

## **Community Relations Board**

**November 20, 2013**

### **1. Welcome/Moment of Silence**

Chairman Richardson: Welcome to the monthly meeting of the Community Relations Board. We will begin the meeting with a moment of silence.

### **2. Attendance/Roll Call**

Ms. Fontus called the roll. You do not have a quorum.

Chairman Richardson: Members of the audience, please introduce yourselves, so that we might acknowledge you properly.

Mr. Brian Siegal: Rabbi Schiff had an accident.

Chairman Richardson: While in Israel, Rabbi Schiff fell and had a small fracture in his arm, so he will not be attending the meeting.

Mr. Siegal: He will need to have surgery.

Chairman Richardson: Ms. Harlene Kennedy has resigned because she has accepted a job in Texas as the Senior Assistant General Counsel for the Dallas Area Rapid Transit. We wish her well. She was BCC Chairwoman Rebeca Sosa's appointee.

Dr. Larry Capp: We wish Rabbi Schiff good blessings, and quick recovery. We should send to Ms. Kennedy a letter of thanks and appreciation for her service, and best wishes for her future endeavors.

Ms. Marjorie York: If there is a vacancy on the Board, I have someone who could replace Ms. Kennedy.

Chairman Richardson: Later in the meeting we will talk about appointments to the Board. Ms. Smith-Jackson will be leading us in a discussion regarding openings for the Board.

### **3. Chair's Report**

Chairman Richardson: Allow me to give you an update on where we are. I had the opportunity on the 5<sup>th</sup> of November to address the BCC. We had undertaken to report to the BCC and the Mayor on a yearly basis on our accomplishments. I was given three minutes, and I had prepared a fairly comprehensive report. I wanted to communicate that we believed that our work over the last 50 years should be recognized. I wanted to make the commissioners aware of several of the issues that we were involved with, namely Police and Criminal Justice, and Fair Immigration. Other members of the Board were in attendance. Our report had been produced by staff, and I was able to distribute copies to each commissioner and the Mayor.

It has been suggested by our Executive Committee that we have a retreat. We are supposed to have a retreat every two years to talk about our responsibilities and to plan for the next year under the leadership that has been selected. We will be joined in January 2014 by a new member, appointed by a commissioner. We hope to have a retreat in February.

Chairman Richardson: Next we will have reports from our two committees.

### **4. CRB Committees**

#### **a) Criminal Justice and Law Enforcement**

Mr. Edward Shohat: We are waiting to hold a meeting very shortly. We have a whole list of action items to address. Our plan is to convene a meeting of all the constituent organizations to prioritize what we will be doing going forward. I testified before the ABA Standing Committee in October during the members' stop in South Florida. They were conducting investigations on the Stand your Ground Law, and as a representative of the CRB, I presented testimony before the committee. None of the witnesses who testified defended this law.

Ms. Amy Carswell: I have just had a call from someone from the Department of Justice informing me that the department would announce their findings on their review of the Zimmerman case shortly.

Chairman Richardson: As you may be aware, on Monday, Mr. Zimmerman was arrested again.

**b) Fair Immigration**

Mr. Reinaldo Valdes: I would like to refer members to the preliminary report on the Immigration Summit that is in the packet. The Summit, which was held on October 29, and was facilitated by the Chair, was well attended: BCC Chairwoman Sosa and Commissioners Monestime, Heyman, and Suarez attended and addressed the attendees. Resolutions will be coming forth over the next weeks. At the back of the preliminary report, we have a resolution by the County Commission on the Immigration and Customs Enforcement Agency (ICE) holds. The Summit was televised, and was well attended by the organizations in the community dealing with these issues.

Ms. Carswell: In your packet, is the resolution proposed by Commissioners Heyman and Monestime on the ICE holds. The County has been holding people who have contravened the immigration laws. The County has found that it is not required to do this; in fact, the costs are extremely high. As part of the budget process, there was a proposal to discontinue this practice, and this resolution was adopted by the Commission. This item is on the agenda of the BCC's December 3<sup>rd</sup> meeting. Perhaps, the CRB could send a letter to the Commission in support of this resolution.

Mr. Valdes: This issue was discussed in a number of the Fair Immigration Committee meetings by our partner organizations. A coalition of organizations headed by Mr. Herman Martinez brought to the attention of the commissioners that the County had spent approximately \$1 million on these ICE holds, and had not been reimbursed.

