

City of Tampa
Human Rights Board
Meeting Minutes
August 21, 2014

The City of Tampa Human Rights Board held their regular bi-monthly meeting on Wednesday, August 21, 2014, at 8:30 a.m., in the 2nd floor conference room of the Neighborhood Empowerment Department, Community Affairs Division, 2105 N. Nebraska Avenue, Tampa, Florida.

MEMBERS IN ATTENDANCE:

Anthony Carswell	Reginald Tim
Amy Mandel	Elias Vazquez
John Perry	

CITY OF TAMPA REPRESENTATIVES IN ATTENDANCE:

Rebecca Cortes	Colin Rice
Margarita Gonzalez	Karen Sinnreich
Deborah Marshall	Jake Slater

Call to Order and Roll Call

Chairman Anthony Carswell called the meeting to order, took the roll, and asked for reports.

Regular Reports

Administrator's Report

Mr. Slater began his report by informing the board members and staff that Maritza Betancourt has been out for about three weeks and may be out another month. She had an accidental fall in her home and when falling down, she hit her elbow on the bathtub and fractured her arm badly, from the elbow to the shoulder.

Mr. Slater went on to report that he attended the 50th anniversary of the signing of the Civil Rights Act, which was held in the John F. Germany Library, in Tampa. About 100 persons attended, which included staff from the Tampa-EEOC Field Office, City of Tampa Community Affairs Division, Federal office, and Hillsborough County Equal Opportunity office. After the Mayor's comments, he read the proclamation and presented it to the Tampa-EEOC Field Office.

Mr. Slater recently returned from a one-week National EEOC Conference in San Diego, California, where he represented the City of Tampa. The conference was held from August 12-14, 2014, and about 1,300 persons from Federal, State, and County agencies attended, and others from about 200 other cities. He was given an EEOC FEPA 2014 Annual Training Conference booklet and asked that it be passed around for viewing, in case someone was interested in copying topics presented. One highlight was the speaker, Ms. Merlie Evers Williams, who spoke to a crowd of about 1,000 persons. Her husband was shot and killed back in Mississippi in the 1960's, however, he did not die when shot by a rifle. He was taken to a local hospital and was not treated, because he was Black. He had to go to another facility and passed

away there. Mr. Slater recommended that the board members hear her speak, if the opportunity rises in the future. The Chairman commented that the person that shot him was convicted about ten years ago.

Mr. Slater announced that the Mayor is to present the budget to the East Tampa area and the business section on Monday evening at Ragan Park at 6:00 p.m. Board members are welcome to attend. There will also be two public hearings on the City of Tampa budget at City Council Chambers; the first one on September 4, 2014 at 5:00 p.m., and the second one on September 25, 2014 at 5:00 p.m.

Mr. Slater introduced the new assistant city attorney, Colin Rice, who will work closely with the Community Affairs Division and Neighborhood Enhancement (Code Enforcement).

ADA Disability Rights

Ms. Sinnreich began her report by providing a copy of the invitation for the Mayor's Alliance for Persons with Disabilities luncheon. It has been scheduled for September 19, 2014. She stated that some participants are from the Job Fair that was recently held. Nominations have been received and will be reviewed for selection of award recipients in the different categories (Employer of the Year; Joe Sanchez Leadership; Excellence in Media; Outstanding Community Service/Volunteer), and the winners will be announced on the day of the luncheon. Their committee report is due by August 22, 2014.

Ms. Sinnreich has provided assistance to the Hillsborough County Expo with different groups with information on services for persons with disabilities. It marked the 24th anniversary of the signing of the Americans with Disabilities Act (ADA). She was able to secure parking spots up front for persons with modified vehicles, and also for persons delivering food and other things for the public, like water.

Ms. Sinnreich has developed an ADA Title II program, which becomes effective on August 22, 2014. She will begin conducting 2-hour training sessions on ADA to approximately 400 City of Tampa employees in the Parks and Recreation Department.

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

Due to Ms. Betancourt's absence, Mr. Slater asked that Margarita Gonzalez and Deborah Marshall provide reports on her behalf.

Ms. Gonzalez began by stating that she had been in contact with the EEOC Washington and Miami offices regarding the EEOC contract extension for fiscal year 2013-2014. The extension has been received and was forwarded to legal, and Assistant City Attorney, Colin Rice drafted the resolution to present to City Council. Based on the number of intakes and cases to be closed this year, Mr. Slater requested a modification to the contract. There are three open cases, 1 EEOC and 1 Local (TOHR). Ms. Gonzalez' current case load consists of three housing cases and two employment cases (1 EEOC & 1 Local).

