Minutes of the Des Moines Civil & Human Rights Commission Meeting on May 9, 2019, 4:30 PM at Municipal Services Center, 1551 E. Martin Luther King Pkway, Des Moines, IA 50315.

Commissioners present: Kameron Middlebrooks, Emily Shields, Claudia Schabel, Rachelle Hunt Russian, Vinh Nguyen
Commissioners absent: QUORUM PRESENT
Staff present: Doug Philiph, Joshua Barr, Monserrat Iñiguez, Manisha Paudel
Visitors present: Kevin Marken, Scott Bents, Glenna Frank, 4 others

Shields called the meeting to order at 4:42pm. Schabel took roll.

Approval of Minutes –

Committee Reports –

Officers Report: Shields reported back that the executive committee met the previous week and discussed the agenda for the Commission meeting. This discussion included the ordinance for the Lawful Source of Income, formalizing the Internal and External committee descriptions, and the next commission retreat. Barr added that they also discussed seeking a new location for the Symposium and the return of the Symposium planning committee meetings on the 4th Thursday of the month.

Internal Committee Report: Shields shared they discussed the status of the Bridging the Gap recommendations, attended the conversation at Drake regarding the training for all city staff, met with the police department regarding the ID/Business cards, and that some of those items would be on the upcoming council agenda on May 20. She added that the council workshop that same morning would include those items and encouraged attendance to both to show support. She added the Transportation and Safety Committee reached out to them to discuss transportation and sidewalk safety, and they would later give a presentation.

External Committee: Schabel reported that they met on April 22, and she and Nguyen discussed Bridging the Gap: the Lawful Source of Income ordinance, City Staff Training, Police Department policy, and updates on RIAS and LGBTAC. Paudel added that there would be goal-setting
sessions on what follows beyond their dialogues, with LGBTAC doing a visioning session that would include Emily Cohen, the department’s staff liaison, and would include opening up to new members. Schabel added sharing descriptions of the Commission’s roles with the committee members would be good. Nguyen shared potential to provide advocacy training to RIAS members to showcase their role and responsibilities.

**Community Spotlight:** The Street Collective of Greater Des Moines, presented by Scott Bents. Bents shared the Collective’s mission and aim, with a focus on ending sidewalk gaps throughout the city. Presentation also focused on the need to have an equitable approach in the prioritization of sidewalk gaps, as outlined in the MoveDSM plan. Asked Commission to partner on identifying neighborhoods with no conventional transit to prioritize filling the gaps there. Russian asked if the current plan focused on affordable housing areas. Bents stated they are not focused on specific areas nor identified, but are beginning with schools and spreading outward from there. Knox asked if there were plans to increase the usability of current sidewalks. Bents replied that the plan prioritizes filling gaps rather than the repair of existing sidewalks.

**Director’s Report:** Barr reported that there were 5 complaints filed in April, with 2 cases closed. Housing remains the #1 complaint with 32 for the overall year, followed by 18 in employment, 1 in education, and 13 municipal practices. The investigators are working on closing cases before the end of the fiscal year. Barr shared that he met on Monday with council to discuss next steps in the Des Moines Empowerment Center, led by the Polk County Supervisors. Currently, they are developing an RFQ to find someone to manage the center. No physical location has been determined yet, but a space will be needed to have access to numerous services provided by ECBOs.


**Equity Report:** Paudel reported that she was working across departments to formalize leading with equity through the equitable services team. They have had four meetings so far with all departments bringing ideas to update policies. Paudel emphasized the growth in learning noticeable on the team and its advance in efforts. Paudel also added that she was still working with NPO as a consultant.

**NEW BUSINESS**

- **Commission Rules and Regulations 3-20 Internal and External Committee Descriptions:** Schabel moved to pass with an edit to the external committee meeting description to say, “including but not limited to.” Philipp stated it could be passed and corrected as a scribe error. Shields seconded. **Pass 6-0.**

