

CIVIL RIGHTS COMMISSION MEETING

CITY OF DAVENPORT, IOWA

TUESDAY, NOVEMBER 13, 2018; 12:00 PM

CIVIL RIGHTS CONFERENCE ROOM

I. Roll Call

II. Approval of Agenda

III. Approval of Minutes

A. October Minutes

IV. Directors Report

A. Directors Report

B. Case Status Report

V. New Business

A. Memorandum of Understanding

B. Budget

C. Commissioner Reappointments

D. Right to Sue Action Update

VI. Old Business

A. Meeting Format

VII. Public Comment and Presentation

VIII. Closed Session Pursuant to Code 21.5(1)(a)

IX. Adjourn and Next Meeting

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
October Minutes

ATTACHMENTS:

Type	Description
▢ Cover Memo	Minutes

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Badillo, Beth	Approved	11/9/2018 - 4:13 PM

DAVENPORT CIVIL RIGHTS COMMISSION
Minutes of Regular Meeting
October 9, 2018

The Davenport Civil Rights Commission (DCRC) met at 12:07 p.m. Tuesday, October 9, 2018, in the first floor conference room at the Davenport City Hall. Commission President, Susie Greenwalt presided

COMMISSIONERS PRESENT:

Clyde Mayfield
Judy Shawver
Susie Greenwalt
Nicole Bribriesco Ledger

COMMISSIONERS ABSENT:

Helen Roberson
Shylee Garrett
Ben Hahn

OTHER PERSONS PRESENT:

Director, Latrice Lacey
Davenport City videographer, Pat Driscoll

APPROVAL OF AGENDA:

On motion by Judy Shawver, seconded by Nicole Bribriesco Ledger, the agenda was approved, by all commissioners present.

APPROVAL OF MINUTES:

On motion by Judy Shawver, seconded by Nicole Bribriesco Ledger, the minutes of the regular meeting of September 11, 2018 were approved. All commissioners voted yes.

REPORT OF THE DIRECTOR:

Director Lacey reported there have been an increase in private settlements of complaints apparently in order to evade relief in the public interest.

The Director and Housing Analyst met with the representative of the outside consultant hired by the City to fulfill the HUD required Housing Assessment..

Motion to accept the Director's report was made by Nicole Bribriesco Ledger

and seconded by Clyde Mayfield. Motion passed with all commissioners voting yes.

NEW BUSINESS:

The 2020 Budget process was discussed. This year for the first time, Director Lacey has been able to enter information in the computer matrix. In past years the budget was simply presented as determined by the City. The Commission reviewed the proposed budget and prior year budgets. Because the Housing Analyst's salary is shown in the Fair Housing fund, that budget is always exceeded and general funds can't be comingled within that account to increase the budget. As in past years it will be recommended to move her salary up into the general fund budget, as housing funds can be used toward the general fund expenses. Also in reviewing the salary line items there was a discussion about whether the recent cost of living or merit increases are reflected in the proposed budget. After discussion on the process for the Director to give staff merit increases, it was explained that no Civil Rights staff employee has ever, to Director Lacey's knowledge received a merit increase, only the cost of living adjustment. The Commissioners also discussed the process for performance reviews and because we have been told the City now has a new performance review process in place, there was consensus that the Commission should follow that same performance process to be consistent with other City employees, which would presumably include a process for awarding merit increases, if appropriate.

Judy Shawver moved that the Commission authorize and approve Director Lacey entering into the Budget system expenses in the same amounts presented in the proposed budget, as was requested by the City, but move the Housing Analyst's salary into the General Budget and increase the salary budget to reflect the recent cost of living increases from last year. After second by Clyde Mayfield, the motion passed.

There was consensus that financial reports, including actual versus budget amounts be provided to the Commissioners quarterly.

The new ICRC Contract is available and Clyde Mayfield moved that it be approved and Susie Greenwalt be authorized to execute the contract on behalf of the Commission. Nicole Bribresco Ledger seconded the motion and it passed.