Chairman Richardson: It appears that the resolution addresses the implementation of the policy on responding to detainer requests from the US Department of Homeland Security and is not asking for money.

Ms. Carswell: If you look at page five of the resolution, the "Now Therefore" clause directs the Mayor to implement the policy only if the

federal government agrees in writing to reimburse the County for any and all costs relating to compliance with such detainer requests.

Chairman Richardson: If we have a quorum later in the meeting, I will suggest that we vote on the proposal to write a letter in support of this resolution. If we do not have a quorum, I will exert executive privilege, and draft a letter on behalf of the CRB.

Mr. Valdes: At the Summit, we requested restitution of driving privileges for undocumented migrants and a moratorium on detentions and incarcerations of people convicted of committing minor offenses.

Mr. Ronald Fulton: The Government will be voting on immigration reform before the year ends.

Mr. Valdes: I don't believe that the immigration reform issue will be resolved in the House or the Senate before the end of the year. President Obama has said that if we did not have legislation to address the immigration issue, he intended to propose another solution.

Mr. Shohat: This problem of immigration detainers is prevalent across the country in communities with large undocumented populations. We should consider recommending that the problem be partially solved by requiring that any alien for whom there is a detainer who wishes to post a bond in a criminal case may do so on condition that the alien must honor any required appearances in immigration court. This is a solution that has been partially incorporated in other communities.

Mr. Valdes: They will not post bond because they know that they will be arrested immediately by ICE. If we want to know where the undocumented people are, we should give them drivers' licenses. They will purchase car insurance and help the economy. Restricting driving privileges is not a solution to the 12 million undocumented people in this country.

Chairman Richardson: What I propose we do is that we work out some solutions to these problems at the committee level. Therefore, when we come to the general meeting we can discuss the proposed solutions.

Mr. Ed Harris: Are we doing the work for ICE? I suggest that we sit down with the Miami-Dade Police Department to find out what their policy is, and what can they do regarding these traffic violations. If they take them no further, it would solve our problem.

Mr. Valdes: We have met with the police across the County, and the police tell us that they do not detain people for ICE. However, we know that is not the case, because we are deporting 1200 people a day. We are misusing taxpayer funds. We have to address the root cause of the problem, which is to deny undocumented people driving privileges.

## **5. Community Advocacy Board Updates**

Chairman Richardson: Last month, it was suggested that the Directors of the Community Advocacy Boards update us on their work every month at our general meetings.

### **a) Asian-American Advisory Board**

Mr. Adam Tavakoly: I am the Chair of the Asian-American Advisory Board. We have been concerned about what is happening in the Philippines. Many people have lost their lives, and we are trying to decide how we can help the survivors. We have also been discussing our vision for next year. We have two flagship events: Our scholarship event, in which we have given over \$75,000 to Asian-American student achievers, as well as some scholarships given on a humanitarian basis; and our community recognition event, which recognizes the work of community members.

Chairman Richardson: Do you have a 501C3 status, and if you do, who are the members of this organization?

Mr. Tavakoly: Yes we do, the Friends of the Asian-American Advisory Board. This organization is in charge of the fundraising. The family members of the Asian-American Advisory Board are involved in this organization. My suggestion is to create a formal Board for this organization.

Mr. Ahmed Kabani: How many members do you have? Do you have a website?

Mr. Tavakoly: We have 18 Board members on the Asian-American Advisory Board representing 26 countries. Asia has 52 countries. Our website is Friends of AAB.com.

### **b) Black Affairs Advisory Board**

Ms. Priscilla Dames-Blake: We had a symposium on October 17, "Miami's Black World Community, Our Present and Our Future", and I have a copy of our symposium report. State Representative Sharon Pritchett as well as Commissioners Jordan and Monestime attended. Everybody was excited, and we are making an action plan as a follow-up to the symposium.

At this time, the main point that I want to make is that I do not think the CRB or the Advisory Boards are doing enough. I am a conflict resolution practitioner. Over the years we have done a lot of good work but too many of our children are being killed. We are meeting a lot, we organize summits, town hall meetings and symposiums, but I don't know if we are having a significant impact. We should go to the Commission as a group and make them know what our needs are.

Mr. Kabani: Please brief us on your members.

Ms. Dames-Blake: I could do that but it would take a long time. The point is that we are not doing enough. The 50<sup>th</sup> anniversary required a great deal of planning, and a lot of money was spent, but we are not having a concrete impact.

