

Minutes of the Twenty Third Meeting of the
ENVIRONMENTAL JUSTICE TASK FORCE

DATE: May 9, 2012
TIME: 4:00 p.m.
PLACE: Independence*First*
540 South 1st Street
Milwaukee, Wisconsin

Members Present

Nancy Holmlund..... President, WISDOM Interfaith Coalition
Vice-Chair
Yolanda Adams..... President and CEO, Urban League of Racine and Kenosha
Ella Dunbar..... Program Services Manager, Social Development Commission, Milwaukee
Ness Flores..... Attorney, Flores & Reyes Law Offices, Waukesha
Jedd Lapid..... Development Officer, Greater Milwaukee Foundation
Lynnette McNeely..... Legal Redress Chair, Waukesha County NAACP
Brian Peters..... Housing Policy Advocate, Independence*First*
Theresa Schuerman..... Walworth County Bilingual Migrant Worker Outreach
Willie Wade..... Alderman, City of Milwaukee

Guests and Staff Present

Stephen P. Adams..... Public Involvement and Outreach Manager, SEWRPC
Nancy M. Anderson..... Chief Community Assistance Planner, SEWRPC
Gary K. Korb..... Regional Planning Educator, UW-Extension/SEWRPC
Alexis Kuklenski..... Federal Highway Administration
Catherine Madison..... UW-Milwaukee Center for Economic Development
Benjamin R. McKay..... Principal Planner, SEWRPC
Nicole Robin..... Milwaukee Homicide Review Commission
Karyn Rotker..... ACLU of Wisconsin
Antonique C. Williams..... Solo Practitioner
Kenneth R. Yunker..... Executive Director, SEWRPC

CALL TO ORDER

Ms. Holmlund called the meeting of the Environmental Justice Task Force to order at 4:00 p.m., welcoming those in attendance. Ms. Holmlund asked those attending at Independence*First* to introduce themselves at this time, and upon speaking during the meeting, for the benefit of Ms. Schuerman who was attending via teleconference.

APPROVAL OF MEETING MINUTES OF DECEMBER 13, 2011

Ms. Holmlund noted that not enough Task Force members were present at this time to constitute a quorum, although additional Task Force members were expected to attend. She suggested that this

agenda item be moved to later in the meeting, because a quorum of Task Force members was anticipated for approval of the minutes.

PUBLIC COMMENTS

Ms. Holmlund asked if there were any public comments on the agenda or other Task Force business. There were none.

UPDATE ON THE REGIONAL HOUSING PLAN – REVIEW OF DRAFT SCOPE OF WORK FOR THE SOCIO-ECONOMIC IMPACT ANALYSIS

Ms. Holmlund asked Nancy Anderson of the Commission staff to provide the Task Force with an update on the draft Scope of Work for the Socio-Economic Impact Analysis of the Regional Housing Plan. Ms. Anderson began by providing background on and reviewing key components of the SEI Scope of Work, which had been provided to the Task Force by email and was distributed at the meeting (Attachment 1, incorporating Task Force suggestions). Mr. Yunker provided additional context, noting that for regional transportation system plans, an internal analysis regarding the benefits and impacts of the preliminary recommended plan on minority and low-income populations was performed. For the year 2035 transportation plan, that analysis is contained in the plan's Appendix H, which was shared a number of times with the Task Force—most recently to determine whether there were any additional factors to consider related to environmental justice as work on the next generation plan would begin in 2012. For the now completed regional water supply study, and upon recommendation of the Task Force, an external review of plan recommendations on minority and low-income populations of the Region was conducted. The UW-Milwaukee Center for Economic development performed that analysis, and was recommended by staff to repeat the process in similar fashion for the preliminary recommended regional housing plan. The result would again be a Task Force reviewed document referred to as the Socio-Economic Impact Analysis or SEI. The following discussion points and comments were made:

1. Ms. Holmlund asked whether a similar process regarding an SEI was anticipated to occur for upcoming regional transportation planning, and if this would be the first time that review would occur in the order described. Mr. Yunker stated that a similar SEI process was anticipated for transportation planning, and that such review by the EJTF would indeed occur for the first time as described, because the last regional transportation plan was completed in 2006—prior to the creation of the EJTF in 2007.
2. Mr. Flores asked whether there would be timing concerns related to completion of the SEI for the regional housing plan, as he believed the SEI for the regional water supply plan took longer than expected. Mr. Yunker stated that the housing plan SEI should be completed more rapidly, because the public meetings on the recommended plan will be conducted jointly with public meetings attendant to the SEI. This is expected to expedite both efforts and eliminate what some may have perceived as a redundancy with the water supply SEI public meetings.
3. Mr. Yunker stated that Appendix B of the regional housing plan lists the respective recommendations as they presently stand, which the SEI will systematically assess regarding potential impacts on minority and low-income populations and persons with disabilities. The SEI for the regional housing plan is again proposed to be performed by the UW-Milwaukee Center for Economic Development. Ms. Anderson stated that, in negotiations with UW-Milwaukee, it was

recognized that socio-economic data has already been compiled and analyzed. Mr. Yunker added that the experience of UW-Milwaukee in performing the previous SEI was expected to expedite the present effort going forward. In addition, previous Task Force suggestions would be employed to shorten and sharpen summaries of findings.

4. Mr. Flores stated that, with the previous SEI, UW-Milwaukee had sub-contracted with another organization to help perform public involvement, and he wondered whether that would occur again. Mr. Yunker stated that UW-Milwaukee would work with SEWRPC staff to explore and refine appropriate arrangements. In addition, Mr. Adams and Mr. Korb would be performing outreach to minority and low-income audiences beyond the formal public meetings scheduled for the housing plan and attendant SEI effort. He noted that meetings and outreach on the SEI would be conducted in conjunction with those on the preliminary plan.
5. Mr. Peters stated that he was not very concerned about the SEI, but would be concerned if the regional housing plan were not followed. Mr. Yunker stated that staff has discussed this issue, because if plan recommendations would have a beneficial impact, and minority and low-income populations are the primary beneficiaries, then the benefits to these populations would not accrue if the plan is not followed.
6. Ms. Rotker stated that she would like to see an evaluation of impacts on minority and low-income populations if the housing plan recommendations were not followed. She felt that mechanisms like linking performance of housing recommendations to other funds would be workable; for example, with no improvements related to housing, then no highway improvements would be undertaken or no sewer service extensions granted. Mr. Yunker stated that perhaps the SEI in its analysis could discuss the impacts of not achieving plan implementation, and also examine means to potentially obtain implementation of plan recommendations.
7. Ms. McNeely stated that she found comments about the 1975 regional housing plan not being followed intriguing. She asked what else could be done to avoid further shortcomings in implementation. Mr. Yunker indicated that part of the present planning process was a systematized look at the 1975 plan to determine what should be addressed in moving forward.
8. Ms. Dunbar suggested that, if appropriate, negotiations could occur with UW-Milwaukee to examine the possible effects on minority and low-income populations of not implementing certain recommendations of the regional housing plan.
9. Ms. Holmlund stated a fear that without “teeth,” the pattern regarding implementation of the 1975 regional housing plan would occur again. She felt that some planned development proposals aimed at “getting something” should be made dependent upon “giving something” in the area of affordable or workforce housing.
10. Mr. Wade stated that certain housing recommendations were not being followed. In his view, it was a matter of not being able to make people do the right thing. He proposed tying compliance with regional housing plan recommendations to community development block grants and the school property tax, which seemed to him as potentially doable. Mr. Wade further stated that, beyond tying implementation to regulations, the “carrot” approach should also be examined. He concluded that the regional housing plan seems to be what people wanted; now, the task had become determining what to do about securing implementation. Mr. Yunker stated a desire to work with these suggestions, but some aspects would be difficult. He cited what is known as the

“builders remedy” to achieve implementation. Mr. Yunker noted that states with builders remedy legislation typically have a state-level panel that can override local decisions to deny affordable housing proposals that are consistent with the local government’s comprehensive plan and zoning ordinance.