Ms. Gonzalez participated in the following events on employment:

4/9/14 – viewed a webinar on “Monitoring Compliance with Harassment Case Resolutions”. The presenter was Faye Williams, Regional Attorney; and on 5/7/14 – viewed a webinar on “Spotting Sex-based Pay Discrimination”.

6/25-26, 2014 – attended a two-day EEO training at EEOC-Tampa Field Office, on “Intermediate Skills Workshop for Investigators-FEPA edition”.

8/20/14 - Ms. Gonzalez and Ms. Sinnreich attended a presentation by Elaine McArthur, on Florida Center for Inclusive Communities Overview of the Laws Enforced by EEOC.

Ms. Gonzalez assisted with the draft of the proclamation and press release for the 50th anniversary of the signing of the Civil Rights Act.

Ms. Gonzalez also participated in the following events on housing:

4/25/14 – attended and assisted with registration for the Fair Housing Symposium by Tampa Bay Fair Housing Consortium on the 4 D’s of fair housing (disabled; discriminated against; domestically abused; and disadvantaged). The event was co-sponsored by City of Tampa Community Affairs Division and was held at Pinellas Realtor Organization in Clearwater, FL, and from Aug. 10-15, 2014, Ms. Gonzalez and Ms. Sinnreich attended Week 4 training at the National Fair Housing Training Academy (NFHTA) in Washington, DC, and received certificate of completion.

With regard to employment, housing, and public accommodations materials, Ms. Gonzalez informed members that t-shirts were ordered with the logo “Fair Housing is Your Right: Use It”, and that a t-shirt would be given out, after the meeting ends. An order was placed for the double-sided flyer that was presented in previous meetings, and will be used for outreach. One side is in English and one side is in Spanish. With the assistance of City of Tampa CTTV staff, both videos (English & Spanish) on housing are available for viewing via the YouTube link in the Community Affairs’ home page, under Programs and Services. The intake questionnaires for employment, housing and public accommodations are available in English and Spanish in the Community Affairs home page, under How do I.

With regard to publications, Ms. Gonzalez said that the latest publication of the Accessible Tampa Guide is May 2014, and the latest publication of the Accessible Tampa Newsletter is Summer 2014. Information on forms (registration, nominations, sponsors, vendors) for the Mayor’s Alliance for Persons with Disabilities has been published in the Community Affairs’ home page, under News and Events. Ms. Sinnreich will provide the event details.

With regard to outreach, Ms. Gonzalez coordinated a joint effort with Bay Area Legal Services for participation in the Back to School event and distribution of Community Affairs flyers within city limits. Ms. Gonzalez was scheduled for July 26, 2014, at Tampa General Hospital Family Care Center, and Ms. Marshall was scheduled for August 16, 2014, at Howard Blake High School. Ms. Marshall will expand on this. Ms. Gonzalez attended and distributed flyers at THHI and Alianza and Voz y Accion de Puerto Rico. Future outreach will include a PowerPoint or video presentation to the Mayor’s African American Advisory Council and the Mayor’s Hispanic Advisory Council. Ms. Gonzalez said that suggestions are welcome from the board members, and that Community Affairs staff was available to do outreach presentations to other groups and venues upon request. With the assistance of Ms. Cortes, an Excel spreadsheet was prepared to track outreach efforts.

Mr. Tim asked if hard copies of the employment and housing intake questionnaires were available. Response was yes and copies were provided. The forms are not fillable, only printable, due to confidentiality, and can be mailed in, faxed, or hand-delivered for review. A charge is not filed until any

prospective complainant meets and discusses the complaint. Follow-up calls are made to complainants who mailed or faxed in questionnaires. This concluded Ms. Gonzalez' report.

Ms. Marshall then began her report, by stating that there are 6 housing cases open, 1 pending case, and 1 case for closure in process.

Ms. Marshall participated in outreach efforts on August 16, 2014, at Howard Blake High School's Back to School event. Hundreds of parents attended and free physicals were provided to students. The incentive to receive a free backpack was to receive a sticker from each vendor at the event. She had an opportunity to speak to several persons and passed out Community Affairs flyers that contained information on discrimination in employment, housing, and public accommodations. Ms. Marshall said that in the past and currently, Community Affairs has and is working with Bay Area Legal Services. She has also viewed a 2-hour webinar on July 17, 2014 on the topic of Expanding Opportunities Through Fair Housing Choice. She mentioned that free webinars are available on HUD's website. Ms. Marshall said that Ms. Gonzalez and Ms. Sinnreich completed Week 4 of HUD training and are trying to complete Week 5. She mentioned that she and Ms. Betancourt completed the five-week training several years ago.

