

Minutes of the Eleventh Meeting of the
ENVIRONMENTAL JUSTICE TASK FORCE

DATE: July 28, 2009
TIME: 4:00 p.m.
PLACE: Independence*First*
540 South 1st Street
Milwaukee, Wisconsin

Members Present

Nancy Holmlund President, WISDOM Interfaith Coalition
Vice Chair
Joette Heckenbach Cope Services, Ozaukee County
Lynnette McNeely Attorney, Law Offices of Thomas J. Awen; NAACP
Brian Peters Housing Policy Advocate, Independence*First*
Wally Rendon Member Education/Outreach Representative, Racine Educator's
Credit Union; former Racine Police Officer
Willie Wade Alderman, City of Milwaukee

Guests and Staff Present

Stephen Adams Public Involvement and Outreach Manager, SEWRPC
Gary K. Korb Regional Planning Educator, UW-Extension/SEWRPC
Catherine Madison Policy Analyst, UWM Center for Economic Development
Benjamin R. McKay Principal Planner, SEWRPC
Karyn Rotker Attorney, ACLU of Wisconsin
Jacob Walton Intern, SEWRPC
Bruce Wiggins Citizen
Kenneth R. Yunker Executive Director, SEWRPC

ROLL CALL

Vice-Chairperson Holmlund called the meeting of the Environmental Justice Task Force to order at 4:05 p.m., welcoming those in attendance. She thanked Mr. Peters and Independence*First* for the hospitality and making the meeting room available.

APPROVAL OF MEETING MINUTES OF JUNE 2, 2009

Ms. Holmlund noted that not enough Task Force members were present to constitute a quorum. Therefore, the minutes of the June 2, 2009, meeting could not be approved or changed. She then stated that she would like to discuss a topic related to the minutes of the last meeting, a presentation by David Rusk regarding land use and urban sprawl. Ms. Holmlund stated that she has obtained the contact information for Mr. Rusk, but has not contacted him yet because he may have several questions regarding the scope and content of the presentation. She stated that she would meet with SEWRPC staff prior to contacting Mr. Rusk. She then asked for suggestions from Task Force members and stated that ideas can be submitted after the meeting via the Task Force list serve or SEWRPC staff.

Task Force members and guests raised the following discussion points and comments:

1. Bruce Wiggins, a guest in the audience, introduced himself to the Task Force. Mr. Wiggins stated that the U.S. Conference of Mayors Climate Protection Agreement offers a good model to follow for a forum related to topics such as environmental justice and urban sprawl. He stated that climate change has a disproportionate impact on low-income and minority populations and that urban sprawl is one of factors leading to climate change. He then stated that more communities in the Region and the Nation should commit to the climate protection agreement. Mr. Wiggins suggested an emphasis on “green” jobs and that money spent on environmental issues should help to lift people out of poverty and joblessness.
2. Ms. Heckenbach thanked Ms. Holmlund for her efforts in pursuing a presentation by Mr. Rusk and asked that the further discussion regarding his presentation be shared with the Task Force via the list serve. She also stated that the public should be invited to his presentation. Ms. Holmlund agreed and suggested the possibility of more than one presentation to be held in different locations in the Region.
3. Mr. Wade stated that, with Mr. Rusk’s permission, the presentation could be videotaped and presented to various groups or over cable television in the Region. Ms. Holmlund stated that she believes Mr. Rusk wants to get his message out to as many people as possible, so he would likely provide permission for his presentation to be taped and shared with a larger audience in Southeastern Wisconsin. She also stated that many communities in the Region have public access or “city” channels and that the Task Force could work with these communities to air the presentation.

