

City of Tampa
Human Rights Board
Meeting Minutes
March 11, 2020

The City of Tampa Human Rights Board held their monthly meeting on Wednesday, March 11, 2020, at 9:00 a.m. at Lemon Street Municipal Office Building, 4900 W. Lemon Street – 1st Floor, Conference Room C, Tampa, Florida 33609.

MEMBERS IN ATTENDANCE

Brian Frey Tomika Cole Janet MacNealy
John Perry Ashley Roberts

MEMBERS ABSENT

Anthony Carswell Sylvia Hubbard

CITY OF TAMPA REPRESENTATIVES IN ATTENDANCE

Betina Baron Shakayla Birch Maurice Foster
Rachel Peterkin Elba Plaza Kareme Shaia

CALL TO ORDER AND ROLL CALL

The Vice Chair, John Perry, called the meeting to order at 9:11 a.m.

INTRODUCTION OF NEW BOARD MEMBER – BRIAN FREY

Vice Chair John Perry introduced Bryan Frey to the Board and asked that all those present introduce themselves to him. In turn, B. Frey shared that he is a local realtor with a past in show business for thirty-two (32) years.

PUBLIC COMMENTS

Vice Chair J. Perry opened the floor to public comment. No one from the public was in attendance, and no public comment was made.

APPROVAL OF MINUTES

Vice Chair J. Perry invited the Board members who were present to review the minutes from the previous meeting. Janet MacNealy made a **motion** to adopt the meeting minutes from February 12, 2020. The **motion** was **seconded** by Ashley Roberts, and the **motion passed** unanimously.

REGULAR REPORTS

Supervisor's Report

Maurice Foster, Human Rights Investigations Supervisor, provided the following updates:

1. The TOHR team is actively interviewing to select a person to take the open Investigator position. M. Foster anticipates narrowing down to three candidates as early as this Friday, March 13th. He expects to have identified a person to recommend to Manager Vanessa McCleary.
2. Next month is Fair Housing Month. The team will kick off the month on April 1st with a joint session with City Hall, Mayor Castor, and – hopefully – the members of the Board.
3. Kareme Shaia temporary Investigator, will be leaving. She helped with investigations as well as with revisions to the Ordinance.

Vice Chair J. Perry opened the floor for any other reports to the Board. There were none.

OLD BUSINESS

Vice Chair J. Perry introduced the old business topic of *Toston v. D&M Assets 1 LLC, Steven Wedge, and Lei Xuan Wedge*. M. Foster volunteered an update on the topic, and discussion ensued.

1. Investigator Shakayla Birch complied and completed the items requested by the Board.
2. M. Foster next requested that the Board move to continue the matter in order for the team to secure one additional and essential item for review.

A. Roberts **moved** to continue review of the matter until next month. A discussion ensued.

1. Tomika Cole asked if the need for continuance was to secure one item which is the phone record.
2. M. Foster explained that the phone records are on file. The remaining item is essential for a complete record for board review and for the fairness to both Complainant and Respondent.
3. T. Cole asked Respondent how she feels about the continuance.
4. Respondent Lei Wedge indicated that she wants to know what the additional information might be.
5. M. Foster next disclosed that attempts to contact prior Investigator Kevin Iravani have not been made. It was only after reviewing the update for today's Board meeting that he realized that the affidavit would be helpful to the Board and fair to both parties.
6. Respondent L. Wedge expressed concern that the office will be closed next month due to the Coronavirus-2019 outbreak. She indicated that the state is closing offices from this concern. She further expressed concerns about there being no written documentation of the phone call.
7. B. Frey posed the question of whether the phone records from the city have been reviewed. It was confirmed that they are on file but not yet entered into the record.

Vice Chair J. Perry next explained that the Board can either consider the motion by A. Roberts to continue to next month. Or, the Board can entertain a motion to review the information currently available. B. Frey **moved** to review the evidence currently available for entry into the record. T. Cole **seconded** the motion. The **motion passed** unanimously. Vice Chair J. Perry next asked the Investigator assigned to the matter, Shakayla Birch, to present the additional evidence.

Attorney Rachel Peterkin provided a review of the details for the Standard of Review to the Board. Vice Chair J. Perry opened the floor for motion. T. Cole **moved** to adopt the procedures for review. B. Frey **seconded** the motion. Vice Chair J. Perry opened the floor for comment. None were made. Vice Chair J. Perry next invited the Board to vote on the **motion** to adopt the procedure for Standard of Review. A vote ensued. The **motion passed** unanimously, and the procedures were so adopted.