Mr. Kabani: How would you make a difference?

Ms. Dames-Blake: I have been doing the best that I can. We complain in the meetings, and it is put in writing, but nothing is done about it. I have been on the Black Affairs Advisory Board for 14 years. The Black Affairs as well as the CRB are guilty of this: we need to be visionaries with guts, and get things done.

Chairman Richardson: I got together with Ms. Carswell and had her extract from our files what we had done to intervene in areas of tension, because this is our mission. We need to make sure that we are aware of what is going on in the County. Each of us is supposed to survey our geographical area to identify potential areas of conflict. That could help us identify areas where we could do more.

Dr. Capp: I think many of us share your frustration. Perhaps in our retreat we can examine how to go beyond advocacy and awareness-raising. We have done a lot to raise awareness on the Trayvon Martin issue this past year. The Immigration Summit was fantastic. It was televised and was very educational, but once we raise the level of awareness, some action steps should be taken. I think there are things that we can do that are very concrete. Maybe we need to hold people's feet to the fire, which would go beyond what we have done in the past. I am particularly concerned about violence in the community, especially gun violence.

Dames-Blake: If not us, then who?

Ed Harris: As I sit here and listen to the Chair's report, it is inconceivable that the County Commission only gave you three minutes to present your work. Our voice is not effectively heard. The Boards do things, but this is not manifested in an impactful way. This Board has the power, but is not using its voice. When I started there were 23 staff, and the staff has been decimated. We should not be reactionary, and only act when something bad has happened; we should prevent these things from happening in the first place.

Mr. Valdes: I feel that we are used as buffers for the community issues, rather than as advisors to the County commissioners.

Mr. Tavakoly: We all have frustrations. We are here as an Advisory Board to the commissioners and the Mayor. We need to have a relationship with the community not only when there is a disaster. We need to be pro-active, and this has been lacking for the past two years.

Chairman Richardson: What we did 50 years ago still goes on to a major extent. Back then, the leaders in the religious and business communities approached the Board to change some of the laws that affected the minority group of blacks. What happened in the ensuing years is that because of the presence of the CRB a lot of violence was prevented. To imply that we are not effective, because we are not engaged as we should be, is not correct. We all represent segments of Miami-Dade, and just by virtue of the members being on this Board, we have an impact. We can do more, and should do more. Unfortunately, we only have one staff person. Still, I think that we have been very effective, but there are people who do not value our work.

## **6. Discussions and Determinations**

### **a) Review of Proposed Amendments to the CRB Ordinance**

Chairman Richardson: Today we wanted to speak about the amendments to the CRB Ordinance proposed by the Director of the Community Advocacy Division. The Director, Mr. Rene Diaz, is with us today, at our invitation. You have in your packet a document that includes old language, proposed language, and language suggested by the Executive Committee.

Mr. Diaz: I'd like to thank Ms. Dames-Blake, Mr. Ed Harris, and Mr. Ruiz for participating in the Veteran's Day parade. I am proposing that an annual report be presented to the County Commission, but the Executive Committee seems to be opposed to this provision.

Mr. Shohat: As I recollect, there was some confusion, because what you are proposing is that the Community Advocacy Director would present a mid-year report.

Mr. Diaz: Currently, what you are required to do is to present a Sunset Review report every two years. When I became the Community Advocacy Director, I saw the importance for each Board to make a presentation to the County Commission every year.

Ms. Carswell: According to the Sunset Review process, every two years, each Board must submit a performance report; but in addition, according to



the CRB Ordinance, the Chair must present an annual report to the County Commission.

Mr. Shohat: The Director is proposing that he should make a mid-year report. What will be different under what you are proposing?

Mr. Diaz: There are six Advisory Boards in the Community Advocacy Division. Each board will present its yearly report. In addition, I am proposing to present a mid-year report on the work performed by the Division, as a whole.

Mr. Shohat: When will your report be produced?

Mr. Diaz: I will prepare a written report for the Mayor and the commissioners based on the information presented by the staff.

Dr. Capp: Your report will be a summary of the activities of the Community Advocacy Division.

Chairman Richardson: Therefore, do we want to keep the language?

Ms. Smith-Jackson: The first report will be our report, and the second report will be the director's report.