The City Administrator has decided to video recording all meetings, including Commission meetings be held in a central location and be filmed for uploading on an internet available platform. There was some discussion about whether a City provided video record would be appropriate due to the unique nature of members of the public who attend Commission meetings from time to time. Since many Commissioners were absent, it was decided that this should be discussed at the next regular meeting

OLD BUSINESS:

None

Public Comment and Presentation:

None

At 12:56 pm Nicole Bribriesco Ledger moved that we adjourn. After second by Judy Shawver the meeting was adjourned.

The next meeting scheduled for Davenport Civil Rights Commission is November 13, 2018 at noon.

Submitted by Judy Shawver

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
Directors Report

ATTACHMENTS:

Type	Description
▢ Cover Memo	Directors report

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Badillo, Beth	Approved	11/9/2018 - 4:40 PM

DIRECTOR REPORT FOR THE DAVENPORT CIVIL RIGHTS COMMISSION FOR October 2018

I. CASE STATUS

1. No “right to sue” letters were issued in the month of October.
2. During the month of October three cases settled in mediation, one that settled through a private settlement and one that settled in conciliation. There were two housing cases, two employment cases and one public accommodation case that settled during the month of October. The employment case that settled in conciliation involved allegations of race discrimination; the Complainant alleged that he was unfairly accused of theft and terminated. The case settled for \$3,000 and relief in the public interest.

II. OTHER ACTIVITY

1. Director and staff worked on FY2020 budget preparation.
2. Director conducted sexual orientation and gender identity training pursuant to a mediated settlement agreement.
3. Director met with QCI representative to discuss upcoming opportunities for collaboration.
4. Director attended civil service meeting.
5. Director attended Opportunities for Quad Citizens meeting.
6. Director attended Breakthrough Series Collaborative Fall Learning Session.
7. Director attended BSC meeting.
8. Director conducted “Iowa Nice” training for a community member.
9. Director participated in FHAP/FHIP training conference call.
10. Director participated in an interview relating to the role of race in Midwestern discourse.
11. Director attended Continuing Courageous Conversations.
12. Director completed interim grant report for the Fairmount Food Forest.
13. Director and Housing Analyst prepared for and organized the Race, The Power of an Illusion Learning Exchange follow up, Continuing Courageous Conversations.
14. Director met with community member regarding ADA compliance.
15. Director and Housing Analyst reviewed updated information for the proposed zoning ordinance.
16. Housing Analyst attended CPED’s Year 45 CDBG public input open house
17. Housing Analyst participated in the Sector Panel of QC Housing Solutions focus group series.
18. Investigative Paralegal presented on DCRC’s accessibility program, Accessibility Always, for senior meal site.
19. Housing Analyst presented fair housing module for Police Department’s all day Landlord Education Assistance Program for Davenport rental housing owners and managers.
20. Staff promoted and maintained registration for Continuing Courageous Conversations
21. DCRC and Davenport Public Library co-hosted Continuing Courageous Conversations.
22. Housing Analyst and Director reviewed and discussed draft zoning ordinance and attended Plan and Zoning Commission’s Public Hearing.
23. Housing Analyst assisted in getting books returned from Color of Law book discussion.

24. Housing Analyst answered questions for landlords on criminal backgrounds and assistance animals.
25. Housing Analyst worked on intakes and case investigations.
26. Housing Analyst worked on case investigations.
27. Investigative Paralegal worked on investigations.

III. OLD BUSINESS

- 1.

IV. NEW BUSINESS

- 1.

