

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MEETING NOTICE AND AGENDA**  
**BELOIT EQUAL OPPORTUNITIES AND HUMAN RELATIONS COMMISSION**

**Wednesday, October 21, 2009 at 5:30 PM**  
**The Forum, First Floor**  
**Beloit City Hall, 100 State Street**

1. Call to Order and Roll Call
2. Approval of Minutes of the August 19, 2009 Meeting
3. Public Participation
4. Review and Discussion of Proposed EOHRC Ordinance Revisions
5. Update on 2009 Fair Housing Complaints and other Activities
6. Review of Request for Proposal for Fair Housing Education and Outreach
7. Update on Available Funds for Fair Housing Activities
8. Upcoming Events
9. Adjournment

Notice Mailed: October 15, 2009

Approved: Teri Downing  
Special Programs Administrator

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**Please Call 364-6650 before 3:00 p.m. on Tuesday, October 20, 2009**  
**if you are unable to attend**

\* Please note that, upon reasonable notice, at least 24 hours in advance, efforts will be made to accommodate the needs of disabled individuals through appropriate aids and services. For additional information to request this service, please contact the City Clerk's Office at 364-6680, 100 State Street, Beloit, WI 53511



**MINUTES  
BELOIT EQUAL OPPORTUNITIES  
AND HUMAN RELATIONS COMMISSION  
Wednesday, August 19, 2009**

1. Call to Order and Roll Call

Meeting was called to order at 5:37 PM by chair Alex Brower.

Present: Commissioners Alex Brower, Carolyn Lawrence, Emma Harrell, Martin Densch, Lynda Owens, and Staff Representative Teri Downing.

Excused: Thomas Ryan

2. Approval of Minutes of the April 15, 2009 Meeting

Commissioner Lawrence asked when questions will be answered that were asked at the last meeting. Staff explained that one of the reasons that the City Attorney is on the agenda for this meeting is to answer questions that were brought up at the last meeting. Commissioner Lawrence and Commissioner Harrell asked Tom Casper, City Attorney, if he would be willing to answer questions that were brought up at the last meeting regarding who revised the investigator's contract, whether commissioners are covered under insurance, and the complaint process. Mr. Casper responded by saying he will answer questions during the agenda items they are brought up in because we are required by law to stick to the agenda.

Commissioner Harrell moved for approval of minutes of the regular meeting held on April 15, 2009. Commissioner Lawrence seconded the motion. Motion carried.

3. Nomination and Election of Officers

a. Nomination of Chairperson: Commissioner Lawrence nominated Emma Harrell as Chairperson. Commissioner Brower seconded. Motion carried.

b. Nomination of Vice Chair: Commissioner Brower nominated himself as Vice Chair. City Attorney, Tom Casper, explained that no second is required by Robert's Rules for the motion to carry. Motion carried.

4. Public Comment

Commissioner Lawrence asked why there was no public participation section on the agenda. Staff explained that it was an oversight. Chair, Emma Harrell opened the meeting to public comment at that point. Members of the public were present, but none of them commented.

5. Staff Update on Commission Meetings and Markley Investigations Contract

Staff explained that the EOHRM Meetings will now be held in the City Hall Forum instead of the City Manager's Conference Room. The reason for this is because hearings before the EOHRM will be held in the Forum and the Commissioners need to be experienced and comfortable in this setting. Having regular EOHRM meetings in the forum also

ensures the availability of the Forum when hearings are scheduled. The EOHRC will only meet when there is business.

Commissioner Harrell said that her understanding of the ordinance is that meetings are supposed to be held each month, and she wants to make sure that the Commission is following the ordinance. City Attorney Casper explained that this comes out of custom and practice that a number of City Committees do not hold a meeting when there is no business for the agenda, using the Alcohol Committee as an example. Commissioner Harrell said that she is still going to look this rule up in the ordinance and let the Commission know.

Staff notified the Commission that Katherine Kemnitz and Marian Griffin have resigned from the EOHRC Commission. Commissioner Lawrence thanked them both for their service and contributions to the Commission.

Staff also explained that the contract with Markley Investigations for fair housing complaints has been reviewed and revised by the City Attorney and has been signed by the City Manager. The contract is for one year and will expire 7/15/2010. Commissioner Harrell asked for a copy of the revised contract, and staff explained that it will be emailed to the Members.

Ms. Harrell asked if the Commission was supposed to review it before it was signed. Staff explained that the City Attorney is responsible for reviewing and revising all City contracts and that although the contract was brought to the Commission in the past, it should have just gone directly to the City Attorney's office when it was ready to expire.

Commissioner Harrell said that she thought according to the ordinance that the investigative services were supposed to be put out for bid. Mr. Casper explained that for professional services it does not need to go out for bid. The state requires bids for construction contracts and any contracts over a certain dollar amount. Sometimes the City does Request for Proposals for professional services. This decision it is up to each department. Commissioner Lawrence mentioned that there were two other proposals along with Markley Investigations in response to the original Request for Proposal.

