



City of Madison

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

Meeting Minutes - Approved EQUAL OPPORTUNITIES COMMISSION

Thursday, January 13, 2011

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 5:00 p.m., Nia Enemuoh-Trammell presiding.

Present: 8 -

Nia Enemuoh-Trammell; Coco Bustamante; Brian Benford; Katherine Cramer Walsh; Rick Cruz; Charles E. McDowell; Donna V. Hurd and Benjamin M. Nerad

Absent: 2 -

Brian L. Solomon and Lisa B. Subeck

Excused: 3 -

John L. Quinlan; Bert G. Zipperer and Amanda L. Harrington

2. APPROVAL OF MINUTES

A motion was made by Benford, seconded by Cruz, to Approve the Minutes of the November 11, 2010 meeting . The motion passed by voice vote/other.

3. PUBLIC COMMENT

None.

4. DISCLOSURES AND RECUSALS

None.

7. [15179](#)

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

Nia Enemuoh-Trammell, 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.

Nia Enemuoh-Trammell thanked Wick who has accepted the position of Disability Rights and Services Specialist, for her service to the Commission. In her new position, Wick will staff the Commission on People with Disabilities,

rather than the Equal Opportunities Commission and the Affirmative Action Commission. The Commission was introduced to Rachel Campbell who will staff the Commission. The Commission welcomed Campbell. The Commission was also introduced to Christina Thiele who will staff the Affirmative Action Commission.

Those present introduced themselves.

Enemuoh-Trammell indicated that to afford time for the guest speakers, routine reports would be referred to a future meeting unless someone disagreed.

Staff will not participate in the discussion with Karl van Lith to encourage full and open discussion.

Commissioner Solomon arrived at 5:12 p.m.

Present: 12 -

Brian L. Solomon; Nia Enemuoh-Trammell; Coco Bustamante; Brian Benford; John L. Quinlan; Bert G. Zipperer; Katherine Cramer Walsh; Rick Cruz; Amanda L. Harrington; Charles E. McDowell; Donna V. Hurd and Benjamin M. Nerad

Absent: 1 -

Lisa B. Subeck

12. [20734](#) EOC Employment Committee New Member Applications

Attachments: [employment committee new member apps.pdf](#)

A motion was made by Walsh, seconded by McDowell, to Approve the nominations of Ester Lowery, St. Mary's Hospital, and Vernon E. Blackwell, Urban League of Greater Madison, to the EOC Employment Committee subject to Common Council confirmation. The motion passed by voice vote/other.

5. [21108](#) Presentation on Powers and Duties of the Equal Opportunities Commission by City Attorney Michael May

Attachments: [Ethics Board Advisory Opinion to Mayor Cieslewicz.pdf](#)
[may outline powers duties of eoc.pdf](#)

City Attorney Michael May made a presentation on the Powers and Duties of the Equal Opportunities Commission. He distributed an update on the Ethics Code (attached).

He explained that the Equal Opportunities Commission is authorized by the Wisconsin State Statues and draws its direct authority from Section 39.03 Madison General Ordinances.

Section 10(B) of the Ordinance spells out the Commission's powers and duties.

May emphasized that the Commission's greatest role is as a quasi-judicial

body and to hear complaints. It is important that Commissioners keep that role in mind. No other City Commission has a similar role with the ability to issue orders calling for corrective action. It is for that reason that it is important for Commissioners not to show bias or risk of bias in statements that they make.

Risk of bias can be shown by actions during proceedings or statements made outside of the process. May encouraged Commissioners to look at the opinion he issued in 2007 relative to conflict of interest (<http://www.cityofmadison.com/attorney/documents/2007opinions/07-003.pdf>).

He advised Commissioners to be careful relative to statements at meetings and in emails to avoid a violation of the open meetings law. He encouraged the Commission to use its authority to educate and train. He urged the Commission to be careful relative to media exchanges--statements could blunt the power of the Commission. He is currently working with the Mayor's Office and Information Technology on a City-wide policy on social media (i.e., blogs, Facebook, tweets, etc.).

Enemuoh-Trammell indicated that the Commission has discussed being more proactive, such as using press releases and editorials. She asked if May had a problem with that. May suggested that the staff issue the statements instead. Public statements by the Commission can be used to show bias.

If the Commission is reviewing a proposed ordinance, it would not be in its quasi-judicial role. The Commission should then prepare a report to the Common Council. A press release could state the recommendations contained in that report.

Walsh stated that she and others joined the EOC because it addresses civil rights issues and wants to be an arm of City government to remind the public that civil rights are important. She asked if May was discouraging that. May replied that the Commission may hold public hearings to receive input and to educate the public and gather facts.

May also addressed the Commission relative to the question by the EOC Employment Committee's ability to solicit funds to pay for its programs. May indicated he had sent an opinion issued relative to the Mayor conducting fund raising. He stated that the Commission's direct regulatory authority makes it even more difficult for the Commission and its committees to raise funds. It gives the appearance of a lack of impartiality.

The Madison General Ordinances were amended to allow solicitation of funds if an entity meets specific requirements. However, even if the Commission obtained Council permission, it could still create a conflict in the future.

He suggested that perhaps the EOC Employment Committee can request permission for fund raising, but he would still be concerned. The Committee may charge registration fees for programs it sponsors. With regard to donating the use of facilities by Committee organizations, May would like to look at that more closely. Committee members have previously donated food, printing and other resources.

It was asked if a source of funding, such as a foundation, would be ok. May stated only if the foundation did not have employees over which the EOC could

accept complaints.

The Commission thanked May for his presentation.

16. [15741](#) INTRODUCTION OF FUTURE ITEMS FROM THE FLOOR

The following new items were requested to be placed on a future agenda. The items will be discussed and scheduled by the EOC Executive Committee.

1. Cruz requested that Training on Right to Work Laws and Whether They Exist in Wisconsin be provided.

2. Nerad asked that the Commission discuss Ideas for public hearing that the Commission might sponsor.

6. DISCUSSION WITH KARL VAN LITH RELATIVE TO TRAINING FOR THE COMMISSION

Enemoh-Trammell turned the chair over to Walsh. Walsh stated that as leaders in civil rights, the Commissioners own job would be easier if it had training on how to be a good advocate for civil rights. Karl van Lith was present to discuss ideas with the Commission.

8. [13093](#) DIRECTOR'S REPORT- For information only. No action required.

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

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

Referred to next meeting.

9. [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.

Referred to next meeting.

10. [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*

Referred to next meeting.

11. VOLUNTEERS SOUGHT FOR TWO VACANCIES ON EOC EXECUTIVE COMMITTEE
(MEMBER AT LARGE AND ALTERNATE)

Referred to next meeting.

13. [13853](#) APPEALS COMMITTEE REPORT

For information only. No action required.

Referred to next meeting.

14. [20726](#) Youth Category for the Rev. Dr. Martin Luther King, Jr. Humanitarian
Award

Attachments: [Position Statement on King Youth Award.pdf](#)

Referred to next meeting.

15. [16131](#) Updates on Status of Previously Discussed Commission Actions/Items

Referred to next meeting.

17. ADJOURNMENT

Cruz moved to adjourn the meeting at 6:32 p.m.; Enemuoh-Trammell
seconded. Motion carried (voice vote/other). Meeting adjourned.