

CIVIL RIGHTS COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, FEBRUARY 13, 2024; 12:00 PM

VIRTUAL VIA ZOOM [HTTPS://US02WEB.ZOOM.US/J/84869608008?](https://us02web.zoom.us/j/84869608008?pwd=MUHUMUNSUNP4WLZNDK9TBXZIMLY1UT09)
PWD=MUHUMUNSUNP4WLZNDK9TBXZIMLY1UT09

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 FEBRUARY 13, 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

- A. VIRTUAL VIA ZOOM [HTTPS://US02WEB.ZOOM.US/J/84869608008?](https://us02web.zoom.us/j/84869608008?pwd=MUHUMUNSUNP4WLZNDK9TBXZIMLY1UT09)
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II. Approval of Agenda

III. Approval of Minutes

- A. January 2024 Minutes

IV. Directors Report

- A. January 2024 Director's Report
- B. January 2024 Case Status Report

V. New Business

- A. ED-0109-0002-14
- B. Commission Election of Officers
- C. Commission Budget
- D. Director's Vacation Pay

VI. Old Business

VII. Public Comment and Presentation

VIII. Adjourn

IX. Next Meeting

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:

VIRTUAL VIA ZOOM [HTTPS://US02WEB.ZOOM.US/J/84869608008?](https://us02web.zoom.us/j/84869608008?pwd=muHUMUNSUNP4WLZNDK9TBXZIMLY1UT09)

PWD=MUHUMUNSUNP4WLZNDK9TBXZIMLY1UT09

REVIEWERS:

Department	Reviewer	Action	Date
Civil Rights	Musser, Stephanie	Approved	2/12/2024 - 9:00 AM

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
January 2024 Minutes

ATTACHMENTS:

Type	Description
▢ Cover Memo	January 2024 Minutes

REVIEWERS:

Department	Reviewer	Action	Date
Civil Rights	Musser, Stephanie	Approved	2/12/2024 - 11:30 AM

DAVENPORT CIVIL RIGHTS COMMISSION

Minutes of Regular Meeting

Tuesday, January 9, 2024; 12:00 PM

The Davenport Civil Rights Commission (DCRC) met at 12:00 p.m. Tuesday, January 9, 2024, online using Zoom. Commission Chair Michael Guster, presided.

COMMISSIONERS PRESENT:

Ethelene Boyd
Michael Guster
Frank Holley
Angela Reyes
Charlene Upchurch-Taylor
Jeff Transou

COMMISSIONERS ABSENT

None

OTHER PERSONS PRESENT:

Director Lacey
Others from the community

AGENDA

Commissioner Guster called for the approval of the agenda. Commissioner Boyd made a motion to approve the agenda, Commissioner Upchurch-Taylor second the motion. All Commissioners voted to approve the agenda.

APPROVAL OF MINUTES

On motion by Commissioner Holley, seconded by Commissioner Upchurch- Taylor, the minutes of the regular meeting on December 23, 2023, were moved. All Commissioners approved.

REPORT OF THE DIRECTOR

Director Lacey stated there was no right to sue letters for the month of December. There were no cases resolved in mediation and conciliation in the month of December. The Director stated she participated in planning sessions to discuss upcoming 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. The first event is tentatively scheduled for February 3rd, 2024 at the MLK Interpretive Center. It was stated that the event was scheduled for 12 noon until 1:15 p.m. Director Lacey stated a flier would be finalized today. Commissioner Upchurch-Taylor, and Commissioner Guster both volunteered to help out where needed for the setup of the event.

Director Lacey stated she submitted the FY 2025 budget request and increase request to (1) Move two positions from the Fair Housing Fund into the General Fund; (2) Move the \$30,000 for "events expenses" into full-time salaries, allowing the part-time staff member to be moved to full-time, and (3) Implement the security updates as proposed to the Commissioners. Director Lacey stated she received a response, replied back, and had not had a response back yet to her at this time.

The Director stated she worked with DOJ CRS staff to plan and schedule upcoming training with the Commission. It was decided the Commission should meet to go over proposals.

During the Director's report, Commissioner Holley had a question about meetings with City Hall. The Director clarified what the meetings with City Hall are about. Commissioner Guster reiterated that if too many Commissioners meet with the Mayor, it would be considered a Commission meeting. City meetings were then discussed by Director Lacey, and Commissioner Boyd, Commissioner Holley, Commissioner Guster, and Commissioner Transou.

Commissioner Guster took this time to state that this year's Commission elections were late, and that he would like them put on the agenda for next month's meeting. Commissioner Guster also stated that Director Lacey would be attending all City Hall meetings from now on this year.

Discussion ensued about the City presenting the budget and explaining the budget to the Commission. Director Lacey stated currently there had been no response from the City on a presentation. Commissioner Guster stated he would ask for one.

The Commission then discussed when to have a meeting with the DOJ. It was decided that Monday, January 29, 2024, at 11 a.m. would be the day and time to have that meeting.

Director Lacey stated that the response to a FOIA request by her from Brian Heyer was that he couldn't give out any information due to privacy. Commissioner Guster stated he was going to request a meeting with the Mayor on these issues.

