MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF RAPID CITY AND THE MNILUZAHAN OKOLAKICYIYAPI AMBASSADORS, ESTABLISHING A PUBLIC-PRIVATE PARTNERSHIP FOR IMPROVING RACE RELATIONS IN RAPID CITY.

This Memorandum of Understanding is made and entered into between the City of Rapid City, a municipal corporation of the State of South Dakota, and Mniluzahan Okolakicyiyyapi Ambassadors (MOA).

WHEREAS, The Mniluzahan Okolakicyiyyapi Ambassadors, a group of Native and non-Native community leaders and stakeholders has since 2014 been working to “BEAM” (Bridge cultures, Educate ourselves and others, Advocate and Model behavior we want to see in others) in an effort to improve race relations in Rapid City; and

WHEREAS, with the increased awareness of racial inequities being at an all-time high since the death of George Floyd and the recent protests at Mount Rushmore, the need for MOA’s work in Rapid City is greater than ever; and

WHEREAS, last year the Mayor convened a task force to recommend a course of action for the future of the Rapid City Human Relations Commission (HRC), a City-sponsored group dedicated to handling discrimination claims within City limits; and

WHEREAS, during the course of the HRC Task Force’s meetings, they determined that while some of the HRC’s duties were redundant, the need for the group clearly still exists; and

WHEREAS, when the Task Force became aware of MOA and their work, they determined that the two groups share similar missions; and

WHEREAS, the Task Force has a strong desire to address race relations in Rapid City in a way that is inclusive, not punitive, and without duplicating work already being done; and

WHEREAS, MOA would like to seek financial support from private donors and grants to continue its work; and

WHEREAS, a partnership with the City would give MOA a permanent home and make it more competitive when seeking outside funding with the commitment and stability a home within the City would offer; and

WHEREAS, the Task Force is recommending a continuation of the HRC with a change in its operations, along with a merger with MOA, to continue improving race relations in Rapid City;

NOW, THEREFORE, the parties agree to merge the former Rapid City Human Relations Commission and MOA, with the following terms:
1. The City will provide office space and support for the new Commission/MOA and its staff, along with meeting space for the full Commission.

2. The City, with input from current MOAs, will appoint a total of nine (9) Commissioners to begin the work of rebuilding the HRC in accordance with the Task Force’s written recommendations.

3. MOA will seek both private and grant funds to continue the work of improving race relations, along with the newly formed HRC, to cover operating expenses during the first year. All private and grant funds raised shall be managed by the City.

4. The City agrees to consider funding a full-time Executive Director for the newly formed partnership in 2021, to oversee the work of the newly formed HRC and MOA. See the attached Job Description. The eventual goal is to have both staff and operating expenses split evenly between the City and outside sources.

5. MOA will work with the newly formed HRC to rewrite its ordinance and bylaws for the Rapid City Common Council’s approval sometime in 2021.

6. The newly formed partnership between the HRC and MOA will begin its work in accordance with the Task Force’s written recommendations (see attached).

CITY OF RAPID CITY

Steve Allender, Mayor

ATTEST:

Pauline Sumption, Finance Officer

MNILUZAHAN OKOLAKICIYAPI AMBASSADORS

Karen Matimu

BY:

Executive Director
Human Relations Commission Task Force

Recommendations- August 2020

Task Force Members (Mayoral appointments):

- Terra Houska
- Denise Maher
- Karen Mortimer
- Tony Rhodes
- Amy Sazue

Staff:

- Jessica Rogers (City Attorney’s Office)
- Kelsey Sakos (Mayor’s Office)

Introduction

The HRC Task Force was charged by the Mayor in August of 2019 with examining the former HRC and making recommendations for the future of this entity to serve our city. In response to this request, the Task Force recommends continuing the HRC in a new format. Formerly, the HRC primarily dealt with fielding complaints and had a role of examination and enforcement of consequences. This ‘judicial’ model was not working due to low community response. The Task Force has a strong desire to address race relations in Rapid City in a way that is inclusive, not punitive, and without duplicating work already being done.

