

City of Tampa
Human Rights Board
Meeting Minutes
April 9, 2014

The City of Tampa Human Rights Board held their regular bi-monthly meeting on Wednesday, April 9, 2014, at 8:30 a.m., in the 2nd floor conference room of the Department of Neighborhood Services, Division of Community Affairs, 2105 N. Nebraska Avenue, Tampa, Florida.

MEMBERS IN ATTENDANCE:

Laila Abdelaziz	John Perry
Anthony Carswell	Reginald Tim
Amy Mandel	Elias Vazquez

CITY OF TAMPA REPRESENTATIVES IN ATTENDANCE:

Maritza Betancourt	Allison Singer
Rebecca Cortes	Karen Sinnreich
Margarita Gonzalez	Jake Slater
Deborah Marshall	

Call to Order and Roll Call

Chairman Anthony Carswell called the meeting to order and took the roll. He was not able to attend the previous meeting on April 9, 2014, and thanked Mr. Perry for chairing that meeting. He then asked members present if they received the minutes for February 12, 2014, and if so, to review them for approval (minutes had been mailed to members and copies were also available at this meeting). **Motion** was **made** by Ms. Abdelaziz and seconded by Mr. Perry, to accept the minutes as submitted. The **motion** was **accepted** unanimously by all members present.

Regular Reports

Administrator's Report

Mr. Slater began by informing the board that he sent the Mayor, his recommendation for re-appointment of another term for board members Amy Mandel, Anna Ramos, Elias Vazquez, Jeffrie Van Loveren, and Reginald Tim. A resolution approving the reappointments for three year terms was prepared by the City Attorney's Office and presented before Tampa City Council on April 3, 2014. He congratulated them on their re-appointment and advised them to contact the City Clerk's Office to complete the swear-in ceremony, prior to the next meeting on June 12, 2014.

Mr. Slater is working with the EEOC-Tampa Field Office and Hillsborough County, to co-sponsor the 50th anniversary of the signing of the Civil Rights Act of 1964, on July 2, 2014. He should have more details by the next meeting. Most likely, the event may begin around 10:30 a.m., and continue through the lunch hour at Chillura Park, near the courthouse. He also made the following announcements: Volunteers have been painting homes for low-income elderly citizens for the past 25 years, and this year, about 100 homes have been selected for Paint Your Heart Out, which has been scheduled for April, 26, 2014; Bollywood has been scheduled for the week of April 23, 2014, and ends on April 26, 2014 at

Raymond James Stadium; the Community Affairs Division will receive a visit from their HUD monitor in a couple of weeks; discussions are taking place on a partnership with the EEOC-Tampa Field Office, which Ms. Betancourt will cover in her report, and he is involved with the new software application Accela, to be used for the inspection program, which may go live this summer. Code Enforcement had been working off of a 1989 DOS-based software application, which was hard to keep and not Windows-based.

Mr. Slater requested about 15 minutes to show a video on the history of The Jackson House, a landmark which has been in the news recently. It's located on Zack Street, in Tampa, FL, by the Fire Department, and it's the only structure left standing from Tampa's older history dating back to the 1930's and 1940's. The house is in horrible overall condition, and efforts are being made in working with the owner to save it, but there are political issues involved. The video gives an overview of the history of Tampa. The house is on a parcel of land, locked in by parking lots, there's no room, and cars park next to it. Mr. Slater visited the house about a week ago, and it has shifted in the back. Meetings have taken place with the owner, his attorney and groups, and things are on hold to see what the updates will be in May, regarding stabilization costs, which amount to \$1 million dollars, and does not include restoration. This house was part of Central Avenue and the entertainment district, when Tampa was segregated. The information provided in the video was provided by the former director of the Community Affairs Division, Charles "Fred" Hearn and Ms. Johnnie Robinson. The following was narrated in the video: The Jackson House was a six-room, two-story residence of Moses and Sara Jackson. Travelers who needed a place to stay, were welcomed to Tampa with open arms. African-Americans were not permitted to stay in the majority of the hotels, eat in most restaurants, drink from undesignated water fountains, or use the same restrooms as people with light colored skin; so the house was converted to a rooming house. Central Avenue had it all: grocery store, restaurants, healthcare, barbers and two theaters. In the video, Mr. Hearn remembered in the 1950's/1960's, when this was the center of black life, entertainment, business, and excitement. There was the White Sanders & Blue Moon Night Club, a drugstore, dry cleaners, lawyers, doctors and dentists. In entertainment, people who became legends went up and down Central Avenue to The Cotton Club, Sander's Place and The Apollo House. The boarding house was actually The Jackson House and there were entertainers who visited in the 1940's such as Calloway, Ella Fitzgerald, Syrus Green & his band, Buddy Johnson, Ray Charles, and James Brown. There was a piano in the hall and living room. When Moses Jackson was finishing the hallway walls, he ran his fingers in the wet plaster. When the other wall needed plastering, his son-in-law, Willie Robinson, Jr. emulated Moses' design. The Jackson House is in danger of collapse. Many old structures were affected by being torn down, fires, hurricanes, the making of urban renewal or interstate expansion. In spite of prejudice and discrimination, many things happened, and it's a symbol as to what the possibilities are, and with the grace of God, what you can do. People are being asked to consider helping to save the house that Moses Jackson, Willie Robinson, Jr.'s grandfather, was owner of, and visited by some famous people mentioned earlier. This concluded the video presentation.