NEW BUSINESS

A. ED-0109-0002-14

Director Lacey stated a public hearing is pending on this case. There is no decision on the case yet and we are waiting on the ALJ. The Commission tabled this case until next month. There is a court order for the Commission to close the case.

B. Commission Hiring an Investigator for the Performance of an Internal Workplace Harassment Investigation

Director Lacey requested the Commission hire an investigator due to complaints not being dealt with including complaints of racial harassment. The Director stated she has been receiving different treatment, and getting no copies of things received in December. Commissioner Holley made a motion to hire an investigator for the Commission to address issues of harassment. Commissioner Upchurch-Taylor seconded the motion. All Commissioners voted to approve the hiring of an investigator.

Commissioner Guster then reiterated putting Commission elections on the agenda for the next meeting.

OLD BUSINESS

None

PUBLIC COMMENT

There were no comments from the public.

It was announced that two events were coming up for Martin Luther King Jr. Day. The Friends of MLK 2024 Winter Gala will be at the Rogalski Center at St. Ambrose University on January 20, 2024. The tickets are \$75.00

The other event is scheduled on MLK Jr. Day at the King Center at 501 Brady St., Davenport, IA at 11 a.m.

ADJOURN

Commissioner Guster wished everyone a great afternoon and he and the other Commissioners agreed to end the January meeting unanimously.

NEXT MEETING

The next regular meeting of the Commission is February 13, 2024, at 12 noon.

Submitted by Jeff Transou, Secretary

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
January 2024 Director's Report

ATTACHMENTS:

Type	Description
▢ Cover Memo	January 2024 Director's Report

REVIEWERS:

Department	Reviewer	Action	Date
Civil Rights	Musser, Stephanie	Approved	2/12/2024 - 9:27 AM

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

I. CASE STATUS

1. No "right to sue" letters were issued in the month of January.
2. Three housing cases resolved in mediation and conciliation in the month of January. One case, involving inaccessibility relating to a non-working elevator settled in conciliation for \$2500.00 and the development and implementation of an elevator policy with the Respondent. The remaining two cases were related and involved a post-cause complaint alleging disability discrimination, failure to accommodate with a refusal to assign an accessible parking space and a retaliation case involving additional allegations after the filing of the initial complaint. Each case settled for \$2,000 and relief in the public interest.

II. OTHER ACTIVITY

1. Director participated in planning sessions to discuss upcoming 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. The first event was held February 3, 2024 and the second event was held on February 10, 2024. Both events were held at the MLK Interpretative Center. The next event will be held March 2, 2024.
2. Director completed case processing documentation.
3. Director worked on pre-hearing and post-hearing preparation.
4. Director continued to monitor COVID-19 rates and its impact on office functions.
5. Director worked on case resolution documents.
6. Director worked on litigation.
7. Director followed up on the FY2025 budget request.
8. Director worked with DOJ CRS staff to plan and schedule upcoming trainings with the Commission.
9. Director conducted research on the upcoming environmental justice report. Through this process, we submitted a FOIA request to the city for additional information on the history of the area labeled "D2"¹ on the redlined map of Davenport. However, we received a denial of the FOIA last week, with Brian Heyer stating that he believed that we didn't need the information because it "has nothing to do with anything within the powers or duties of the commission, as it is entirely unrelated to the investigation of unfair or discriminatory practices." He went on to state that he did not believe that the commission authorized the submission of the FOIA and that he believed that the Commission's name is being used to circumvent city policy. He does not elaborate on the basis of this perception and it is unclear how he has reached this conclusion - however, he is incorrect.
10. Director drafted a redlining presentation for the Black History Month presentation held on February 8, 2024 at the Davenport Library.
11. Director and staff worked on the annual report topics and assignments.
12. Asst. Director/Housing Programs Manager worked on investigations.
13. Asst. Director/Housing Programs Manager worked on housing investigations.

¹ The area within the city with the highest social vulnerability index score.

14. Asst. Director/Housing Programs Manager worked on housing inquiries.
15. Asst. Director/Housing Programs Manager worked on case resolutions.
16. Civil Rights Specialist worked on intakes.
17. Civil Rights Specialist worked on case investigations.
18. Civil Rights Specialist worked on case resolutions.
19. Investigator worked on mediations.
20. Investigator worked on investigations.
21. 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.

IV. NEW BUSINESS

1. Volunteers for March 2 event.

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
January 2024 Case Status Report

REVIEWERS:

Department	Reviewer	Action	Date
Civil Rights	Musser, Stephanie	Approved	2/12/2024 - 9:10 AM

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
ED-0109-0002-14

REVIEWERS:

Department	Reviewer	Action	Date
Civil Rights	Musser, Stephanie	Approved	2/12/2024 - 11:31 AM

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
Commission Election of Officers

REVIEWERS:

Department	Reviewer	Action	Date
Civil Rights	Musser, Stephanie	Approved	2/12/2024 - 11:32 AM

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
Commission Budget

REVIEWERS:

Department	Reviewer	Action	Date
Civil Rights	Musser, Stephanie	Approved	2/12/2024 - 11:32 AM

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
Director's Vacation Pay

REVIEWERS:

Department	Reviewer	Action	Date
Civil Rights	Musser, Stephanie	Approved	2/12/2024 - 11:33 AM