



City of Madison

Meeting Minutes - Final

EQUAL OPPORTUNITIES COMMISSION

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

Thursday, October 20, 2005

5:00 PM

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

1. CALL TO ORDER

The meeting was called to order, Ramona Natera presiding.

2. ROLL CALL

Present: Ramona L. Natera, Bert Zipperer, Daniel L. Ross, Carousel Andrea S. Bayrd, Ann M. Smith, Michael W. T. Howe, Brian L. Solomon and Steven H. Morrison

Absent: Ald. Zachariah Brandon and Megin L. McDonell

Excused: Nia Enemuoh-Trammell and Teresa Tellez-Giron

Staff Present: Roger Allen, Eric Kestin and Cindy Wick

Others Present: Catherine Debo, Madison Metro Transit

3. APPROVAL OF MINUTES

A motion was made by Howe, seconded by Morrison, to Approve the Minutes. The motion passed by acclamation.

4. GUEST SPEAKER

Catherine Debo, Manager of Madison Metro Transit, was present to provide an update on bus routes between the South and East transfer points to address the problem of students and family members being subject to 90 minute to two hour trips from LaFollette and area schools to South Madison.

Debo stated that last year Zipperer had helped arrange for a special bus to be provided by MSCR for after school activities. This year she has recently received a request from MSCR for a similar route and perhaps expansion of the service. A meeting is scheduled for Monday. She does not know what they have in mind.

This comes up as a result of there not being a high school in South Madison. Generally, students in that area attend all of the Madison high schools. There is plenty of Metro service to other schools. It can take lots of time to get to East and LaFollette.

Madison Metro has inter-municipal agreements to provide special bus service. Service paid for by the School District is limited. There had not been any request for supplemental service to LaFollette prior to last year.

The absence of an inter-municipal agreement with Monona prevents a more direct route.

Present: Ramona L. Natera, Bert Zipperer, Daniel L. Ross, Carousel Andrea S. Bayrd, Megin L. McDonell, Ann M. Smith, Michael W. T. Howe, Brian L. Solomon and Steven H. Morrison

Absent: Ald. Zachariah Brandon

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On October 19, 2005 Debo made a presentation to the Board of Estimates on Metro's 2006 budget request. Metro is in a cutting mode. The cost of fuel has been a major factor in Metro's inability to expand service. She is looking at a reduction in service for 2006. She provided a handout of her BOE presentation (attached to file minutes). Metro is running out of efficiencies that can be implemented to save money. A service cut may be necessary.

The inter-municipal agreement with the School District saves the District millions of dollars. It is limited to "tripper" service under federal guidelines.

In terms of the process for requests for service, Metro usually receives requests from users in an area. If there are sufficient numbers of such requests, Metro will meet and discuss needs with the community, look into fund availability and priorities. A survey might be conducted. In regard to the issue at hand, Metro has not had any requests for direct service to LaFollette other than from the EOC. A listening session was held in South Madison. Debo thought the turnout, though somewhat small, was good. No one there made a request for the service under discussion.

Zipperer stated that the area where the listening session was held, is not the area of South Madison affected. He provided a map and showed that Allis, Nuestro Mundo, Sennett, LaFollette and Glendale are the areas having problems. Debo stated that much of this area is in the Town of Madison and Fitchburg where they do have inter-municipal agreements. These municipalities have not requested the service being discussed. She stated that jurisdiction is an important issue. The City of Madison has no responsibility to provide service. The Town of Madison and Fitchburg have sole jurisdiction over these routes. Metro provides the service they request. For Metro to provide service, there must be a funding source.

There is a State agreement that allows Metro to drive through areas like Monona without opening doors in those jurisdictions if there is interest in such a route. She stated that the City of Monona does have a bus service that can be used by the families affected.

Zipperer stated that it appears to low income residents that they are bearing the burden. There is a whole community that is disenfranchised by this policy.

Bayrd asked if Debo has ridership numbers from the additional route that was provided last year. Debo stated that she was sure they existed and could be provided.

Howe asked for a map showing the affected areas of the Madison Metropolitan School District identifying the municipal jurisdictions involved.

Morrison stated that he is interested in exploring with the community what they are interested in. The Commission has this on its agenda for discussion later in its meeting. He stated that he thought Metro planned to hold such a meeting. He stated that Debo had previously said Metro would look into it for the next budget cycle. Debo stated that she did not believe that she had made such a statement.

Debo urged the Commission to include representatives of the Town of Madison, Fitchburg and the Transit and Parking Commission if it holds public hearings.

Zipperer asked if there are any other high schools affected in the way LaFollette is?

Debo said probably not.

Zipperer stated that a one directional route was provided last year. If students missed that bus they had a 90 minute to two hour bus trip. They could take as many as three buses to get home. The bus did not adequately serve after school athletics.

Debo stated that the School District should be providing this service. If the District thinks it is good for kids to be included in these activities, it should be willing to pay for transportation to allow the participation.

Natera thanked Debo for attending.

5. PUBLIC COMMENT

No public comment was received.

