



City of Madison

City of Madison
Madison, WI 53703
www.cityofmadison.com

Meeting Minutes - Draft EQUAL OPPORTUNITIES COMMISSION

Thursday, May 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 at 5:06 p.m. by Steve Morrison in the absence of the Chair and Vice Chair.

Present: 8 -

Coco Bustamante; Katherine Cramer Walsh; Carousel Andrea S. Bayrd; Amanda L. Harrington; Erika H. Braunginn; Charles E. McDowell; Donna V. Hurd and Steven H. Morrison

Absent: 2 -

Nia Enemuoh-Trammell and Brian Benford

Excused: 3 -

Brian L. Solomon; John L. Quinlan and Bert G. Zipperer

Staff: Ariel Ford, Lucia Nunez, and Cindy Wick

The Commission welcomed new Commissioner Amanda Harrington and introduced themselves.

2. APPROVAL OF MINUTES

On a motion made by Walsh and seconded by McDowell, the minutes of the March 12, 2009 meeting were approved with the following amendments:

Page 3, Item 8, Paragraph 2, Line 3 was changed to read: "discussed at the next Common Council meeting on March 17, 2009."

Motion passed by voice vote/other.

3. PUBLIC COMMENT

None.

REPORTS

4. [08355](#) PRESIDENT'S REPORT--For information only. No action required.

Bert Zipperer, EOC President, will summarize meetings attended and other related activities on behalf of the Commission since the last Commission meeting. For information only. Any item raised for future discussion will be posted on the next agenda.

None.

5. [13093](#)

DIRECTOR'S REPORT- For information only. No action required.

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

- a. Her activities and meetings since the last meeting.*
- b. Update on agency activities.*

Lucia Nunez reported that last week was Public Sector Employee Recognition Week and that Cindy Wick had received a certificate for 36 years of service to the City of Madison.

The Common Council considered the Curfew Ordinance proposal on May 5. The Council rejected the time change, but adopted the exceptions to the Ordinance. Ald. Brian Solomon made an appeal to repeal the entire Ordinance.

The Chronic Nuisance Ordinance is scheduled for Common Council consideration on May 19.

The Mayor will issue Capital Budget instructions next week. The Operating Budget process will begin in July.

Commissioner Nia Enemuoh-Trammell arrived at 5:09 p.m. and assumed the Chair.

Present: 9 -

Nia Enemuoh-Trammell; Coco Bustamante; Katherine Cramer Walsh; Carousel Andrea S. Bayrd; Amanda L. Harrington; Erika H. Braunginn; Charles E. McDowell; Donna V. Hurd and Steven H. Morrison

Absent: 1 -

Brian Benford

Excused: 3 -

Brian L. Solomon; John L. Quinlan and Bert G. Zipperer

Lucia Nunez, Director of the Department of Civil Rights, stated that she believes that the 2010 budget process will not be a pretty one due to the economy, dropping property values, and the loss of State revenue.

The EEOC annual training conference will be held June 3-5 in Baltimore. Attendance at this conference is mandatory as part of the Equal Opportunities Division's annual contract.

The Affirmative Action Commission met on May 12 and discussed the inability of Boards, Committees, and Commissions to sponsor resolutions and ordinances before the Common Council. Wick is preparing a report providing historical background on the ordinance that establishes this policy for the

Commission.

The Commission on People with Disabilities is looking at the recent change relative to the loss of tax-exempt status for many providers of low-income housing. The Common Council has adopted a resolution encouraging the State legislature to change State policy. This change came about as the result of the City's attempt to get clarification of the law through court litigation.

6. [08357](#)

DIVISION MANAGER'S REPORT--For information only. No action required.

Ariel Ford, Equal Opportunities Division Manager, will report on the following:

- a. Activities of the Division since the last meeting.*
- b. Update on staff activities.*
- c. Update on the EEOC Contract.*

Ariel Ford, Equal Opportunities Division Manager, reported that a new Investigator has been hired. Melissa Gombar will start work June 1. Gombar was previously employed by Centro Hispano. She will attend the EEOC Training Conference with Nunez.

Ford has yet to meet with Ald. Solomon to request his sponsorship of several amendments to the Equal Opportunities Ordinance. The Executive Committee is examining these ordinance amendments and would like to have draft ordinance proposals to examine.

Annie Weatherby-Flowers continues to conduct training and outreach.

Morrison asked if Gombar is an attorney. Ford responded that she is not. Morrison asked what impact this would have on efforts to clear up the backlog that the Hearing Examiner has using the investigators and the hourly Aide to the Hearing Examiner, who are attorneys.

7. [12507](#)

COMMON COUNCIL UPDATE--For information only. No action required.

Ald. Brian Solomon will provide an update on Common Council actions since the last Commission meeting.

No report.

8. [14551](#)

COMMITTEE REPORTS

A summary of activities at the Committee meetings held since the last Commission meeting will be provided for information only. No action required. Any item raised for discussion appears under New Business or will be posted on the next agenda.

- a. EOC Executive Committee--Bayrd
- b. EOC Employment Committee

a. EOC Executive Committee -- Bayrd

Bayrd reported that the Executive Committee had reviewed and approved the Report of the Ad Hoc Committee on Check Cashing that is on tonight's agenda.

The Committee continues to work on proposed ideas for amendments to the Equal Opportunities Ordinance.

