

CIVIL RIGHTS COMMISSION MEETING

CITY OF DAVENPORT, IOWA

Tuesday, May 14, 2024; 12:00 PM

Virtual Via Zoom:

<https://us02web.zoom.us/j/84869608008?pwd=MUhuMUNSunp4WIZndk9tbXZiMIY1UT09>

AMID CONCERNS ABOUT THE SPREAD OF COVID-19 (CORONAVIRUS) WITHIN OUR COMMUNITY, AS AN ONGOING MITIGATION MEASURE, IN COMPLIANCE WITH CDC RECOMMENDATIONS, THE COMMISSION WILL HOST ITS NEXT MONTHLY MEETING, SCHEDULED FOR MAY 14, 2024 AT NOON THROUGH A VIRTUAL FORMAT. THIS ACTION HAS BEEN TAKEN DUE TO SAFETY CONCERNS ASSOCIATED WITH COVID-19. THE HEALTH AND SAFETY OF COMMUNITY MEMBERS, VISITORS, CUSTOMERS AND OUR STAFF AT THE DAVENPORT CIVIL RIGHTS COMMISSION IS ALWAYS A TOP PRIORITY. IT IS WITH THIS IN MIND THAT WE HAVE TAKEN THIS STEP TO MITIGATE THE POSSIBILITY OF COMMUNITY TRANSMISSION. IF YOU WOULD LIKE TO SIGN UP TO ATTEND OUR NEXT MEETING, PLEASE REGISTER IN ADVANCE FOR THIS MEETING- YOU WILL FIND THE LINK IN THE AGENDA UNDER ROLL CALL. AFTER REGISTERING, YOU WILL RECEIVE A CONFIRMATION EMAIL CONTAINING INFORMATION ABOUT JOINING THE MEETING.

I. Roll Call

Virtual Via

Zoom: <https://us02web.zoom.us/j/84869608008?pwd=MUhuMUNSunp4WIZndk9tbXZiMIY1UT09>

II. Approval of Agenda

III. Approval of Minutes

A. March 2024 Meeting Minutes

IV. Director's Report

A. Case Status Report April 2024

B. April 2024 Director's Report

V. New Business

VI. Old Business

VII. Public Comment and Presentation

VIII. Closed Session Pursuant to Iowa Code 21.5(1)(i)

A. Director's Compensation

IX. Closed Session to Discuss Litigation Pursuant to 21.5(1)(c)

X. Adjourn

XI. Next Meeting

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
March 2024 Meeting Minutes

Action / Date
5/14/2024

Attachments:

1. March 2024 Meeting Minutes

DAVENPORT CIVIL RIGHTS COMMISSION

Minutes of Regular Meeting

Tuesday, March 12, 2024; 12:00 PM

The Davenport Civil Rights Commission (DCRC) met at 12:00 p.m. Tuesday, March 12, 2024, online using Zoom. Commission Vice Chair Frank Holley, presided.

COMMISSIONERS PRESENT:

Ethelene Boyd
Frank Holley
Glenn Peterson
Angela Reyes
Charlene Upchurch-Taylor
Jeff Transou

COMMISSIONERS ABSENT

Michael Guster

OTHER PERSONS PRESENT:

Director Lacey
Others from the community

AGENDA

Commissioner Holley called for the approval of the agenda. Commissioner Boyd made a motion to approve the agenda, Commissioner Reyes second the motion. All Commissioners voted to approve the agenda.

APPROVAL OF MINUTES

On motion by Commissioner Boyd, seconded by Commissioner Reyes, the minutes of the regular meeting on February 13, 2024, were moved. All Commissioners approved.

REPORT OF THE DIRECTOR

Director Lacey stated there was no right to sue letters for the month of February. There were no cases settled in mediation or conciliation during the month of February.