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
Case Status Report

ATTACHMENTS:

Type	Description
▢ Cover Memo	Case Status Report

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Badillo, Beth	Approved	11/9/2018 - 4:44 PM



CASE STATUS REPORT

Monthly Summary

October 01 , 2018 THRU October 31 , 2018

Informal Case Information

Monthly		
Area	Filed	Closed
Housing	3	3
Total	3	3

Year to Date		
Area	Filed	Closed
Housing	6	6
Total	6	6

Overall total active informal complaints: 0

Formal Case Information Identified this Month

Areas Filed	
Area	Count
Credit	0
Employment	6
Education	0
Housing	1
NJ EEOC Referral	4
Public Accommodation	4
Transit Title VI	0
Total	15

Areas Closed	
Area	Count
Credit	0
Employment	2
Education	0
Housing	2
NJ EEOC Referral	6
Public Accommodation	2
Transit Title VI	1
Total	13

Basis Filed (Monthly)					
Basis	Cnt	Basis	Cnt	Basis	Cnt
Age	4	Pregnancy	0	Creed	0
Retaliation	5	Gender Identity	0	Mental Disability	1
Religion	0	Age under 40	0	Physical Disability	2
Sex	5	Retaliation-ADA	0	Familial Status	0
Sex Orientation	0	Color	0	Marital Status	0
				National Origin	3
				Race	6

Trigger Events Filed (Monthly)							
Trigger	Cnt	Trigger	Cnt	Trigger	Cnt	Trigger	Cnt
Demotion	0	Terms	12	Advertising	0	Fail To Hire	0
Negative Treatment	4	Accessibility	0	Harassment	4	Fail To Promote	0
Racial Harassment	0	Fail to Lend/Appraise	0	Eviction	0	Fail To Rent	1
Sexual Harassment	1	Steering/Redlining	0	Equal Pay	2	Fail To Serve	0
Termination	5	Discipline	2	Fail to Accom/Mod	0		



CASE STATUS REPORT

Monthly Summary

October 01 , 2018 THRU October 31 , 2018



CLOSED - Disposition of formal complaints

Disposition of formal complaints (Monthly)	
Disposition	Count
Lack of Interest	
Interrogatories not Returned	0
Did not respond/attend appointment	0
No Jurisdiction	
Statute of limitations	0
Prima Facia not met	0
Outside geographical jurisdiction	0
NJ Referred to EEOC	6
Insufficient # employees	0
No Basis	2
No Area	0
Dismiss lack of subject matter	0
Satisfactorily Adjusted	0
Settlement	0
Right to sue letter issued	0
No Probable Cause	0
Mediation Settlement	4
Jurisdiction waived	0
Fact do not support claim	0
Does not warrant further actions	0
Conciliation	1
Complaint Withdrawn/Duplicate	0
Commission Final Decision	0
Conciliation Failed	0
Total Dispositions	13

Disposition of formal complaints (Annual)	
Disposition	Count
Lack of Interest	
Interrogatories not Returned	0
Did not respond/attend appointment	1
No Jurisdiction	
Statute of limitations	0
Prima Facia not met	0
Outside geographical jurisdiction	4
NJ Referred to EEOC	15
Insufficient # employees	0
No Basis	9
No Area	0
Dismiss lack of subject matter	0
Satisfactorily Adjusted	0
Settlement	3
Right to sue letter issued	2
No Probable Cause	11
Mediation Settlement	23
Jurisdiction waived	4
Fact do not support claim	0
Does not warrant further actions	1
Conciliation	3
Complaint Withdrawn/Duplicate	4
Commission Final Decision	1
Conciliation Failed	0
Total Dispositions	81

Summary: Previous Open: 168 (+) New Open 15 (-) Closed 13 (=) Total Open 170

Probable Cause (Monthly) = 0 (Annual) = 4

Pending Complaints

Open Complaints By Year	
Description	Count
Total number for year 2014	3
Total number for year 2015	20
Total number for year 2016	30
Total number for year 2017	51
Total number for year 2018	66
Total	170

