

**CEDAR RAPIDS CIVIL RIGHTS COMMISSION
MEETING MINUTES
June 17, 2009**

Commissioners met on June 17, 2009 at 4:30p.m.
Lovely Lane United Methodist Church
2424 42nd Street, Cedar Rapids, IA 52402

Commissioners Present: Ms. Miriam Amer, Chair
Mr. Eric Lam, Vice Chair
Ms. Nancy Lee Ziese
Mr. Rick Zingher
Mr. Roy Porterfield
Mr. Bob Rush
Ms. Tara Youells
Ms. Laura O’Leary
Mr. Momodu Kamara

Commissioners Absent: Mr. Kavi Parupally
Mr. George Holmes

Staff Present: Mr. Karl Cassell, Executive Director
Mr. Darryl Lipscomb, Investigator
Ms. Stefanie Robinson, Administrative Assistant
Ms. Naalti Vats, Vista volunteer

Guests: Mr. Anthony Arrington, commissioner elect, CRCRC
Mr. Jim Flitz, Cedar Rapids City Attorney

I. Call to Order

Noting a quorum, Miriam Amer, Chair, called the meeting to order precisely at 4:35p.m.

II. Roll Call

Commissioners, staff, and guests related names and positions.

III. Approval of Minutes

Roy Porterfield moved to approve the minutes from the May 20, 2009 regular meeting.
The minutes were passed unanimously.

IV. New Business

Mr. Flitz from the Cedar Rapids City Attorney's office attended the meeting to discuss Closed Meeting Rules.

- ◆ City Council meetings are on Wednesdays at 5:30, if there is an item that needs to be taken at a different part of the meeting the city atty. Office can attend at the necessary time.
- ◆ The Civil Rights Commission is a deliberative body, open to open and open records law.
- ◆ Resolutions or motions can only be passed in open meeting.
- ◆ Place and time of meetings must be shared and be accessible to the public.

- ◆ Public notice of meeting with tentative agenda and public must be able understand to a reasonable degree of what will be discussed at the meeting.
- ◆ Closed or Executive session are allowed in certain circumstances (narrow exceptions)
- ◆ If a commissioner or staff believes there is a need for closed session, call the city attorney office to determine if we should go into closed. City atty. can provide feedback.
- ◆ Closed session: a member must make a motion “I move we go into closed session to discuss *issue*”
- ◆ Roll call vote must be taken to determine if motion to go into a closed session is approved.
- ◆ During a Closed session, detailed minutes must be taken and it must be tape recorded. The minutes and tape must be sealed in an envelope and kept in a safe and secure place.
- ◆ City atty. office can not guarantee that the documents / contents of a closed session will not be made available for public inspection.
- ◆ The chair is responsible for keeping the closed session on task: the discussion is limited to the particular reason the closed session was called. (**only** the item listed in the motion)
- ◆ Who can be present?
 - Anybody that is necessary to conduct business of closed session.
- ◆ How do you close the meeting?
 - Ask those not involved in closed session to leave.
- ◆ When closed session is completed: another roll call is taken to go back into open meeting
- ◆ No actions or motions can be made during a Closed session. Must be in an open session.
- ◆ City atty. can provide a written document which describes this process.
- ◆ Eric Lam: what are the penalties?
 - Open meeting law penalties vary: prosecuted by county atty. office or member of public. Penalties include court costs, atty. Fees, etc.
- ◆ Bob Rush: Can we go into closed session to discuss a probable cause case?
 - City atty. staff would have to be present to facilitate the discussion.
 - Mr. Flitz will get back to us with more details. This commission is a law enforcement agency.
- ◆ If go into a meeting that something should be in a closed session- is a pre-notice necessary?
 - City atty. recommends we do not go into a closed session, table the item, consult with City atty. office and take up at a later date. If this is not possible and the commission is proceeding in good faith, we don't have to give notice we are closing a session.
- ◆ Darryl Lipscomb: if Complaints elects to have a public hearing should we have city atty. office review the case before bring to commission?
 - City atty. will get back to us.
- ◆ Momodu Kamara: provide examples of issues that would lead to a closed session.
 - Personnel matters, pending or eminent litigation, real estate purchases. Just because it is a personnel matter does not mean we have to go into closed session.
- ◆ Roy Porterfield: Can we have the documents and tape of the closed session sealed and sent to HR for storage, not held in our own agency?
 - City atty. does not legally have a problem with it.
- ◆ Would appreciate a Q and A sheet
- ◆ What constitutes public notice?
 - City atty. will provide a packet with more information.
 - Notice has to be posted at place of agency having the meeting or place meeting will be held. At least 24 hours ahead of the meeting.
 - Notice has to be sent to all media outlets who have requested the information.
- ◆ Miriam Amer: please give copy of materials to Karl to new commissioners.
- ◆ There may be another training session for new board members and commissioners.
- ◆ If have questions: feel free to call city atty. office.

