

CITY OF PORTAGE HUMAN SERVICES BOARD

Minutes of Meeting April 7, 2016

CALL TO ORDER: 6:33 p.m.

ROLL CALL: Staff member Elizabeth Money called roll: Diane Durian (aye), Effie Kokkinos (aye), Ray LaPoint (aye), Elma (Pat) Maye (aye), Nadeem Mirza (aye), Edward Morgan (no), Sandra Sheppard (aye), Fiorella Spalvieri (aye), Amanda Woodin (aye), and Lindy Nebiolo, Youth Representative, (no). A motion was made by Durian and supported by Spalvieri to excuse Edward Morgan and Lindy Nebiolo, Youth Representative. Motion passed 8-0.

STAFF PRESENT: Elizabeth Money, Neighborhood Program Specialist; Vicki Georgeau, Director Community Development; Laurence Shaffer, City Manager; Randy Brown, City Attorney and Bryan Beach, Assistant City Attorney

CITIZENS PRESENT: Terry Urban, Portage City Council, Bob Ells, Fair Housing Center of Southwest Michigan, Nate Triplett, Equality Michigan, and Megan Bauer, The Resource Center.

APPROVAL OF MINUTES: Maye moved and Mirza supported approval of the minutes with the addition of Sandra Sheppard's name to roll call. Motion passed 8-0.

OLD BUSINESS

1. **Draft Non-discrimination Ordinance:** Georgeau opened the discussion by reviewing the memo and providing an overview of how the draft ordinance was developed. City Attorney Brown then lead the discussion on the ordinance, reviewed the three core protections, enforcement, briefly summarized the various sections, and introduced persons in attendance who had assisted with the development of the ordinance including Laurence Shaffer, City Manager, Terry Urban, Portage City Council, Nate Triplett from Equality Michigan, and Megan Bauer from The Resource Center. The Board asked for clarification on several aspects of the draft ordinance. A discussion was held regarding the relation of the draft ordinance and the Fair Housing Act and that the draft ordinance does not eliminate any state or federal laws, but supplements them by including sexual orientation and gender identity to the protected classes. It was noted that any ordinance Portage enacted would have to be evaluated if laws are amended at the state or federal level. Questions were raised over the penalties and the \$500 fine, and it was explained that there were other options besides ticketing a person in violation of the ordinance. In extreme exceptional circumstances, a ticket could be issued each day the person was in violation. Fines go to the Court and not to the city. Maye highlighted that there is no compensation for the complainant under the draft ordinance and that offers little protection or incentive to come forward. Brown indicated that while the ordinance didn't specify monetary compensation, such provision could be included in a conciliation agreement. Bob Ells, Executive Director of the Fair Housing Center of Southwest Michigan (FHCSWM), added that the FHCSWM doesn't negotiate monetary settlements, but refers some cases to other organizations (e.g. Michigan Department of Civil Rights) and a monetary settlement is sometimes received. Ells also iterated that there is more discrimination occurring than complaints filed, and one reason is because people don't feel like they will be properly compensated or receive a benefit. Clarification was then given on the "Exemptions" section and the definition of religious organization. Urban and Shaffer both contributed to the history and discussion on the development of the draft ordinance and thanked the Board for their efforts to assist with the adoption of this ordinance. Brown then reviewed some changes that the Board will receive in the next agenda packet and recommended the Board set a public hearing for May 26, 2016 in Council Chambers. Maye moved and Mirza supported a motion to set a public hearing on the draft ordinance amendment on May 26, 2016. Motion passed 8-0.

