

CIVIL RIGHTS COMMISSION MEETING

CITY OF DAVENPORT, IOWA

Tuesday, November 18, 2025; 12:00 PM

Virtual Via Zoom:

<https://us02web.zoom.us/j/84869608008?pwd=MUhuMUNSUUnp4WIZndk9tbXZiMIY1UT09>

I. Roll Call

Virtual Via Zoom:

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II. Approval of Agenda

III. Approval of Minutes

- A. September 2025 Minutes
- B. October 2025 Minutes
- C. Special Meeting Minutes September 24 2025

IV. Director's Report

- A. October 2025 Director's Report
- B. October 2025 Case Status Report

V. New Business

- A. PA-0009-0003-25
- B. Request for Budget Rollover
- C. Office Relocation

VI. Old Business

VII. Closed Session Pursuant to Iowa Code 21.5(1)(c)

VIII. Public Comment and Presentation

IX. Adjourn

X. Next Meeting

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
September 2025 Minutes

Action / Date
11/18/2025

Attachments:

1. SEPTEMBER 2025 Meeting MInutes

**CIVIL RIGHTS COMMISSION MEETING
CITY OF DAVENPORT, IA
TUESDAY, OCTOBER 14, 2025**

The Davenport Civil Rights Commission met and Called to Order: 12:03 via Zoom.
Commissioner Mike Guster presided over the meeting.

ROLL CALL:

COMMISSIONERS PRESENT:

Mike Guster
Frank Holley
Charlene Upchurch-Taylor
Glenn Peterson
Ethelene Boyd
Jeff Transou

COMMISSIONERS ABSENT:

None

OTHER ATTENDEES:

**Director Latrice Lacey
The City of Davenport**

AGENDA:

Commissioner Mike Guster called for the approval of the agenda. It was moved by Commissioner Frank Holley to accept the agenda: seconded by Commissioner Jeff Transou; motion carried.

APPROVAL of SEPTEMBER 2025 MINUTES:

- Special Meeting Minutes-Tabled until next month
- September 2025 Minutes-Tabled until next month

DIRECTOR'S REPORT:

- No right to sue letters issued in the month of August
- Two settlements, one employment case settled in mediation in August, which settled for \$8,000 in relief in the public interest; the housing case settled for \$10,000 in relief in the public interest.
- Have not received a response regarding the salary assessment
- The Council's resolution states the city views the Commission as an independent agency; the Commission has control over employment matters.
- The Commission should be allowed to set salaries without interference.

- The Director attended the IORA Midwest meeting.
- Have not received a response from HUD on travel funds.
- Interested in attending are Commissioners Boyd, Holley, and Upchurch-Taylor
- President Guster suggested someone who hasn't attended be considered.
- Items that were supposed to be processed following the passing of the resolution have not been processed.
- The Commissioner's vote on the Director's vacation pay has not been corrected.
- Commissioner Guster suggested Director Lacey follow up on these issues that haven't been resolved.
- Director Lacey hasn't received an update on proposed relocation.
- We presently have 76 housing cases; 6 new; and one closed last month.
- We currently have 176 employments; 1 close, 29 public accommodations; 3 EEOC referrals; and 19 education complaints

NEW BUSINESS:

- **A. E-0081-0036-21**-Commissioner Boyd moved that the Commission does not take this case due to insufficient resources to take this case at the present time. Second by Commissioner Holley; motion carried
- **B. Potential Overreach by the City Attorney into the Commission Authority**
- **C. New Positions**
 1. Senior Civil Rights Analyst
 2. Civil Rights Intake Specialist
 3. Civil Rights Intake Intern
 4. Civil Rights Mediator
 5. Part-Time Senior Civil Rights Analyst
- Frank Holley moved that the Commission approve all five positions for hire; 2nd by Commissioner Boyd; motion carried
- **D. Updates to the Hearing Officer List**
- It was moved by Commissioner Boyd that we add the two attorneys, Joshua Barr and Carol Johnson to the existing hearing officers' list; Commissioner Holley second; motion carried.