- **Human Rights Ordinance Chapter 62 Source of Income as a Protected Class:** Barr stated that the Commission could submit the recommendation to city council as is, or review, make recommendations to changes, then bring back to City Manager, to have another review. Barr introduced Glenna Frank, who drafted the ordinance. Frank shared that the language for the ordinance came from other city ordinances across the state. Shields asked for clarification on the
comments submitted by Len Sandler. Frank stated that his recommendations, specifically related to the definitions which would make it more explicit, would be added. The second regarding standards and rent codes, the city’s standards are higher than federal codes, and decided that because of this, there would be no need to reference federal codes since the city’s includes them and is higher. His third recommendation regarding the numeration of illegal practices, are all things that are prohibited and constitute discrimination. His additions go more to exemptions or culpability, rather than what constitutes discrimination. The current ordinance as written moved all of those things intentionally into another section, so that all the things that are discriminatory and illegal are in one section, with exemptions outlined in a separate section. His other additions are identical to other language in the ordinance. His statements that, “landlord shall not refuse to accept or participate in a government housing subsidy program except as provided elsewhere in this section and must consider and evaluate individuals who participate in these programs along with other individuals and applicants...” and “shall cooperate with the department or entity administering the program... to apply for participation” are not in the current draft of the ordinance but Frank advises against including them because if a landlord doesn’t apply, they are going to be discriminating. If someone comes to Human Rights and says they were discriminated against, as holders of Section 8 or other subsidy, then they (landlord) are already discriminating against a member of the first section. The way the current draft is written, it would already be considered discrimination, and adding that language would be “duplicative.” Frank stated she would run the recommendations through her supervisors for review. Barr stated that the recommendation from Sandler covered the concern that without landlords applying to accept housing vouchers, they would not be able to accept them, and tenants would still not be able to pass the financial check of some applications, because the landlords could not cash the vouchers, they would be required to apply. Frank maintained that refusal to do so would be considered discrimination covered by the first section, it would be a source of income. If a landlord refuses to accept that, it is still discrimination because it is a valid source of income. There will be some landlords who will not qualify for the program, and some will be exempt regardless. Schabel asked how overt that understanding would be. Frank replied that there would be training rolling out to both tenants and landlords once the ordinance has been approved and adopted by council. This will be for tenants applying for assistance and landlords getting their rental certificate. Barr added that if

Schabel moved to pass the ordinance with the additional recommendations and edits. Knox seconded. Pass 6-0

**Youth Advisory Board:** Barr recommended reviving the Youth Advisory Board and examining the ordinance. It can be a group that answers directly to council or may still be housed by the Commission. Knox stated he was willing to review the ordinance. Shields said the External committee should discuss it. Middlebrooks stated it should be given to the External committee to review then brought back to the Commission.

**Summer Retreat:** Knox recommended a full day retreat, Middlebrooks added it should be more than 3-4 hours. Consensus was reached for July 1.

**OLD BUSINESS:**

**BTG:** Barr reported that he met on May 9 to discuss housing incentives, and they may send out a survey and include DMPS teachers. He will discuss Ladder Up on May 14 and police ID cards. Barr added that in regards to the city training, the HR director ran with the recommendations and
will meet on May 10 to discuss the content. Knox added that in regards to the police ID/business card policy, that taskforces should abide by the same rules of local PD.

**RIAS:** Update provided in equity report.

**LGBTAC:** Update provided in equity report.

**New Commissioner:** Nguyen is a refugee from Vietnam, has been a Des Moines resident since 1983. He graduated from ISU and Drake University, and has been working at Des Moines Public Schools for 32 years. He is wrapping up his career in public education, and has a passion for helping refugee and low-income populations.

**Activities:** Nguyen shared he is working with the Department of Human Rights to develop a 6-week program for 50 students to encourage post-high school education. There are now plans to expand to the African refugee population. Russian attended the discussion at Drake featuring Eric Holder discussing the restoration of voting rights for felons. Schabel added extending partnership opportunity to Red Cross. Middlebrooks shared that the mental health conversation at Drake with the NAACP had a larger turnout than expected. He added an upcoming meeting on May 11 would look at ways to help formerly incarcerated people reacclimate. Shields shared an upcoming conference on August 22nd would focus on collaborations with non-profits. Knox shared that June 20 was the lighting ceremony at Evelyn K. Davis park.

**Public Comment:** Kevin Marken commented that he recommended the Commission go back to monthly meetings if there was no quorum. He asked if the ID cards were being printed were going to also have a policy about them, adding that if it weren’t a written policy, word could get out that people should and can ask for them. He will also get the word out about the 20th to show support at the council workshop and meeting. He adds that the youth advisory board sounds like a good idea and the commission could function as mentors.

**Adjourn:** Meeting adjourned at 7:09 pm.