Mr. Shohat: Therefore, we should eliminate the current provisions, maintain the current reporting as per the ordinance, and add the Community Advisory Director's report.

Chairman Richardson: As it relates to absenteeism and attendance, the Director recommends that a quorum consist of 50 percent plus one.

Ms. Smith-Jackson: If the quorum is 50 percent plus one, the quorum will be the same whether there are 25 or 26 members.

Chairman Richardson: The Executive Committee recommended that the language proposed by Mr. Rene Diaz be kept.

Dr. Capp: On the third bullet, which states "A member of a County board shall be deemed absent from a meeting when he or she is not present at

the meeting at least 75 percent of the time”, anyone who is thirty minutes late will be considered absent.

Mr. Valdes: This is in our ordinance presently.

Discussion ensued regarding whether all Board members had been re-appointed by the County commissioners.

Ms. Carswell: ~~We have been using a loophole, which is that if~~ someone has not been officially re-appointed, the person currently in the seat serves as a Board member.

Ms. Dames-Blake: Sometimes loopholes are used to improve the board, but sometimes the same loopholes are used against individuals in a personal manner. This is why it is so important for all Board members to be re-appointed officially.

Chairman Richardson: The absenteeism and attendance section was approved by the Executive Committee, so no change is needed.

Chairman Richardson: The next section has to do with board appointments, and the Executive Committee approved the proposed language.

Mr. Shohat: We do not agree with the proposal that the 13 members appointed at-large be selected from each commission district.

Mr. Diaz: The Ordinance provides that the BCC has the sole authority to appoint. Currently, the CRB has members who were chosen by the Nominating Committee, but not necessarily from each commission district. The BCC has the discretion to approve or reject these appointments.

Chairman Richardson: We were trying to ensure that the 13 members appointed at-large reflected the ethnic, cultural make-up of the community.

Mr. Diaz: There is an online application for board membership that will be operational in January 2014. I am putting the ordinance from each board online to enable people to apply. However, candidates will be limited to the 13 commission districts.

Chairman Richardson: What is the problem with the Nominating Committee?

Ms. Smith-Jackson: There is no problem with the Nominating Committee, but the applicants must come from the commission districts. This restricts the choices of the Nominating Council.

Mr. Shohat: Has this issue been raised by the Commission? The way we choose our CRB members is because we look for ethnic and racial diversity, and we need to find people with the correct profile who will be active on the CRB. We have been operating a certain way, and nobody is questioning it.

Mr. Diaz: Please don't kill the messenger. I am simply interpreting the language of the ordinance. This has been brought to my attention.

Mr. Shohat: There is a provision that says that the Commission can appoint members, but the BCC members adopted an ordinance delegating authority to the CRB members to appoint 13 at-large members. You are interpreting the ordinance, and we disagree with your interpretation.

Mr. Diaz: There are the Standards for the Creation and Review of Boards, which set the language for the CRB Ordinance. This ordinance gives you the authority to select 13 at-large members, but says that only the BCC can appoint CRB members. In addition, there are the By-laws.

Chairman Richardson: The language that we propose includes the members of the Advisory Boards, and it best suits our purposes as we are different from other boards.

Mr. Diaz: Your functionality may differ from that of other boards, but you are not different from other boards.

Dr. Capp: The ordinance has been revised many times over the years, and it was written by the County Attorney. The reason why the Nominating Committee is allowed to appoint the 13 at-large members is to ensure diversity, as it allows the Board to appoint people that some commissioners

would not appoint. This Board can do things that the commissioners do not like. We need some unpopular people to serve on the Board.

Ms. Smith-Jackson: The language provides that each commissioner will appoint members, and that 13 members will be appointed at-large. If you say that the at-large members must be appointed from the commission districts, there is a contradiction, because they are not at-large.

Mr. Wilfredo Ruiz: Have you been directed by the commissioners to include this specific language?

Mr. Diaz: This is my language and I sat with the County Attorneys to interpret the language in the ordinance.

Mr. Ruiz: It is not acceptable to only accept members from the commission districts.

Mr. Diaz: You are an influential Board. It is not acceptable for you to appoint members only from certain parts of the community.

Chairman Richardson: Based on the discussion that I have heard so far, we like our language much better than your language. We propose that you consider our language.

Mr. Diaz: The BCC will have the final decision-making power.

Chairman Richardson: Sometime between now and January, Mr. Diaz will present his report to the BCC with his proposed language. We will also be present at that meeting to defend our language, and the Board will decide.