Commissioner Owens asked if the Commission could get statistics on the number of housing discrimination case we have had and their results over the last 10 years. Staff said she would email this information to the Commissioner.

6. Review of Complaint Process and Role of EOHRC by City Attorney

Commissioner Harrell asked if the Commissioners are covered under insurance. City Attorney explained that, yes, the City has a policy with Cities and Villages Mutual Insurance Company (CVMIC) and some State Statutes also protect public commissioners from being sued. The only caveat is if someone intentionally used their public position to do something in a way to harm someone else.

Commissioner Lawrence asked what the result of the request for reallocation of funding for Study Circles result was. Staff explained that an email was sent to all Members explaining that the CDA Board recommended the reallocation of CDBG funds of \$5000. However, the City Council voted not to reallocate. At the Council meeting, Councilor

Leavy explained that in the past, historically Study Circles were not well attended and he would rather see the money go toward Fair Housing education in a seminar-type setting.

Tom Casper pointed out that the money was not reallocated to any other use, but is still available as it originally was, for fair housing activities. Commissioner Harrell commented that she doesn't believe we have a lot of information out in the public to let people know how go about to addressing issues about discrimination.

Commissioner Lawrence asked if there was a relationship between the City's property code enforcement and housing discrimination. Mr. Casper explained that this would fall under a general discrimination complaint; that the City's Chapter 20 Code is specific to discrimination in preventing equal and fair access to housing or housing related accommodations. If someone believed City Inspectors were paying more attention to a person's property because of one of the protected classes, they would need to notify the State or Federal divisions because it is not related to access.

Commissioner Lawrence asked if there was someone who could come to an EOHRM Meeting and explain which situations are specifically considered fair housing discrimination. Staff asked if the commission would like someone from the HUD office to come to a meeting to give a presentation and answer questions. Members said yes.

Staff explained that in response to the many questions that Commissioners had at the last meeting regarding the City's ordinances, the Markley Investigations contract, the Commission's role in the investigations, and the fair housing process, the City Attorney will explain this process.

Attorney Casper explained that the EOHRM's ultimate duty is to act as a final decision maker on whether a housing discrimination complaint is valid or not valid. The Commission is charged under the ordinance with making final determinations on those issues. To get to this point there would be a hearing in front of the Commission with attorneys, evidence, and witnesses. He explained that in order to get to this point, there is a process.

He explained that first a complaint comes in. Then there has to be an investigation with standard investigative techniques in order to develop a determination of probable cause to proceed or no probable cause. He explained that because of due process, Commissioners cannot act as an investigator or initial decision maker on probable cause when they are to be the body that sits in final judgment of the case.

He also explained that if the parties come to an agreement either through conciliation through the investigator or through mediation, the agreement must come before the Commission for approval. He said that ultimately the Commission sits in final judgment on all cases whether probable cause is found or not found and even if the parties reach an agreement.

Mr. Casper then discussed the flow-chart outlining the City's Fair Housing process. There is first an initial intake where a determination is made about whether the complaint is a fair housing complaint or not. If it is not, then the complainant is referred to the appropriate agency.

Ms. Harrell asked if the people doing the intakes have had any training on how to distinguish between a housing discrimination complaint and another complaint. Staff explained that Holly Hartley has been an intake person since before she got to City Hall so is unsure what kind of training she has had. Staff explained that knowledge of the Fair Housing Code and discussions with the City Attorney are what help her determine whether a call is housing discrimination or not. She also explained that if a call comes in that we are unsure about; the complaint is referred to the investigator.

Ms. Harrell asked if the guidelines that were developed regarding the EOHRC Fair Housing process could be given to complainants. Staff asked if the Commission would like Markley to give the guidelines to people when he starts his investigations.

Commissioner Lawrence asked what number is on the flyer that Markley has handed out. Staff explained that the phone number goes to the Holly Hartley in the Housing Services division of the City. Tom Casper gave her the flyer he had with the revisions marked on them. She also asked where the flyers have been given out. Staff said that the flyers had been distributed before she started but that there are some located on third floor of City Hall where Housing Services and the Housing Authority are located.

Tom Casper continued explaining the complaint process. He said that once a complaint comes in the parties are notified and then an investigation is done. During the investigation the investigator is supposed to work with the parties to try and come to some agreement. If cause is found and there is unsuccessful mediation, then the case comes before the Commission. At the hearing, the losing party has the right to appeal to circuit court; however the Circuit Court will rely heavily on what Commission decides. If there is a reasonable basis with the evidence presented for the Commission to have reached a certain decision, then the Circuit Court must uphold it.