PUBLIC COMMENTS

Ms. Holmlund asked if there were any comments on the agenda or other Task Force business. The following comments were made:

1. Ms. Rotker noted that two members of the Task Force have requested to be removed and asked about the status of finding replacement members. She also stated that appointing alternates from various locations around the Region was discussed during the process of setting up the Task Force. Mr. Yunker responded that Stephen Adams, the new SEWRPC Public Involvement and Outreach Manager, has been working on identifying replacement members and the new appointments should be made by the next meeting of the Task Force. He also stated that current members with limited attendance will be contacted to confirm their status.
2. Mr. Yunker stated that the new members of the Task Force would need to fill the specific areas of representation of the former members. Ms. Holmlund asked if each county in the Region is intended to have a representative. Mr. Yunker responded that the Task Force should include a member from each County in the Region.

UPDATE ON AND DISCUSSION OF A SOCIO-ECONOMIC IMPACT ANALYSIS ATTENDANT TO A PRELIMINARY REGIONAL WATER SUPPLY PLAN FOR THE SEVEN-COUNTY SOUTHEASTERN WISCONSIN REGION

Mr. Yunker provided the Task Force with an update regarding the socio-economic impact analysis attendant to the water supply plan. He stated that the request for qualifications (RFQ) was posted on the

Wisconsin Chapter of the American Planning Association (WAPA) and SEWRPC websites and that it was sent directly to a wide-range of consultants and organizations with planning backgrounds throughout Wisconsin. A few organizations were also contacted in Northern Illinois and Minnesota. He then noted Ms. Heckenbach had made suggestions of firms/organizations to contact and Professor Nancy Frank, Department Chair of the School of Architecture and Urban Planning at the University of Wisconsin-Milwaukee (UWM), also provided suggestions. Four statements of qualification were received, including responses from the UWM Center for Economic Development (CED), PDI/GRAEF, URS, and Bonestroo.

Mr. Yunker stated that a five-member panel was convened to evaluate the responses to the RFQ. The panel included Ness Flores, Attorney, Flores & Reyes Law Offices and Task Force member; Tyrone P. Dumas, Community Engagement Project Coordinator, Milwaukee Public Schools and former SEWRPC Commissioner; Donna L. Brown, System Planning Manager WisDOT, Transportation District 2; George Melcher, Director of Planning and Development, Kenosha County; and Philip C. Evenson, former SEWRPC Executive Director. Each panel member received the RFQ statements to review prior to the first panel meeting. The panel decided that UWM-CED and PDI/GRAEF were the most qualified for the project, and agreed that both should be interviewed. The interviews were scheduled to be conducted on August 5. Afterward, SEWRPC will negotiate the terms of the contract with the organization selected by the panel for the project. It is anticipated that the analysis will begin in September and the work will take about three months to complete. Mr. Yunker also noted that both potential project managers hold faculty positions at UWM.

Task Force members raised the following discussion points and comments:

1. Ms. McNeely asked if the Commission appointed the panel members. Mr. Yunker responded that the panel was appointed by Commission staff.
2. Mr. Peters asked who will conduct the interviews. Mr. Yunker responded that the panel will conduct the interviews. Ms. McNeely asked why all four firms/organizations were not invited to an interview. Mr. Yunker responded that the panel unanimously agreed that the UWM-CED and PRI/GRAEF were the most qualified.
3. Mr. Peters asked if Mr. Flores was present at Task Force meetings when the socio-economic impact analysis was discussed. Mr. Yunker responded that Mr. Flores attended the two meetings at which the analysis was discussed at length.
4. Ms. McNeely asked if any of the responding organizations are minority owned or operated firms. Mr. Yunker responded that both firms proposed to partner with an emerging business enterprise and that one of the criteria to be used in the consultant selection was a commitment to work with an emerging and/or disadvantaged business enterprise firm.

DISCUSSION OF LAND USE IN SOUTHEASTERN WISCONSIN

Mr. Yunker stated that there was a request for further discussion regarding land use at the last Task Force meeting. He suggested that Mr. Korb facilitate an open discussion regarding desirable and undesirable development in the Region. He stated that with the year 2010 Census the Commission will be initiating the reevaluation of the regional land use plan, and a discussion regarding land use in the Region by the Task Force can serve as early input into the reevaluation process.