Mr. Diaz: The CRB will have 27 members. The Chairs of the Advisory Boards will serve as ex-officio, non-voting members, as the Council of Chairs is meeting on a regular basis. This does not affect the mission of the Board, and it will help me make my work easier.

Ms. Smith-Jackson: Perhaps these changes will not affect our mission, but they will affect our effectiveness. Mr. Diaz is proposing that no Board member serve for more than eight years; if this is approved, it will mean

that half of the members will have to leave. The people with the institutional knowledge will no longer be on the Board.

Chairman Richardson: We are telling you based on our experience what we believe is the best way to select members for our Board. I vehemently oppose what you are proposing. The Council of Chairs is a good idea, but if it takes Ms. Dames-Blake and Mr. Tavakoly away from us, this is not acceptable.

Mr. Ruiz: We had the impression that you came to this meeting to obtain our feedback, and that you would be willing to change your proposal.

Mr. Diaz: I have met with every board to inform them. I have met with the Executive Board twice to discuss this matter.

Mr. Ruiz: Informative sessions are not useful if feedback is not welcome and seriously considered.

Chairman Richardson: We have one or two more things to talk about. Please complete the area of concerns sheet, included in your packet. Please read the report on the Commission on the Status of Women.

Ms. York: I wanted to thank Rev. Richardson for being the keynote speaker at the Peace Poll event. This coming Sunday, the annual bazaar will take place at the Botanical Gardens in Miami Beach.

Chairman Richardson: Ms. York was recognized at the Peace Poll event.

Ms. Carswell: We have been given three possible dates for the Race exhibit. I wanted to find out from you which date would be best. The event will be held during mid-week from 6 to 8 p.m.

Chairman Richardson: You can choose one date for us. Will we have a December meeting? Let's aim to meet on December 18.

## 7. Adjournment

There being no other business to come before the Community Relations Board, the meeting adjourned at 4:21 p.m.

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	<u>MEMBERS</u>	<u>PRESENT</u>	<u>LATE</u>	<u>ABSENT</u>
<u>1</u>	<u>Dr. Larry Capp</u>	<u>x</u>		
<u>2</u>	<u>Lyse Cuellar-Vidal</u>			<u>x</u>
<u>3</u>	<u>Priscilla Dames-Blake</u>	<u>x</u>		
<u>4</u>	<u>Valerie Lynn Davis-Bailey</u>			<u>x</u>
<u>5</u>	<u>Michell Dunaj Lucking</u>			<u>x</u>
<u>6</u>	<u>Ronald Fulton</u>			<u>x</u>
<u>7</u>	<u>Rev. Eddie Gervais</u>			<u>x</u>
<u>8</u>	<u>Martha Gonzalez-Rovirosa</u>			<u>x</u>
<u>9</u>	<u>Ahmed Kabani</u>		<u>x</u>	
<u>10</u>	<u>Harlene Kennedy</u>	<u>resigned</u>		
<u>11</u>	<u>Maritza Lopez</u>			<u>x</u>
<u>12</u>	<u>Herman Martinez</u>			<u>x</u>
<u>13</u>	<u>Lovette McGill</u>			<u>x</u>
<u>14</u>	<u>Dr. Helen Lawrence McGuire</u>			<u>x</u>
<u>15</u>	<u>Dr. Walter Richardson</u>	<u>x</u>		
<u>16</u>	<u>Wilfredo Ruiz</u>	<u>x</u>		
<u>17</u>	<u>Brian Siegal</u>	<u>x</u>		
<u>18</u>	<u>Rabbi Solomon Schiff</u>			<u>x</u>
<u>19</u>	<u>Edward Shohat</u>	<u>x</u>		
<u>20</u>	<u>Vickie M. Smith Jackson</u>	<u>x</u>		
<u>21</u>	<u>Farzana M. Tapia</u>			<u>x</u>

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<u>22</u>	<u>Adam Tavakoly</u>	<u>x</u>		
<u>23</u>	<u>Reinaldo Valdes</u>	<u>x</u>		
<u>24</u>	<u>Dr. Harold A. Vieux</u>			<u>x</u>
<u>25</u>	<u>L. George Yap</u>			<u>x</u>
<u>26</u>	<u>Marjorie York</u>	<u>x</u>		
<u>28</u>				