PUBLIC HEARING

1. **Draft 2016-2020 Consolidated Plan:** Maye moved and Spalvieri supported a motion to open the public hearing. Motion passed 8-0. Georgeau provided an overview of the completed draft, how it was compiled, and the time frame to complete the plan process, including approval from City Council and subsequent submittal to HUD by May 15th. A summary of the following chapters of the draft plan was provided: the Executive Summary, The Process, Needs Assessment, Market Analysis, Strategic Plan, and 2016-17 Annual Action Plan. Board members asked for clarification on several items. Georgeau clarified that the cost of housing includes rent and utilities and, for home owners, mortgage, taxes and insurance is included. Discussion on the definition of overcrowding, including input from Ells, and the standard of 1-1.5 person per room as set forth in the document. An explanation of code enforcement expenditures and activities was requested. Georgeau indicated that code enforcement staff activities include addressing and correcting building and property maintenance violations, illegal land uses and other nuisances within low-moderate income neighborhoods. Code enforcement activities prevent and eliminate blight and supplement the housing assistance programs also provided through the CDBG Program. In response to an inquiry regarding what activities are included in administration, Georgeau clarified this includes fair housing activities and general grant administration, such as: budget preparation and oversight of expenditures and program income, annual action plans, annual performance reports, Section 3 reporting, Labor Standards reporting, annual environmental review, public hearings, program outreach, amongst others. Georgeau added that administrative costs were capped at 20% of the entitlement grant plus anticipated program income, and the city has historically kept administrative costs lower than permitted since anticipated program income fluctuates. In addition, by keeping administrative costs low, more program funds can be directed to households and neighborhood improvement activities. In response to an inquiry regarding fair housing expenditures, Georgeau indicated that such activities are included under grant administration and are also limited to the 20% spending cap. Georgeau further explained that the city will need to prepare an Assessment on Fair Housing (AFH) in 2017 and additional expenditures to prepare this report will likely be included in the FY 2017-18 Annual Action Plan so the city can hire a consultant to assist with the planning process. Georgeau concluded the presentation by reiterating the next steps and asking if there were any further questions. There being no further questions, Spalvieri moved and Kokkinos supported a motion to close the public hearing. Motion passed 8-0. Spalvieri then moved and Mirza supported a motion to recommend the draft 2016-2020 Consolidated Plan as presented to City Council for approval. Motion passed 8-0.

NEW BUSINESS:

1. **Fair Housing Center of Southwest Michigan Update – Bob Ells:** Bob Ells opened the discussion by providing a handout to the Board and indicating that activity was lower over the past year due to reduced staffing levels but that they had still met all their goals including: hosting three fair housing presentations, providing an annual Fair Housing conference (in April 2016), presenting an overview/update of fair housing activities to the Board, and provide information, referrals, education, outreach, and enforcement services to Portage residents. Georgeau inquired how many Portage tests had the FHCSWM conducted over the past year and Ells responded that they had done five tests within Portage with no findings that warranted additional action. Information was provided that many landlords think the rule “two hear-beats” per bedroom is a law. Ells indicated that it was not, occupancy is determined by floor area, and use of this rule could count as discrimination. Ells thanked the Board for their work and offered the assistance of his organization with regards to the Non-Discrimination Ordinance. There being no further questions, Woodin thanked Ells for his time and efforts.
2. **Proposed FY 2016-17 Goals and Objectives:** Woodin opened the discussion by asking if there were any questions. There being none, Maye moved and Mirza supported a motion approving the FY 2016-17 Goals and Objectives. Motion passed 7-0 (Durian left at 8:10).

3. Kalamazoo Transit Authority LAC update - Maye: Maye indicated that ridership continues to increase, new bus stops are being installed (and referenced the one on South Westnedge Avenue by Belle Tire), and that the new Sunday service did have riders in Portage and they were hoping ridership would increase as the public became more aware of the new schedule, and that she had asked for numbers on the grocery bag assistance program (drivers assist customers with bags) for the next meeting.

STATEMENT OF CITIZENS: None

ADJOURNMENT: Maye moved and Kokkinos supported adjournment at 9:33. Motion passed 7-0.

Respectfully Submitted,

Elizabeth Money,
Neighborhood Program Specialist