Mr. Korb stated that a strengths, weaknesses, opportunities, and threats (SWOT) exercise may provide a good framework for this discussion. He also suggested that the group could focus on 1) positive and negative aspects of existing land use in the Region and 2) for development, what would you like to see more of, and less.

Task Force members and guests raised the following discussion points and comments:

1. Ms. Holmlund stated that the location of the new Aurora Hospital outside of the City of Oconomowoc in western Waukesha County is an example of bad land use. Mr. Wade stated that the current trend of hospitals locating outside of high density population areas is bad in general. Ms. Holmlund asked if the Aurora Hospital location was against SEWRPC recommendations. Mr. Yunker responded that past regional land use plans recommended the preservation of prime agricultural lands in the area of Pabst Farms and the Aurora Hospital.
2. Mr. Wiggins suggested that cheap land and the auto-orientation of suburban areas could be motivating hospitals to locate in low-density population areas. He stated that one strategy to alter this motive is to promote compact land use patterns and transit. Ms. Heckenbach stated that there has been recent hospital expansion and new hospital construction in Ozaukee County where the land is not cheap. She suggested that the motivation for hospitals is not necessary cheap land, but areas with high household incomes.
3. Mr. Wade stated that it is difficult to make a difference in decisions like hospital locations because ultimately the healthcare provider and local unit of government make the decisions. Ms. Heckenbach stated that a presentation regarding healthcare facilities was made to the Citizen Advisory Committee (CAC) during the Ozaukee County multi-jurisdictional comprehensive planning process. The findings of the presentation were that Ozaukee County could not support a second full service hospital and the CAC recommended that the new Aurora Hospital in Ozaukee County not be built, but it was built anyway.
4. Mr. Peters stated that it is frustrating that local governments do not follow SEWRPC recommendations. Ms. Rotker stated that State law provides local governments with a great deal of authority over land use decisions, but this structure could be changed at the State level. Mr. Yunker stated that SEWRPC recommended the current comprehensive planning legislation should include State land use goals and objectives and require regional comprehensive plans to meet those goals and objectives. Local government comprehensive plans would also be required to meet the State goals and objectives, and would have to be determined by the State to be consistent with regional plans. The SEWRPC recommendation was not included in the State comprehensive planning law. State law merely requires that local plans be prepared. Mr. Wade stated that the SEWRPC recommendation is difficult to implement because elected officials may not support a regional or State-wide land use decision framework.
5. Mr. Peters, using his neighborhood as an example, stated that roadway construction accommodates vehicle traffic, but not pedestrians. Ms. Holmlund stated that residents of the Region need to buy into the concepts of mixed use development and transit before they can be implemented. She referenced a suburb of Washington D.C. that was auto-oriented and is now being redeveloped with mixed use and transit oriented development concepts.
6. Mr. Yunker stated that an update on regional transit authority legislation might be appropriate, given the discussion. The Governor's proposed State budget included a provision for a regional

transit authority (RTA) in Southeastern Wisconsin to be funded by a half-percent sales tax, which would provide approximately \$65 million in Milwaukee County for transit annually compared to the present local funding of about \$25 million annually. The RTA for Southeastern Wisconsin would have included Milwaukee County, eastern Racine County, Kenosha County, Waukesha County, Washington County, and Ozaukee County. The State Legislature's Joint Finance Committee removed the provision for multi-county RTAs from the State budget, but allowed for a Milwaukee County RTA and a Kenosha-Racine-Milwaukee commuter rail authority. The Governor vetoed the single county RTA provision. Revised RTA legislation is expected in September. Mr. Yunker then stated that this is an issue that must be addressed in the short-term because the Milwaukee County Transit System is facing a budget crisis. Ms. Holmlund stated that it seems the Governor's vision is to be able to use a transit system to travel throughout the Region.