He also explained that whatever decision is made by the Commission they will prepare findings of fact and conclusion of law and that an attorney, whether the City Attorney or an outside attorney hired by the City, will be advising the Commission on this.

7. Review of Basics of Wisconsin Open Meetings Law by City Attorney

Tom Casper advised that the Commissioners look through the entire power point presentation on WI Open Meetings Law, but he will discuss the high points.

EOHRC Members are subject to the WI Open Meeting Law and if they are alleged with violating the Open Meeting Law, and then found to have violated it, the Commissioner is personally liable. The law is there to regulate public committee members' conduct.

Mr. Casper explained that a Walking Quorum is what is typically violated. He gave an example that if a quorum of members happens to be at the same event and they start to discuss the next agenda and come to a decision to act a certain way on a certain item. He explained that although it is natural to want to discuss items outside of a meeting, to be very cautious because the public has a right to hear the sequential decision making process. Commissioner Harrell asked if this only applies if you have enough members for quorum. Mr. Casper responded that there is also a "negative quorum" which means if you gather enough members to block an action, this is also illegal. He pointed out that if

someone complains it would come through either the Department of Justice or through the District Attorney and both tend to enforce this law. He also said that if the prosecuting authorities refuse to come against a commission and a private citizen is mad enough, that citizen has the ability to bring an action against a commissioner in the name of the state and get the penalties provided for under the state law.

Mr. Casper next discussed that the subject matter and discussions at the meeting must be only on the publicly noticed agenda items. And that no action may be taken on any subject that has not been noticed to the public on the agenda.

Mr. Casper also explained that he thinks it is a good idea to have public participation on the agenda, but if a member of the public brings up a topic and would like action to be taken on that topic, the Commission cannot take action at that time. They have the option to put it on the agenda for a future meeting. If it is urgent, then the Chair may want to schedule a special meeting can be publicly noticed.

Commissioner Lawrence asked if this rule applies to information only. Mr. Casper said it is okay to see the information, but if Commissioners want to discuss and debate it then it should be publicly noticed.

Commissioner Brower asked if the Walking Quorum in the Open Meetings Law applies to any subject that could potentially be on a future agenda even if it is not in the near future. Mr. Casper said that Commissioners should be very careful when discussing these matters in private with other Commissioners because it could become a complaint that they were conducting public business in private.

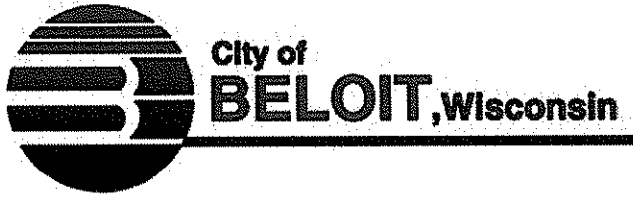
Commissioner Lawrence asked if Mr. Casper would touch on the subject of Closed Meetings. Mr. Casper explained that even if the vile housing complaint came in, the proceedings would still be open to the public. Commissioner Lawrence then asked that if there were a closed meeting would only Commissioners present and not staff. Mr. Casper explained that it would be up to the Commissioners of who would be present.

Commission Marty Densch added that just because there is a closed meeting, it does not mean that it is not recorded. Minutes would still be taken and they could take no public comment while in closed session, and any action must be taken at the public meeting. Commissioner Lawrence asked if one of the Commissioners would take minutes. Mr. Densch replied that typically the staff person would take minutes even in a closed session unless it is about that person.

#### 8. Adjournment

Commissioner Lawrence moved for adjournment and Commissioner Brower seconded. Motion carried. The meeting was adjourned at 6:54PM by Chair Emma Harrell.

Teri Downing  
Special Programs Administrator



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## **Report to the Beloit Equal Opportunities and Human Relations Commission**

**Agenda Item:** 4

**Topic:** Review and Discussion of Proposed EOHRC Ordinance Revisions

**Action:** No Action

### **Staff Report:**

The EOHRC Ordinance needs to be updated in a number of areas including the meeting place. These changes are only proposed so nothing will change until the Commission has the ordinance revised the way they want it. Once that happens, it will go before the City Council for approval.

One of the changes being proposed is to lower the Commission Members from 7 members to 5 members. This Committee has historically had issues with quorum and if we lower the number, we will only need 3 members to have a quorum.

The highlighted portions are activities that we do not have resources to do at this time. Does the Commission want to leave these items in, knowing that EOHRC will not be able to do them?

### **Staff Recommendation:**

Review and Revise

### **Attachments:**

EOHRC Ordinance with proposed revisions.

