



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved COMMON COUNCIL ORGANIZATIONAL COMMITTEE

Tuesday, April 8, 2008

4:30 PM

210 Martin Luther King, Jr. Blvd.
Room 103A (City-County Building)

Present: 6 -

Tim Bruer; Brenda K. Konkel; Satya V. Rhodes Conway; Robbie Webber;
Michael Schumacher and Joseph R. Clausius

Excused: 2 -

Michael E. Verveer and Judy Compton

Others Attending: Jeanne Hoffman (Facilities & Sustainability Manager), Michael May (City Attorney), Hickory Hurie (CDBG), George Twigg (Mayoral Assistant), Toriana Pettaway, Nick Novak, Jean MacCubbin, Jo Oyamo-Miller and David Sparer.

CALL TO ORDER

Ald. Tim Bruer called the meeting to order at 4:35 p.m.

APPROVAL OF MINUTES

Ald. Satya Rhodes-Conway moved, seconded by Ald. Joe Clausius to approve the minutes from the March 4, 2008 CCOC meeting. Motion was approved.

Ald. Judy Compton arrived at 4:36 p.m.

Present: 7 -

Tim Bruer; Brenda K. Konkel; Satya V. Rhodes Conway; Robbie Webber;
Judy Compton; Michael Schumacher and Joseph R. Clausius

Excused: 1 -

Michael E. Verveer

REFERRALS FROM COMMON COUNCIL

09265

Amending Section 3.11(6) of the Madison General Ordinances to assign the duties of the Director of Public Works to the City Engineer whenever the Director of Public Works position is vacant.

Sponsors: Judy Compton

City Attorney Michael May noted that the intent of the ordinance amendment was to establish that the City Engineer would act as Director of Public works whenever that position is vacant and also eliminated outdated language.

A motion was made by Ald. Satya Rhodes-Conway, seconded by Ald. Judy Compton, to RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER. The motion passed by the following vote:

Excused: 1 -

Michael E. Verveer

Ayes: 5 -

Tim Bruer; Satya V. Rhodes Conway; Robbie Webber; Judy Compton and Joseph R. Clausius

Abstentions: 2 -

Brenda K. Konkel and Michael Schumacher

09487

Accepting the report entitled "Property and Evidence Storage and Retention Report."

Sponsors: David J. Cieslewicz

Attachments: [Evidence comparison 2003 - 2008.pdf](#)
[EvidenceGrowth.pdf](#)
[Final Draft - Police Evidence Storage and Retention.pdf](#)

Jeanne Hoffman was available to answer questions.

A motion was made by Compton, seconded by Clausius, to Return to Lead with the Recommendation for Approval to the BOARD OF ESTIMATES. The motion passed by voice vote/other.

09488

Report of CCOC Sister Cities Grant Review Subcommittee - 2008 Final Report & Recommendations for 2008 Sister City Grant Program

Attachments: [2/18/08 Minutes CCOC Sister Cities Grant Review Subcommittee Sister City Allocations \(Feb 08\)](#)
[2/21/08 Registrations](#)
[REVISED Sister Cities Review Process and Timeline 2008 09488 Registration Stmt.pdf](#)

Registrants:

Jean MacCubbin, Support, Available to answer questions

Jo Oyama-Miller (Madison-Obihiro Sister Cities, Inc.), Support, Wish to Speak

Jo Oyama-Miller spoke in favor of the recommendations. She noted that the Mayor wants to build upon the city's sister cities relationships and extend the city's international relations.

A motion was made by Ald. Robbie Webber, seconded by Ald. Judy Compton, to recommend ACCEPTANCE of the report and its recommendations to the Board of Estimates. The motion passed by voice vote/other.

DISCUSSION ITEM

09892

Discussion Item: Memo from Hickory Hurie dated 4/3/08 subject: Questions about the RFP for Fair Housing

Attachments: [Memo from H. Hurie re: Questions about the RFP for Fair Housing](#)
[Memo from Community Development Office Re: RFP for Study](#)
[Registration Statements from 4/8/08 CCOC meeting](#)
[TCT Editorial 4/24/07: C. Bayrd](#)

Registrations:

Toriana Pettaway, Fair Housing Center of Greater Madison, Opposed, Spoke

Nick Novak, Fair Housing Center of Greater Madison, Opposed, Spoke

David Sparer, 16 N. Carroll Street, Neither Opposed or Supported, Spoke

Toriana Pettaway stated that she was appearing on behalf of the Fair Housing Center of Greater Madison (an Advisory Committee member). She opposed the RFP to conduct a study on patterns of housing-related discrimination and the use of testers to validate or better describe patterns of housing-related discrimination. She stated that more studies are not going to eradicate the problem in Madison. She has been a tester on several occasions and has been discriminated against while acting as a tester. She was opposed to any of the possible remedies as stated in Hickory Hurie's memo dated April 3, 2008. She believed that the money could be better spent on testing itself.

Ald. Judy Compton asked Ms. Pettaway to describe how an event of discrimination is tested by the Fair Housing Center of Greater Madison organization. Ms. Pettaway described the process. The tester receives a script to reenact the the complaint that is filed. Testers reenact the event to see if the

outcome is discriminatory. Ms. Pettaway stated that the money for the RFP should be allocated for more enforcement of fair housing laws rather than conducting another study. She also noted that she is a volunteer and is not paid as a tester.

