



# City of Madison

City of Madison  
Madison, WI 53703  
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## Meeting Minutes - Approved EQUAL OPPORTUNITIES COMMISSION

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Thursday, August 8, 2013

5:00 PM

215 Martin Luther King, Jr. Blvd.  
Room LL-120 (Madison Municipal Building)

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### CALL TO ORDER / ROLL CALL

Staff: (5) Eric Kestin, Adriana Peguero, Kate McCarthy, Alyssa Riphon and Charlyn Cruz-Nuñez

Present: (9) Brian Benford, David A. Bolles, Katherine Cramer, William (Bill) Fetty, John L. Quinlan, Hedi L. Rudd, Sean A. Saiz, Narendra K. Sinha and Anita Weier

Absent: (1) Shawn F. Peters

Excused: (2) Brandon M. Johnson and Charles E. McDowell

### APPROVAL OF MINUTES

A motion was made by Alder Weier and seconded by Commissioner Fetty to approve the July 11, 2013 minutes. The motion passed by voice vote/other.

### PUBLIC COMMENT

Mr. Barkoff addressed the Commission with regard to item number two of the agenda. He suggested additional points for the Commission to consider in the discussion of homeless rights, such as access to bathroom facilities. Commissioner Fetty moved to add two extra minutes to Mr. Barkoff's public comment. The motion was seconded by Commissioner Cramer and passed by voice vote/other.

Ms. Konkell addressed the Commission with regard to item number two of the agenda. She suggested the Commission consider the possibility of homeless rights directly violating some current Madison General Ordinances, and the need to amend or repeal these laws in order to have the ability to sustain those rights. She expressed her support in creating "Homelessness" as a protected class.

Mr. Barbett addressed the Commission with regard to item number two of the agenda. His comment focused on the issue of shelter, and he suggested the Commission consider safe shelter as a right to homeless, which could include access to 365-day shelter with building inspections and capacity checks.

Mr. Williams addressed the Commission with regard to item number two of the agenda. He expressed his support in creating rights for the homeless population.

Ms. Pastor addressed the Commission with regard to item number two of the agenda. She expressed her support and belief that in creating rights for the homeless population, the Commission would then be helping to establish the foundation of a just society.

After public comment, Commissioner Quinlan inquires of creative solutions to the issue of property from Ms. Konkell, as well as the public response to homeless residing in neighborhoods.

#### DISCLOSURES AND RECUSALS

None.

#### DISCUSSION ITEMS

1. Unemployment Protection

Commissioner Fetty moved to change discussion item number two to discussion item number one on the agenda. The motion was seconded by Commissioner Rudd and passed by voice vote/other.

2. Homeless Protected Class

As a framework for discussion, Mr. Kestin utilizes a bill of rights summary created from the attachments to this agenda item.

The body discussed the right of homeless to utilize public spaces. Alder Weier began discussion by a motion for point of information in the definition of "public spaces", and clarification was provided by Mr. Kestin. The body discussed the addition of "move freely" to this right. The body voted in confirmation of the homeless "right to move freely and use public spaces" without any conflict with Madison General Ordinance.

The body discussed the right of homeless to rest and sleep in public spaces without obstruction to passage. President Benford moves for a point of information from Ms. Peguero in regard to the current Madison General Ordinances that interact with this statement. Ms. Peguero read portions of the "Unlawful Trespass" Madison General Ordinance that may interfere, including MGO 23.07(6)(a) and MGO 23.07(6)(b). President Benford moved for point of information from Ms. Peguero by inquiring whether the ordinance pertains to public or private entities, in which Ms. Peguero clarified the ordinance as encompassing both. After discussion, Commissioner Quinlan tabled the consideration due to its conflict with the existing Madison General Ordinance. The motion was seconded by Commissioner Fetty and passed by voice vote/other.

The body discussed the right to leave at rest personal property in public spaces as long as passage is not obstructed, as well as the right to restitution if confiscated. The body discussed this issue in relation to the new Madison General Ordinance encompassing abandoned property (chapter 27).

In lieu of time constraints, Commissioner Quinlan motions review numbers thirteen through twenty of the bill of rights summary. Commissioner Cramer

amends the motion to add one, six and seven to the initial motion. Commissioner Bolles amended Commissioner Cramer's motion by eradicating seventeen and eighteen. The final amended motion was to review one, six, seven and thirteen through sixteen. The motion was seconded by Commissioner Fetty and passed by voice vote/other.

Commissioner Cramer motioned to craft a statement from the Commission to the public about homeless rights. The motion was seconded by Commissioner Rudd and passed by voice vote/other. Commissioner Bolles motioned to adopt the Connecticut statement with modifications for the City, and then review the statement at the next meeting. This motion was seconded by Commissioner Fetty and passed by voice vote/other.

A motion was made to table the remainder of the agenda, except for future topics from the floor, to next month. This motion was seconded and passed by voice vote/other.

3. Hip Hop Subcommittee  
    **Tabled to next meeting.**
4. Diversity in Entertainment  
    **Tabled to next meeting.**
5. Commission Retreat  
    **Tabled to next meeting.**

#### **REPORTS**

6. Director's Report  
    **Tabled to next meeting.**
7. President's Report  
    **Tabled to next meeting.**
8. Committee Reports  
    **Tabled to next meeting.**
9. Common Council Report  
    **Tabled to next meeting.**
10. Appeals Committee Report  
    **Tabled to next meeting.**

#### **FUTURE TOPICS FROM THE FLOOR**

The Commission proposed to add a discussion of "Homeless" as a protected class, as well as a review of the crafted resolution, to the next agenda.

**ANNOUNCEMENTS**

Tabled to next meeting.

**ADJOURNMENT**

At 7:04 P.M., Commissioner Quinlan moved to adjourn the meeting. The motion was seconded by Commissioner Cramer and was passed by voice vote/other.