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## 1.82 EQUAL OPPORTUNITIES AND HUMAN RELATIONS COMMISSION.(Rep. & recr. #2648; Am. #2915)

- (1) CREATION. The Equal Opportunities and Human Relations Commission is hereby created.
- (2) MEMBERSHIP. (Am. #3041) The Equal Opportunities and Human Relations Commission shall consist of ~~8 or 9~~6 members as follows:

(a) Ex officio Members .

1. ~~City Council President.~~

2. One City Council representative, who also may be the City Council President.

(b) Citizen Members . ~~Seven~~Five Citizen members.

(c) Rights and Privileges . All members of the Equal Opportunities and Human Relations Commission shall have the same rights and privileges, including the right to vote, except that the City Council President and City Council representative shall not have the right to vote.

(3) APPOINTMENT.

(a) City Councilor . The City Council representative shall be appointed by the City Council President, subject to confirmation by the City Council, at the City Council's organizational meeting in April of each year, except that the initial Council representative shall be appointed as soon as possible after the creation of the Equal Opportunities and Human Relations Commission. The City Council President may be appointed as the City Council representative.

(b) Citizen Members . The citizen members shall be nominated by the Appointment Review Committee and appointed by the City Council President, subject to confirmation by the City Council.

(c) Official Oath . All appointed members shall take and file the original oath.

(4) TERM OF OFFICE.

(a) Initial Term . The initial Council representative shall be appointed for a term commencing on the date of appointment and ending when a successor is appointed in April 2001. Thereafter, the City Council representative shall be appointed for a one-year term commencing on the date of appointment and ending on the date that a successor is appointed. Except as provided in subparagraph (b), citizen members shall be appointed for 3-year terms beginning July 1 of the first year and ending June 30 of the third year.

~~(b) Staggering of Terms for Citizen Members . Prior to December 13, 2000, the City of Beloit had an Equal Opportunities Commission and a Human Relations Commission. On December 13, 2000, the 2 commissions were merged to form the Equal Opportunities and Human Relations Commission. At the time of the merger, the following citizen members were serving on the 2 commissions with their terms expiring as follows:~~

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TABLE INSET:

<del>Equal Opportunities Commission</del>	
<del>Member's Name</del>	<del>Term Expires</del>
<del>Oscar De-La Torre</del>	<del>July 2003</del>
<del>Rev. Roy Howard</del>	<del>July 2003</del>
<del>Raymond Byrd</del>	<del>July 2001</del>
<del>Rory Owens</del>	<del>July 2001</del>
<del>Rebecca Gregory</del>	<del>July 2002</del>
<del>Rhonda Doherty</del>	<del>July 2002</del>

TABLE INSET:

<del>Human Relations Commission</del>	
<del>Member's Name</del>	<del>Term Expires</del>
<del>Russell Anderson</del>	<del>April 2003</del>
<del>Jerome Jennings</del>	<del>April 2003</del>
<del>Michael Hughes</del>	<del>April 2001</del>
<del>Pat Duncan</del>	<del>April 2001</del>
<del>Kenneth Ware</del>	<del>April 2002</del>
<del>Donald Buggs</del>	<del>April 2002</del>

~~The citizen members of the Equal Opportunities Commission and the Human Relations Commission are hereby appointed to the Equal Opportunities and Human Relations Commission for the balance of their terms listed above provided, however, that the terms of all citizen members listed above shall expire on the first day of July of the applicable calendar year.~~

(c) Subsequent Terms . No citizen member may be appointed for more than 2 successive, full terms. No citizen member who served 2 consecutive full terms on the Equal Opportunities Commission or the Human Relations Commission, including any full term completed as a member of the Equal Opportunities and Human Relations Commission may be appointed for

an additional term, except as herein provided. A citizen member who serves 2 successive, full terms shall be eligible for reappointment one year after the member completes his/her last full term.

(d) Membership on Other Committees . No citizen member may serve on any other City board, committee or commission while that member is serving on this commission.

(e) Incumbents . Incumbents may continue to serve beyond the end of their terms until their successors have been appointed and seated.

(f) Vacancies . Vacancies shall be filled for the balance of the term. A member appointed to fill a vacancy shall be appointed in the same manner as that member's predecessor.

(5) QUALIFICATIONS.

(a) Residency . All citizen members of the commission shall be residents of the City of Beloit.

(b) Race and Gender . The commission shall be representative of both sexes and of each racial group residing within the City as classified by the most recent U.S. Census Bureau statistics.

(c) City Employee's Spouse . One commission member may be a City employee's spouse or significant other, as long as the City employee's job is not affected, directly or indirectly, by the work of the commission.

(d) Family Members .

1. No more than one member of any family may serve on the commission at the same time.

2. No person may be appointed to the commission if any member of that person's family is a municipal employee whose job is affected, directly or indirectly, by the work of the commission.

3. No commission member may continue to serve on the commission after any member of his/her family becomes a City employee whose job is affected, directly or indirectly, by the work of the commission.