With regard to the fair housing testing program, Ms. Marshall said that a grant was received in the amount of \$25,000.00 and that the Mayor gave approval on August 19, 2014. Training for testers who have been recruited has been scheduled for September 12, 2014, pending the availability of the trainer, Keenya Robinson with HOPE, Inc. Then one to two weeks after, testers are to be sent out. Thirty (30) tests are proposed, based on disability, national origin, race, and familial status. The next planning meeting is for property selection. Her involvement with HUD cases is online case processing in TEAPOTS and she follows the same investigation process for employment cases, which includes interviewing individuals. A meeting is to be set up for budget matters and vendor (testers) payment setup. The Chairman asked about the tester selection process. Ms. Marshall said that Ms. Sinnreich is actively recruiting testers, who must meet certain criteria, which includes a background check. No experience is needed, since training is provided by HOPE, Inc., such as what they as a future tenant is looking for – two-bedroom apartment for example. Staff does homework in advance and scripts are provided. Ms. Marshall announced that more testers are still needed, such as an African-American male. Mr. Slater stated that \$90.00 per test per person is paid. Mr. Tim asked if the tests are received from HUD, and Ms. Marshall responded no, that tests are conducted nationwide, in different cities, and counties, and if someone has a question or files a complaint, and a person has a concern, a tester could be sent out. Tests are not made up by HUD, however, a test could lead to a HUD case, in conjunction with the City of Tampa Human Rights Ordinance. Mr. Slater stated that testing has not been conducted in the last 6-7 years. He said that when testing is done, you want to make sure that all bases are covered from A-Z, and make sure testers understand the complexity and seriousness, and that they can return and tell the story, by writing down what they saw and conversations they had. He said there is a need to select people who can be trusted, dependable and reliable. The Chairman asked if results are archived or documented within Community Affairs. Mr. Slater responded yes, when the program ends. Ms. Mandel asked if the results are considered public. Ms. Marshall responded that she was not sure, that if a case was filed, that an investigation takes place. Ms. Mandel asked if in the end, if the public would be made aware, and Mr. Slater and Ms. Marshall responded yes. Ms. Marshall stated that sometimes issues develop when something is being done improperly and could become a conciliated agreement, as a result of Community Affairs filing a case, most of which are settled through education, however, conciliation agreements are kept confidential. Mr. Vazquez asked if the cost of \$90 was regardless if a person passes or fails and Mr. Slater responded yes. Ms. Marshall said that paired tests are conducted with two people for one test.

Mr. Slater said he was looking forward to the testing program and do not know what to expect, due to new properties being built throughout Hillsborough County. The Chairman thinks it is good to put people on notice. If a test comes out negative, it's something to be proud of – a community that does not participate in discriminatory practices, when it comes to housing. Ms. Mandel asked how the testing program was funded. Mr. Slater responded that funding is from a \$25,000.00 partnership grant. The Chairman asked if testing, in a perfect world, could be done annually. Mr. Slater responded yes, and the Chairman commented that it should be done annually, due to a growing city and properties changing hands. The Chairman appreciates what the Community Affairs staff does in this area and glad to be informed of what's happening with the City, and stated that the Human Rights Board would provide support to the Community Affairs staff, if needed. This concluded Ms. Marshall's report.

Legal Advisor

The Chairman then asked the new assistant city attorney, Colin Rice, to introduce himself. Mr. Rice said he has been with the City of Tampa since last summer on a part-time basis. He graduated in February and is looking forward to working with the Community Affairs Division. The Chairman commented that the board members are passionate about making sure our community is doing the right thing and sincere about the work that is being done.