Mr. Tim said there have been ongoing struggles with lenders. He was called in on the situation about one year ago, to try to find a resolution to the problem, which he thinks was handled badly from the start, and that Mr. Robinson may not have known how to handle. Lenders are possibly past the point in seeing any reason to begin the fight.

Ms. Abdelaziz asked if the NAACP had any role. Mr. Slater responded that a meeting took place about one week ago, another meeting will take place, and the NAACP president, Carolyn Collins, is seeking

funding. Local activists have seized the moment to attack the City and the Mayor, who does not want the house to be torn down, and there is concern that the house may crumble and fall into the street. He hopes there's a possibility that pieces can be removed and saved, but if the ceiling and walls crumble, it's going to be almost impossible to go in. Ms. Mandel commented that the owner should go on a TV show of a rebuilder. Mr. Slater hopes the house doesn't crumble, before there's a chance to salvage anything.

The Chairman asked what was important, the house or site? If it's the site, that could be taken care of, by a placard, monument, etc., but to take the house from a restoration prospective that's about to fall, he's surprised that it's still up. He's been invited, but he will not go in, because it's bad. The thought would be to just disassemble and assemble elsewhere, where the house could be viewed as constructed, but still make note of the site regardless. Mr. Slater thinks the site will always be in some way preserved or recognized. Ms. Mandel asked if anyone has approached construction companies. Mr. Slater responded that there have been many meetings, but for some reason not gotten anywhere, because of the money involved. The Chairman mentioned that about 7-8 years ago, a concern began with a roof leak.

EEOC/Employment, Public Accommodations and /Fair Housing/HUD Reports

Ms. Betancourt informed members that April was Fair Housing Month. She is involved with outreach and per Mr. Perry's request, she made a presentation to the West Florida Federation of Labor on April 1, 2014. A final meeting for review and approval of intake questionnaire forms to be available online took place on April 9, 2014, with the fair housing consultant, Mercury Production, Inc., and the English and Spanish version of the video have been finalized. On 4/10/14, she will make a presentation to the Hillsborough Classroom Teachers Association, and on April 22, 2014, she will make a presentation at the Mayor's Neighborhood University class, by giving out flyers and information about Community Affairs.

Ms. Betancourt continued by saying that the brochures are almost complete and she will provide when complete. She provided copies of flyer to be used for outreach, and a sample of the poster that is posted at various City of Tampa recreation centers.

With regard to the Testing Program, the Community Affairs staff received training on March 7, 2014, and the testers received training on March 8, 2014, from Keenya Robertson of HOPE, Inc. Ms. Betancourt is waiting for HUD's go ahead, since they are working with a \$25,000 grant, that contains restrictions and reports due as they go on, and as reported at the last meeting. Ms. Gonzalez worked w/the City of Tampa Planning Dept. on obtaining census demographics regarding the City's population make-up and spreadsheets detailing population, by narrowing down by location of race of persons in certain areas, Hispanics, and disability, to use when testing for race. The population breakdown is by zip codes and will be used to target certain areas to test rental properties needing testing.

Ms. Betancourt mentioned that Ms. Sinnreich is working on the housing consortium, which is scheduled for April 25, 2014. A flyer with event information was passed around and an invitation was extended to the board members.

Ms. Betancourt stated that with regard to employment, Ms. Gonzalez closed a case originally on Age, ADA & later retaliation, for a settlement amount of \$37,500.

