

City of Tampa
Human Rights Board
Meeting Minutes
February 12, 2014

The City of Tampa Human Rights Board held their regular bi-monthly meeting on Wednesday, February 12, 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	Reginald Tim
Amy Mandel	Jeffrie Van Loveren
John Perry	Elias Vazquez
Anna Ramos	

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

Vice Chairman John Perry called the meeting to order and took the roll. He then asked members present if they received the minutes for December 11, 2013, and if so, to review them for corrections (minutes had been mailed to members and copies were also available at this meeting). **Motion** was **made** by Ms. Van Loveren and seconded by Elias Vazquez, to accept the minutes as submitted. The **motion** was **accepted** unanimously by all members present.

Regular Reports

Administrator's Report

Mr. Slater passed around a copy of the City of Tampa ad, as featured in The Florida Sentinel, for the 26th annual Black History Celebration, on February 14, 2014. He also announced that the fair housing video prepared by Mercury Productions Inc. would be aired on CTTV beginning February 13, 2014, three times beginning at 6:29, 9:17, and 2:54. Then it will run periodically, as time permits. The fair housing video would be shown again, since some board members did not see it, when it was shown during the meeting on December 11, 2013. A sample copy of the PowerPoint presentation was also passed around, and he said it will be shown at outreach and neighborhood watch programs. He referred to and passed around the New York Times dated Sunday, February 9, 2014, that included an article on the front page about the President the upcoming AG for more gay rights for spouses, and on the same page, a story on what is going on overseas, about persecution, public beatings, whippings, and stoning to death in Nigeria. He was astounded that these actions are still occurring. Ms. Mandel mentioned that it's happening in Russia and that actions are video-taped, and government does nothing. Ms. Abdelaziz followed by saying that we have an advantage that we have safeguards and diversity. She's half Russian and half Palestinian, and comes from a diverse background. She said there's a need to realize that something in the United States that takes 40 years to become publicly able to discuss and like champion, those safeguards are not in other regions. When you put that challenge to the community, there isn't the system to accept and understand

it. In Russia, it's absolutely unacceptable. When you're talking about 15% citizen approval for a policy change that's that radical, like the international community, it forces the Russian people to accept. There are so many problems that come up. We can't understand our society as things work here and expect it to happen in other societies and communities, and it heart breaking and horrible. Mr. Slater thanked Ms. Abdelaziz for her comments. Mr. Perry added that in Africa, there are Americans who campaign for those oppressive laws and are actually promoting those laws in Africa.

Mr. Slater ended his report, by saying that the Mayor had signed each copy of the group photo that was taken on December 11, 2013. He gave a copy to members who were present that day.

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

Ms. Betancourt began by saying that she has been busy with approval for Mercury Productions, Inc. and staff's input to have posters and flyers printed by Allegra. She provided samples of the posters and flyers, and said they should be posted in the place of employment, and will be used for outreach events. Some members did not attend the last meeting on December 11, 2013, and she said that the video would be shown again for feedback. She also informed members that the questionnaires to be used for the filing of employment, housing, and public accommodation discrimination complaints, will be available online in Community Affairs home page, for fill-in and print out only. Individuals would not be able to save complaint details, due to security reasons.

Ms. Betancourt continued by stating that for the first time, Mr. Slater, employees from the Budget Department and others were involved with the approval of a grant for Community Affairs, in the amount of \$25,000, to use for educational and outreach purposes, provide assistance to the Fair Housing Consortium in April 2014, advertisement, travel expenses for speakers, and for a testing program that has not been conducted in the last seven to eight years on disability, race, and national origin, which is scheduled to begin in March 2014. Mr. Slater and City staff are the only ones familiar with the program, because current board members are new. She said that the Department of Justice supports the program. In the past, testers were sent to various housing properties and ended up with about 40 cases on the difference in treatment, that in today's world, you think it would never happen, but is still happening. Ninety-nine percent (99%) of those cases were resolved via conciliation and between \$5,000 and \$10,000 were collected for violations, then donated to non-profit organizations involved in housing. Testing is only conducted within the City of Tampa jurisdiction. When some individuals call it entrapment, she advised them to call the Department of Justice.

