

CEDAR RAPIDS CIVIL RIGHTS COMMISSION  
Second Floor, Veterans Memorial Building  
25 June 2008

Commissioners and staff met for the regular meeting of the Cedar Rapids Civil Rights Commission at 4:30 PM, Wednesday, 25 June 2008, in the conference room, City Hall North offices (AEGON), 3851 River Ridge Drive NE, Cedar Rapids, Iowa.

Commissioners Present: Ms. Miriam Amer, Chair  
Mr. George Holmes, Vice Chair  
Ms. Janet Johnson  
Mr. Momodu Kamara  
Mr. Kavi Parupally  
Mr. Roy Porterfield  
Ms. Dolores Reisinger  
Ms. Tara Youells  
Ms. Nancy Lee Ziese

Commissioners Absent: Mr. Virgil Gooding

Staff Present: Mr. Kenneth White, Director  
Ms. Christina Larsen, Staff Administrative Assistant  
Mr. Darryl Lipscomb, Staff Investigator  
Ms. Michelle McMurray, Staff Investigator  
Ms. LaSheila Yates, Staff Investigator

Guests: Ms. Emily Evers, University of Iowa Law Clinic  
Mr. Karl Cassell, Jane Boyd  
Mr. MD Wolfgram

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Noting a quorum, Miriam Amer, Chair, called the meeting to order at 4:39 PM.

#### **APPROVAL OF MINUTES**

Roy Porterfield noted "aromatize" should be "amortize" on page five. Roy motioned the approval of the minutes with Tara Youells seconding. The minutes to the 4 June 2008 meeting with the above-noted change were approved by unanimous vote.

#### **DIRECTOR'S REPORT**

Kenneth White gave a brief overview and updates regarding his program, Project Fast Track 75, as well housing, budget, travel, and current activities.

Miriam Amer questioned specific amounts on the budget reports submitted to the Commission. Kenneth responded that there were some coding allocation errors that he requested to be corrected by City Finance.

#### **NEW BUSINESS**

##### **RULES OF OPERATION**

Miriam read the memorandum distributed.

George Holmes stated in representing Virgil Gooding's comments, he would like to address the issue of changing the power of the Chair noting this sort of action should be approved by the City Council by a change to the ordinance. General discussion ensued regarding Virgil not present to represent his views, the intentions of the amended rules, and regulations required to amend the rules. Miriam noted the memorandum had been reviewed by City Attorney Jim Flitz. It was generally decided that the Commission could adopt the amended rules and they were not addressing the powers of the chair.

Tara proposed three changes: 1) using a term other than "strategic plan" throughout the rules, 2) having the expenditure limit be \$500, and 3) travel limits should be set at 150 miles from Cedar Rapids. Kavi Parupally agreed with the suggestions and recommended using the term "monthly operational plan" instead of "strategic plan". NancyLee Ziese agreed with the suggestions as well.

George Holmes questioned if the Commission could perform testing outside of HUD regulations if funding it through other sources. NancyLee questioned what the other sources of funding would be if not HUD. Kenneth replied the Commission already has a pool of trained testers therefore we would not incur this cost again though also stated that this pool is mostly graduate students from the University of Iowa and that they might not be available for long.

General discussion ensued regarding the types of testing the Commission could perform as well as HUD regulations for testing. George recommended changing the text in the amended rules to separate HUD-paid housing testing/training and other testing/training. Janet Johnson recommended changing the text to read "all testing conducted with HUD funds".

NancyLee read a memo distributed to the Commission from Lionel Foster regarding HUD-funded testing. There was brief discussion regarding Kenneth's experiences with testing with his previous position in Minneapolis.

In overview, Miriam restated the suggested changes to the amended rules. The amended rules, as accepted, will follow below the outline:

In Item 1:

- ◆ Change "monthly strategic plan" to "monthly operating plan".

In Item 2:

- ◆ Change "a minimum of three commissioners" to "a majority vote of the commission".
- ◆ Clarify the approval process by stating "must be pre-approved by the Vice-Chair" instead of "by the Vice-Chair".
- ◆ Change \$200 to \$400.