6. PRESIDENT'S REPORT--Presented for information only. No action required.

Natera stated that she would need to leave at 6:15 in order to participate in the third Madison Metropolitan School District redistricting meeting.

She attended the Madison Police Department Traffic Stops Task Force meeting. On November 17 there will be a Latino Traffic Safety Summit. Natera will attend. The summit is sponsored by the Safe Community Coalition of Madison and Dane County.

She attended a meeting of the UW Latino Advocacy Committee. The Committee is looking for ways to serve the community better.

Natera will not be at the November Commission meeting.

7. INTERIM DIRECTOR'S REPORT--Presented for information only. No action required.

Eric Kestin provided the report for Ariel Ford who could not attend.

The EOC exceeded its EEOC contract, submitting 68 cases. The agency had contracted to complete 65 cases. The agency has not yet received its 2006 contract, but already has four cases ready to submit for credit.

Ford attended the EEOC Strategic Planning meeting, the Department/Division Heads meetings, staffed the Marquette Neighborhood Association meeting, performed general administrative duties for the office, attended staff meetings, reviewed initial determinations, and attended the EOC Executive Committee meeting.

Staff have been busy attending training. Lopez, Weatherby and Wick are attending weekly sessions of the City's Supervisory Academy through the end of the year. Kestin attended the Association for Conflict Resolution training in Minneapolis. Lopez attended the annual training conference of the International Association of Official Human Rights Agencies.

Wick and Lopez have been working with Information Services on a new computerized case tracking system that should be on line by early next week. Wick attended the Language Assistance Task Force meeting and the quarterly meeting of the Hate Crimes Task Force and meetings of the DCR staff team.

Weatherby trained students at Shabazz on "Youth Rights and Responsibilities in the Workforce."

8. COMMON COUNCIL UPDATE

A motion was made by Howe and seconded by Morrison to place this item on the table. Motion passed by acclamation.

9. ANNOUNCEMENTS OF UPCOMING COMMUNITY EVENTS

McDonell announced that the Tenant Resource Center will celebrate its 25th anniversary at the Brass Ring next Wednesday.

10. COMMITTEE REPORTS

a. EOC Executive Committee

McDonell reported that the Executive Committee met on October 10. Ald. Austin King attended to discuss the Mandatory Sick Leave proposal. A few registrants were in attendance. Six were from Food Fight, Inc. and all were opposed to the proposal. The proposal is being redrafted by the City Attorney so the matter is currently on hold until a revised draft is available.

The Committee reviewed the ordinance proposal to change the membership of the Commission and will present a recommendation when this matter comes up on the Commission agenda.

The "People First" ordinance amendments were referred to the next meeting of the Executive Committee along with discussions of the feasibility of holding a Latino conference.

The Committee supports allowing the President to vote and the reappointment of Enemuoh-Trammell to the King Humanitarian Committee.

The Committee reviewed and modified the Commission agenda for the October 20 meeting.

b. EOC Employment Committee

Smith reported that the Committee's October meeting was cancelled due to lack of a quorum.

Present: Bert Zipperer, Daniel L. Ross, Carousel Andrea S. Bayrd, Megin L. McDonell, Ann M. Smith, Michael W. T. Howe, Brian L. Solomon and Steven H. Morrison

Absent: Ald. Zachariah Brandon

Excused: Nia Enemuoh-Trammell, Ramona L. Natera and Teresa Tellez-Giron

11. UNFINISHED BUSINESS

a. Progress Report on the Department of Civil Rights

Ross reported that the Ad Hoc Committee's next meeting is scheduled for November 14.

The DCR Director position was reannounced. The closing date is October 21. Ross has volunteered to grade the Achievement History Questionnaires for the position.

b. Feasibility of Holding Public Hearings on Madison Metro Bus Service

Bayrd recommended that the Commission hold public hearings relative to Madison Metro service, but not limit discussion to service between the South and East transfer points. Debo may have some valid points. At the public hearing, we should make a point of determining what jurisdiction registrants live in.

Howe asked where the hearing would be held. We need to identify and invite the political entities involved.

Morrison stated that as we promote any public hearing, we should make a special effort to reach South Madison residents who are in the LaFollette attendance area. He did not support expanding the hearing to discuss transportation to all parts of the City, while we may hear about concerns in other parts of the City. He suggested forming a subcommittee to work on the details. If possible we should use translation equipment or interpreters. We will need to be creative.

Zipperer urged the Commission to remember that we are the EOC and that we need to be sure we form the issue as it relates to equal opportunities.

A motion was made by Morrison to Approve sponsoring one or more public hearings on Madison Metro bus service between East and South Madison and appoint a committee to plan and implement the hearing(s). The motion passed by acclamation.

Commissioners Bayrd, Solomon and Zipperer volunteered to serve on a committee to plan the public hearings. Ross offered to make maps as needed.

12. NEW BUSINESS ITEMS

a. Common Council Referral Amending Section 3.23(10) Madison General Ordinances to Modify the Composition of the Equal Opportunities Commission

Amending Section 3.23(10) of the Madison General Ordinances to modify the composition of the Equal Opportunities Commission.

