



# City of Madison

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

## Meeting Minutes - Approved EQUAL OPPORTUNITIES COMMISSION

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Thursday, November 8, 2012

5:00 PM

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

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### 1. CALL TO ORDER / ROLL CALL

**President Brian Benford called the meeting to order at 5:00 p.m.**

**Present:** 10 -

Hedi L. Rudd; Brian Benford; John L. Quinlan; Sean A. Saiz; Katherine Cramer Walsh; Shawn F. Peters; Brandon M. Johnson; William (Bill) Fetty; Narendra Sinha and Benjamin M. Nerad

**Absent:** 1 -

Charles E. McDowell

**Excused:** 1 -

Brian L. Solomon

**Staff:** Rachel Campbell, Marcus Miles, and Lucía Nuñez

### 2. APPROVAL OF MINUTES

On a motion from Walsh, seconded by Rudd, the October 11, 2012 minutes were approved without correction. Motion passed by voice vote/other.

### 3. PUBLIC COMMENT

None.

### 4. DISCLOSURES AND RECUSALS

None.

### DISCUSSION ITEMS

### 5. Recognizing former EOC President Coco Bustamante

Campbell reported that a commemorative plaque was mailed that afternoon to

Bustamante thanking her for her four years of service on the Commission.

6. [28158](#) Housing and homelessness in Madison

Nuñez reviewed the history of this item for Commissioners not present at the previous meeting. A member of the public arrived to speak to this issue at this time, and the Commission agreed to allow for public comment out of order. On a motion from Quinlan, seconded by Sinha, comment as extended beyond three minutes.

Edward Kuharski, resident of Madison and advocate for the homeless community, spoke about the apparent discrimination in Madison against the homeless. A suggested example of this being when the Madison Police Department recently arranged for several homeless individuals' personal belongings to be thrown away. Though the belongings were eventually returned and Chief Noble Wray issued a sincere apology, in Kuharski's opinion this and other incidents constitute clear discrimination against what should be a protected class of people. Though many homeless people are discriminated against based on their races, sexes, ages, disabilities, and other already-protected classes to which they belong, Kuharski assured the Commission that more protection is needed.

Commissioners asked Kuharski clarifying questions and discussed the issue. Miles suggested that the Commission can either choose to create a protected class for homelessness in MGO 39.03 or look into what protections already exist for the homeless in ours and other City ordinances and state statutes. Nuñez emphasized that the EOD and Commission do not have jurisdiction over the MPD, nor over zoning and building safety codes, but the Commission is empowered to study and advise. Discussion ensued and Quinlan suggested inviting Wray to speak to this issue at a future meeting. Benford concluded discussion by asking staff to look into relevant local and state protections for discussion at the December EOC meeting with the potential to invite guests to speak at the January meeting. Staff and Commissioners agreed.

The Commission thanked Kuharski for his input. Kuharski left the meeting at this time.

Brandon Johnson left the meeting briefly at 5:23 p.m. and returned at 5:29 p.m. Quorum was not broken.

- Present:** 9 -  
Hedi L. Rudd; Brian Benford; John L. Quinlan; Sean A. Saiz; Katherine Cramer Walsh; Shawn F. Peters; William (Bill) Fetty; Narendra Sinha and Benjamin M. Nerad
- Absent:** 1 -  
Charles E. McDowell
- Excused:** 2 -  
Brian L. Solomon and Brandon M. Johnson

- Present:** 10 -  
Hedi L. Rudd; Brian Benford; John L. Quinlan; Sean A. Saiz; Katherine Cramer Walsh; Shawn F. Peters; Brandon M. Johnson; William (Bill) Fetty; Narendra Sinha and Benjamin M. Nerad
- Absent:** 1 -  
Charles E. McDowell
- Excused:** 1 -  
Brian L. Solomon

7. [28159](#) Unemployment in Madison

Walsh introduced the issue and opened the floor for discussion. Nuñez remarked that at the 2012 EEOC conference the issue was discussed in terms of employment discrimination, particularly in hiring, against the unemployed. Miles noted that a bill establishing unemployment as a protected class in Wisconsin that was not addressed at the previous legislative session will be resurrected at the next session. Walsh asked if staff could look into adding unemployment as a protected class to 39.03, and Miles agreed to speak with the City Attorney's Office on the issue.

**REPORTS**

8. [08357](#) DIVISION MANAGER'S REPORT--For information only. No action required.

*The 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.*

Miles reported that the EOD is continuing to develop a safety plan in the office suite. Investigators have 35 cases currently open, 33 of which are employment. Walsh thanked Miles for his presentation at this year's YWCA's Racial Justice Summit.

9. [13093](#) DIRECTOR'S REPORT--For information only. No action required.

*The DCR Director will report on the following:*

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

Nuñez reported that the Council will meet to consider the City budget from November 13 through November 15, if needed. To follow up on the Gates of Heaven voting issue raised by a member of the public at the October meeting, given the short notice and lack of an emergency (such as fire, gas leak, or other hazard to life and safety) voting took place at Gates of Heaven. In order

to relocate a polling place the Government Accountability Board requires at least 30 days' notice or an immediate emergency, and this case did not meet either burden. City staff are looking into changing that district's polling place for future elections, however.

Nerad asked if any of the budget amendments would affect EOD and Nuñez replied that none would, though Engineering has proposed an amendment to conduct a racial disparity study.

10. [15179](#)

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

*The 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.*

**Benford reported that he met with Ald. Solomon regarding the diversity picnic fund amendment suggested at the October EOC meeting and that Ald. Solomon expressed some reservations about submitting it, but that Benford would let Ald. Solomon report on that himself when he is present at the December meeting.**

11. [08358](#)

COMMITTEE REPORTS--For information only. No action required.

*Reports summarizing discussions at meetings held since the last meeting. For information only. Any item raised for discussion appears under Unfinished Business or will be posted as "Introduction of Future Items From the Floor" on the next agenda.*

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

- a. The Executive Committee did not meet due to lack of quorum.
- b. As no one present attended the November 8 meeting of the Employment Committee, no report was given.

12. [13853](#)

APPEALS COMMITTEE REPORT

For information only. No action required.

**Benford reported that the Committee affirmed the Hearing Examiner's Findings of Fact, Conclusions of Law and Order in MEOD case no. 20072249, Wilson v. Madison Concourse Hotel.**

13. [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.*

**As Ald. Solomon was not present, no report was given. Nuñez noted however that the Commission's Oak Creek resolution passed without comment. Quinlan asked if the Oak Creek letter to the media could be issued at the end of the year and staff agreed to look into it.**

14. [28160](#) ANNOUNCEMENTS--For information only. No action required.

Rudd announced that the Mayor will be conducting a meeting on music at Bartell Theater; that Mentoring Positives will hold a fundraising event on Saturday, and that Madison Police Chief Noble Wray will be speaking; and that there will be a poetry slam at Urban League Saturday at 5 p.m. Quinlan announced that Human Rights Day is December 10. Sinha announced that the Festival of Lights will be held at UW's Memorial Union Theater on December 11.

15. [15741](#) INTRODUCTION OF FUTURE ITEMS FROM THE FLOOR

The Commission confirmed that they would like to continue discussion on housing and homelessness in Madison in December and January, that they would like Jason Glozier and possibly Maribeth Witzel-Behl to speak about voting accessibility issues, and that they would like to continue discussion on unemployment in Madison.

16. ADJOURNMENT

On a motion from Rudd, seconded by Nerad, the meeting adjourned at 6:11 p.m.