

CEDAR RAPIDS CIVIL RIGHTS COMMISSION  
Second Floor, Veterans Memorial Building  
11 March 2008

Commissioners and staff met for the regular meeting of the Cedar Rapids Civil Rights Commission at 5:30 PM, Tuesday, 11 March 2008, in the conference room, Civil Rights Commission office, 425 Second Street SE, Suite 960, Cedar Rapids, Iowa.

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

Commissioners Absent: Mr. Virgil Gooding  
Mr. Kavi Parupally  
Ms. Dolores Reisinger

Staff Present: Mr. Kenneth White, Director  
Ms. Christina Larsen, Staff Administrative Assistant

Guests: None

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Noting a quorum, Miriam Amer, Chair, called the meeting to order at 5:40 PM.

It was noted that scheduled guest, Tom Podzimek, had a scheduling conflict and will attend the 26 March 2008 meeting instead.

#### **APPROVAL OF MINUTES**

Roy Porterfield requested the following edit under Miscellaneous, National League of Cities:

Roy noted that the National League of Cities, of which the City of Cedar Rapids is a member, has an Inclusive Communities program. Robins, Coralville, and Iowa City have joined the program. General consensus was to have staff perform further research. Basic information was provided to staff for follow-up.

Roy motioned with Nancy Ziese seconding the approval of the February 2008 meeting minutes with the above-noted change. The minutes to the February 27, 2008 Commission meeting were approved by unanimous vote.

#### **OLD BUSINESS**

REVIEW OF CITY OF CEDAR RAPIDS CHAPTER 69 ORDINANCE

The following edits were requested:

- ◆ Any place it makes reference to January 1, 2008 throughout the ordinance, it needs to be replaced with correct date of council approval date/effective date of actual ordinance, all other dates must stay intact (example page 26).

Please note: Momodu Kamara arrived.

(The following requested edits are shown in red type :)

- ◆ 69.04 (a) **CEDAR RAPIDS CIVIL RIGHTS COMMISSION.**  
The Cedar Rapids Civil Rights Commission shall consist of 11 members appointed by the Mayor with the approval of the City Council. Membership on the Commission shall be broadly representative of the city's population ~~and shall have diverse gender, racial, ethnic, and religious representation.~~ and shall have diverse representation from among the protected classes including gender, racial, ethnic, and religious representation.
  
- ◆ 69.13 COMPLAINT INVESTIGATION.  
(e) **Investigative Procedure**
  1. After the filing of a verified complaint, a true copy shall be served within 20 days by certified mail on the person against whom the complaint is filed. Alternative service may be effectuated by personal delivery by the Executive Director or a member of the staff of the Commission.
  2. An authorized member of the Commission staff shall make a prompt investigation of the alleged unfair or discriminatory practices ~~and shall invite a Commissioner to serve as a member of the investigative team.~~ ~~\*The Chairperson shall designate A member of the a Commissioner shall be named as to serve as\* a member of the investigative team and shall be invited to be involved in the course of the investigation.~~
  3. If it is determined by the ~~\*Executive Director or the designated Commissioner member of the Commission\*~~ ~~a~~ that no probable cause exists for the complaint, the complaint may be closed with a finding of no probable cause and the complainant and respondent shall be so notified in writing by certified mail.
  4. The complainant, within 10 days of receipt of a copy of the determination of no probable cause, may file with the Commission an application for reconsideration of the finding. Upon such application the ~~Commission Chair~~ ~~\*Executive Director or the designated Commissioner member of the Commission\*~~ shall consider the application for reconsideration. If it is determined that no probable cause exists, the ~~Commission Chair~~ ~~\*Executive Director or the designated Commissioner member of the Commission\*~~ shall issue an order dismissing the complaint and shall furnish a copy of the order to the Complainant. If it is determined that probable cause exists or that further investigation is necessary, the staff shall be directed accordingly.
  5. If it is determined by the ~~\*Executive Director or the designated Commissioner member of the Commission\*~~ that probable cause exists

regarding the allegations of the complaint, the staff of the Commission shall promptly endeavor to eliminate the unfair or discriminatory practice by conference, conciliation, and persuasion. Nothing in this subsection shall preclude an earlier satisfactory resolution of the complaint, if mutually agreed to by all parties.

6. If the complaint is successfully resolved through conciliation and persuasion, it shall be formalized and signed by a representative of the Commission, the complainant, and the respondent. ~~and Title The~~ The Commission shall furnish both the complainant and the respondent a copy of the terms of the conciliation.
7. At any time in its discretion, the Commission shall investigate whether the terms of the agreement are being complied with by the respondent. If the Commission finds that the terms of the conciliation are not being complied with by the respondent, the Commission shall take appropriate action to *\*ensure\** compliance.
8. The Commission staff must endeavor to eliminate the discriminatory or unfair practice by conference, conciliation, and persuasion for a period of 30 days following the initial conciliation meeting between the respondent and the Commission staff after a finding of probable cause. After the expiration of 30 days, the Executive Director may order that the conference, conciliation, and persuasion procedures provided in this section be by-passed when the Executive Director determines the procedures unworkable by reasons of past patterns and practices of the respondent, or a statement by the respondent that the respondent is unwilling to continue with the conciliation. The Executive Director must have the approval of ~~the Commission Chair a Commissioner~~ before bypassing conciliation, conference, and persuasion procedures. Upon the bypassing of conciliation, the Executive Director shall state in writing to the Commission the reasons for bypassing.

Roy motioned to accept changes into the current draft with Nancy Lee seconding the motion to accept. The above-shown edits were accepted into the draft by unanimous vote to approve.

#### **NEXT MEETING**

Tara Youells motioned to hold a special meeting prior to next scheduled meeting to approve the final changes to the Ordinance with Janet Johnson seconding the motion. The motion to hold a special meeting of the Commission was approved by unanimous vote.

**THERE WILL BE A SPECIAL MEETING OF THE COMMISSION HELD MONDAY 24 MARCH 2008 AT 5:00 PM.**

The next regular meeting will be at Noon, Wednesday, 26 March 2008, in the Civil Rights Commission office conference room.

The meeting adjourned by general consensus at 7:10 PM.

Respectfully submitted,

Christina Larsen  
Administrative Assistant III