

## CITY OF PORTAGE HUMAN SERVICES BOARD

Minutes of Meeting May 5, 2016

**CALL TO ORDER:** 6:32 p.m.

**ROLL CALL:** Staff liaison Elizabeth Money called roll: Diane Durian (aye), Effie Kokkinos (aye), Ray LaPoint (absent), Elma (Pat) Maye (aye), Nadeem Mirza (aye), Edward Morgan (no), Sandra Sheppard (aye), Fiorella Spalvieri (absent), Amanda Woodin (aye), and Lindy Nebiolo, Youth Representative, (absent). A motion was made by Maye and supported by Durian to excuse Spalvieri (who arrived at 7:15) and LaPoint. Motion passed 7-0.

**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:** Nathan Triplett, Equality Michigan

**APPROVAL OF MINUTES:** Durian moved and Kokkinos supported approval of the minutes. Motion passed 7-0.

### **OLD BUSINESS**

1. **Draft Non-discrimination Ordinance:** Georgeau opened the discussion by reviewing the updates to the draft ordinance and explaining the format changes. City Attorney Brown touched upon key issues of the ordinance and provided answers to anticipated questions that highlighted and further explained the ordinance. Morgan asked if a discussion on bathrooms and showers occurred at the previous meeting. Attorney Brown and Assistant City Attorney Beach indicated the issue had been briefly discussed, reviewed the definition of gender identity and clarified the draft ordinance does not require alterations to existing bathrooms and does not exempt public accommodation policies regarding bathrooms, showers and locker rooms. Nathan Triplett explained the spectrum of gender identity issues and cited data that actual complaints regarding the use of bathrooms by transgender persons was rare, and that requiring unisex or single-use bathrooms and/or requiring transgender persons to use the bathroom that aligns with their sex at birth can cause more serious safety problems. Woodin asked if the city would utilize outside resources if a complaint was made and staff needed special expertise. Beach responded yes, that the city would seek outside assistance and expertise if needed. Sheppard stated the ordinance focuses on punishment, and there is less focus on prevention and encouraging citizens to promote an inclusive community. Sheppard noted a recent news report regarding the manner in which Portage Public Schools addressed an LGBT issue. She indicated the report was very positive, and encouraged the city to disseminate information regarding positive examples of citizens taking actions that foster a welcoming community. Maye noted the ordinance was extending the same protections in place for other groups currently protected by state and federal law, and that the ordinance is not intended to exclude or punish anyone, but to ensure everyone had equal rights. Triplett added that over 40 local non-discrimination ordinances have been adopted in Michigan and generate very few complaints, with most complaints resolved in the initial stages of investigation and response. Brown added that the proposed Portage ordinance was very consistent with those adopted by other communities and that all ordinance include a penalty provision in the event that violations are not resolved through voluntary compliance, a conciliation agreement or other types of mediation. Maye added that education was an important tool, if not the most important tool, as many people are not aware they are in violation of the code, and education helps them correct behavior and prevent future problems. Brown and Shaffer both agreed that education was important and agreed with Sheppard that the City of Portage wants to be a welcoming and fully inclusive community. Durian questioned how similar ordinances had evolved over the years. Triplett indicated the oldest non-discrimination ordinances had been updated to include items such as gender

identity. Beach indicated that several court cases were pending and those rulings may require changes to any ordinance the city adopts. When this happens, or if laws are enacted at the federal level, then the city's ordinance would be re-evaluated and changed as needed. Woodin then asked the Board individually what they thought of the proposed ordinance. All members were in support of the ordinance with some members giving personal testimony of knowing individuals who have been subjected to discrimination and how it negatively affected their lives. The discussion closed with a conversation on the May 26, 2016 public hearing and that, under Shaffer's suggestion, that the Board not vote on any ordinance recommendation until their June 2, 2016 regularly scheduled meeting.

**NEW BUSINESS:**

1. FY 2015-16 Human Services Board Update to City Council: Woodin indicated that she would present the Board update to City Council on May 24<sup>th</sup>. There were no suggested changes to the memo. Woodin did state that she attended the budget workshop for grant recipients and that it had gone well and several grant recipients were in attendance.
2. Kalamazoo Transit Authority LAC update - Maye: Maye indicated that they had not met since the last meeting and she had no updates. Woodin informed the Board that Greg Vliestra, Kalamazoo County Deputy Treasurer, had been recently hired by Metro Transit and would start sometime this summer.

**STATEMENT OF CITIZENS:** None

**ADJOURNMENT:** Maye moved and Morgan supported adjournment at 7:38 p.m. Motion passed 8-0.

Respectfully Submitted,

Elizabeth Money,  
Neighborhood Program Specialist