4. In this paragraph, "family" means: mother, father, spouse, brother, sister, and natural or adopted son or daughter.

(e) Present and Former City Employees . (Am. #2937) No City employee may serve on the commission. "City employee" does not include ~~home companions employed by the Health Department;~~ casual workers who are employed by the City for less than 600 hours per year; seasonal laborers who are employed by the Department of Public Works between April 1 and October 15 of each calendar year and seasonals who are employed by the City for one or more sporting seasons such as basketball season, baseball season, etc. "City employee" includes all other full and part-time City employees, including supervisory City employees. No

former City employee may serve on the commission if that former employee's employment was terminated for cause. No other former City employee may serve on the commission during the one-year period immediately following termination of the employee's employment with the City.

(6) PURPOSE AND DUTIES.

(a) Purpose . The Commission has been created to improve the quality of life by the elimination of racism in the Beloit community. The purpose of the commission is to take action, study, analyze and recommend solutions with respect to the major social, economic and cultural problems that affect people residing or working within the City, including discrimination in housing, education, employment and public accommodations and facilities on the basis of sex, race, color, sexual orientation, national origin, sex, or marital status of the person maintaining a household, lawful source of income, age or ancestry and the inciting of class, race or religious hatred and prejudice.

(b) Duties and Powers . The commission shall perform the following duties and exercise the following powers:

1. Administer the Fair Housing Code found in Chapter 20 of the Code of General Ordinances of the City of Beloit and perform the duties and exercise the powers set forth in §20.02 of that chapter.
2. Facilitate compliance with federal, state and local laws relating to equal opportunities in education, employment, housing and recreation through informational programs. (Am. #2958)
3. Examine all aspects of relations between races and ethnic groups fairly and objectively, and foster awareness, understanding and appreciation of racial and ethnic diversity in the community.
4. Identify problems of racism in the community and recommend solutions and positive courses of action to the general community and to the City Council and City Manager.
5. Recommend to the City Council and the City Manager the enactment of such ordinance or other action, including assignment of staff, as it deems necessary to insure all City residents the right to equal opportunity in housing, employment, public accommodations and education.
6. Initiate such public programs and studies and promote such privately sponsored programs and studies as will aid in accomplishing the commission's purposes and duties. Provide forums for dialogue on racism to improve relations.
7. Conduct public hearings in accordance with the ordinances of the City and the commission's rules of procedure.

~~8. Utilize the report of the Committee on Housing, Employment and Public Accommodations dated November 6, 1995, as a guide in the conduct of its affairs.~~

9. Accept gifts or bequests, public and private, to help finance its activities.

10. Be the official agency of the City to accept assistance under Title II of the Federal Economic Opportunity Act of 1964 approved by the City Council.

11. Be the official agency of the City to accept assistance from the Community Relations Service of the U.S. Department of Justice under Title X of the Federal Civil Rights Act of 1964, for resolution of disputes, disagreements or difficulties relating to discriminatory practices which may impair the rights of persons in the City to equal opportunities in education, employment, housing and recreation. No such assistance shall be accepted without the approval of the City Council.

#### (7) MEETINGS.

(a) Regular Meetings . Regular meetings of the commission shall be held ~~at~~in the City Manager's Conference Room Hall Forum at Beloit City Hall, 100 State Street, Beloit, Wisconsin, or such other location designated in the notice of the meeting, at 5:30 p.m. on the third Wednesday of each month. If any regular meeting date is a holiday, the commission shall establish another meeting date and time.

(b) Special Meetings . Special meetings shall be held ~~at~~in the City Manager's Conference Room Hall Forum at Beloit City Hall, 100 State Street, Beloit, Wisconsin, or such other relocation designated in the notice of the meeting. Special meetings may be called by the commission chair or by written request of 3 of the voting members.

(c) Notice of Meetings . Public notice of all meetings of the commission shall be given in accordance with the open meeting law of the State of Wisconsin, §§19.81 to 19.87, Wis. Stats.

(d) Agendas . A copy of each meeting agenda shall be sent to the City Clerk and to the City Manager's office by noon on Wednesday of the week preceding the meeting. This rule does not apply to agendas for special meetings called after noon on Wednesday. The agendas for special meetings called after noon on Wednesday shall be delivered to the City Clerk and the City Manager's office at least 24 hours before the special meeting.

(e) Meals . No meals shall be provided at City expense for any meeting expected to last less than 4 hours.

(8) OFFICERS AND DUTIES. The Equal Opportunities and Human Relations Commission shall select a chair, and vice-chair and secretary annually at its July meeting. The commission shall submit the chair's name to the City Clerk immediately after the election. The chair shall preside over all meetings of the commission. The vice-chair shall preside over the meetings in the chair's absence. In the absence of both the chair and vice-chair, a president pro tem shall be chosen from those present

and shall preside. The ~~secretary~~ EOHRC staff person shall record the minutes of each meeting and shall transmit a written copy of the minutes and the records of the commission to the City Clerk. The City Clerk shall be the custodian of the records of the commission.