Understanding a ‘complaint process’ is still an important role of this Commission, the Task Force is putting forward a different means of being responsive to community voices and is recommending an approach that is both reactive to citizen needs and proactive to support inclusivity, equity, and becoming a community resource. Therefore this plan addresses both the importance of addressing complaints in a meaningful way and the need to build community. Over the course of this Task Force’s work, it became apparent that there is already a group in Rapid City (MOA, Mniluzahan Okolakiciyapi Ambassadors) doing some, not all, of the work the Task Force is interested in. With the group’s goal to not duplicate efforts, the idea to merge these two organizations (HRC and MOA) into a public-private partnership, to both continue the work already begun by MOA and to implement the new recommendations for the new HRC. From the very start of MOA’s work to bridge cultures between Native and non-Native people in the Black Hills region, we have stood together, on equal footing, to find understanding amidst a complex and storied history, discover commonalities within our differences, set a positive and productive tone for hard conversations, and celebrate who we are as a culturally rich community. That is why MOA is a good fit.

This plan intends to create an inclusive alliance that promotes and ensures civil discourse, human rights, and resource development in Rapid City. Together, through education and
engagement, we hope to nurture a community culture that values equity, respect, and understanding. Now, more than ever, all voices need to be heard.

**HRC Functions:**

A. **Community Building**

This work, unique in our community, would focus on relationship building with growth through systemic leadership. We are trying to build a community that bridges cultures, educates ourselves and others, advocates, and models respectful behavior (BEAM). The new HRC group would champion an inclusive society where everyone takes responsibility for promoting and protecting human rights; where everyone is valued and treated with equal dignity and respect; and where everyone’s human rights are a lived reality.

The goal of the group’s community outreach would be to…

- Establish itself as a valid bridge between the citizens, businesses and the local government, to steer people in need to existing resources, and to gather information on where education or mediation services are needed in Rapid City.
- Provide information, education and messaging to the public on discrimination and related topics and provide a forum for civil discourse and conversation to foster learning, understanding, and problem solving.
- Provide opportunities for collaboration and connection and conversation on a regular basis to foster relationship building.
- Offer education on discrimination and related issues to area business, as part of an effort to reduce discrimination.
- Publicly support, recognize and herald people and institutions within our community who are examples of positive change, who are actively taking steps against discrimination, and who are promoting equal representation of minority groups in leadership positions.
- Gather information about existing local resources for citizens and compile a list of local resources and corresponding contact information, to be stored and maintained in a resource bank.
- Leverage social media and other communications that celebrate the Commission and keep the region informed on the many good things happening with this group and other collaborative efforts.
- Create and publish a quarterly e-newsletter.
- Create an ‘advisory council’ comprised of groups in our community with contributing missions and actions to collaborate, advise, and create resources. In order to keep the group connected with other community organizations, the Task Force recommends creating an Advisory Council made up of representatives of local organizations, such as the Care Campus, One Heart, RCCC, etc. The Council would meet quarterly to discuss community needs the individual members are seeing and to help guide the group’s outreach efforts. This is another
way the HRC would become a bridge between the citizens, businesses, and our local government.

B. The “Complaint Process”
The purpose of the merged MOA/new HRC would be to form a community alliance designed to be a neutral forum where all parties involved in a dispute could come and be heard. The goal of such discussions would be to acknowledge each side’s story, to diffuse existing tensions, and to seek solutions to benefit the entire community.

How could this process work? This is a projection of how this could look:
(see also attached flow chart)

- The Task Force is unanimous in the opinion that there is no use for the new HRC to serve as an adjudicator of discrimination complaints. There are existing processes in place at both the state and federal level, both of which have broader powers and trained staff to handle these sensitive legal issues. However, the Task Force recognizes the need to address concerns from the community in a meaningful way.
- When Commissioners become aware of a possible act of discrimination against a Rapid City citizen, they would reach out to the alleged offender and try to get them to agree to discuss the issue, to see if a peaceful resolution could be reached. One member would be assigned to help a complainant through the process, from start to finish.
- The preferred method of handling complaints would be to mediate (to invite both sides to come together and speak freely, and see if an amicable resolution can be reached). The Task Force imagines the mediation services as including traditional mediation, less formal open discussions, and other methods of conflict resolution, such as the Cultural Impact Panel recently developed by MOA and the City Attorney’s Office. The common thread among all these methods would be a focus on restorative justice.
- If a complaint cannot be resolved through mediation, the Commissioners would refer the complainant to the appropriate state and/or federal agency. However, because the complaint process can be confusing and intimidating, Commissioners would serve as case managers for citizens. First, they would be available to actually help file the complaint (done online). They would also be available as a second point of contact with the agency. If the complainant had questions throughout the process, the group would find answers and provide support.
- This role would be particularly important in issues involving the City or Rapid City Area Schools. While this group could not enforce solutions against either agency, it could provide a safe, neutral venue for citizens to discuss discrimination and for the agencies to respond. This is part of the Task Force’s goal of creating a bridge between the local government and our citizens.
HRC Structure

