



City of Madison

City of Madison
Madison, WI 53703
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Meeting Minutes - Approved EQUAL OPPORTUNITIES COMMISSION

Thursday, July 12, 2012

5:00 PM

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

1. CALL TO ORDER / ROLL CALL

The meeting of the EOC was called to order at 5:00 p.m. by Vice-President Brian Benford.

Present: 10 -

Brian L. Solomon; Hedi L. Rudd; Brian Benford; John L. Quinlan; Sean A. Saiz; Katherine Cramer Walsh; Brandon M. Johnson; William (Bill) Fetty; Charles E. McDowell and Benjamin M. Nerad

Excused: 2 -

Coco Bustamante and Shawn F. Peters

Staff: Rachel Campbell, Melissa Gombar

Guests: DCR Mayoral Liaison Astra Iheukumere, Assistant City Attorney Adriana Peguero, Ald. Bridget Maniaci, and members of the public

2. APPROVAL OF MINUTES

On a motion from Nerad, seconded by Fetty, the May 10, 2012 minutes were approved without correction. Motion passed by voice vote/other.

3. PUBLIC COMMENT

Ms. Rosemary Lee addressed the Commission regarding Item No. 7, stating that as a renter for the past 44 years she does not believe it is any landlord's business whether she votes or how she votes, and that it is no landlord's responsibility to ensure that she votes. If the Alders of Madison are concerned about voter participation, it is the Alders' responsibility -- not landlords' -- to act on the issue. Forcing landlords to hand out voter registration materials is too far afield of appropriate landlord-tenant relations. Ms. Lee added that she has spoken with several area landlords and they all agree this proposed ordinance is anti-business and feeds into Madison's reputation for being anti-business.

It was moved by Benford and seconded by Quinlan during Ms. Lee's address that each speaker be allotted a one-minute extension. Both Ms. Lee and Mr. Holtzman spoke for four minutes. Mr. Salkin declined the extension and spoke for three minutes.

Mr. Steve Holtzman addressed the Commission regarding Item No. 7, stating that as a former Alder and election official for the past twenty years he can testify that seeing democracy in progress is a moving experience, but only if the voters can get to the polls. Voting is not a privilege, it is a right; a right that

has been made more difficult to attain by recent legislation -- for students, in particular. Mr. Holtzman added that landlords are not going to be inordinately burdened by providing two pieces of paper to tenants in order to help someone vote.

Mr. Phil Salkin addressed the Commission regarding Item No. 7, stating that while he is the director of the Realtors Association of South Central Wisconsin, he is speaking as an individual when he says there simply is no logical nexus between leasing real estate and voting. The legislation does not match who is being legislated. If the University or the school districts wish to hand out voter registration forms, or if a non-profit organization or other entity wants to help, that's fine, but let it be between the entity and the voters. This should not be a matter of legislation for if it is, what else does the government get to enforce between two unrelated subjects?

The Commission thanked the members of the public for their input.

4. DISCLOSURES AND RECUSALS

None.

Ald. Solomon left the meeting briefly at 5:15 p.m.

Present: 9 -

Hedi L. Rudd; Brian Benford; John L. Quinlan; Sean A. Saiz; Katherine Cramer Walsh; Brandon M. Johnson; William (Bill) Fetty; Charles E. McDowell and Benjamin M. Nerad

Excused: 3 -

Brian L. Solomon; Coco Bustamante and Shawn F. Peters

5. 26542

Presentation on Neighborhood Resource Teams

Guest Iheukumere introduced herself and gave a brief history of Neighborhood Resource Teams (NRTs) for the Commission. Most recently, she noted that NRTs underwent a restructuring last year from a more regional approach to a more specific, neighborhood approach, creating nine NRTs composed of fifteen to twenty City staff members from various departments. The more focused approach allows the NRTs to target challenges more specific to these areas, chosen based on assessments of poverty, access to food, law enforcement issues, and public health issues. The mission of the NRTs is to serve as a resource for the neighborhood, making City government more accessible to neighborhoods in crisis. For more information on NRTs, Iheukumere directed Commissioners to visit the Neighborhood Resource Team web site at <http://www.cityofmadison.com/mayor/nrt/index.cfm>.

Commissioners thanked Iheukumere for her presentation.

Ald. Solomon returned to the meeting at 5:25 p.m.

Present: 10 -

Brian L. Solomon; Hedi L. Rudd; Brian Benford; John L. Quinlan; Sean A. Saiz; Katherine Cramer Walsh; Brandon M. Johnson; William (Bill) Fetty; Charles E. McDowell and Benjamin M. Nerad

Excused: 2 -

Coco Bustamante and Shawn F. Peters

DISCUSSION ITEMS

6. [26158](#) Amending Sec. 39.03(1), creating Sec. 39.03(2)(ff), renumbering current Secs. 39.03(2)(ff) through (mm) to (gg) through (nn), amending renumbered Sec. 39.03(2)(jj) and (mm), and amending Sec. 39.03(4)(a), (c), and (d) of the Madison General Ordinances to update the City's Equal Opportunities Ordinance pursuant to Wis. Stats. § 66.0104.

Guest Peguero reported that the changes to Madison General Ordinance 39.03, the Equal Opportunities Ordinance, were made in order for the City to remain in compliance with recent state legislation -- specifically, Act 108 -- regarding housing protections. While originally the City hoped to keep its protections for conviction record, source of income, etc. on the books in case the legislation was repealed, it was the opinion of the City Attorney's Office that in order to keep our ordinances transparent and correct and to keep our citizens accurately informed it would be best at this time to amend the ordinance. However, the Attorney's Office also included an amendment adding rental assistance as a protected class, as case law established that rental assistance is not a source of income.