Nick Novak spoke in opposition to the RFP. He distributed a letter to the editor from The Capital Times, dated April 24, 2007 from C. Bayrd (attached to this legislative file). Ms. Bayrd is a volunteer tester and the editorial explains her experience. He stated that the RFP is a step backward by taking funding away from enforcement activities and putting the money towards another academic study. Fair Housing Center of Greater Madison can provide information on patterns of discrimination that emerging.

David Sparer spoke neither in opposition or support. He is an attorney that works on fair housing enforcement cases. He stated that we know there is a discrimination problem and that the laws that have been enacted are very good to address these cases - we simply need to enforce those laws. Testing evidence for fair housing enforcement cases is very valuable in proving discrimination.

Ald. Brenda Konkel asked if the person didn't have testing evidence how else would a person prove their case. Mr. Sparer noted that it is very hard because the law prohibits discrimination not only from the front end but also at the back end (e.g. evicting someone because they are black or a woman).

Hickory Hurie spoke to the issue. He stated that staff took what they thought were the instructions to issue the RFP. Mr. Hurie was not intentionally trying to thwart the will of the Council and asked for direction. He said that the CDBG office has no preference. He believed that the issue of whether it is testing or a study is somewhat of false framing. What the CDBG office is asking for is validation of discrimination. The issue as he understood it was that when it was in the Department of Civil Rights, it was initiated by a complaint and then there was to be testing. The thought was that what was missing was the subtle, "back-end" types of discrimination in finding patterns of emerging discrimination.

Ald. Satya Rhodes-Conway stated that she remembered that the reason they moved this funding from DCR to CDBG was that there was a perceived conflict of interest by DCR. They didn't think they should be administering a testing program at the same time as they accept complaints. Hickory Hurie confirmed that was the reason. Ald. Rhodes-Conway thought that what they were voting on during the budget process was moving an existing program, fair housing testing, from DCR to CDBG. She also asked if there were other organizations or people that conduct fair housing testing and were there other tools that the city should use to promote fair housing.

David Sparer provided insight into the complaint process:

1. Someone believes they have a housing discrimination complaint
2. They go to the Fair Housing Center with their claim
3. Testing is done by the Fair Housing Center
4. Testing finds that there is cause
5. Then the complaint can be filed with EEOC, MEOC or courts

Ald. Brenda Konkel stated that CDBG staff did not make a mistake but rather there was a miscommunication between the Council and staff.

Ald. Michael Schumacher asked if there were any other vendors or providers for fair housing testing. Hickory Hurie did not know of any other providers.

Ald. Satya Rhodes-Conway provided language from the adopted budget: "A change in the administration of fair housing testing program that has been historically been included in the budget of the Department of Civil Rights but is more appropriately administered by the CDBG Office". Ald. Brenda Konkel questioned if an RFP needed to be done if it was specifically mentioned in the budget and was less than \$50,000.

Ald. Brenda Konkel moved, seconded by Ald. Satya Rhodes-Conway, that the following recommendation be forwarded to the Board of Estimates:

To request that the CDBG office verify with the City Comptroller, if the city needs to go to RFP for these activities and if we can have a sole source for certification, and if that is appropriate, that we make sure we have a contract for Fair Housing testing.

Motion to make recommendation was approved.

UPDATES

Ald. Judy Compton left at 5:25 p.m.

Present: 6 -

Tim Bruer; Brenda K. Konkel; Satya V. Rhodes Conway; Robbie Webber; Michael Schumacher and Joseph R. Clausius

Excused: 2 -

Michael E. Verveer and Judy Compton

08325

Update: CCOC Subcommittee on Committee Creation and Committee Rules

Attachments: [December 6, 2007 minutes](#)
[December 19, 2007 minutes](#)
[January 17, 2008 minutes](#)
[January 31, 2008 minutes](#)
[February 28, 2008 minutes](#)
[March 13, 2008 minutes](#)
[March 27, 2008 minutes](#)
[April 3, 2008 minutes](#)

Ald. Satya Rhodes-Conway stated that the work plan for the subcommittee is progressing. She anticipates that the subcommittee will wrap up its work by August 2008.

This discussion item was referred to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE, due back on 5/20/2008

09001

Update: CCOC Subcommittee to Review City Hiring Practices and Policies

Attachments: [January 29, 2008 minutes](#)
[February 28, 2008 minutes](#)
[March 12, 2008 minutes](#)
[March 27, 2008 minutes](#)

Ald. Michael Schumacher stated that the subcommittee has been meeting and that MPSEA representatives, Human Resources staff and Department of Civil Right staff have been attendance. Ald. Schumacher believed that the subcommittee should complete its work by June 2008.

This discussion item was rerefered to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE, due back on 5/20/2008

[09374](#)

Update: AASPIRE Intern - Summer 2008

Attachments: [AASPIRE Intern Recruitment Answers](#)

Lisa Veldran noted that CCOC members had received an email from Harper Donahue responding to questions on the recruitment process for the AASPIRE inter program (attached to this legislative file).

Lisa Veldran noted that she will be receiving the certification list shortly from Human Resources and will be scheduling interviews as soon as possible.

This discussion item was rerefered to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE, due back on 5/20/2008

ADJOURNMENT

Ald. Joe Clausius moved, seconded by Ald. Satya Rhodes-Conway, to adjourn. Meeting adjourned at 5:30 p.m.