A. Governance/Leadership (reporting to the Mayor, the City Council and the Advisory Council)

- A nine member commission (appointed by the Mayor and approved by the Council/ with approximately 50% of the members as active MOAs) with bylaws and operational structure (to be developed). The Commissioners will be active participants in both the community building and complaint process functions of the plan. Specific plans and direction (including by-laws and ordinance revision) will commence when the Commissioners are named.
- Finding the right members will be crucial to the new group’s success. The Task Force strongly believes the selection process should include an in-person interview, both to ensure that the applicant understands the duties and time commitment involved in serving as Commissioner and to ensure that the applicant is a good fit, with the right positive attitude. The Task Force recommends a slightly larger group, with nine Commissioners, representing the diverse population of Rapid City. Ideally, the racial, religious, and gender distribution would match that of our City.
- In order to fairly represent the merging of MOA with the new HRC, the initial Commission should be composed of 4-5 existing MOA members, with the remaining members to be appointed by the Mayor.
- Commissioners will all undergo training on existing state and federal complaint processes, some of which may be provided by the City Attorney’s Office.
- A dedicated employee (Executive Director hired as 1 FTE)
- It is important to the Task Force that the group be accountable to both the City government and the citizens. It recommends a quarterly report to City Council which would also be actively publicized. The report would include a summary of all outreach activities, any reports of discrimination, mediation held, and any recognitions of people and institutions doing ‘good’ in our community.

B. Public – Private Partnership

The Task Force is recommending a funding commitment from the City, to partially support the work of the new HRC/MOA, including the recommended staff position (Executive Director), to be matched by private and/or grant funds. After the initial “Pilot” (TBD) period, the Task Force would like to see 50/50 City/private funding for the
staff position, with private funds covering operating costs. Additionally, the group would like the City to commit to “housing” the group, with office space for the staff position, plus available group meeting space, telephone/internet access, etc. Attached as Addendum A is a draft budget proposal for the first year. The City would take over management of MOA/HRC funds.

Request to City:

Space- We are asking the City of Rapid City provide a space and support for the Commission/MOA and its staff, along with meeting space for the full Commission.

Employee- We are asking that the City of Rapid City consider the funding of a full time Executive Director for 2021, with the goal of a shared funding support going forward between the City and private funding.

MOA funding responsibilities- MOA will seek both private and grant funds to continue the work of improving race relations, along with the newly formed HRC, and to cover operating expenses during the first year. All funds raised shall be managed by the City.

Examples include:

Seeking funds from private entities (donors, foundations, businesses and other funders to support events, convenings, championing events, as well as strategic development and evaluation).

Seeking funds to support the development of a plan with inclusive goals and key measures in alignment with the City’s comprehensive plan and to create data driven decision making and future planning.
ADDENDUM A

The following expected expenses are a baseline to create a sustainable organization to serve our Community. The new partnership will act as a catalyst for future grant writing and creative approaches that would support the mission and support the expense budget.

<table>
<thead>
<tr>
<th>EXPENSES (one year)</th>
<th>Notes</th>
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<tbody>
<tr>
<td><strong>Staffing Expenses</strong></td>
<td><strong>NO CITY EXPENSES FOR 2020</strong></td>
</tr>
<tr>
<td>Staff position-Director- full time</td>
<td>$60,000 - $80,000 The primary responsibility of the Director is to act as a networking catalyst, encourager, partnership broker, community builder, convener and champion for the people interested in continuing to build and celebrate the defined mission and vision. The administrative duties include financial and budget management, project management, fundraising as well as responsibility to and communication with the Commissioners, Advisory Council, and City Council.</td>
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<tr>
<td>($55,000/ year)</td>
<td></td>
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<tr>
<td>Mentoring for new director</td>
<td>$5000 Mentor will provide intensive support to transfer not only the duties of the director, but to co-create the new role of a full time director. It is critical to share the networking and philosophy that has driven MOA (and other organizations) in its growth, but also to provide a bridge to assist the new director to find their own leadership path with the support of experience. The goal will be to support the new partnership to become an even better resource and ‘connector’ for our community. Regularly planned meetings and shared experiences will commence upon the time of the new hire and continue for 6 months or as designated by the Commissioners. *Privately funded.</td>
</tr>
<tr>
<td>Operating expenses</td>
<td>$13,000 *Privately funded through 2021</td>
</tr>
<tr>
<td>Office Space</td>
<td>0 City provides rent-free space for operations.</td>
</tr>
<tr>
<td>Supplies and marketing</td>
<td>$3000</td>
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<td>------------------------</td>
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| Events, sponsorships and convenings  
(10,000/year) | $10,000 | This funding would support events to convene stakeholders and continued collaborative events to support and expand the work of the new partnership. This would include cohort convenings, support to ‘champion’ events in our community and other programmatic work.. |
| **TOTAL:** | **$85,800-100,500** | |
| **TOTAL 2020:** | **$13,000-18,000** | *FULLY FUNDED THROUGH PRIVATE/GRANT FUNDS |