Mr. Yunker stated that implementing an RTA and dedicated local transit funding is a key to implementing mixed use and transit oriented land use concepts. He noted the willingness of local governments to plan and implement these types of land uses in proximity to potential Kenosha-Racine-Milwaukee commuter rail stops. Ms. Rotker stated that SEWRPC should withhold its services from local governments that implement land use inconsistent with the recommendations of the regional land use plan. Mr. Yunker responded that such action would be difficult as an advisory planning agency.

7. Mr. Wade stated that the location of low-income housing relative to supportive land uses is a key issue that the Task Force should address. Ms. Heckenbach stated that land use patterns in Southeastern Wisconsin do not respect the needs of low-income residents and workers. She noted that the bus stop serving the Columbia/St. Mary's Hospital in Mequon is located far away from the hospital entrance and there is no sidewalk or pedestrian facility connecting the bus stop to the Hospital entrance. Ms. Holmlund noted a Goodwill Store in Racine was constructed in an area accessible only by automobile.
8. Mr. Wade stated that he would like to give the Task Force an update regarding the City of Milwaukee Common Council meeting held earlier in the day because it mirrored many of the issues discussed by the Task Force. Mr. Wade stated that the pricing structure for City of Milwaukee Water Utility customers was one of the agenda items. The City is facing budget problems and there was debate about how to close the budget gap. The Council chose to raise the water rate as opposed to property tax because water is a commodity that the City sells not only to City residents, but also outside of the City and to entities within the City that are exempt from property tax.
9. Mr. Yunker stated that staff will attempt to summarize the land use discussion of the Task Force (see Attachment 1). Staff will also research practices regarding local government compliance with regional land use recommendations and present the findings to the Task Force.
10. Mr. Peters stated that before the Task Force moves to the next agenda item, he would like to add that there should be more public access to waterways in the Region.
11. Ms. McNeely asked if there are initiatives to identify and remediate brownfields. Mr. Wade provided an example of how the City of Milwaukee addresses brownfields. The City annually submits grant proposals to Federal and State brownfield remediation programs. As a result of the grant applications, the City typically receives funding for phase I environmental testing of sites

throughout the City, which are prioritized by City aldermen identifying one or two sites within their aldermanic districts.

FURTHER PUBLIC COMMENTS

Ms. Holmlund thanked the Task Force and audience members for their active participation. She then asked whether those in attendance had any additional comments. The following comments were made:

1. Ms. Heckenbach suggested that the SEWRPC public outreach target populations outlined in Attachment 2 of the June 2, 2009, Task Force minutes include older adults and persons with disabilities.
2. Ms. Rotker asked for an update regarding the regional housing plan. Mr. Yunker stated that the first series of public informational meetings and two Regional Housing Plan Advisory Committee meetings have been held to date. He also stated that the next Advisory Committee meeting is scheduled for Wednesday, September 23, 2009, between 1:30 p.m. and 3:30 p.m. The anticipated agenda items include review and discussion of Chapter I, "*Introduction,*" and Chapter II, "*Objectives, Principles, and Standards,*" of the regional housing plan.

ADJOURNMENT

Mr. Korb stated that Task Force members were asked if there are any objections to moving the meetings from the last Tuesday of every other month to the last Thursday of every other month. There were no objections from members. Ms. Holmlund stated that, accordingly, the next meeting of the Task Force is scheduled for Thursday, September 24, 2009, from 4:00 p.m. to 6:00 p.m. Mr. Yunker thanked Mr. Peters for use of the Independence *First* facilities and stated that this location will be used for the next Task Force meeting provided it is available. Ms. Holmlund thanked the Task Force and guests for their time and participation and declared the meeting adjourned at 5:55 p.m.

Respectfully submitted,

Benjamin R. McKay
Recording Secretary

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KRY/GKK/BRM

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