George asked Kenneth if the amended rules were workable where Kenneth responded they were.

In Item 3:

- ◆ Change "a minimum of three commissioners" to "a majority vote of the commission".
- ◆ Change 25 miles to 150 miles.
- ◆ Clarify the approval process by stating "must be pre-approved by the Vice-Chair" instead of "by the Vice-Chair".

- ◆ Edit the last sentence into two separate sentences and remove text to read: “No travel expenditures may be presented less than seven (7) days before the travel is due to commence. No travel that is not approved pursuant to these rules will be reimbursed.”

In Item 4:

- ◆ Change “according to the guidelines required by HUD, all testing” to “according to the guidelines required by HUD, all testing conducted with HUD funds”.
- ◆ Change “monthly strategic plan” to “monthly operating plan”.
- ◆ Change “must have the pre-approval of the Commission” to “must be approved by the Commission Chair, and upon the documented absence of the Chair, must be pre-approved by the Vice-Chair. The Chair/Vice-Chair will then disseminate the information to the Commission members.”

In Item 5:

- ◆ Change the approval process to read “by the Commission”.

In Item 6:

- ◆ Change text to read:  
The Executive Director shall prepare and present a proposed annual budget at the regular meeting of the Commission the month prior to presenting said proposed annual budget to the City Council for resolution. The proposed budget shall be subject to review and approval by the Commission before submission to the City Council. There will be no exceptions to, or extenuating circumstances accepted for, this issue.

In Item 7:

- ◆ Change “must present” to “shall prepare and present”.

In Item 8:

- ◆ Change text to read:  
The Executive Director and all staff must undergo a yearly performance review to be conducted as directed by the Commission. In the case of the Executive Director, the review will be by the Commission as a whole, utilizing a pre-approved evaluation form developed by the Commission for the express purpose of conducting said yearly review. The Commission may dismiss the Executive Director by a majority vote by the Commission. In the case of the annual performance review of Commission staff, the annual review will be completed according to the guidelines set forth by the City Department of Human Resources; however, no dismissal of said staff may be implemented without the presentation of the review to the Commission as outlined in Item #5 above.

In Item 9:

- ◆ Add “to provide a report back to the Commission at the following regular commission meeting following their meeting”

Roy motioned to adopt the memorandum with the above-noted changes and incorporate into Commission’s Administrative Rules with Dolores Reisinger seconding. The adoption of the amended rules was approved by unanimous vote as reads below:

1. Executive Director must present a Monthly Operating Plan to the Commission at the previous month’s regular Commission Meeting (usually

- held on the fourth Wednesday of the month) beginning with the July 2008 meeting. This is to include any requested travel, proposed expenditures for the upcoming month, and planned activity reports by the Executive Director and staff (including any training, testing, and civic/constituent meetings). If no plan is presented, then funding for any of these activities will be denied. Furthermore, it will be at the discretion of the Chair to set aside these rules for special or extenuating circumstances.
2. All Commission, staff, and Executive Director expenditures over \$400 must be pre-approved by the Commission Chair and upon the documented absence of the Chair, be pre-approved by the Vice-Chair. If the Chair and Vice-Chair are absent, then expenditures must be presented to and approved by majority vote of the Commission. No expenditures may be presented less than five (5) days before the item is due to be paid without the express written consent of the Chair.
  3. All travel for Commission staff and Executive Director constituting more than 150 miles from the Civil Rights Commission office must be pre-approved by the Commission Chair and upon the documented absence of the Chair, be pre-approved by the Vice-Chair. If the Chair and Vice-Chair are absent, then expenditure must be presented to and approved by majority vote of the Commission. No travel expenditures may be presented less than seven (7) days before the travel is due to commence. No travel that is not approved pursuant to these rules will be reimbursed.
  4. All testing or training (including Fair Housing) must be pre-approved by the Commission Chair and upon the documented absence of the Chair, must be pre-approved by the Vice-Chair. Each request must include its purpose, full associated costs, and list of proposed participants. The Chair/Vice-Chair will then disseminate the information to the Commission members. Additionally, according to the guidelines required by HUD, all testing conducted with HUD funds must have the written approval of the governing HUD office prior to the date testing is scheduled to begin. Furthermore, said HUD written approval must be made available to the Commission upon request.
  5. All staff changes, including additions, dismissals, promotions, demotions, and job description alterations are subject to approval by the Commission.
  6. The Executive Director shall prepare and present a proposed annual budget at the regular meeting of the Commission the month prior to presenting said proposed annual budget to the City Council for resolution. The proposed budget shall be subject to review and approval by the Commission before submission to the City Council. There will be no exceptions to or extenuating circumstances accepted for this issue.
  7. Executive Director shall prepare and present an annual report to the Commission within thirty (30) days of the beginning of the fiscal year for the City of Cedar Rapids. Said report must include department's civil rights and program activities for the past year, as well as a summary of cases and complaints. The report should also include department accomplishments, a month-by-month breakdown of commission financial status, and financial and activity projections for the coming year.
  8. The Executive Director and all staff must undergo a yearly performance review to be conducted as directed by the Commission. In the case of the Executive Director, the review will be by the Commission as a whole, utilizing a pre-approved evaluation form developed by the Commission for