- ◆ Sunshine laws:
 - Open meetings
 - Open records
 - All documents of this commission are public records and are available to anyone who requests this.
 - City adopted open records policy and recommends to the all boards and commissions to adopt this policy as well.
- ◆ Are e-mails public records?
 - Yes. If its about the official business of the Civil Rights Commission
- ◆ Reply to reasonable requests and make it a priority item in the agency. Can charge a reasonable fee to assemble the documents for requester. Can require they pay upfront but not necessary.
- ◆ Research vs. open records. Responding to a request for records is required by law. Research is not necessarily required. There are over 35 exceptions to this law. (sensitive information, ie.. social security number)
- ◆ Thank you to Mr. Flitz for his time and answers to our many questions!

Formal policy when responding to open records, Roy Porterfield

- ◆ We should have contact city clerk regarding this information.
- ◆ Be considered by this body at next commission meeting (be on agenda)

V. Old Business

- ◆ Ordinance Revisions Status Report
 - ◆ We are waiting to hear from HUD
 - ◆ Michelle Olmstead is sending questionnaire to state and local commission regarding the changes for feedback
 - ◆ Legal clinic staff and students will provide workshops to get stakeholder feedback (July)
 - ◆ Working with Section 8
 - ◆ At beginning of Fair Housing Conference: the first 15 minutes will entail discussion on ordinance revisions.
- ◆ **Update on Office Lease, Bob Rush**
 - ◆ We have asked owner/landlord regarding costs but have not received information yet.
 - ◆ Another firm has been offered rental space for significantly less money
 - ◆ Give a date to respond for landlord?
- ◆ **Commission Retreat**
 - ◆ No decisions or new information yet.
 - ◆ Addressed to personnel committee, not appropriate committee to be responsible
 - ◆ May need to appoint a special committee for this?
- ◆ **Commission Vision and Goals for year, Karl**
 - ◆ Handout
 - ◆ Training: \$100/hour
 - ◆ Very important: increased visibility of CRCRC
 - HUD secretary visit – we were not invited and it was not “open to the public”
 - Our connection to HUD is not fully understood
 - ◆ Keynote speaker for Fair Housing Conference will discuss predatory lending
 - ◆ Software for predatory lending to research.
 - ◆ Our goals are to become educated and to educate the public on predatory lending

- ◆ CDBG monies, obtain this funding. We still need to apply at this point.
- ◆ City Manager goal is to provide 200 living units in the city within the next year.
- ◆ Fair Housing Act mandates we get a portion of the CDBG funds
- ◆ Will press more in the new fiscal year
- ◆ Analysis of Impediments: was outsourced last time. RFP (request for proposal) will come out - we can apply for this.
- ◆ Fair Housing Conference, we want this to become an annual event. Maybe not necessarily fair housing only.
- ◆ Bob Rush: timely processing of complaints should be on the goal list as well.
 - Karl Cassell: addressed this issue when he first started at the Civil Rights Commission and it was a major goal and continues to be a goal.
- ◆ Revisions to ordinance, where go on the goal list?
 - Probably go under the vision, becomes a model ordinance for other commissions. And even Linn County.
- ◆ Miriam Amer: Revision of the rules of operation as a goal.
- ◆ Tara Youells: handout on cases and pending cases?
 - No, we do not have this.
- ◆ Anthony Arrington asked how kept abreast of pending cases?
 - Will learn more about process when trained.

We recognize Darryl Lipscomb; he has been with us for 20 years! Congratulations and good work!

VI. Committee Reports

- ◆ Outreach did not meet
- ◆ Personnel will compile the board evaluation.

VII. Director's Report

- I. Fair Housing Conference/Canvassing (Naalti)
 - a. June 25, 2009
 - ◆ We have 60 registered to date.
 - ◆ Many verbal who have not officially registered
 - ◆ Majority are affiliated with organizations, landlords, non-profits
 - ◆ Some individuals, scholarships
 - ◆ Canvassing: contact churches, businesses, non-profits
 - Passing out flyers, giving information
 - Walking through neighborhoods – inviting people.
 - ◆ No presence at “Heal the Heartland”
 - ◆ Ask commissioners for public events that we know of that we as a commission need to attend?
 - ◆ Tom Meade DOJ: more information about. Karl will meet with DOJ and Sergeant Hamlin about racial profiling next Monday.
 - ◆ Tara: is it worth our time to get other groups involved that would help Chief Graham see that this is an important issue. NAACP?
 - ◆ Greg Graham may be over-extended at this time.
 - ◆ Small group dinner project. Has assigned a lieutenant Chuck Minks to the committee with Nancy Ziese.
- II. **Facebook/Twitter Account (Stefanie)**
 - ◆ Free advertisement!