(9) QUORUM. (Am. #3041) ~~Four~~ Three voting members shall constitute a quorum sufficient to transact business. A fewer number may adjourn any meeting.

(10) VOTING. A majority vote shall be necessary to adopt any motion, resolution, or other proposed action, except where a greater number is required by the rules of procedure or by-laws.

(11) RULES OF PROCEDURE AND BY-LAWS. Commission meetings shall be conducted in accordance with Robert's Rules of Order, Newly Revised. The commission may adopt by-laws or amended rules of procedure, as necessary, and shall submit copies of the by-laws or amended rules of procedure to the City Council for approval. If the commission adopts by-laws or amended rules of procedure, the commission shall review them annually. A copy of the commission's approved by-laws and rules of procedure shall be filed with the City Clerk.

(12) INSPECTION OF RECORDS. The minutes of the meetings of the commission shall be available for public inspection, except the minutes of closed sessions authorized by §19.85, Wis. Stats. All other records of the commission shall be available for public inspection, unless exempt from disclosure under the Wisconsin Public Records Law, §§19.29 to 19.39, Wis. Stats.

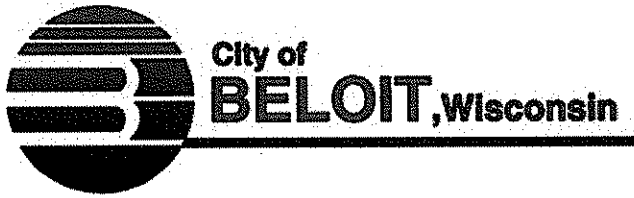
(13) COMPENSATION. All members shall serve without compensation, except that members shall be entitled to reimbursement of their actual and necessary expenses, excluding travel to and from commission meetings, incurred in the discharge of their duties.

(14) ATTENDANCE. (Am. #3041) Any member who is not planning to attend a meeting shall notify the ~~commission chair~~ EOHRC staff person of that fact at least 24 hours in advance of the meeting. Any member who misses more than 25 percent of the regular meetings during any year of his or her term shall be subject to removal from the commission. The City Council President and the City Council representative are not required to attend commission meetings.

(15) REMOVAL. The commission may remove any member for cause. Prior to such action, the commission shall prepare a written complaint setting forth the facts that constitute cause. The complaint shall be approved by a majority of the members of the commission. The member charged in the complaint shall either admit the charge and resign or request a public hearing on the complaint before the Appointment Review Committee. If the member so charged requests a hearing, the Appointment Review Committee shall conduct a public hearing to determine whether the allegations of the complaint are true. At the conclusion of the hearing, the Appointment Review Committee shall enter written findings of fact and furnish copies of those findings to the member charged and to the commission. If the Appointment Review Committee makes a determination adverse to the member charged, that member may appeal the decision to the City Council.

(16) SUBCOMMITTEES.

- (a) Appointment . The commission chair may appoint standing or temporary subcommittees, subject to confirmation by the commission. Temporary committees shall dissolve no later than 6 months after their creation, unless their term is extended by an affirmative vote of the majority of the commission. Extensions may be granted in increments of 6 months or less.
- (b) Membership . Members of subcommittees need not be members of the commission.
- (c) Notice of Meetings . Public notice of all subcommittee meetings shall be given in accordance with the Wisconsin Open Meetings Law §§19.81 to 19.97, Wis. Stats.
- (d) Records . The subcommittee shall keep minutes of its meetings. The minutes of the meetings and other records of the subcommittee shall be open to public inspection, except as otherwise provided by the Wisconsin Public Records law, §§19.29 to 19.39, Wis. Stats. Subcommittee minutes and records shall be filed with the parent committee.
- (e) Subsections (4)(d) and (e), (5), (6), (7)(d) and (e), (8), (12), (13), (14) and (15) of this section apply to subcommittees.



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

## **Report to the Beloit Equal Opportunities and Human Relations Commission**

**Agenda Item:** 5

**Topic:** Update on 2009 Fair Housing Complaints and other Activities

**Action:** Information Only

### **Staff Report:**

There are seven active fair housing complaints at this time. After investigation, three complaints have been found to have no cause. Although there has been no cause found, the complainants still have 30 days to appeal this finding to the full Commission for a hearing.

There have been two cases that the investigator has found to have cause. These cases are both in the conciliation/mediation phase of the process. If an agreement is reached, the written agreement will come before the Commission for review and approval. If no agreement is reached, the case will be brought before the Commission for a hearing.

Three additional cases are still being investigated at this time.

