



Legislation Details (With Text)

**File #:** 56584      **Version:** 2      **Name:** SUBSTITUTE Authorizing the Mayor, City Clerk, and the Director of the Department of Civil Rights to sign and enter into an ongoing contract with the U.S. Equal Employment Opportunity Commission to provide discrimination complaint processing services.

**Type:** Resolution      **Status:** Passed

**File created:** 7/3/2019      **In control:** Civil Rights Department

**On agenda:** 8/6/2019      **Final action:** 8/6/2019

**Enactment date:** 8/9/2019      **Enactment #:** RES-19-00572

**Title:** SUBSTITUTE - Amending the 2019 Adopted Operating Budget for the Department of Civil Rights and Authorizing the Mayor, City Clerk, and the Director of the Department of Civil Rights to sign and enter into an ongoing contract with the U.S. Equal Employment Opportunity Commission to provide discrimination complaint processing services.

**Sponsors:** Donna V. Moreland

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By               | Action  | Result |
|-----------|------|-------------------------|---|--------|
| 8/6/2019  | 2    | COMMON COUNCIL          | Adopt Substitute - 15 Votes Required                                  | Pass   |
| 7/22/2019 | 1    | FINANCE COMMITTEE       | RECOMMEND TO COUNCIL TO ADOPT (15 VOTES REQUIRED) - REPORT OF OFFICER | Pass   |
| 7/16/2019 | 1    | COMMON COUNCIL          | Refer   | Pass   |
| 7/3/2019  | 1    | Civil Rights Department | Referred for Introduction   |        |

The proposed resolution amends the 2019 Adopted Budget to appropriate \$5,193 from federal funding to the Department of Civil Rights budget. These funds are from the Equal Employment Opportunity Commission grant. The 2019 Adopted Budget assumed \$39,227 in federal revenue for the grant, the actual grant award is \$44,420.

The proposed resolution will amend the budget as follows:

- (\$5,193) Intergovernmental Revenue
- \$2,848 Permanent Wages
- \$924 Supplies
- \$1,421 Purchased Services

SUBSTITUTE - Amending the 2019 ~~Adopted Operating~~ Budget for the Department of Civil Rights and Authorizing the Mayor, City Clerk, and the Director of the Department of Civil Rights to sign and enter into an ongoing contract with the U.S. Equal Employment Opportunity Commission to provide discrimination complaint processing services.

The Department of Civil Rights' (Equal Opportunities Division) 2019 Operating Budget includes U.S. EEOC revenues of \$39,227. The 2019 federal EEOC contract amount has recently been received and it provides for

revenues of up to \$44,420, an increase of \$5,193 as compared to the budget.

Authorizing the Mayor, City Clerk, and the Director of the Department of Civil Rights to enter into an ongoing contract with the U.S. Equal Employment Opportunity Commission to provide discrimination complaint processing services during Federal fiscal year 2019 with option periods for Federal fiscal years through 2021 and 2022.

WHEREAS, the Madison Equal Opportunities Division ("MEOD") has been certified by the U.S. Equal Employment Opportunity Commission (**U.S. EEOC**) as a FEPA "706 Agency" since 1976, qualified to process employment complaints for EEOC alleging discrimination based on race, color, national origin or ancestry, sex or religion covered by Title VII of the U.S. Civil Rights Act of 1964 as amended, as well as age discrimination as covered by the Age Discrimination in Employment Act (ADEA) and disability discrimination as covered by the Americans with Disabilities Act (ADA); and,

WHEREAS, the Madison Equal Opportunities Division has had a contract **with the federal government** to process Title VI, ADA and ADEA cases for the U.S. EEOC for twenty years; and,

WHEREAS, the services are to be performed by the MEOD; and,

**WHEREAS, the U.S. EEOC requires many different contract documents and forms to formalize this relationship and continue funding from year to year; and,**

WHEREAS, **the contract documents typically include a 3-year contract with the most recent contract being** the U.S. EEOC has offered the City of Madison a three-year contract, effective October 1, 2016 through September 30, 2019, to provide services and be reimbursed for federal fiscal year 2018 **as well as yearly extension forms that must be signed to continue the services and extend the funding;** and,

WHEREAS, **most recently,** the Director of the Department of Civil Rights has signed an "Contract Option Period Extension Request" outlining the intent of the MEOD to extend its relationship with the U.S. EEOC through federal fiscal year 2018 through 2022; and,

WHEREAS, the amount of the 2019 contract is \$44,420 up to a potential increase of \$73,940;

NOW, THEREFORE, BE IT RESOLVED that the Mayor, City Clerk, and Director of the Department of Civil Rights are **is** authorized to sign the three-year "Award/Contract" described above, **subject to the approval of the form by the Risk Manager and City Attorney,** to authorize the Equal Opportunities Division to provide discrimination complaint processing services for the U.S. Equal Employment Opportunity Commission and be reimbursed for an amount up to \$44,420 for Federal Fiscal Year 2019. The amount of awards for Federal Fiscal Years 2019 through 2021 are subject to future Federal funding availability- **; and,**

**BE IT FURTHER RESOLVED, the 2019 Adopted Budget is amended to appropriate \$5,193 in the Department of Civil Rights budget as outlined in the fiscal note.**

**BE IT FURTHER RESOLVED that the Director of Civil Rights or designee is authorized to sign annual amendments of solicitation/ modifications of contract, fiscal year extension agreements, and similar documents required by the U.S. EEOC as needed during the existing three-year term and any future terms, if authorized below, as long as such documents are in a form approved by the City Attorney; and**

**BE IT FINALLY RESOLVED the Mayor and City Clerk are authorized to sign future award/contracts with the U.S.EEOC for MEOD to perform the discrimination complaint services described above and be reimbursed accordingly, subject to future availability of federal funding.**