Peguero answered Commissioners' questions and Commissioners thanked her for her time. No action was taken on the item at this time.

7. [26910](#) Creating Sec. 32.06(5) of the Madison General Ordinances to require landlords to provide a voter registration form to tenant at the time the tenant takes possession of the residence.

Attachments: [registrations 7.18.2012 Common Council](#)

Walsh began discussion by asking the Commission to consider what, exactly, their role is regarding this proposal. Benford suggested that the EOC's role should be to make an informed recommendation, and Ald. Solomon concurred that though the EOC does not traditionally oversee voting or housing regulation outside of discriminatory practices, the Commission has a responsibility to recommend practices or changes that protect equal opportunities.

Quinlan made a motion, seconded by Ald. Solomon, that the Commission recommend to approve the proposed ordinance creation. Discussion ensued. Guest Ald. Maniaci reported that this proposal has to do with equal rights in the sense that half of Madison is composed of renters, and that voting procedures have changed since the Voter ID legislation. If Commissioners, Council members and staff can reduce the number of registration forms submitted on voting day they can not only streamline the process but reduce overtime costs incurred by overworked Clerk's Office staff. As far as any burden placed on landlords, it was the opinion of Ald. Maniaci that the two pieces of paper the ordinance requires hardly constitutes a burden.

Ald. Maniaci answered questions from the Commission. Walsh reviewed the EOC's mission for Commissioners and said that, in her opinion, voting is the most basic way people are connected to their democracy. As a Commission it is the EOC's responsibility to protect equal access to that right. Further, as voting is based on residency, the connection between voting and housing is not as distant as it might appear at first blush. The Commission agreed that

anything that protects equal access to voting is something their mission compels them to defend. In terms of any burden to landlords, Ald. Solomon noted that while there is a burden to produce and disseminate these papers the potential benefit of increased and streamlined voting outweighs that rather minimal burden. Nerad suggested that he would like to see a report in a year from the Clerk's Office quantifying the impact on voting, specifically its impact on same-day registrations, its impact on prior registrations, and its impact on overtime costs for staff. On a motion from Nerad, seconded by Rudd, the Commission recommended that such a report be a condition of the passage of this ordinance change. The recommendation being friendly, the Commission voted to recommend to the Common Council the passage of this ordinance change with the recommended report from the Clerk's Office. Motion passed by voice vote/other.

8. [26543](#) EOC Executive Committee Election

Commissioners submitted their votes for the 2012-2013 Executive Committee roster in a blind election.

9. [26541](#) Diversity in Entertainment Venues

Campbell reviewed the Commission's last actions on this topic from their March 15, 2012 meeting minutes. Rudd reported that she had had some contact with a Madison bar owner recently who related that area police officers had informed the owner that because the venue hosts hip-hop events they had their eye on the business. No illegal activity has occurred or been reported, yet apparently the very existence of hip-hop in Madison is enough to merit increased police scrutiny. Rudd acknowledged that this anecdote is hearsay and may be very he-said, she-said, but nonetheless Madison's history with hip-hop and other entertainment culturally associated with people of color is antagonistic enough that the rumor is unsurprising. Rudd encouraged the Commission to do anything it can to discourage this kind of environment. The Commission discussed the issue and acknowledged that the Subcommittee convened to focus on this issue had trouble getting together for a meeting. Nonetheless Benford suggested that the Subcommittee make one more attempt to meet, and the Commission agreed.

REPORTS

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.

As Bustamante was not present, there was no report.

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. Benford reported that the Executive Committee met on July 2, and Nerad added that the Committee would like to see a member of EOD staff give an overview of the investigative process to the Commission at a future meeting. Quinlan added that the Committee would also like the Commission to invite Council President Shiva Bidar-Sielaff to a future meeting to introduce themselves and to discuss the EOC's role in City government.

b. Gombar reported that the Employment Committee held their annual retreat on June 14. There is a strong sense of disconnection from the EOC within the Committee, and they would really like the Commission to resurrect the practice of having one of its members serve as a liaison to the Employment Committee. The Commission agreed to revisit this at a future meeting.

12. [13853](#) APPEALS COMMITTEE REPORT

For information only. No action required.

Nerad reported that the Committee affirmed the Hearing Examiner's Findings of Fact, Conclusions of Law and Order in Case No. 20092086 and granted the extension in Case No. 20071119.

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.

Ald. Solomon reported that the budget is the Council's biggest focus at the moment. As has been reported in the media the City is once again looking at a five percent reduction. We will see what impact that will have on DCR and staff will keep the Commission informed. Ald. Solomon also noted that an item on regulating panhandling will be on the July 17 agenda and encouraged Commissioners with an interest in that issue to attend.

14. [15741](#) INTRODUCTION OF FUTURE ITEMS FROM THE FLOOR

The Commission agreed to invite Ald. Bidar-Sielaff to the next EOC meeting, as well as to have an EOD investigator make a presentation on the investigative process and to nominate and potentially elect an Employment Committee liaison. After tabulating the votes, it was also evident that the position of Vice-President would have to be voted on again, as a Commissioner was elected to both President and Vice-President and accepted the nomination for the Presidency. A re-election of the Vice-Presidency will appear on the next EOC agenda.

15. ADJOURNMENT

On a motion from Quinlan, seconded by Benford, the meeting adjourned at 6:45 p.m.