1. S. Birch next presented a brief summary of the matter in accordance with the procedures adopted. S. Birch offered for the record a document from the City of Tampa providing the phone log for prior Investigator K. Iravani.
2. It was established that the phone number at issue is (813) 270-5060. S. Birch explained that during the investigation, the Respondent provided her phone number, and the aforementioned number was hers. S. Birch further explained that the records provided by the Respondent did not reflect a phone call made on the date in question between her and prior K. Iravani. According the document from the City of Tampa's T&I department, a call between the Respondent and K. Iravani did transpire on July 12, 2019, duration of 10 minutes.

3. Respondent L. Wedge next proposed that the records that she provided from her own carrier would be reviewed; she suggested that there is software available that can mimic a phone number so that a person receiving a call would believe that the call originated from a different number than the one used. She suggested that someone called K. Iravani by falsifying her number and pretending to be her.
4. B. Frey asked about the origination of the document offered for review. He asked if the phone record came from the City of Tampa's system. It was confirmed that the report came directly from the Technology & Innovation (T&I) department of the City of Tampa and that individual employees do not have the ability to tamper with such systems.
5. Vice Chair J. Perry next posed the following question: was the alleged comment that all animals including service and support animals are treated as pets made to the Complainant or to Kevin?
6. S. Birch answered that the comment was allegedly made to both – according to K. Iravani's memorandum.
7. Respondent L. Wedge once again renewed her assertion that she did not make any such statement to anyone.
8. A. Roberts inquired if the Respondent's phone statement was available and part of the record. A copy of the Respondent's document – previously accepted into the record – was provided to the Board.
9. Investigator Betina Baron noted for the benefit of the Board that the chain of phone calls can be compared between the two records.
10. B. Frey asked for the record to show the phone number for the office. It was confirmed that K. Iravani's phone number was (813) 274-7099.
11. It was noted that no member of the Charging Party or anyone representing the same was present at the meeting.
12. Next, in accordance with the procedure for review, the Responding Party was allowed to present whatever evidence deemed appropriate. Respondent L. Wedge once again reiterated that she was sick and in the hospital in Shanghai at the time of the alleged call. She directed the Board to the record wherein she had provided copies of her airline flight information and hospital bill.
13. Respondent L. Wedge reiterated that the Complainant did not qualify financially to rent the property at issue. Again, she asserted that someone pretended to be her and faked the phone calls from her phone.
14. Vice Chair J. Perry offered an opportunity for questions of the Respondent. J. MacNealy asked if a certified copy of the Respondent's phone records could be secured.
15. B. Frey raised the issue that K. Iravani noted in an email that he called Respondent while the phone records show that the call was an inbound one.

T. Cole **moved** to open the case for further review/remand to the Investigator in order to secure specific records to include: certified copy of phone records from T-Mobile; certified phone records from T&I; a sworn statement from K. Iravani. J. MacNealy **seconded** the motion.

A. Roberts made a **motion to amend** the motion to require that the Respondent's phone records come directly through T-Mobile and not through the request of Respondent L. Wedge. J. MacNealy **seconded** the motion. After the floor was opened for discussion, the board voted. The **motion to amend passed** unanimously. Vice Chair J. Perry opened the floor to discuss the main motion (now amended). The Board then voted on the **motion** to remand the matter to the investigative team for further evidence to include: certified copy of phone records from T-Mobile; certified phone records from T&I; a sworn statement from K. Iravani. The **motion passed** by unanimous vote.

NEW BUSINESS

Maurice addressed some items of new business.

1. The team is looking into getting iPads for the Board members to use during their meetings so that multiple hard copies do not have to be made for each meeting. A discussion ensued into the requirements of the tablet and the possibility of donation.
2. The team also discussed holding the Board meetings at the courthouse. Another option is to hold the meetings one time every year in each of the six districts. The Board prefers that the case reviews are held at the courthouse. When there is not a case review, the Board likes the idea of holding the meeting in the districts. Discussion of adjusting the time to account for traffic was held next.
3. Discussion of the Fair Housing Month activities followed.

A **motion** to receive into the record the documents that were presented today was made by J. MacNealy. B. Frey **seconded** the motion. The floor was opened for discussion, but none was had. A vote ensued, and the **motion passed** unanimously.

NEXT MEETING

The next meeting has been scheduled for Wednesday, April 8, 2020, at 9:00 a.m., Lemon Street Municipal Office Building, 4900 W. Lemon St.-1st Floor, Conference Room C, Tampa, FL 33609.

ADJOURNMENT

A **motion** to adjourn the meeting was made by T. Cole, **seconded** by B. Frey, and the **motion passed** unanimously. The meeting ended at 11:33 a.m.

Respectfully submitted