OLD BUSINESS: None

PUBLIC COMMENTS AND PRESENTATIONS: None

NEXT MEETING:

Regular DCRC Meeting, October 14, 2025
 Special Meeting- October 23, 2025

ADJOURN:

Commissioner Mike Guster called to adjourn the meeting. It was moved by Commissioner Frank Holley and Seconded by Commissioner Ethelene Boyd to adjourn the meeting at 12:57; motion carried.

Submitted by,

Commissioner Charlene Upchurch-Taylor

Commissioner Charlene Upchurch-Taylor,
Secretary

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
October 2025 Minutes

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1. OCTOBER 2025 Meeting MInutes

**CIVIL RIGHTS COMMISSION MEETING
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Commissioner Mike Guster presided over the meeting.

ROLL CALL:

COMMISSIONERS PRESENT:

Mike Guster
Frank Holley
Charlene Upchurch-Taylor
Glenn Peterson
Ethelene Boyd
Jeff Transou

COMMISSIONERS ABSENT:

None

OTHER ATTENDEES:

**Director Latrice Lacey
The City of Davenport
Fred Sinkevich-Representing Tavarian Moore and Sharena Harris
Doug Phillips-Representing Davenport Community School District
Tavarian Moore and Sharena Harris**

AGENDA:

Commissioner Mike Guster called for the approval of the agenda. It was moved by
Commissioner Frank Holley to accept the agenda: seconded by Commissioner Jeff Transou;
motion carried.

APPROVAL of SEPTEMBER 2025 MINUTES:

- Special Meeting Minutes-Tabled until next month
- September 2025 Minutes-Tabled until next month

DIRECTOR'S REPORT:

- No right to sue letters issued in the month of September
- Still awaiting implementation of salaries for investigation and related positions
- The City attorney believes new positions will automatically be added to the union, which raises questions about their applicability.
- Continue to await the completion of the Commission approved items following the passage of the Council resolution

- Director Lacey attended the HUD FAP meeting
- Short update has been provided on the property proposed for the office relocation

September 2025 Case Status Report

- No cases settled in mediation or conciliation in September
- Six new cases were reported last month: including one public accommodation case and five informal cases
- Housing- 1 closed; 11 closed to YTD-69 open; Total 80
- Employment-4 closed; 14 closed YTD; 171 open; Total 185
- Public Accommodations-1 new; 2 closed YTD; 27 open; Total 29
- Education-19 open; Total 19
- Informals- 5 new; 5 closed; 28 closed YTD; open 2; Total 30
- TOTALS- 6 New; 10 Closed; 55 Closed YTD; 288 Open; TOTAL 343

NEW BUSINESS:

- **Commission positions-Union-** The Commission's positions are not supposed to in the union
- City attorney requested a vote on the commissioners' position regarding union contracts,
- Commission voted to take no action; it has already been stated that its position should not be included in the city's union
- Commissioners' Roll call to take no action:
 - Guster-No
 - Holley-No
 - Transou-No
 - Upchurch-Taylor-No
 - Peterson-No
 - Boyd-No

OLD BUSINESS: None

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

- A. **ED-0118-0002-15**
- B. Doug Phillips, representing the Davenport Community School District, shared comments before the commission went into closed session.
- C. Phillips confirmed the commission had received his written responses to the complainant's bill of exceptions.
- D. He emphasized that the administrative law judge (ALJ) found the district's actions were not discriminatory.
- E. The complainant's disappointment with the decision does not meet the standard for changing the ALJ's recommendation.
- F. Phillips suggested that the commission adopt the ALJ's recommended decision to allow all parties to move forward.
- G. Frederick Sinkevich, legal representative for Ms. Harris and Mr. Moore made his comments before the commission went into closed session.
- H. The focus is on the failure to provide Mr. Moore with an ASL interpreter throughout his education.