Old Business

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

The Chairman referred to the ordinance and informed Mr. Rice that this would fall under his area and that he was not necessarily looking for a decision today, and went on to say that the items are in the ordinance, but no real by-laws have been adopted for this body (Human Rights Board). The way this board is comprised, membership, etc., City Council has a say, and there's no frame work for Robert's Rules of Order to put into place and it's something he proposed to the board members at previous meetings, to begin frame work on how to conduct meetings. By looking at the ordinance, it's vague, but allows latitude, but at the same time, if a new chairman, new board members, or staff came on board, how would the new person(s) work. The definition of a quorum is loose and should be tightened up, even the way that meetings are conducted. A copy of the Barrio Review Commission Rules of Procedure that were fully adopted on September 15, 2009, and previously provided to board members was passed around for viewing. In previous meetings, Mr. Perry made a suggestion to review other boards and commissions by-laws that exist within the City of Tampa. Even if the Roberts Rules of Order are instituted into the first set of by-laws, the board can go from there to take suggestions from board members and open it up to staff, to make sure the board is on the right track, doing the right thing, so efforts wouldn't be questioned, and not that they could be, but shouldn't.

New Business

Adoption of By-Laws

The Chairman asked for Mr. Rice's opinion on that if the board established rules and procedures, and the board wanted to get things into the ordinance, what would be the steps, vote at a meeting? Mr. Colin

understands that because it's codified, it has to go before City Council, and if the board felt comfortable with something, it could be presented to City Council.

The Chairman mentioned that Allison Singer, former assistant attorney assigned to the Community Affairs Division, gave great advice. The board wants to consider looking at the makeup of the board and the goal is to be a board that could be comprised of people who are willing, passionate, and that the board's not kicking someone off for not being able to invite someone on, just because there's someone representing real estate, for example. If you have three persons who happen to represent real estate, the board cannot have them, and same thing for banking, retail, legal, etc.

Mr. Tim asked for an update on the Jackson house. Mr. Slater stated that several meetings have taken place with Carolyn Collins, President of NAACP, and that \$50,000 has been raised, but \$150,000 is needed for stabilization. The whole frame has shifted and the window frames are falling. The board members, along with Mr. Tim and Ms. Mandel asked if consideration could be given for a TV show to get donations. Mr. Slater said that engineers are involved, but no one has stepped up, which caused many delays, and that possibly, a 501c3 may have been established.

Approval of Minutes-April 9, 2014

At this point, the Chairman asked members present if they received the minutes for April 9, 2014, since the meeting for June was canceled. He asked the members to take a few minutes to review the minutes for approval (minutes had been mailed to members and copies were also available at this meeting). There were no changes and Ms. Mandel made a **motion** to accept the minutes as submitted. The **motion was seconded** by Mr. Vazquez, and the **motion was accepted** unanimously by all members present.

Allison Singer's Departure Note

The Chairman read a note from Allison Singer to the board, in case some board members did not attend the previous meeting. The Chairman informed members that Ms. Singer's new job is teaching.

Mr. Tim then asked how would the Michael Brown shooting in Ferguson, Missouri impact the Human Rights Board, and if staff would have any involvement. The Chairman commented that there are many issues in Ferguson and you get fragmentation. You have what happened between the police and a young man as one thing, and all of a sudden, you have four different issues of what happened. Many of the conversations are not about the police and the young man, the protest, rioting, and looting that's a result of what's happened. To him, there's two different things, Ferguson's issue with the police, and Ferguson's issue with rioting and looting. As far as the board's mission, which is discrimination, he wishes people would be focused a lot more to get things accomplished. He thinks the whole point is missing with all the news covering what's happening now and not what happened, because that's the deeper issue. The story is, that a young unarmed man got shot six times. People have ventured away from what happened, and now the news covered what store got looted, what should the police do now, and the Attorney General, Eric Holder's presence there.

Mr. Tim commented that if people take to the streets, there's a signal that something has gone wrong for a long time, and people had enough. Now the question is, what now? Then you come to the area that people's rights have been trumped on and are now taking it to the street. Question to ask would be, what

