

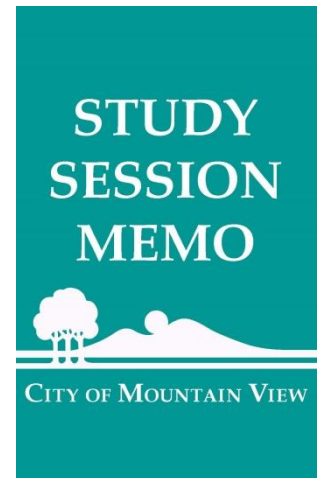
DATE: July 7, 2015

TO: Honorable Mayor and City Council

FROM: Kimberly Castro, Community Resources
Manager

VIA: Daniel H. Rich, City Manager

TITLE: **Joint Study Session with Human Relations
Commission to Discuss Becoming a “Human
Rights City”**



PURPOSE

Conduct a joint Study Session of the Human Relations Commission (HRC) and the City Council to discuss the HRC's action regarding the United Nations Universal Declaration of Human Rights.

BACKGROUND

The City established a Social Concerns Commission in 1994 with the adoption of a resolution to address economic, political, educational, and social issues facing the community. In 1997, the Commission desired to change its name to the Human Relations Commission and clarify the Commission's role. The responsibilities of the Commission were established to act as an advisory body to the Council on issues concerning tolerance, inclusivity, and involvement. The values of the HRC were changed from tolerance, involvement, and inclusivity to respect, involvement, and inclusivity in 2013 in an effort to modernize the language. The Commission over the years has been involved in multicultural festivals; police and citizen relations; addressed resident concerns; supported the Multilingual Community Outreach Program; hosted programs, forums, and community activities; and more recently became part of the CDBG/HOME public hearing process and founded the Civility Roundtable series.

The HRC work plan for Fiscal Year 2014-15 included an item to support the United Nations Universal Declaration of Human Rights (UDHR) as a way to support the HRC values of respect, inclusivity, and involvement.

At the February 5, 2015 meeting, the HRC discussed the UDHR and received information from Commissioner Ken Neubeck, City of Eugene, Oregon, via conference call. Mr. Neubeck discussed the process the City of Eugene went through to adopt and implement the UDHR. The City of Eugene has a long history of supporting

International Human Rights Day by issuing annual proclamations. In 2011, the City of Eugene developed the “Human Rights City Project” to explore how human rights could inform governance in the City. At that time, the Eugene city council formally expressed support for human rights, restructured the Human Rights Commission, and expanded its mandate to explicitly endorse and promote the full range of human rights within the UDHR. The new framework in Eugene has allowed for its Commission to address local issues that emerged such as housing, homelessness, economic inequality, youth, immigrant services, and sustainability policy.

The HRC voted (5-2) to recommend that the City Council adopt a resolution in support of the Universal Declaration of Human Rights (Attachment 1 – [HRC Minutes February 5, 2015](#) and Attachment 2 – Proposed Resolution).

At the May 7, 2015 HRC meeting, Commissioners discussed the UDHR and confirmed the intent to bring the “Human Rights City” concept to the City Council for review (Attachment 3 – [HRC Minutes May 7, 2015](#)).

Diverse perspectives were raised regarding the City of Mountain View becoming a Human Rights City. One viewpoint is that the City Council should not adopt the UDHR, as it is not an enforceable document and the City is subject to the United States and State of California Constitutions, as well as the Mountain View City Charter and City Code. Others indicate that Mountain View does not need such a policy because the City is already successful in supporting the basic human rights of its residents. There is also concern that such a broad policy would hold the City responsible for issues and events beyond the scope of local jurisdiction. However, the majority of the HRC believes that the UDHR could be a platform to continue positive community relations and encourage further dialogue with residents regarding human rights issues and as guiding principles to be used by policy makers.

DISCUSSION

The United Nations (UN) General Assembly adopted the UDHR on December 10, 1948. All UN countries, including the United States, signed the Declaration (Attachment 4). The Declaration is generally agreed to be the foundation of international human rights law and places an obligation on governments to respect, protect, and fulfill the rights of all humans. The human rights framework calls on governments to promote equality, nondiscrimination, and to address policies and processes that have a disparate impact. December 10 is known as Human Rights Day and is recognized annually worldwide.

There are seven U.S. cities that have become Human Rights Cities, including: Eugene, Oregon; Washington, DC; Richmond, California; Seattle, Washington; Chapel Hill, North Carolina; Carrboro, North Carolina; and Pittsburgh, Pennsylvania. Cities that have signed the Declaration have generally made a commitment to ensure that their laws, policies, and programs are responsive to community needs. Decisions related to human rights are made with emphasis on transparency, accountability, and participation in government decision making. Most of the Human Rights Cities adopted the UDHR after a community incident that brought forth a human rights violation or community concern.

There is no prescribed way in becoming a Human Rights City and signing onto the UDHR cannot be used as an enforcement mechanism. A wide range of approaches to policy making in the current Human Rights Cities exists, including changing the city charter and developing strategic plans communitywide, creating a policy-making board that accepts and responds to human rights violations claims, and utilizing the UDHR as a basis for programs and activities within a city. The Mountain View HRC is an advisory body by way of Council Resolution and is not part of the City's Charter. In other cities, the advisory bodies that oversee human rights are included in the City Code for enforcement and implementation of policy.

Staff drafted an initial list of 10 project ideas for consideration and discussion by the HRC. The HRC discussed this list of activities and would like Council input going forward. The following are four examples of activities that the HRC endorsed if Mountain View were to become a Human Rights City:

1. Conduct community outreach to collect resident ideas of implementing and supporting Human Rights.
2. Provide Human Rights education and dialogues for residents.
3. Promote and support efforts to increase diversity in the profiles of City Council, boards, commissions, and advisory bodies.
4. Support and advocate for open data government.

If the City Council adopts the UDHR guiding principles, the City would be recognized as a Human Rights City and the role of the HRC related to human rights issues should be clarified. The full implications of this change have not been analyzed by staff and would depend upon Council input moving forward.

RECOMMENDATION

Staff recommends Council hear from the HRC and public about the prospect of becoming a Human Rights City at the Study Session and provide direction on whether or not to have staff return to Council at a later date with a draft resolution supporting the UDHR and work plan items related to human rights. The report would expand on the workload implications of various options.

NEXT STEPS

If Council wishes to pursue this, the HRC meets in September 2015 and can begin further discussions at that time. Based upon Council feedback, staff will conduct further analysis related to a range and variety of programs or activities that could be initiated as part of this effort and return to Council in early 2016.

PUBLIC NOTICING – Agenda posting.

KC/7/CAM
607-07-07-15SS-E

- Attachments: 1. [HRC Minutes – February 5, 2015](#)
2. Proposed Resolution
3. [HRC Minutes – May 7, 2015](#)
4. Universal Declaration of Human Rights