- I. The IEP team allegedly ignored requests for an interpreter, which impacted Mr. Moore’s communication with peers and teachers.
- J. The complaint was initiated in 2015, and the district continued to deny the requested accommodation until Mr. Moore graduated in 2021
- K. Ms. Harris witnessed her son’s struggles due to the lack of support, which affected his relationship with deaf culture and self-identity.

Commissioner Guster asked for a motion to go into closed session pursuant to Iowa Code 21.5(1)(f) to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

It was moved by Commissioner Boyd and second by Commissioner Peterson to go into closed session; motion carried.

Commissioners:

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

- **“At 12:33 o’clock pursuant to Iowa Code §21.5(1)(f) and upon motion by Commissioner Boyd, seconded by Commissioner Peterson and with all Commissioners Guster, Holley, Peterson, Boyd, Transou, and Upchurch-Taylor present and voting yes, the Commission moved into closed session to discuss the decision in a contested case proceeding.”**
- **On motion by Commissioner Holley, seconded by Commissioner Peterson, all Commissioners Guster, Holley, Transou, Boyd, and Upchurch-Taylor present voting yes, the Commission reconvened in open session at 2:04 p.m.**
- **Commissioner Peterson left at 1:50 for appointment.**
- **We, the Davenport Civil Rights Commission, reject the Administrative Law Judge’s decision based on evidence of discrimination, and the Davenport School District failed to provide the necessary accommodation. The complainant must provide within 30 days an explanation of requested compensation.**

Votes:

- Commissioner Guster-Yes
- Commissioner Petersen-Absent
- Commissioner Boyd-Yes
- Commissioner Transou-Yes
- Commissioner Holley-Yes

Commissioner Upchurch-Taylor-Yes

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

At 2:11 o'clock pursuant to Iowa Code §21.5(1)(c) and upon motion by Commissioner Holley, seconded by Commissioner Boyd and with all Commissioners Guster, Holley, Transou, Boyd, and Upchurch-Taylor present and voting yes, the Commission moved into closed session to discuss strategy with counsel in matters that are presently in litigation or where litigation is imminent where its disclosure would be likely to prejudice or disadvantage the position of the governmental body in that litigation.

Roll Call:

Guster-Present	Boyd-Present	Upchurch-Taylor-Present
Holley-Present	Transou-Present	Peterson-Absent
Director Lacey-Present		

- On motion by Commissioner Holley, seconded by Commissioner Transou, all Commissioners Guster, Holley, Transou, Boyd and Upchurch-Taylor present voting yes, the Commission reconvened in open session at 3:00 p.m.
- It was moved by Commissioner Holly and second by Commissioner Upchurch-Taylor that the Commission authorize its legal counsel to initiate, defend, or otherwise participate in judicial or administrative proceedings as necessary to prevent further usurpation or interference with the Commission's authority, and to preserve the independence, integrity, and enforceability of its statutory powers. Motion carried

Votes:

Commissioner Guster-Yes	Commissioner Petersen-Absent
Commissioner Boyd-Yes	Commissioner Transou-Yes
Commissioner Holley-Yes	
Commissioner Upchurch-Taylor-Yes	

PUBLIC COMMENTS AND PRESENTATIONS: None

NEXT MEETING:

Regular DCRC Meeting, November 11, 2025

ADJOURN:

Commissioner Mike Guster called to adjourn the meeting. It was moved by Commissioner Frank Holley and Seconded by Commissioner Ethelene Boyd to adjourn the meeting at 12:57; motion carried.

Submitted by,

Commissioner Charlene Upchurch-Taylor

Commissioner Charlene Upchurch-Taylor,
Secretary

City of Davenport
Civil Rights Commission

Department: Civil Rights

Contact Info: |

Subject:

Special Meeting Minutes September 24 2025

Action / Date

11/18/2025

Attachments:

1. SPECIAL MEETING MINUTES SEPTEMBER 24J 2025

CIVIL RIGHTS COMMISSION SPECIAL MEETING

CITY OF DAVENPORT, IOWA

Wednesday, September 24, 2025; 10:00 AM

ROLL CALL:

COMMISSIONERS PRESENT:

Mike Guster
Frank Holley
Graig Peterson
Ethelene Boyd
Jeff Transou
Charlene Upchurch-Taylor

Approval of Agenda:

Commissioner Guster called for approval of the agenda. It was moved by Commissioner Boyd to accept the agenda; second by Commissioner Peterson; motion carried

III. Approval of Minutes-None

IV. Director's Report -None

V. New Business -None

VI. Old Business-None

VII. Closed Session Pursuant to Iowa Code 21.5(1)(f)

A. H-0050-0015-21

Commissioner Mike Guster asked for a motion to go into closed session pursuant to Iowa Code §21.5(1)(f) To discuss the decision to be rendered in a contested case proceeding conducted according to the provisions of chapter 17A.

At 10:06 o'clock pursuant to Iowa Code §21.5(1)(f) and upon motion by Commissioner Boyd, seconded by Commissioner Holley and with all Commissioners Mike Guster, Frank Holley, Glenn Peterson, Ethelene Boy, Jeff

Transou, and Charlene Upchurch-Taylor present and voting yes, the Commission moved into closed session to discuss the decision to be rendered in a contested case proceeding.

Nature of the Claim

The Fair Housing Act (FHA) and the Davenport Civil Rights Ordinance (DCRO) make it unlawful to discriminate against any person in the terms, conditions, or privileges of the rental of a dwelling because of race, or because of association with individuals of a particular race. These laws also prohibit coercion, intimidation, threats, or interference with any person in the exercise of their fair housing rights.

In this case, Complainant alleges that Respondent unlawfully discriminated against her because of her association with her Black children and her Black significant other. Specifically, Complainant contends that:

1. She was subjected to racial harassment by her neighbor, Cunningham, including racial slurs and disparaging remarks.
2. Cunningham pressured Respondent, her landlord, to terminate her tenancy because of these associations.
3. Respondent complied with Cunningham's demands, terminating her tenancy, and gave false reasons for doing so.

Respondent denies these allegations and asserts that the termination was for legitimate, nondiscriminatory reasons. The landlord didn't sell the property until 20 months later

Attorney Tyler Adams- presented information that stated it was unlawful housing discrimination.

Attorney Mike Walker presented information that stated Ms. Cunningham caused the problem and not the landlord. She had police called on her due to disturbance. The landlord was getting out of the rental business and that's the reason he evicted her from her home. He also stated the landlord did not know the children were biracial.

After listening to both attorneys, this Commission rejects the Administrative Law Judge's ruling, and we agree to reward the complainant financial hardship and emotional distress. We give the complainant 30 days to suggest compensation for these hardships.

Roll Call:

Commissioners in agreement:

Mike Guster-Yes
Frank Holley-Yes

Jeff Transou-Yes
Ethelene Boyd-Yes
Glenn Petrson-Yes
Charlene Upchurch-Taylor-Yes

Motion to reconvene in open session:

On motion by Commissioner Peterson, seconded by Commissioner Holley, all Commissioners present Guster, Holley, Transou, Boyd, Peterson, and Upchurch-Taylor voting yes, the Commission reconvened in open session at 11:15 a.m..”

Open Session:

After listening to both attorneys, this Commission rejects the Administrative Law Judge’s ruling, and we agree to reward the complainant financial hardship and emotional distress. We give the complainant 30 days to suggest compensation for these hardships.

Votes:

Commissioner Guster-Yes

Commissioner Petersen-Yes

Commissioner Boyd-Yes

Commissioner Transou-Yes

Commissioner Holley-Yes

Commissioner Upchurch-Taylor-Yes

VIII. Public Comment and Presentation-None

IX. Adjourn

It was moved by Commissioner Boyd to adjourn the meeting; second by Holley; motion carried

X. Next Meeting-October 14, 2025

Submitted by,

Commissioner Charlene Upchurch-Taylor

Commissioner Charlene Upchurch-Taylor,
Secretary

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
October 2025 Director's Report

Action / Date
11/18/2025

Attachments:

1. October 2025 Director's Report

DIRECTOR'S REPORT FOR THE DAVENPORT CIVIL RIGHTS COMMISSION FOR October 2025

I. CASE STATUS

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

II. OTHER ACTIVITY

1. The Director completed case processing documentation.
2. The Director met with the Chair and Vice Chair on followup to the October Joint Meeting.
3. The Director coordinated with outside counsel to draft materials supporting legal matters pertaining to the Commission.
 1. A letter was sent to Corporation Counsel conveying the Commission's position, we were asked to delay taking further action until November 21st, which was agreed upon.
4. On October 31, the Director learned that a unit clarification petition had been filed with the Employment Appeals Board (EAB), citing the Commission's status as a separate employer as the basis for removing the positions from the existing bargaining unit. This filing is consistent with the Commission's longstanding interpretation of its authority as outlined in the law, although in recent years city staff have taken actions based on a differing interpretation and have expressed disagreement with the Commission's and the Director's understanding of the applicable provisions.
5. The Commission received an update on the property proposed for the office relocation, however we continue to await updates on next steps.
 1. Option 1 - The costs associated with repairs seem to relate to a major remodel, rather than accessibility updates and minor cosmetic changes.
 2. Option 2 - "Collins House" - A single family home.
6. The Director never received any response from the former City Administrator regarding Finance's information on HUD funding, including the notification that Finance will no longer perform the Finance-related certification for our HUD contract, despite controlling the funding. Most recently, a change was made to the budget on October 30 without prior or subsequent notification, in the context of ongoing staffing challenges and workplace disruptions. These circumstances make it extremely difficult to manage a budget effectively or certify financial actions when there is no control or visibility over key changes.
7. Additional delays have continued due to a lack of response from Human Resources, slow processing of personnel actions by both Finance and Human Resources, and the unilateral removal of the Civil Rights Investigator job posting. Furthermore, there remains no resolution to the internal complaint regarding the interception of the Commission's confidential mail, submitted on December 20, 2023.
8. The Director continues to monitor COVID-19¹ rates and its impact on office functions.
9. The Director worked on case resolution documents.
10. The Director worked on litigation.
11. The Director continued reviewing applications for the open positions.

¹ Also, measles, influenza and RSV.

12. The Director continues to work on the development of training and professional development opportunities related to the staffing realignment related to the forced departure of the Asst. Director/Housing Programs Manager.
13. Housing Analyst worked on housing investigations.
14. Housing Analyst worked on housing inquiries.
15. Housing Analyst worked on case resolutions.

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, still no findings over a year after the initiation of the investigation.
5. 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 and the subsequent resolution directing the reversal of any decisions infringing on the Commission's decision making authority.
6. Constructive discharge of Commission employees.
7. The Commission continues to face delays and obstructive actions by City Administration that have hindered resolution of matters previously presented to the City Council. These actions appear to be intended to undermine the Commission's mission and reflect ongoing retaliation and retaliatory harassment in response to substantiated complaints of discrimination and harassment.
8. Office Relocation - The Director conducted a preliminary accessibility audit of the property, there appears to be sufficient room for the Commission and it appears to be able to be updated within the budget set for the office remodel. The city submitted a copy of the preliminary report of the property, which appears to highlight the same issue included within the preliminary accessibility audit submitted by the Commission. There is an updated assessment of the property which outlines a substantial remodel of the building, beyond what was requested by the Commission.
9. Council Resolution - The resolution was passed July 23, 2025 however past actions have not been corrected.

IV. NEW BUSINESS

1. Open meetings and open records training.

City of Davenport
Civil Rights Commission

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Action / Date
11/18/2025

Attachments:
None

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Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
PA-0009-0003-25

Action / Date
11/18/2025

Attachments:
None

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
Request for Budget Rollover

Action / Date
11/18/2025

Attachments:
None

City of Davenport
Civil Rights Commission

Department: Civil Rights
Contact Info: |
Subject:
Office Relocation

Action / Date
11/18/2025

Attachments:
None