Ms. Betancourt said that when viewing the video on The Jackson House, she recalled that Mr. Hearn gave support to Community Affairs and the community, and that Mr. Slater is also supportive of what the Community Affairs Division does and considers him a strong back bone.

ADA Disability Rights Coordinator

Ms. Sinnreich stated that in the past, an annual job fair had been held, besides the Mayor's Alliance for Persons with Disabilities annual awards luncheon.

Last Fall she became aware that a week ago, there's a mandate for a requirement for federal contractors that if they do \$10,000 in business, they can employ ADA persons. The new goals are to have 7% of employees being persons with disabilities and 8% veterans. Major corporations are gearing up to find qualified persons with disabilities. The disability definition is the same as under ADA and veterans. She attended a meeting about one month ago that included Pricewaterhouse Coopers, to plan a job fair. One of their recruiters took her to the Diversity Council, which is a group of different groups that are non-profits, and includes the Coast Guard and the military to try to get diversity in the employment workforce. She attended as Pamela's guest on 4/1/14. If you're a member, you can take any number of guests that can attend only once, and if attending again, there is a fee of \$99 per year. Although she was given 30 seconds to speak, she mentioned the luncheon and the job fair, and asked people to participate in both events. She was asked to submit an article for the Diversity Council's newsletter. There will be a luncheon planning meeting on April 10, 2014, with over 35 people, who will attend the job fair planning committee meeting. She provided a copy of the agenda and list of participants. She has received a request to do a presentation in October for Tampa International Business Council. This concluded Ms. Sinnreich's report.

The Chairman requested that Ms. Betancourt provide him copies of the testing reports.

The Chairman then asked if members heard about the Ft. Hood tragedy and mentioned that a new diagnosis floated on something like PTSD, and asked if this was a disability or veteran thing. Ms. Sinnreich responded that it's up to the National Psychiatric Association (NPA), and that they came out with a DSM diagnosis. The NPA is the only one that can list and define conditions. An example is the definition that changed for gay that was once considered a disorder, and now it's not.

The Chairman said that work like this shows that Tampa is on the front end of things. The Ft. Hood incident was about a frustrated male regarding leave or re-entry into public space. It's nice to be part of a city that's on the fore front of doing things, before something tragic happens.

Mr. Tim asked Ms. Sinnreich if she interfaces with persons with disabilities. She responded that she did, and that she's worked with persons with disabilities since 1997 in Tampa. She's involved with the Mayor's Alliance for Persons with Disabilities, who would like to recruit more persons, and has many contacts. Mr. Tim then asked if the ADA laws have changed, based on increase of percentage of persons with disabilities. He said that companies are federal prime vendors, such as TECO. Ms. Sinnreich said the Office of Contract Compliance (OCC) monitors if companies are recruiting and what efforts they're making. Employers are asking employees to self-identify. She puts out a quarterly newsletter and in the Fall, there will be an article on this, and she's trying to get the word out at the job fair. Many persons with disabilities and veterans gave up looking for employment, and employers are reluctant to hire

veterans, assuming they're on drugs. Now there are persons with post traumatic disorders, etc., and people are not aware of the interpretation of the law, which has changed.

Old Business

Status - Proposed Amendment Changes to Human Rights Ordinance and Status – By Laws and Board Structure Updates

The Chairman would like to re-state the goal on how the board is to be defined, but it looks a little ambiguous as to how the ordinance is written now, and to get information from existing boards from Ms. Singer, which she has provided. He asked the board if they wanted to make a change, to instituting Roberts Rules of Order into the board's by-laws, or is that something that the board can do here, or have input from the Mayor or if City Council needed to do that?

With regard to Roberts Rules of Order and Procedures, Ms. Singer stated that by City code, the board is empowered to determine their own rules, but with regard to the function of the board, it's codified and City Council would have to weigh on. For example, the other item on the agenda, under Old Business, the actual makeup of the board, is codified and has to go before City Council. As far as the board's rules and procedures for operation, that's up to the board, and increase in number of board members, Council would need to hear. The Chairman said that conversations from last year up until now were cloudy in how the board is made up, who's on the board, plus how the board functions. It does make sense that the City can put this board in place and that City Council would have input as to who's on the board and how they get there. However, how the board conducts its business, how meetings are run, votes, etc., that can be taken care of here.