- ◆ We have 292 friends on Facebook whom we can communicate with directly
- ◆ Invitation to CRCRC sponsored events
- III. **Wellington Heights/Moundview Neighborhood walk**
 - ◆ Thursday May 21, 2009
 - ◆ Hundreds in attendance (over 500 people)
- IV. **FY 09 Budget (Darryl)**
 - ◆ Fiscally conservative measures have led to “good” numbers
 - ◆ Our expenditures were below last year’s expenditures
 - ◆ Grand total: where does it rank for budget? *We are under budget this year*
 - ◆ FHAP grant is the HUD portion of budget
 - ◆ Roy: Can we transfer the equip/furniture/fixtures? Yes. How much discretion do we have? We have total discretion. City wants us to have a balanced budget.
 - ◆ FHAP: deficit of approximately \$22,000 - 23,000
 - ◆ Civil Rights: under budget
- V. **Approval of New Commissioners**
 - ◆ Dr. Ruth White
 - ◆ Anthony Arrington
- VI. **KWKB Commercials**
 - ◆ Targeted marketing for mediation and conflict resolution
 - ◆ Use of Greater CR Community Foundation funds (\$10,000 for mediation promotional materials)
 - ◆ TV commercial schedules available:
 - 88 TV spots/month: \$1000
 - 181 TV spots/month: \$2000
 - 278 TV spots/month: \$3000
 - We will review commercial
 - ◆ Laura: what station? It is a local station not only cable and hits the demographic.
 - ◆ More cost effective than KCRG?
 - ◆ Have not talked with KCRG yet. They previously came in cheaper Karl will check with KCRG.
 - ◆ Bob Rush: Mediacom offers a pretty attractive package
 - ◆ Viewership on cable is higher than viewership on local
- VII. **Slavery/Jim Crow Apology**
 - ◆ Resolution 26 discussed June 18, 2009 (Senator Tom Harkin)
 - ◆ Celebration July 7, 2009 at Iowa State Capitol – Karl will attend.

VIII. **Public Response**

Chair: called for public response. There was none.

This is the last commission meeting for commissioners Roy Porterfield and Tara
Thank you for all your work and dedication to Civil Rights

Break 15 minutes

6:05 pm

6:20 p.m. commission meeting back in session

IX. **Personnel Matter (possible closed session)**

- ◆ We need a formal request from Karl Cassell to go into a closed session.
- ◆ Karl Cassell formally requested to go into a closed session.

- ◆ Roy Porterfield made a motion to go into closed session for express and sole purpose to discuss
- ◆ the Job Evaluation of Karl Cassell, Executive Director.
- ◆ Momodu Kamara seconded motion
- ◆ **Roll Call vote:**
 - Roy – voted yes to go into a closed session
 - Nancylee – voted yes to go into a closed session
 - Laura – voted yes to go into a closed session
 - Tara– voted yes to go into a closed session
 - Eric – voted yes to go into a closed session
 - Bob – voted yes to go into a closed session
 - Rick – voted yes to go into a closed session
 - Momodu – voted yes to go into a closed session
 - Miriam – voted yes to go into a closed session
 - Unanimous, motion carries and is now in a closed session.
 - It will be recorded and minutes will be taken and sealed
- ◆ Session became open at 6:56 p.m.
- ◆ Nancylee Ziese moved to accept the Job Evaluation of Karl Cassell and ask Conni Huber in Human Resources to advise us and to implement a Cost of Living Adjustment, bearing in mind the “5% over the highest paid staff” rule.
- ◆ Roy Porterfield seconded motion
- ◆ **Roll Call vote:**
 - Roy – voted yes
 - Nancylee – voted yes
 - Laura –voted yes
 - Tara– voted yes
 - Eric – voted yes
 - Bob – voted yes
 - Rick – voted yes
 - Momodu – voted yes
 - Miriam Unanimous, motion carries

X. Adjournment

- ◆ Roy Porterfield made a motion to adjourn the meeting
- ◆ Tara Second
- ◆ Motion carries; the meeting was adjourned at 7:00pm

The next meeting will be held on July 15, 2009 at 5:30 p.m. Location to be determined.

Respectfully submitted by Stefanie Robinson