Mr. Tim asked for an example of the test, and Ms. Betancourt asked him to come forward, and asked him to follow her lead for a short skit on housing discrimination involving a bi-racial couple looking to rent an apartment facing the lake, and for Mr. Slater to play the role of a rental manager. The skit's content was that an appointment had been made and thought that the appointment had been made by a manager. When they, as a couple showed up for the appointment, the manager did not recall the appointment for that morning and said that another couple had called, and that she possibly spoke to someone else and misunderstood that another apartment would be available. The couple was told that the appointment that they made for the apartment in question was not available. The manager asked them to leave their name and telephone number, and he would call them, when another apartment came available.

Mr. Tim asked if real people were sent out and Ms. Betancourt responded yes. Ms. Allison said that other people sent who are similarly-situated, but look different, or do have a disability. Mr. Tim asked if this

was entrapment and response was no. Ms. Abdelaziz asked if testing was for all socio-economic communities and Ms. Ramos asked if random testing was conducted. Ms. Betancourt said that previous tests are reviewed to see which companies, for one reason or another, tend to treat people a little bit different, and go back and tests them again. Ms. Marshall answered yes to Ms. Ramos' question if tests generated from complaints. Ms. Betancourt added that testing is done for rental business, sales, and financing with banking institutions.

Ms. Betancourt said Community Affairs is very lucky to be in touch and in contact with Georgia Marchbanks, Director of the EEOC-Tampa Field Office in downtown. Ms. Marchbanks wants to build a partnership and announced that they plan to celebrate their 50th anniversary on July 2, 2014, to celebrate the signing of the Civil Rights Act of 1964. Ms. Betancourt said that a committee will be formed and not sure what will happen, since a meeting has not been scheduled yet, but that staff would be involved.

Mr. Slater mentioned that the department budget is being reviewed, and it was determined that in reference to EEOC cases, there was a miscalculation in the amount of money that EEOC was billed for cases back in 2011. A request for reimbursement was sent for the amount of \$27,000. This fell through the cracks during transition and discussion took place to avoid future occurrence.

The video followed and when it ended, a member asked how a copy of the CD could be requested. Ms. Betancourt will check with the Cable Office, and said that it will also be available in Spanish, once the translation is completed and approval received. Mr. Slater asked members to notify Maritza of organizations wanting Community Affairs to put on a presentation with a question and answer period. Feedback from members was that the video was informative and to the point. Mr. Vazquez mentioned that his wife assisted Tampa Police with translation of their pamphlet for victims. This concluded Ms. Betancourt's report.

ADA Disability Rights Coordinator

Ms. Sinnreich announced that the Mayor's Alliance for Persons with Disabilities awards luncheon has been scheduled for September 19, 2014, and has been confirmed with the Mayor's office. A request for nominations for awards will be sent out. She is also working on an Americans with Disabilities Act (ADA) event to be held on July 23, 2014, at the Hillsborough County Center, in commemoration of the 24th anniversary of the ADA. There will be exhibitors and a public forum, where elective officials will speak. She is working on 20-minute workshops on recreation for persons with disabilities and other topics. A meeting is scheduled for March, for people who want to be involved with the Mayor's Alliance for Persons with Disabilities, and has sent the "Save The Date" notice to about 50 persons. More people are needed to carry out things to be done for this year's awards luncheon.

On March 10, 2014, Ms. Sinnreich will do a presentation on Title 1, which is employment and the ADA, to the Diversity Initiative on Ashley Street. They place persons with disabilities in jobs and have a contract with the Florida Division of Vocational Rehabilitation. Last year she gave a presentation to clients, client's parents and staff, and they invited her back to train their new staff.

Ms. Sinnreich said there will be an upcoming Title II presentation on public entities and ADA, to be presented to supervisors of this department (Neighborhood Empowerment), and building inspectors, ask for feedback, and train all supervisors and people who have direct contact with the public. An example would be someone who calls a hotline to complain about something that people are thinking in terms of

how we could make a reasonable accommodation for someone with a disability. The Department of Justice requires that it be a two-hour training. She said that City of Tampa supervisors will be given training on ADA. She also announced that the fair housing consortium has been scheduled for April 25, 2014, at the Pinellas Realtor Organization member center, in Clearwater, Florida, with capacity for 155 people. Lunch will be served and the event lasts a full day. There will be one or two persons from the Department of Justice, people who have worked on the Fox Trot case (animals in housing), since it was established that people had a right to have an emotional support animal, which is different from a service animal, an attorney from the fair housing academy in Washington will speak on predator lending, and a speaker from Georgia will speak on the topic of domestic violence in housing.

