addition, if it is indeed the Board's intent to allow the Commission to investigate and intervene in cases of bias as identified in the ordinance, County Counsel has advised it will require additional funding and resources to train Commission members in order to mitigate the risk that comes with a voluntary Commission taking on this role on behalf of the County. Considering this additional risk, the CAO recommends the Board direct staff to return with a revised ordinance removing this language from the list of responsibilities.

If the Board is not willing to allocate sufficient resources to ensure the success of the Human Rights Commission, including staff support and funding for training/commission design work, the Board should consider disbanding the Commission, including rescinding the ordinance that established the Human Rights Commission. While the work of the Commission is very important and needed, if done incorrectly it may create additional challenges within our community.

FINANCIAL IMPACT

The cost of the training effort for the Commission is approximate at this time, but is anticipated not to exceed \$20,000. If approved, staff will return to the Board with a budget transfer transferring funds from general fund contingency which will require a 4/5 vote by the Board of Supervisors.

CLERK OF THE BOARD FOLLOW UP ACTIONS

None

STRATEGIC PLAN COMPONENT

Good Governance

CONTACT

Don Ashton, CAO