Complaint By Status	
Status	Count
Initial Investigation 3	2
Elected District Court	0
Court on Appeal	1
Commission Review	0
Public Hearing Decision Pending	1
Public Hearing Pending	0
PC/Conciliation	0
Final Review	35
Final Investigation	1
Intermediate Investigation	27
Mediation	12
Mediation/Intermediate Invest.	0
Initial Investigation (2)	72
Initial Investigation	9
Initial Review / Screening	10
Opened	0
Total	170



CASE STATUS REPORT

Monthly Summary

October 01 , 2018 THRU October 31 , 2018

Staff Presentation Information

Monthly Presentations			
Presentation type	Count	Hours	People
Community	1	1.8	28
Respondent Training	1	1	2
GenAge	1	1	15
Total	3	3.8	45

Year to Date Presentations			
Presentation type	Count	Hours	People
GenAge	6	7	81
Community	13	206	641
Respondent Training	2	4.5	7
Total	21	217.5	729

Mediation and Settlement Information

Mediation & Settlement		
	Month	YTD
Held with no resolution	2	17
Closed with resolution	5	29

Monthly	
Resolution	Count
Monetary Settlement	2
No Resolution	2
Reinstatement	0
Specific Performance	2
Policy Change	1
Training	0
Total	7

Year to Date	
Resolution	Count
Monetary Settlement	23
No Resolution	17
Reinstatement	0
Specific Performance	5
Policy Change	1
Training	0
Total	46

Total monthly settlement amount: \$3,100.00

Total yearly settlement amount: \$191,783.00

Referrals

Referral Distribution					
	Month	YTD		Month	YTD
ICRC	2	14	IDHR	0	1
Other	1	7	HUD	0	3
Help Legal	1	9	NAACP	0	0
ADA project	0	0	IA Citizen's Aid	1	4
Other City Departments	1	12	Bettendorf Human	0	0
DPD Internal Affairs	0	1	US Dept of Labor	1	7
Attorney Disciplinary Office	1	1	Attorney Referral	4	15
Scott Cty & Cthouse	0	0	Landlord Association	0	0
			Total	12	74



CASE STATUS REPORT

Monthly Summary

October 01 , 2018 THRU October 31 , 2018

Status of Complaints by Number and Year

Case Listing for 2014

PA-0100-0008-14	Final Review
H-0123-0026-14	Court on Appeal
PA-0132-0011-14	Final Review

Case Listing for 2015

E-0030-0014-15	Intermediate Investigation
E-0038-0017-15	Public Hearing Decision Pending
E-0051-0024-15	Intermediate Investigation
E-0054-0026-15	Final Review
PA-0067-0011-15	Final Review
E-0076-0037-15	Intermediate Investigation
E-0077-0038-15	Intermediate Investigation
E-0078-0039-15	Intermediate Investigation
E-0087-0043-15	Final Review
E-0096-0045-15	Final Review
E-0100-0047-15	Final Review
E-0101-0048-15	Final Review
E-0102-0049-15	Final Review
E-0103-0050-15	Final Review
E-0110-0054-15	Final Review
ED-0118-0002-15	Final Review
PA-0119-0019-15	Final Review
PA-0133-0025-15	Final Review
E-0143-0067-15	Final Review
E-0149-0070-15	Final Review

Case Listing for 2016

E-0015-0004-16	Final Review
E-0022-0008-16	Intermediate Investigation
E-0031-0014-16	Intermediate Investigation
E-0035-0017-16	Intermediate Investigation
E-0040-0018-16	Initial Investigation (2)
E-0052-0023-16	Initial Investigation (2)
E-0053-0024-16	Intermediate Investigation
PA-0054-0006-16	Intermediate Investigation
E-0060-0026-16	Final Review
E-0063-0027-16	Initial Investigation (2)
E-0064-0028-16	Initial Investigation (2)



