

**Friday, September 15, 2023, at 2:15 p.m.
Grime State Office Building, B100
400 E 14th Street
Des Moines, IA 50319**

ICRC Approved Minutes - September 15, 2023

I. Roll Call

Meeting called to order at 2:21 p.m.

Present Commissioner Holly White
Present Commissioner Marcelena Ordaz
Present Commissioner Dennis Mandsager
Present Commissioner Sam Kooiker
Present Commissioner Don DeKock
Not Present Commissioner Dr. Kit Ford - Noted Conflict
Not Present Commissioner Daniel Kennedy - Noted Conflict

II. Recognition of ICRC Staff, Interns, Public, and Press

III. Approval of Minutes from August 18, 2023 meeting

Motion to approve minutes as amended presented by Commissioner Mandsager. Motion seconded by Commissioner Kooiker. Motion unanimously approved.

IV. Acceptance of Agenda

Motion to approve agenda presented by Commissioner White. Motion seconded by Commissioner DeKock. Note that there is an error in the agenda numerals. Two VI listed and missed X and XI. Agenda unanimously approved.

V. Public Comment (oral or written) – pursuant to temporary public decorum rules adopted on May 19, 2023 public comment shall be limited to four minutes

No public comment

VI. Vote on Petition for Rulemaking submitted September 20, 2023 action needed by Commission by October 20, 2023.

The commission received word this morning that the individual that submitted the petition is removing the petition at this time and will meet with the ICRC staff to review changes under EO and reserves the right to resubmit the petition.

VII. Standing Business

- a. Director's Written Report – Executive Director, Kristen Stiffler
 - i. DIAL Merger – Attached Unit
 - ii. Red Tape Review pursuant to Executive Order 10

- iii. Office Updates (legislative, federal contracts, staff update, education and outreach, litigation and case law)
- iv. Iowa Advisory Committee to the U.S. Commission on Civil Rights Report (Overview, Background, Methodology, Finding I: pgs. 1-16; Findings 3: pgs. 18-20) (Executive Director, Kristen Stiffler) Limit to 45 mins

Motion was made to move Standing Business item iv to the end of the agenda. Commissioner White motioned, Commissioner DeKock seconded the motion. Motion approved unanimously.

VIII. Old Business

- a. No old business items on the September Agenda

IX. New Business

- a. Board of Commissions and Review Updates

If there is a concern that is raised Commissioner Mandsager said he would like to have a special session. Clarification was made, the request will go to the Chair and the Chair will be responsible for making sure all commissioners are notified of the date and time of the special session.

- b. *ICRC vs. Rzonca*, hearing October 20, 2023

- i. Discuss and vote on whether to review the damage award in *Iowa Civil Rights Commission, ex rel v. Rzonca* pursuant to Rule 4.23(2), which says "The commission may initiate review of a proposed decision on its own motion at any time within 60 days following the issuance of such a decision.

If a withdrawal occurs the damages can be reviewed, currently they can only be lowered. No motion is needed, all commissioners have an opportunity for comment. Commissioner Mandsager discussed the AAG presence on case reviews. General conversation around historic cases from Commissioner Ordaz, Commissioner White discussed recalling the last case not advising as much as guiding the commission as on track. Commissioner Mandsager suggested some education around the format of the order.

Request was made to have an AAG at the next hearing.

X. Commissioners' Reports

Commissioner Holly White - No Report

Commissioner Marcelena Ordaz - No Report

Commissioner Dennis Mandsager - It would be useful to understand if there are any limitations on his/her report. His understanding that there is no limitation. If there's going to be a vote, it should be listed.

Commissioner Sam Kooiker - No report

Commissioner Don DeKock -. He is continuing to review law enforcement complaint cases.

Commissioner Dr. Kit Ford - Not present

Commissioner Daniel Kennedy - Not present

Moved from standing business: Iowa Advisory Committee to the U.S. Commission on Civil Rights Report (Overview, Background, Methodology, Finding I: pgs. 1-16; Findings 3: pgs. 18-20) (Executive Director, Kristen Stiffler) Limit to 45 mins

ED Stiffler walked through the first few pages of Finding I. All Commissioners agree to continue through this process until the end.

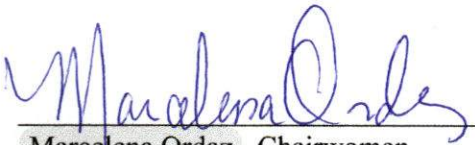
XI. Set Next Meeting

Next ICRC meeting is scheduled for October 20th, 2023 at 1:15 p.m. Will keep all meetings through the rest of the year every 3rd Friday of the month, including December.

XII. Adjournment

Meeting adjourned at 3:45 p.m.

Approved November 17, 2023



Marcelena Ordaz, Chairwoman

4-19-24

Date