Since the EOHRC is a public commission and your names are posted on the website, please be aware that complainants and/or respondents may try to contact you. The City Attorney advises that if you are contacted by one of the parties, you should refer them to either EOHRC Staff or to Markley Investigations, Inc.

### **Other Fair Housing Activities:**

Markley Investigations, Inc. has delivered the revised pamphlets to over two hundred locations in Beloit. The listing of over 340 addresses delivery was attempted is available for your review. Commissioners were not provided a copy because it is 22 pages long.

Staff applied for 2010 CDBG funds in the amount of \$10,000 for Fair Housing activities. The CDA Board recommended only \$5,000 because at the time of the recommendation, there was still CDBG funding from 2006, 2007, and 2008 available.

### **Staff Recommendation:**

Information Only

### **Attachments:**

Summary of complaints in process at this time.  
Fair Housing Resources Listing

**SUBJECT: Summary Complaints as of 10-2009 for EOHRC Meeting on 10-21-2009**

<b>Case #</b>	<b>Protected Class</b>	<b>Determination</b>
2009-01	Disability	No Cause
2009-02	Disability: Service Animal	Cause
2009-03	Disability: Service Animal	Cause
2009-04	Income (?)	Cause (?)
2009-05	Race	On-going
2009-06	Race	No Cause
2009-07	Race	On-going

**Question to the City Attorney:**

What should a Commissioner do if one of the parties in a complaint contacts them?

**City Attorney, Tom Casper's Response:**

A commissioner "should" refer any complaint or complainant to [EOHRC Staff] or (if a file is open already) to Markley. They should explain that their job will eventually require them to be the final judge in the matter and that they cannot afford to become biased by ex-parte contacts by either the complainant or the subject of the investigation.



# Fair Housing Resources on Fair Housing Law and Policy provided by HUD:

## **Federal government sites on housing discrimination.**

<http://www.hud.gov/offices/fheo/index.cfm> HUD's main fair housing page with many links

This is one of the links -- <http://www.hud.gov/offices/fheo/library/huddojstatement.pdf>  
-- deals with reasonable accommodations.

## **The following links are to the Wisconsin Equal Rights Division site:**

[http://dwd.wisconsin.gov/er/discrimination\\_civil\\_rights/open\\_housing\\_law.htm](http://dwd.wisconsin.gov/er/discrimination_civil_rights/open_housing_law.htm)

[http://dwd.wisconsin.gov/lirc/erdg\\_sm2.htm#210](http://dwd.wisconsin.gov/lirc/erdg_sm2.htm#210)

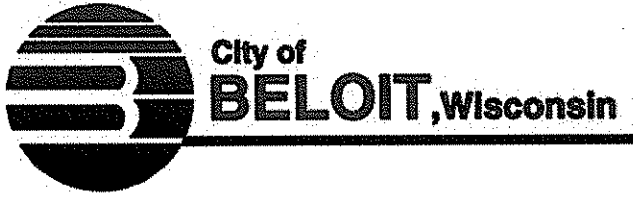
[http://dwd.wisconsin.gov/lirc/erdg\\_sm2.htm#200](http://dwd.wisconsin.gov/lirc/erdg_sm2.htm#200)

Here is a link to The Bazelon Center, a disability rights advocacy group:

<http://www.bazelon.org/issues/housing/index.htm>

## **Training:**

The National Fair Housing Training Academy, <http://www.nfhta.org/> offers training on fair housing compliance and enforcement.



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## **Report to the Beloit Equal Opportunities and Human Relations Commission**

**Agenda Item:** 6

**Topic:** Review of Request for Proposal for Fair Housing Education and Outreach

**Action:** For Review

### **Staff Report:**

Community Development Block Grant (CDBG) requires the City to do Fair Housing outreach and education activities. One of the City Councilors has also suggested that the EOHRC provide Fair Housing outreach and education in a seminar like setting.

A Request for Proposal and mailing list has been drafted to provide Fair Housing outreach and education on a quarterly basis.

Please advise if the Commission would like to add agencies to the mailing list.

### **Staff Recommendation:**

Review

### **Attachments:**

Fair Housing Request for Proposal  
Fair Housing RFP Mailing List

**CITY OF BELOIT  
REQUEST FOR PROPOSAL  
FOR FAIR HOUSING EDUCATION AND OUTREACH**

**I. INTRODUCTION**

The City of Beloit, Wisconsin wishes to contract with an independent entity qualified to provide City residents with education on fair housing laws and regulations. This contract will be for one year (12 months) starting on or about October 1, 2009, with an option for renewal. This activity will be funded through the City's Community Development Block Grant fund; therefore, all aspects of the contract must comply with federal and state regulations as well as local ordinances. The purpose of the Request for Proposal is to solicit proposals from any person or organization interested in being considered for this contract.

