



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Amended AFFIRMATIVE ACTION COMMISSION

Tuesday, July 14, 2009

5:00 PM

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

1. CALL TO ORDER / ROLL CALL

The meeting was called to order, Chrisian Odom presiding, at 5:12 p.m.

Present: 6 -

Bert G. Zipperer; Sharyl J. Kato; Theola V. Carter; Christian L. Odom;
Donna V. Hurd and Bhavani "Shree" Sridharan

Excused: 4 -

Joseph R. Clausius; Augustine S. Tatus; James J. Chiolino and Lucia
Nunez

Staff Present: Norman Davis and Cindy Wick

2. APPROVAL OF MINUTES

A motion was made by Zipperer, seconded by Sridharan, to Approve the Minutes with the following amendment: on page 7, second full paragraph, the motion to delete words from the main motion was seconded by Kato. The motion passed by voice vote/other.

3. PUBLIC COMMENT

None.

REPORTS

4. [14148](#) DIRECTOR'S REPORT- Presented for information only. No action required

Lucía Nuñez, DCR Director, will report on the following:

-Her activities since the last meeting

-Staff activities since the last meeting

--Update on the Proposed Drivers License Recovery Program

-Activities of the Equal Opportunities Commission and Commission on Persons with Disabilities since the last meeting.

Wick indicated that Lucía Nuñez was unable to attend the meeting due to illness. She asked Wick to provide her report. Wick reported that the Mayor

had released instructions for the 2010 budget earlier that day. Each department will be given a target amount. The department must provide a budget at target and a second budget reflecting a 6% reduction from the initial target. Budgets are due August 7.

5. [14091](#)

DIVISION MANAGER'S REPORT

Norman Davis, Affirmative Action Division Manager, will report on activities of the Division since the last meeting, including:

-- Requests from Contractors for Appeals

Norman Davis reminded Commissioners that the DCR Diversity Picnic is scheduled for July 16. Commissioners were encouraged to attend.

Davis distributed and explained a report showing contractors, vendors and community based organizations (attached).

Zipperer requested a session on what is looked at when a contractor or vendor does not meet hiring goals. What constitutes a good faith effort?

Hurd asked if there is a way to compare hiring data to population data? Davis replied that generally the overall utilization has exceeded the goal for the last 5-6 years. Madison Measures has set a goal of 10% which has been exceeded.

Contractors that are not meeting the goal must show good faith efforts toward meeting the goal in the Affirmative Action Plan, or it will not be approved.

Employers with less than 15 employees are exempt and are not required to meet the goal.

In response to a question, Davis indicated that last year there were only three contractors that were not approved: Zimbrick, Progress and King Luminere.

Davis indicated that the Division does not rubber stamp Affirmative Action Plans. Data must be provided. If no hiring is going on, there is no harm, no foul. Data is collected once annually for contractors and vendors, and once every two years for CBO's.

Goals are established based on disparity studies that were done some time ago. These studies are very expensive to conduct and there is no plan to obtain new studies in the near future.

Zipperer would like the Commission to look closer at those that do not meet their goal and how we can help them do better.

Davis stated that there is a very narrow slice of law that allows the City to have this type of goal--whatever the standard, it has to be as objective as possible.

Kato asked if the Division provides technical support. Davis indicated that contracting agencies have pushed for this. The Division provides resource lists, sample forms and other guides.

Hurd asked, since goals are based on the percentage of the population that is ready, willing and able to work, are the goals reasonable? Davis stated that they are, but agreed that data on availability and goals could be added to the report. He indicated, as an example, that on the Allied Drive project, a higher goal was established because of availability in the neighborhood.

It was agreed to include a more in depth discussion on a future agenda.

6. [07972](#) COMMON COUNCIL UPDATE BY ALD. CLAUSIUS--Presented for information only. No action required.

No report.

DISCUSSION ITEMS

7. [15337](#) Proposed Affirmative Action Commission Rule Creating the New Officer Position: Second Vice President

Attachments: [Notice of Rule Amendment.pdf](#)

A motion was made by Zipperer, seconded by Carter, to Approve the amendment to the Rules of the Commission as proposed. The motion passed by voice vote/other.

8. [14146](#) Discussion regarding Proposal to Authorize Boards, Commissions and Committees to sponsor ordinances and ordinance amendments

Attachments: [Resolution.pdf](#)
[Sponsorship ordinance background.pdf](#)
[Resolution, Subcomte Version.pdf](#)
[Substitute Sponsorship Resolution.pdf](#)

Zipperer reported that the revised resolution was presented to the EOC Executive Committee who recommended a modification. The Equal Opportunities Commission approved the resolution as amended. That version is before the Affirmative Action Commission for its consideration. The resolution will also be presented to the Commission on People with Disabilities.

Zipperer explained that approval by the three Commissions is the beginning of our work. The Commission will need to speak with alders to persuade them to support the proposal.

Kato suggested developing some talking points or a question and answer sheet.

Davis asked if there was any concern about other boards, commissions and committees asking for a "me too" clause? Generally, the Commission had no objection, but thought it was up to these boards, commissions and committees to pursue and justify the coverage themselves.

Hurd asked how the Commission pursuing this change could impact the Department of Civil Rights. It was also suggested that feedback be sought from the Mayor via Mayoral Assistant Ray Harmon.

The Commission sees the resolution as a proactive policy, rather than a reaction to something that has not yet occurred. Davis expressed concerns regarding the resolution, but indicated that he believed in the Commission and would continue to support the Commission through this process.

A motion was made by Carter, seconded by Hurd, to Refer to the next meeting of the AFFIRMATIVE ACTION COMMISSION to provide an opportunity to obtain the support of the Commission on People with Disabilities. The motion passed by voice vote/other.

9. [12950](#) 2009 Workplan Development

Referred to next meeting.

10. [15347](#) Consider proposing amendments to the Affirmative Action Ordinance to specify the terms of Commissioners to be three (3) years.

This would make the terms on the three commissions staffed by the Department of Civil Rights consistent.

Referred to next meeting.

11. [15348](#) Discussion regarding amending the Rules of the Affirmative Action Commission to change the term of officers from two years to one year.

Referred to next meeting.

12. INTRODUCTION OF FUTURE TOPICS FROM THE FLOOR

None.

13. ADJOURNMENT

A motion was made by Ms. Hurd, seconded by Sridharan, to Adjourn. The motion passed by voice vote/other.