Director Lacey participated in pre and post session discussions for upcoming and past outreach and education initiatives on racial trauma for the community in collaboration with Transitions Mental Health, St. Ambrose School of Social Work, and the Davenport Branch of the NAACP. Director Lacey stated there was a good turnout. The first event was held February 3rd, and the second was held February 10, 2024. Both events were held at the MLK Interpretive Center. The final events were held March 2nd, and March 9, 2024. Following the final event, with the feedback received from the participants, the planning committee will set up additional events in the future and will implement action items to address some of the concerns that have been outlined through the discussions.

The Director stated she continued to follow up on the FY 2025 budget request. It was learned during the budget presentation that the Council did not receive the Commission's request for a budget increase. Director Lacey stated that the Council considered an attorney position only.

Director Lacey stated she is working with DOJ, CRS, Commissioners and members of the community to host a Protecting Places of Worship training for the Quad Cities region. The PPOW program will be at the River Center on May 2, 2024.

The Director has continued to conduct research on an upcoming environmental justice and historical redlining report. Director Lacey stated we have not received the FOIA'd documents from the City to date.

Director Lacey stated that she has worked on the annual report topics and assignments.

The Director stated there are currently 161 employment cases, 51 housing cases currently, and 1 referral to legal aid.

NEW BUSINESS

A. Authorization for Implementation of Legal Action on the Refusal to Process the Commission Director's Vacation Pay Correction

Director Lacey discussed so newer Commission members were updated, that the Commission had voted two times to have her vacation corrected in a two year process. The second vote was very clear to place the Director on the vacation scale and to have hours reflecting that. The City stated they would give the hours to her in a vacation bank, but not pay them out. The only things the Director could do would be to use those hours as vacation or quit. After four years, the City is hiring outside counsel, and as of today there has been no update. The City stated that with the Director filing a complaint, they will not move on the issue now.

(At 12:33 p.m. Commissioner Reyes left the meeting due to her work schedule today.)

Director Lacey stated the City is usurping the Commission's authority. The City states they are waiting on the EEOC now. Brian Heyer and Mallory Merritt are still involved.

Commissioner Holley asked if there were any recommendations to what the Commission would like to do to proceed on the Director's vacation pay. Commissioner Upchurch-Taylor made a motion to proceed with legal action and authorization for the refusal to process Commission Director Latrice Lacey's vacation pay correction. Commissioner Boyd seconded the motion. Commissioner Holley repeated the motion and second, and stated that Commissioners in favor of the motion to state "Aye". Commissioners stated Aye, with one Commissioner stating they would abstain, so a roll call was conducted as follows:

Boyd	Yes
Holley	Yes
Peterson	Abstain
Upchurch-Taylor	Yes
Transou	Yes

Commissioner Holley stated the Commission did not have a quorum with an abstaining vote and two Commissioners now absent from being able to vote. It was decided among the Commission that the vote would have to be tabled until the next meeting.

Closed Session Pursuant to Iowa Code 21.5(1)(i)

A. Director's Compensation

Due to a lack of a quorum at the meeting, this part of the agenda was tabled until the next meeting.

OLD BUSINESS

None

PUBLIC COMMENT

There were no comments from the public.

ADJOURN

Commissioner Boyd made a motion to adjourn the meeting, Commissioner Upchurch-Taylor second the motion. All Commissioners approved the motion to adjourn the meeting. The meeting ended at 12:58 p.m.

NEXT MEETING

The next regular meeting of the Commission is April 9, 2024, at 12 noon.

Submitted by Jeff Transou, Secretary

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
Case Status Report April 2024

Action / Date
5/14/2024

Attachments:
None

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
April 2024 Director's Report

Action / Date
5/14/2024

Attachments:

1. April 2024 Directors Report

DIRECTOR'S REPORT FOR THE DAVENPORT CIVIL RIGHTS COMMISSION FOR April 2024

I. CASE STATUS

1. No "right to sue" letters were issued in the month of April.
2. No cases settled in mediation or conciliation in the month of April.