**II. SCOPE OF WORK**

**Outreach/Education Services**

Conduct training, at least quarterly, to resident groups, landlord groups, realtor groups and other groups on the Federal, State and local fair housing laws. Training must be provided in both English and Spanish. At least four educational sessions must be held in each calendar year.

**III. PROFESSIONAL QUALIFICATIONS**

Any agency/individual wishing to be considered must provide the following information:

- a. Consultant's name, address, phone number, and fax number, along with the name of a contact person if different than the firm's name or signature on the proposal.
- b. A work program describing the scope of work to be undertaken. This should include an explanation of how training would be provided, who the target populations would be, and other details the applicant feels is important to communicate to the City.
- c. A proposed time schedule for the training sessions, with an outline of what would be covered at each training.
- d. A clear and concise statement with examples indicating the consultant's past performance and familiarity with the type of work sought under this RFP. A list of client references for which the consultant has provided similar services, including

the name, address and phone number of a contact person for each reference. Indicate the type, scope and duration of the work done for each client.

- e. A statement indicating the qualifications of the key persons who will be assigned to the project and their responsibilities within the scope of services.
- f. A proposed budget.
- g. One copy of your firms' typical professional services agreement or contract.

#### IV. **SUBMISSION**

Submit **three** copies of the proposal by **5:00 PM on Friday, November 20, 2009** to:

**Julie Christensen  
Community Development Department  
City of Beloit  
100 State Street  
Beloit, WI 53511**

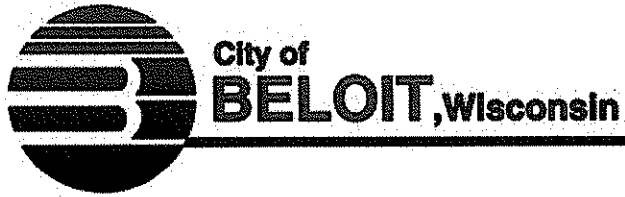
It is the intent of the City of Beloit to select individuals or firms to be interviewed by September 18, 2009. Interviews will be scheduled the week of December 7, 2009 and a final selection will be made by December 30, 2009.

The City of Beloit reserves the right to reject any and all proposals or to accept any proposal deemed to be in the best interest of the City.

For more information, call Julie Christensen at (608) 364-6700 between 8:00 AM and 5:00 PM, Monday through Friday.

**Fair Housing Outreach - RFP Mailing List**

First	Last	Agency	Address	City	State	Zip
Marc	Perry	Community Action, Inc.	200 West Milwaukee	Janesville	WI	53548
Lisa	Furseth	Community Action, Inc.	200 West Milwaukee	Janesville	WI	53548
		Fair Housing Center of Greater Madison	600 Williamson St., Suite L-4	Madison	WI	53703
Bill	Tisdale	Metropolitan Milwaukee Fair Housing Council, Inc.	600 East Mason, Suite 200	Milwaukee	WI	53202
David	Boyd	MSA Professional Services Inc	1230 South Blvd	Baraboo	WI	53913
Regina	Prude	New Directions Management Svcs	611 East Grand Ave. STE 1-A	Beloit	WI	53511
Christine	Schlichting	NHS of Beloit, Inc.	520 West Grand Ave	Beloit	WI	53511
Joy	Bosco	NHS of Beloit, Inc.	520 West Grand Ave	Beloit	WI	53511
		Salvation Army Beloit	628 Broad Street	Beloit	WI	53511
		Salvation Army Corps	514 Sutherland Avenue	Janesville	WI	53545



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## **Report to the Beloit Equal Opportunities and Human Relations Commission**

**Agenda Item:** 7

**Topic:** Update on Available Funds for Fair Housing Activities

**Action:** Information Only

### **Staff Report:**

The City has a total of \$16,177.78 in funds available for Fair Housing activities. The City applied for \$10,000 in additional Fair Housing funding for 2010, however the CDA only recommended \$5,000.

The CDA recommendations for 2010 CDBG funds will go before the City Council on November 2, 2009 for allocation.

### **Staff Recommendation:**

Information Only

### **Attachments:**

Summary of Fair Housing funds available

# EOHRC-FAIR HOUSING ACTIVITIES

As of 10-15-2009

Balance		
2005	Funds	\$ 0
2006	Funds	\$ 6,177.78
2007	Funds	\$10,000.00
	<b>TOTAL</b>	<b>\$ 16,177.78</b>
2009 (?)	Proposed	\$5,000.00
	<b>TOTAL</b>	<b>\$21,778.78</b>

Average Cost per Investigation = \$721.06

Cost for Outreach = 27.3 hours at \$60/hr = \$1,638.00

Cost of New Flyers = \$214.00

Upcoming Costs:

- Fair Housing Education and Outreach RFP
- Mediation Costs
- Attorney Fees (?)