kind of big problems have been happening?, historically speaking. The Chairman said that's why the City's intelligent voice needs to be heard, instead of people coming from Chicago, East St. Louis and various places from Missouri, just to cause trouble, and that's not a good message. This causes upset to the Chairman, because the police does not address that the police have been crappy for a while. Ms. Mandel says it makes news, so that the rest of the people know that there was a problem, because if things were done quietly, no one would even hear about it. There's a place for everyone, and she knows it's not right to loot and what's happening is, that the symptom is being treated and not the cause. She saw an online video posted by a journalist, about the policeman that said "I'm going to kill you", and the person got kicked out of the AFL-CIO, and they're dealing with distractions of the larger issue. The Chairman said it can't be denied that there was tear gas and rubber bullets, which was pretty much blatant, and the American people saying, look at these people tearing up their own neighborhoods and what's the point. The Chairman thinks 80% or more people should be asking what's going on in Ferguson, to your point, and that people are so ticked off, and that's why they've taken to the streets. He made a comparison to such postings in Facebook, by people that he refers to as Facebook protestors, because now people want to get mad, because Starbucks does not have Splenda. The point is that people protest for the sake of protesting, and it belittles what people did from the 20's to the 50's. He referred to Mr. Slater's mentioning of Ms. Ernie Evers earlier, that what happened back then was protest and civil rights, and when people had everything to lose. The Chairman commented that he has friends in St. Louis that commented that people are coming from everywhere, just to act up, and it's irritating, and God forbid, what the City of Tampa would do with this type of situation. He would hope that intelligent voices would say we do not have that problem. That young man had an issue, it was an out lie; this is what happened, and we have nothing to hide. It does not look good for Ferguson, when the cop's name was not given until after the event. Most family members would want to know why the kid did what he did and who did it and why.

Mr. Tim asked if Ferguson had a board like the Human Rights Board, and if the board would be involved with a situation like in Ferguson, at the human rights or civil rights level. Mr. Slater thought that at one point and members agreed, that the board would be involved in hearing some of the factors that caused it, and at some particular point, but not right now.

Ms. Sinnreich mentioned that while she and Ms. Gonzalez were at the housing training, the instructor was contacted by people from Ferguson and it seemed that Ferguson never had a human rights board, and the county did not have one either, because one was not wanted. It was really the state who formed a council. When you have a town that's about 70% Black, and the whole thing such as elections are run by Whites, and you have three or four areas with Black policemen on the force, you need to vote.

Ms. Gonzalez mentioned that a few years ago, when the Community Affairs Division had full staff, there was a Community Awareness and Action Team (CAAT) to help out with incidents like the one in Ferguson. The office worked closely with the police, who were trained, and coordinated police/community relations workshops to facilitate dialogue and create sensitivity to the police to find out what was happening in the neighborhoods. It was very proactive at that time. It was mentioned at the training, that Tampa has gone through self-learning processes and she thinks Tampa has achieved and dealt with different situations or groups, and has contacts in place to handle different situations. We cannot say that it would never happen in Tampa, but think Tampa is prepared and in touch with the community, than what happened in Ferguson. Ms. Marshall says that's the difference for what happened in Ferguson, is because they need community leaders to step up, stop the violence and reassure people

that proper legal action can be taken, as far as it relates to the investigation. It appears that Ferguson does not have an organizational set up. She thinks that Tampa would have that, based on the task of community leaders, different groups and organizations. The Chairman has followed the story daily, and it's all of the in reach coming from all state and federal levels.

Mr. Slater mentioned that he came on board with the City of Tampa around 1973, when he finished college. He was born and raised in New York and was shocked when coming to Tampa. There was no sensitivity training until the 80's, under Mayor Freedman, who changed culture. Tampa has come a long way and there's a diverse community. One realizes that Tampa is a great city, when you visit other cities and see and hear things going on, and ask, why is that going on?

Mr. Tim said there may/may not be pockets around. For instance, there used to be a saying, that if you were out around USF and your intention was not good and you were considered a vagrant, you would end up in jail. That area is referred to as "suit case city", and there are streets that one would not cross. There are rules in the City of Tampa, and there's a saying that you are too deep out there, and if they catch you, you will not be booked, you will be _____. Mr. Vazquez chuckled that it was before his time, and the Chairman chuckled that Eli brought the "California cool". Mr. Tim said that it's understandable and some pockets may still remain, but Tampa is pretty much across the board in terms of civil rights. Another instance in Ybor City area where 22nd Street divides the hotel on the other side of the city, people know there's an invisible line when crossing the street. Other than that, people go about their business.

The Chairman says we are blessed in Tampa and for years, he has seen plenty of interaction between police and citizens, and growing up in the 70's and 80's, he would say, okay, what is this guy in trouble for. Now cops just talk with people and you have that interaction that we are intertwined in the community.

Next Meeting

The next meeting has been scheduled for Wednesday, October 8, 2014, at 8:30 a.m. It is the last regular board meeting that takes place, before the annual meeting with the Mayor in December, at City Hall, in the Mayor's conference room.

Adjournment

A **motion** to adjourn the meeting was made by Mr. Vazquez, seconded by Mr. Tim, 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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