CASE STATUS REPORT

Monthly Summary

October 01 , 2018 THRU October 31 , 2018



Case Listing for 2016

E-0072-0031-16	Initial Investigation (2)
E-0076-0035-16	Final Review
E-0084-0038-16	Final Review
E-0085-0039-16	Final Review
PA-0089-0008-16	Initial Investigation (2)
E-0094-0044-16	Final Review
PA-0098-0009-16	Initial Investigation (2)
E-0100-0046-16	Final Review
E-0107-0050-16	Intermediate Investigation
E-0110-0052-16	Final Review
PA-0117-0011-16	Final Review
PA-0118-0012-16	Final Review
E-0120-0056-16	Intermediate Investigation
E-0125-0059-16	Final Review
E-0133-0064-16	Intermediate Investigation
E-0135-0066-16	Final Review
E-0139-0069-16	Initial Investigation (2)
E-0141-0070-16	Intermediate Investigation
E-0145-0073-16	Intermediate Investigation

Case Listing for 2017

E-0003-0002-17	Final Review
E-0009-0007-17	Final Review
PA-0011-0001-17	Intermediate Investigation
E-0012-0009-17	Initial Investigation 3
E-0015-0011-17	Initial Investigation (2)
E-0017-0012-17	Final Review
E-0022-0013-17	Initial Investigation (2)
E-0027-0015-17	Intermediate Investigation
PA-0029-0006-17	Initial Investigation (2)
PA-0030-0007-17	Intermediate Investigation
E-0031-0016-17	Intermediate Investigation
E-0033-0017-17	Initial Investigation (2)
E-0036-0019-17	Intermediate Investigation
E-0037-0020-17	Initial Investigation (2)
E-0040-0021-17	Intermediate Investigation
E-0053-0025-17	Final Investigation
E-0055-0026-17	Initial Investigation 3



CASE STATUS REPORT

Monthly Summary

October 01 , 2018 THRU October 31 , 2018



Case Listing for 2017

E-0058-0028-17	Initial Investigation (2)
E-0062-0031-17	Initial Investigation (2)
E-0063-0032-17	Initial Investigation (2)
E-0064-0033-17	Initial Investigation (2)
E-0068-0035-17	Initial Investigation (2)
E-0072-0037-17	Initial Investigation (2)
E-0073-0038-17	Initial Investigation (2)
E-0074-0039-17	Intermediate Investigation
E-0075-0040-17	Intermediate Investigation
E-0076-0041-17	Final Review
E-0077-0042-17	Initial Investigation (2)
H-0081-0008-17	Intermediate Investigation
E-0084-0044-17	Initial Investigation
E-0085-0045-17	Initial Investigation (2)
E-0093-0048-17	Initial Investigation (2)
H-0094-0010-17	Mediation
H-0095-0011-17	Initial Investigation (2)
E-0096-0049-17	Intermediate Investigation
E-0097-0050-17	Final Review
E-0099-0051-17	Initial Investigation (2)
PA-0108-0014-17	Final Review
H-0111-0015-17	Initial Investigation (2)
E-0117-0057-17	Final Review
E-0119-0059-17	Initial Investigation (2)
E-0121-0061-17	Initial Investigation (2)
PA-0122-0015-17	Initial Investigation (2)
E-0123-0062-17	Initial Investigation (2)
E-0124-0063-17	Initial Investigation (2)
E-0128-0067-17	Initial Investigation (2)
E-0130-0069-17	Initial Investigation (2)
E-0131-0070-17	Initial Investigation
E-0133-0072-17	Initial Investigation (2)
PA-0134-0016-17	Initial Investigation (2)
E-0143-0075-17	Intermediate Investigation

Case Listing for 2018

ED-0003-0001-18	Initial Investigation (2)
E-0006-0003-18	Initial Investigation (2)