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<thead>
<tr>
<th>INCOME</th>
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<tr>
<td>GRANT from the South Dakota Community Foundation</td>
<td>$10,000</td>
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<tr>
<td>Remaining MOA Funds</td>
<td>$1000-$2000</td>
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City of Rapid City
Job Description

<table>
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<tr>
<th>Job Title</th>
<th>TBD Executive Director</th>
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<tr>
<td>Job Code:</td>
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<tr>
<td>Pay Grade:</td>
<td>NU21</td>
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<tr>
<td>FLSA Status:</td>
<td>Exempt</td>
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<td>Job Family:</td>
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</tr>
<tr>
<td>Date Revised:</td>
<td>7/29/2020</td>
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**General Summary:** Responsible for overseeing the administration, mission and the strategic plan of the ‘commission’. The administrative duties include financial and budget management, project management, grant writing as well as responsibility to and communication with the Commissioners, Advisory Council, and City Council.

**Essential Duties and Responsibilities:**

*The intent of this job description is to provide a representative summary of the major duties and responsibilities performed by incumbents of this job. Incumbents may be requested to perform job-related tasks other than those specifically presented in this description.*

- Establish and maintain contacts in the community with other groups for purposes of collaboration, who are likewise concerned and directly interested in promoting better understanding and relationships among diverse groups.
- Establish detailed and strategic plans to accomplish goals, including a defined plan to increase awareness, economic opportunity, education, and in general, better and more harmonious relationships.
- Develop and utilize various communication platforms to disseminate information relevant to improvement of relationships, e.g. social media, website, news-letters, billboards, lawn signs, educational videos inclusive messages, etc. (Leader should have adequate technical skills).
- Organize and hold regular community events including education and/or interactive conferences and workshops on race, historical context, economic and education challenges and possible solutions present in our community, and potentially a myriad of other topics.
- Continue the relationship building begun by MOA, including partnering in the Lakota Nation Invitational, Black Hills Powwow and other cultural events.
- Engage with community and tribal leaders to improve relationships.
- Encourage and advise Mayor and City leaders to adopt policies and laws that promote stronger relationships between diverse groups in the community.
- Act as a convener of diverse groups to discuss and collaborate on efforts to improve relationships.
- Act as a mediator and bridge in instances where racial unrest or distrust are at particularly high levels.

**Qualifications:**

**Education and/or Experience:**

Bachelor’s degree in business administration, sociology, race relations or related field from an accredited university and five (5) years progressively responsible experience in working both independently and collaboratively in closely related field; or any such combination of education, experience, and training as may be acceptable to the hiring authority.
Certificates, Licenses, Registrations:

Must possess a valid driver’s license or ability to obtain within 30 days from date of hire.

OTHER SKILLS AND ABILITIES

- Demonstrated knowledge of general office support procedures.
- Demonstrated proficiency with Microsoft® Office products, other general business software, including web-based systems.
- The ability to effectively and professionally communicate verbally and in written form.

Working Conditions:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Most work is performed indoors in an office where noise and interruptions often occur. Ideal candidate will have the ability to effectively prioritize and execute tasks in a high-pressure, high-expectation environment; working independently and in a team-orientation, collaborative environment.

Physical Demands:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to stand; walk; use hands to finger, handle, or feel and reach with hands and arms. The employee is frequently required to sit; stoop, kneel, crouch, or crawl and talk or hear. The employee must regularly lift and /or move up to 10 pounds. The employee will be required to communicate effectively orally and in writing. Ability to maintain a professional appearance and demeanor is necessary.