Mr. Perry asked if anyone had questions on any of the reports given.

Mr. Tim asked a question regarding the video and enforcement of State and Federal laws. Ms. Betancourt said that cases are dual filed with Federal and State for employment, assuming there's 15 or more employees, and for housing, if property owners own more than five properties.

Ms. Allison said there are some differences between City code, State and Federal. Another example of a difference other than the one that Ms. Betancourt gave, the City of Tampa code is much more encompassing than the State and Federal. For example, we protect sexual orientation and gender identity or expression. The Federal law does not protect that, and not all cities protect that either. That is a decision that the City of Tampa has made from a legislative perspective. You could not dual file that case, for example. There would not be a clear basis under Federal law. It's not to say people do not file on the basis, for example, sex under Federal law, but that's not quite as clear as it is in our code, where we specifically protect against discrimination on the basis of sexual orientation. Most of the cases do fall within a dual jurisdiction category. All of the laws that are potentially enforceable, are on our website. In general, it's accurate that at some level, if the case is correct, or if we have the ability to look at a case, that would also fall under Federal law, in terms of which cases we can do what with.

Mr. Tim asked if it was mandatory to notify the other levels of government, if the case is dual filed. Ms. Allison responded yes, that it was part of the regular process.

Ms. Allison continued by saying that the City of Tampa added the class protection gender identity or expression, which Federal and State do not cover, and sexual orientation.

Old Business

(Closed Board Business) Update on Reasonable Cause Case – Ms. Allison said this item could be taken off the agenda, and was not sure which case this referred to (Knotts or Iglesias case) and would provide updates on both cases, since the end of the City's role had been reached for both cases. The Knotts case updates that have been heard for many years, came to a settlement. She was absent from the meeting held on December 11, 2013 and read in the previous minutes, that there was an extension discussion on how it came to an end with regard to the settlement agreement. She also read the discussion on the difference in what the City's role is and what HUD thinks about our decision on those things, and sometimes those don't align. The Knotts case is one of those examples.

With regard to the Iglesias case, the board voted to support a finding of Reasonable Cause. The City's role also reached an end on this case. The Respondent elected to have a judicial remedy, however, the

City decided for legal ethical reasons, we cannot prosecute on behalf of this particular Complainant. She could not provide details, because of anticipated litigation, and wants those things to remain privileged, if there were to be litigation. For the board's purposes, our role at this point, is concluded, and what HUD does with that, is HUD's decision as well, and there's nothing further for the board to do at this point on either of those cases. The board supported a finding of Reasonable Cause finding for the Iglesias case, and the Knotts case was also closed.

Ms. Singer said that the board has decided to do some chatting about what they wanted to revisit, if any, to present to City Council. Mr. Carswell had requested some examples of what some other boards around the city are doing with regard to some of the changes discussed. She has sent those to Mr. Carswell.

Mr. Perry suggested to leave this for discussion upon Mr. Carswell's return, and all members agreed.

Status - Proposed Amendment Changes to Human Rights Ordinance – Ms. Singer said that City Council did not put this back on the agenda, that there is no date certain to be included in City Council's agenda, and that there's no specific deadline.

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

Mr. Vazquez asked for the status of the gay couple and a business case. Ms. Singer said it was the case of a dance studio, which was closed, due to lack of cooperation by complainants.

New Business

Board Members Term Expiration

Mr. Perry said that the terms for Amy Mandel, Anna Ramos, Jeffrie Van Loveren, Elias Vazquez, and Reginald Tim expire on 5/30/14. Mr. Slater asked that they send him an e-mail, if they are still interested in serving another term, so that he could notify the Mayor for re-appointment. Research will be needed to confirm if Mr. Tim has reached the maximum term.

Copies of the 2014 Meeting Schedule was given to members.

Mr. Perry expressed thanks for the group photo and Mr. Slater mentioned that if members looked on the wall, they would see the framed copy.

Next Meeting

The next meeting has been scheduled for April 9, 2014, at 8:30 a.m.

Adjournment

A **motion** to adjourn the meeting was made by Ms. Van Loveren, seconded by Anna Ramos, and the **motion passed** by all members present, to adjourn the meeting. This concluded the business of the Board at 9:30 a.m.

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