CASE STATUS REPORT

Monthly Summary

October 01 , 2018 THRU October 31 , 2018



Page: 7

Case Listing for 2018

E-0007-0004-18	Initial Investigation (2)
E-0010-0007-18	Initial Investigation (2)
E-0011-0008-18	Initial Investigation (2)
H-0012-0001-18	Initial Investigation (2)
E-0014-0009-18	Initial Investigation (2)
PA-0015-0001-18	Initial Investigation (2)
PA-0016-0002-18	Initial Investigation (2)
H-0019-0002-18	Initial Investigation (2)
E-0021-0010-18	Initial Investigation (2)
E-0025-0013-18	Initial Investigation (2)
E-0028-0016-18	Initial Investigation (2)
E-0029-0017-18	Initial Investigation (2)
E-0030-0018-18	Initial Investigation (2)
H-0032-0004-18	Initial Investigation (2)
E-0038-0021-18	Initial Investigation (2)
NJR-0039-0006-18	Initial Review / Screening
E-0040-0022-18	Initial Investigation (2)
PA-0042-0005-18	Initial Investigation (2)
E-0045-0024-18	Initial Investigation (2)
E-0046-0025-18	Initial Investigation (2)
PA-0048-0006-18	Initial Investigation (2)
E-0058-0028-18	Initial Investigation (2)
E-0059-0029-18	Intermediate Investigation
H-0062-0008-18	Initial Investigation (2)
E-0063-0031-18	Initial Investigation (2)
H-0067-0009-18	Initial Investigation (2)
H-0068-0010-18	Initial Investigation (2)
H-0069-0011-18	Initial Investigation (2)
E-0070-0032-18	Initial Investigation (2)
E-0071-0033-18	Mediation
TR-0073-0005-18	Mediation
E-0074-0034-18	Initial Investigation (2)
PA-0075-0011-18	Initial Investigation (2)
E-0077-0036-18	Mediation
E-0079-0037-18	Initial Investigation (2)
H-0080-0013-18	Initial Review / Screening
E-0081-0038-18	Initial Investigation (2)



CASE STATUS REPORT

Monthly Summary

October 01 , 2018 THRU October 31 , 2018



Case Listing for 2018

E-0082-0039-18	Initial Investigation (2)
E-0083-0040-18	Mediation
E-0084-0041-18	Mediation
E-0085-0042-18	Initial Investigation (2)
PA-0086-0012-18	Initial Review / Screening
ED-0087-0003-18	Initial Investigation
ED-0088-0004-18	Initial Investigation (2)
E-0089-0043-18	Mediation
H-0090-0014-18	Mediation
E-0092-0044-18	Mediation
E-0094-0045-18	Initial Review / Screening
E-0095-0046-18	Mediation
E-0096-0047-18	Mediation
E-0098-0048-18	Mediation
E-0099-0049-18	Initial Investigation
PA-0100-0013-18	Initial Investigation (2)
H-0102-0015-18	Initial Investigation
E-0104-0050-18	Initial Investigation
PA-0105-0015-18	Initial Investigation
PA-0106-0016-18	Initial Investigation
E-0108-0051-18	Initial Investigation
E-0110-0052-18	Initial Review / Screening
E-0111-0053-18	Initial Review / Screening
PA-0112-0017-18	Initial Review / Screening
E-0113-0054-18	Initial Review / Screening
NJR-0114-0018-18	Initial Review / Screening
E-0115-0055-18	Initial Review / Screening

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
Memorandum of Understanding

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Badillo, Beth	Approved	11/9/2018 - 10:33 AM

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
Budget

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Badillo, Beth	Approved	11/7/2018 - 10:29 AM

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
Commissioner Reappointments

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Badillo, Beth	Approved	11/7/2018 - 9:21 AM

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
Right to Sue Action Update

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Badillo, Beth	Approved	11/9/2018 - 4:38 PM

City of Davenport
Civil Rights Commission

Department:
Contact Info:

Date

Subject:
Meeting Format

REVIEWERS:

Department	Reviewer	Action	Date
City Clerk	Badillo, Beth	Approved	11/7/2018 - 10:40 AM