Morrison stated that the fundamental issues behind Equal Opportunity and Affirmative Action are very different. So fundamentally different that there may even be a conflict. There is no rational reason to implement this proposal. The Mayor may make appointments of individuals to more than one board, commission or committee at any time. This amendment is not needed to accomplish this. Commissioners work as volunteers and participation takes a lot of time. To demand that volunteers agree to double that commitment limits the pool of available individuals to serve and will affect ability to obtain quorum. Morrison also expressed concern about the Commission having lost representation from the Madison Area Apartment Association. This proposal further limits the ability to include representation from such groups decreasing the Commission's ability to respond to current issues in our community.

Howe agreed that there are already people on all three Commissions who are not

regularly attending meetings. Most individuals do not have time to serve on more than one Commission.

Bayrd stated that the EOC and Affirmative Action have merged. There is a DCR. While she voted against it, there is now no reason why it can't still be ok. Let's make it work. There is some benefit to the proposal. She understands the Mayor's desire to make this a permanent designation. He and we want the DCR to work.

Zipperer agreed with Morrison and Howe. He suggested that there are valid alternatives that would not have a negative impact on representation or attendance, such as periodic joint meetings. This is bad public policy because it cripples all three commissions. He suggested educational sessions at the three commissions' meetings to educate members about roles and missions of the other two commissions.

Solomon said there is no reason to force it. There is a lot to be said for working together, however.

Ross urged the Common Council to consider alternatives. Perhaps each Commission could assign Commissioners on a rotating basis to attend the other two Commission meetings, not placing such a heavy burden on single individuals. There has to be more flexible ways to accomplish the goal of increased awareness and communication between the commissions.

Howe also expressed concern about how the individuals would be selected. It could have the effect of diluting representation on some of the Commissions. He does not believe the Affirmative Action Commission has had a member with a disability for some time. The CPD wants to be sure that all of its members have or work closely with issues affecting persons with disabilities. Each of the ordinances in question should define how the representatives will be selected and the individual commissions should have a defined role in that selection.

Smith stated as an individual who has served on all three Commissions that she favors joint work efforts but doesn't agree that we need triple appointments.

A motion was made by Morrison, seconded by Howe, to Return to Lead with the Following Recommendation(s) to the COMMON COUNCIL ORGANIZATIONAL COMMITTEE opposing the ordinance amendment as proposed and any similar amendments affecting the Affirmative Action Commission or the Commission on Persons with Disabilities as referenced in Legistar File 01856. The motion passed by the following vote:

Absent: Brandon and McDonell

Excused: Enemuoh-Trammell, Natera and Tellez-Giron

Aye: Zipperer, Ross, Smith, Howe, Solomon and Morrison

No: Bayrd

b. Appointment of Enemuoh-Trammell to Martin Luther King, Jr. Humanitarian Award Committee

A motion was made by Zipperer, seconded by Ross, to Approve. The motion passed by the following vote:

Absent: Brandon

Excused: Enemuoh-Trammell, Natera and Tellez-Giron
Aye: Zipperer, Ross, Bayrd, McDonell, Smith, Solomon and Morrison
Abstain: Howe

c. Authorizing the EOC President to Vote at Commission and EOC Executive Committee Meetings

Authorizing the EOC President to Vote at Commission and EOC Executive Committee meetings.

A motion was made to Refer to the EOC Department asking the staff to draft a rule amendment authorizing, whoever is chairing the EOC and EOC Executive Committee meetings to vote. The motion passed by acclamation.

d. Mayor's Budget Proposal to Provide Tasers to All Madison Police Officers

Bayrd stated that her concern with the purchase of Tasers for all Madison Police Officers is that the budget provides insufficient information to show that purchase is warranted. Tasers are to be used to avoid the use of deadly force. In the study referenced in the budget, only 6 out of more than 100 uses were for that purpose. She is concerned that Tasers are being misused and may be used disproportionately against persons of color.

Solomon wondered how the use of Tasers compares to the use of physical force.

Morrison cited the incident where the police attempted to arrest the wrong student and used a Taser, as reported in Isthmus recently. The officer claimed there was no way to know the student wasn't carrying a gun and used the Taser to prevent him from entering the High School. He believes there was insufficient justification for use of the Taser in this instance.

A motion was made by Zipperer, seconded by Morrison, to Refer to the COMMON COUNCIL with request to defer action on Madison Police Department request in 2006 Capitol Budget until the EOC has had the opportunity to review this item. The EOC will obtain policies and records from the Madison Police Department on its use of Tasers to determine if there is evidence of any disproportionate use of Tasers with persons of color. At that time the Commission will recommend action on this proposed budget expenditure. The motion passed by acclamation.

8. COMMON COUNCIL UPDATE (See page 4)

A motion was made by Morrison, seconded by Ross to take Item 8 off the table. Motion passed by acclamation.

A motion was made by Morrison, seconded by Zipperer to refer Item 8 to the next meeting. Item passed by acclamation.

13. ADJOURNMENT

On a motion made by Morrison, seconded by Ross, the meeting was adjourned at 7:05 p.m. Passed by acclamation.

Minutes prepared by Cynthia L. Wick, EOC Executive Assistant.