A new topic that the Committee will examine is the use of tasers by the Madison Police Department. Bayrd would like the Committee to review the policy of the Department versus how the Department actually uses tasers when there is no threat of deadly force.

Assistant to the Mayor Mario Mendoza attended the last Executive Committee meeting to discuss whether the City should advocate for adding domestic partners to the State law on domestic abuse. He will ask the City Attorney for an opinion on whether there will be any adverse impact of adding this coverage.

The Committee also examined the Affirmative Action Plan that has been issued by the Affirmative Action Division. Former Ald. Brenda Konkel had raised issues relative to the membership on City Boards, Commissions, and Committees and Management Salaries. The Affirmative Action Division has prepared its annual updates on the reports it previously issued on these concerns. The Executive Committee will study these reports and keep the Commission informed if they find any areas of concern.

b. EOC Employment Committee

Ford reported that the EOC Employment Committee would hold its annual retreat on June 11. Andrea Smelzer is the Chair of the Committee. The EOC does not currently have a liaison to the Committee. Commissioners were asked to look at their schedules to see if they could attend some of the Committee's meetings.

9. [13853](#) APPEALS COMMITTEE REPORT

For information only. No action required.

A new appeal has been received. The Commissioners assigned to the April/May/June Appeals Panel will consider the appeal in Stewart v. Capital Newspapers, EOD Case No. 20072058.

10. [14633](#) APPROVAL OF THE FINAL REPORT OF THE EOC AD HOC COMMITTEE ON CHECK CASHING

Attachments: [check cashing report.pdf](#)

Enemuoh-Trammell provided background on the Ad Hoc Committee. The Committee was formed by the Commission in response to concerns raised by former Ald. Santiago Rosas. Based on research it conducted, the Committee came to the conclusion that the EOC had no jurisdiction over this matter. The Committee did learn that the City had passed zoning that restricted the location of new payday loan businesses. The Committee also met with a representative of the UW Law School. The Committee has come to the conclusion that the most the Commission can do is take an educational approach to the problem and make recommendations.

Commissioner asked for information on how Ad Hoc Committees are formed. Enemuoh-Trammell responded that generally a Commissioner would raise an issue that the Commission will decide to study. An Ad Hoc Committee is then formed and Commissioners volunteer to serve.

Morrison raised a concern with the recommendation in the report. He stated that if the City forces payday loan establishments out of town, they force people underground who need a source to cash checks. Closing down the establishments does not provide a solution to the problem because banks and credit unions won't open in those neighborhoods. Alternatives need to be explored.

On a motion made by Morrison and seconded by Hurd the Commission approved the Report of the EOC Ad Hoc Committee on Check Cashing with the elimination of the last paragraph. Motion passed by voice vote/other.

11. [14583](#)

APPOINTMENT OF NOMINATING COMMITTEE

Selection of Commissioners to nominate members to serve on the EOC Executive Committee.

Commissioners Morrison, Enemuoh-Trammell, and Braunginn volunteered to serve on the nominating Committee. The Committee will present a recommended slate of officers for the EOC Executive Committee at the next meeting. The EOC Executive Committee is composed of the President, Vice President, Secretary, two Members at Large and two Alternates.

12. INTRODUCTION OF FUTURE TOPICS FROM THE FLOOR

Braunginn asked if the issue of access to sidewalks in winter by people with disabilities was an issue the Commission could address. Nunez stated that this is an issue that the Commission on People with Disabilities has already been addressing. The Committee met with the Streets Department to assure that bus stops and curb cuts are cleared. A number of meetings have been held to address the problem. A list has been updated identifying major areas in the Isthmus that the City needs to be sure are cleared. In neighborhoods, residents are responsible for the snow removal. The Building Inspection Unit may levy fines. Fines have been increased. The CPD keeps this issue on their radar screen. Nunez will keep the Commission updated on this issue.

McDowell asked what the role of the Commission was on the President's

stimulus relative to the funds that the City receives. If the City applies and is awarded funds, a resolution must be introduced and approved by the Common Council. First the Board of Estimates would consider that resolution. Community and Economic Development as well as the Community Development Block Grant (CDBG) Offices or Commissions might also be involved. Madison Metro will also apply for funds for hybrid buses. There is a long list of types of funds available.

McDowell stated that he wants to be proactive. What would the Commission's role be if a complaint comes in? Ford stated that if a complaint is filed that alleges the City has discriminated against one in the areas of housing, employment, or public accommodations for a reason covered by the Equal Opportunities Ordinance, the complaint would go through the agency's complaint process.

Bayrd stated that the Administrative Review Board also looks at complaints against the City. It was suggested that this could also be an issue for the Affirmative Action Division on shovel-ready projects that go through the City bidding process guided by the Department of Public Works. The CDBG will do a request for proposals. Only non-profit organizations will be eligible to apply.

Capitol improvements related to Madison Metro would be guided by the Department of Transportation. Nunez will try to send Commissioners an electronic list of where stimulus funds may be applied for. She has a list of funds applied for, but does not have information yet on what funds have been awarded.

Commissioners were encouraged to refer individuals with concerns to the DCR offices. The agency does its best to put individuals in contact with an agency that can assist them.

13. ADJOURNMENT

On a motion from Morrison and seconded by Hurd, the meeting adjourned at 5:55 p.m. Motion passed by voice vote/other.