



City of Madison

Meeting Minutes - Amended

EOC EXECUTIVE COMMITTEE

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

Monday, May 22, 2006

4:00 PM

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

1. CALL TO ORDER

The meeting was called to order at 4:04 p.m., Bert Zipperer presiding.

2. ROLL CALL

Present: Bert Zipperer, Megin H. McDonell, Steven H. Morrison, Michael W. T. Howe and Daniel L. Ross

Excused: Nia Enemuoh-Trammell and Carousel Andrea S. Bayrd

Staff Present: Lucía Nuñez, DCR Director, and Cindy Wick, EOC Executive Assistant

Guest: Ald. Brenda Konkel and Agustin Olvera, Community Development Authority

3. PUBLIC COMMENT

No public comment was received.

4. APPROVAL OF MINUTES

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

5. UNFINISHED BUSINESS

d. Correspondence Referred by Common Council

03185 Letter dated March 14, 2006 from Jonathon Bedford re: Public Housing.

A motion was made by Howe and seconded by Ross to take Item 5(d) out of order. Motion passed by acclamation.

Agustin Olvera, CDA, was present to discuss this matter with the Commission.

Olvera explained CDA policy relative to drug activity and arrest and conviction records. The CDA does a two-year background check. HUD allows checks for up to five years. HUD regulations prohibit acceptance of individuals with convictions for methamphetamine production or registered sex offenders. HUD allows leeway with other types of convictions.

The CDA has adopted its own criteria that is somewhat stricter than that allowed by the Equal Opportunities Ordinance relative to arrest or conviction record.

An appeal process is available, so if an individual is denied they may explain the mitigating circumstances.

Olvera could not respond to questions relative to Mr. Bedford's situation due to confidentiality requirements. He could affirm that Mr. Bedford has received CDA housing.

Complaints of discrimination filed with the EOC against the CDA are generally referred to the Wisconsin Equal Rights Division unless the State does not have jurisdiction, as would be the case with a complaint alleging discrimination based on arrest or conviction record in housing.

Zipperer stated the concern that we appear to be holding private housing providers to a higher standard than the CDA. It was stated that the EOC could ask CDA to change any policies it has set that are not mandated by HUD.

Zipperer asked Olvera to provide a previously developed list of differences between CDA policy and the Equal Opportunities Ordinance requirements.

CDA does require applicants to provide a birth certificate, but alternate forms of identification, primarily to verify age, are allowed.

The letter sent to Mr. Bedford informing them how to dispute the accuracy of an arrest or conviction record has been changed. The onus is still on the applicant to prove that they are not the person that CDA has received arrest or conviction record information for.

Konkel asked if a charge is dismissed if this should be held against the applicant?

A question was raised as to whether the CDA is exempt from the provisions of the Equal Opportunities Ordinance? Olvera stated his belief that CDA is not subject to the Madison ordinance.

It was suggested that the Executive Committee should look at what HUD has mandated and also request copies of the rejection letters used by CDA.

On a motion from McDonnel, seconded by Howe, the Executive Committee agreed to request an official City Attorney's opinion on whether the CDA is required to comply with the arrest and conviction record provisions of the Equal Opportunities Ordinance. Motion passed by acclamation.

A motion was made by McDonnel and seconded by Howe to request information from CDA updating the 2002 memo on the differences between the Equal Opportunities Ordinance arrest and conviction record provisions and CDA and HUD policies or regulations. Motion passed by acclamation.

The Committee also requested that staff obtain information on complaints filed with the Wisconsin Equal Rights Division against the CDA relative to housing discrimination between January 1 and June 1, 2006.

This item will remain on the EOC Executive Committee agenda for further discussion.

a. Legistar Update

It appeared that a way had been found to add the paragraph in Russian that was needed relative to requesting an interpreter. The Legistar Staff Team recently considered the EOC's request. A report of their action has not been received. Wick will follow up on this and report at the EOC meeting.

b. Fall Forum on Constitutional Amendment Banning Gay Marriage and Civil Unions

A committee meeting needs to be scheduled to work on details.

c. Fees for Check Cashing

This matter was referred to the next meeting for discussion.

6. NEW BUSINESS ITEMS

The Committee requested that information on the Real ID Act be provided at a future meeting. Nuñez agreed to provide materials distributed at a recent Department of Transportation training session.

Zipperer requested that a template be developed for use by Commissioners in preparing to report on Commission appeals. Zipperer and McDonell will work with staff on developing the templates for consideration by the Commission. Nuñez suggested consulting the City Attorney's office on this as well.

7. REVIEW EOC AGENDA FOR JUNE MEETING

The Committee reviewed and finalized the agenda for the June 8 Commission meeting.

8. ADJOURNMENT

A motion was made by Howe, seconded by Ross, to Adjourn at 5:02 p.m. The motion passed by acclamation.