II. OTHER ACTIVITY

1. Director completed case processing documentation.
2. Director awaited Iowa Public Information Board(IPIB) update regarding 24FC0017.
This complaint, involving the City of Davenport's refusal to produce records pursuant to Iowa Code §22.2(1) was accepted by the IPIB on March 21, 2024. The city's refusal seemed to be based upon the city attorney's analysis on the perceived relevancy of the information, as the Commission was issued a denial letter stating, "Every person shall have the right to examine and copy a public record and to publish or otherwise disseminate a public record or the information contained in a public record." Iowa Code § 22.2(1). The purpose of a records request is not relevant."
3. Director attended EEOC Conference.
4. Director worked on pre-hearing preparation.
5. Director participated in a public hearing.
6. Director continued to monitor COVID-19 rates and its impact on office functions.
7. Director worked on case resolution documents.
8. Director worked on litigation.
9. Director continues to monitor a possible issue involving DCRC witness intimidation and retaliation.
10. Director continued to follow up on the FY2025 budget request. The Director met with the Chair of the Finance Committee who proposed a joint meeting between the Finance Committee and selected members of the Commission, this offer was accepted. The Director followed up on this request however city staff had not provided proposed dates for the Finance Committee as of our last correspondence. To date, staff assigned to schedule the meeting has not issued a request for dates to the Commission.
11. Director is working with DOJ CRS, Commissioners and members of the League of Iowa Civil and Human Rights Agencies to plan and schedule an upcoming training with the League of Iowa Civil and Human Rights Agencies, the initial proposed date will have to be postponed, we are currently selecting new dates.
12. Director is working with DOJ CRS, Commissioners and members of the community to host a Protecting Places of Worship training for the Quad Cities region.
13. Director is working with DOJ CRS and Commissioners to set up a training for DCRC commissioners, there is a potential for the US Attorney to assist with this training as well.
14. Director has continued to conduct research on an upcoming environmental justice and historical redlining report. We still have not received the FOIA'd documents from the city to date.
15. Director prepared for oral arguments on a judicial review proceeding.
16. Director participated in meetings for the upcoming report on environmental justice.
17. Director and staff worked on the annual report articles.
18. Director presented the DCRC Fair Housing month presentations.

19. Director and Asst. Director/Housing Programs Manager received a litigation hold notice from the city's outside counsel relating to a member of the legal department's staff.
20. Director worked on staffing realignment due to the forced departure of the Asst. Director/Housing Programs Manager.
21. Asst. Director/Housing Programs Manager worked on investigations.
22. Asst. Director/Housing Programs Manager worked on housing investigations.
23. Asst. Director/Housing Programs Manager worked on housing inquiries.
24. Asst. Director/Housing Programs Manager worked on case resolutions.
25. Asst. Director/Housing Programs Manager worked on annual report articles.
26. Civil Rights Specialist worked on annual report articles.
27. Civil Rights Specialist worked on intakes.
28. Civil Rights Specialist worked on case investigations.
29. Civil Rights Specialist worked on case resolutions.
30. Investigator worked on annual report articles.
31. Investigator worked on mediations.
32. Investigator worked on investigations.
33. Investigator worked on housing inquiries.

III. OLD BUSINESS

1. Ongoing discrimination, harassment and bullying of Commission staff.
 1. Retaliatory actions against Commission staff and further examples of different treatment.
2. Legal Department refusal to accept Commission referral.
3. Use of racial slurs in City Hall. City's failure to initiate complaint investigation.
4. Investigation of hostile working environment.
5. New refusal to fulfill records requests, continuing the pattern and practice of harassment from the city's legal department.
6. Continued refusal to process vacation correction, despite receiving their legal opinion which clearly indicates that the Commission's procedure for processing the correction was appropriate.

IV. NEW BUSINESS

1. Constructive discharge of Commission employees. The departure of the Asst. Director/Housing Programs Manager is a constructive discharge due to the ongoing severe and pervasive pattern and practice of harassment which has made working conditions so intolerable that the employee was forced to resign as there have been no actions to intervene to stop the harassment from the city officials with decision-making authority.
2. Refusal to process personnel actions.