the express purpose of conducting said yearly review. The Commission may dismiss the Executive Director by a majority vote by the Commission. In the case of the annual performance review of Commission staff, the annual review will be completed according to the guidelines set forth by the City Department of Human Resources; however, no dismissal of said staff may be implemented without the presentation of the review to the Commission as outlined in Item #5 above.

9. Finally, the Commission shall form committees consisting of Commissioners who are willing to serve. Each committee shall meet at least once on a bi-monthly basis, be composed of a minimum of three (3) Commissioners, and shall be formed for the following areas: finance/budget, personnel/staff, program and outreach, civil rights code/legislative. Each committee is to provide a report back to the Commission at the following regular Commission meeting following their committee meeting.

Please note: Kavi Parupally left the meeting noting he would not be available for any Commission meetings due to business-required travel from 14 July- 14 August 2008.

### **OLD BUSINESS**

#### **ANNUAL REVIEW OF COMMISSION EXECUTIVE DIRECTOR**

Miriam stated she did not complete an evaluation in an attempt to stay neutral. George stated he was not satisfied with the document used to evaluate as it was not finished. Roy stated he did not submit a completed evaluation due to flood-related issues though submitted a partially completed one during the meeting. Dolores stated she did not complete an evaluation due to technology difficulties. Momodu Kamara stated he did not submit an evaluation as he was not comfortable at this time. Tara motioned to proceed with the evaluation with the papers submitted with Dolores seconding. George offered a friendly amendment to have the evaluation sub-committee meet again to formally compile the results and give a report at the next Commission meeting. Tara rejected the friendly amendment after general discussion. Momodu and NancyLee requested calling a special meeting of the Commission. Tara formally withdrew her motion to proceed with Dolores formally withdrawing her seconding. NancyLee motioned to assign Janet as Chair of the evaluation sub-committee with George seconding. Janet will chair the subcommittee by unanimous vote.

By consensus, a special meeting of the Commission will be held at 4:30 PM on Wednesday, 9 July 2008 at the same location.

#### **PUBLIC HEARING**

Michelle McMurray addressed the Commission regarding the public hearing document distributed stating it was a transcript of the hearing and not a formal recommendation. She noted the recommendation is expected in late July when it will be brought before the Commission for approval.

#### **MISCELLANEOUS**

NancyLee requested adding to the 9 July agenda staff family member involvement in the lease.

Janet motioned to adjourn the meeting with Roy seconding. With no public comment, the meeting was adjourned at 6:33 PM by unanimous vote.

**NEXT MEETING**

THERE WILL BE A SPECIAL MEETING OF THE COMMISSION HELD WEDNESDAY, 9 JULY 2008 AT 4:30 PM IN THE TRAINING ROOM, CITY HALL NORTH (AEGON), 3851 RIVER RIDGE DRIVE NE.

The next regular meeting will be at Noon, Wednesday, 23 July 2008, with the location to be announced.

Respectfully submitted,

Christina Larsen  
Administrative Assistant III