The Chairman asked if there was a copy of the statutes for the Human Rights Board and Ms. Singer said she was not aware of anything, with the exception of what happens at an administrative hearing setting, and not aware if other staff is aware of any. The Chairman said that the board is not mandated by Roberts Rules of Order and Procedures. Mr. Perry said that by-laws could be adopted. Mr. Slater and Ms. Betancourt stated they were not aware of any by-laws. Mr. Perry suggested reviewing other similar board's by-laws to see what could be adopted from those and put together, and form the board's own by-laws.

The Chairman has received copies of by-laws for other City and State boards from Ms. Singer. He thinks the board can easily adopt and have more structure of what the Human Rights Board does. So when City Council provides their input, and whoever comes on the board, there's a little more formality. He will contact Ms. Cortes so that the information is disseminated to everyone to look at, prior to the next meeting, for conversation and vote something into place. Ms. Singer said there would be an approval process and that interpretation of the law and regulation is needed.

The Chairman asked if anyone had any questions. Mr. Tim asked what happens to unscrupulous lawyers chasing victims, and the victims not being compensated properly. He asked if the Community Affairs Division came across this situation.

Ms. Singer said there is a Code of Ethics that governs lawyers' conduct and there are professional rules of conduct that are sworn to, to uphold, since lawyers are in a self-regulated profession that the bar regulates. Someone would have to file a complaint against a lawyer. If a lawyer comes in contact with another

lawyer, who is believed to have violated the rules, there's an obligation to report that lawyer. That's what she meant by self-regulating. There are specific rules, for example, going out to solicit business. If you are in your own practice, you can't approach someone and essentially say hire me. There are specific rules on what to do/what not to do. You can write letters to people, but it needs to be approved with specific language.

The Chairman said that interpretation of the law is interesting, because if you happen to be in an accident, a lawyer's office sends you a letter that says, "How is everything going?"; they are not technically soliciting business. Ms. Mandel mentioned that now there are companies such as Ask Gary and someone else mentioned 411 Pain. The Chairman thinks that the only way for the Community Affairs Division to receive something of this nature, would be in the form of a discrimination complaint. Mr. Slater said he is not aware of this type of complaint.

Mr. Tim said that if such a complaint is received, would someone listen to the complainant. Mr. Slater responded yes, however, it is uncertain if the City would have authority to investigate. The Chairman said that would be a law firm saying they do not take your business because of A, B, or C, and someone refusing to provide service of what the potential client could be. Ms. Betancourt said that within the last 26 years, she has not been approached by anyone for this type of complaint. Mr. Tim said, let's say along with that, a grandmother got hit by somebody, she was wrong, and they got her to agree, and at the end of the day, it was a \$10,000/\$20,000/\$10,000 insurance policy, and she wound up with zip, and the other person ended up with everything, and she did not know what else to do. Ms. Singer thinks only if this were framed as a discrimination complaint and if the office has jurisdiction, and not just framing in that manner, like if we actually investigated and the investigation revealed that it was on account of one of tactic classics. If instead it was just an unscrupulous lawyer taking advantage of someone, different situation, could you for example, end up framing it that way? Sure, for example, you would talk about grandmother H, the investigation would have to show it actually by count of age, not that he happened to be a bad boy. In general, the way people are recovering is not always financially, but by filing a complaint. Potentially, for further causes of action, if for example they thought it was for malpractice, or something like that, but for this office (Community Affairs Division) to have jurisdiction of it, it would have to be cause or be related to one of those protected class that the Human Rights Ordinance protects.

Update - Fair Housing Consultant, Mercury Productions, Inc. - Provided earlier by Ms. Betancourt.

Update – Board Members Term Expiration – Provided earlier by Mr. Slater.

New Business – None at this time

Announcements

Mr. Slater mentioned that Ms. Gonzalez received information on Clinton Paris. She said she received an invitation from the USF African-American Committee, where Mr. Paris is to receive a USF alumni award as recognized by the USF African-American Committee, on April 10, 2014. Mr. Slater said he had met Mr. Paris when he was a City attorney, but is currently the Human Rights Board's Hearing Officer.

Next Meeting

The next meeting has been scheduled for Thursday, June 12, 2014, at 8:30 a.m.

Adjournment

A **motion** to adjourn the meeting was made by Ms. Mandel, seconded by Ms. Abdelaziz, and the **motion passed** by all members present, to adjourn the meeting. This concluded the business of the Board at 9:32 a.m.

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