11. Mr. Wade stated that Federal officials must be brought into the process of implementing housing plan recommendations, because lobbyists at the State level can influence legislators and legislation to circumvent proper representation of minority and low-income interests. He added that perhaps the scope would then be getting too big, but he thought the idea needed to be considered. Ms. Holmlund voiced agreement with this concept.
12. Mr. Yunker asked the Task Force whether there was any objection to proceeding with UW-Milwaukee, as has been described, as the consultant for the regional housing plan SEI. Hearing none, Mr. Yunker indicated that the effort would proceed.
13. Mr. Flores asked about the cost of the SEI project if the UW-Milwaukee Center for Economic Development subcontracts for public outreach work as it did with the regional water supply plan SEI. Ms. Madison stated that if the Center for Economic Development had to subcontract for outreach as it did last time, the effect would be to increase the proposal cost.

UPDATE ON THE REGIONAL HOUSING PLAN – CHAPTER XI, BEST HOUSING PRACTICES, AND CHAPTER XII, RECOMMENDED HOUSING PLAN FOR THE REGION

Ms. Holmlund asked Mr. McKay of the Commission staff to provide the Task Force with an update of Chapters XI and XII of the regional housing plan. Mr. McKay began by referring attendees to a PowerPoint handout which had been distributed entitled, “Update on the Regional Housing Plan” (Attachment 2). Mr. McKay indicated that he would be directing most of his presentation to Chapter XII, *Recommended Housing Plan for the Region*, because many of the recommendations set forth in Chapter XII are a result of the findings from Chapter XI, *Best Housing Practices*. Copies of the chapters were distributed at the meeting and had previously been posted to the SEWRPC website. The following discussion points and comments were made:

1. Mr. Flores asked why a 10,000 square foot lot was considered small, given that was almost one-quarter acre. He notes that this size seems large by some other standards he had seen, notably in California. Mr. Yunker stated that the lot size was determined in part by what should be viewed as acceptable in much of the Region. He also stated that the cost of new housing development analyses set forth in Chapter V of the regional housing plan show that moderate income households—those with incomes between 80 and 135 percent of the Region’s median income—can typically afford the cost of a new 1,100 to 1,200 square foot home on a lot of 10,000 square feet or less. In addition, building industry representatives on the Advisory Committee had indicated that there should be a market for such homes.
2. Ms. Dunbar asked if the Metropolitan Milwaukee Fair Housing Council was used as a reference in any way for the regional housing plan, particularly as reflecting upon housing size and cost recommendations. Mr. Yunker stated that Kori Schneider-Peragine of the Fair Housing Council has been an active member of the Regional Housing Plan Advisory Committee.

3. Ms. Adams asked if communities are updating their comprehensive plans, and thus may consider the housing plan recommendations. Ms. Anderson stated that, under the State's 1999 law on comprehensive planning, county and local units of government would be required to update their plans every 10 years. Many of these plans were completed during or around 2008 in southeastern Wisconsin. Mr. Yunker stated that the Regional Planning Commission could suggest local plan updates in keeping with regional housing plan recommendations and monitor the situation a few years after completion of the housing plan. Mr. Wade stated that even though local comprehensive plans are required to be updated every 10 years, such plans can be updated at any time.
4. Ms. Adams stated that she had noted cuts to public transit in the City of Kenosha, contrary to one of the job/housing balance recommendations, but thinks things are otherwise going well relative to the preliminary housing plan.
5. Mr. Flores asked whether the recommended prohibition of new Tax Incremental Financing (TIF) districts in communities with job/housing imbalances until a given community enacts plans and regulations that remove barriers to affordable housing could be considered an enforcement mechanism. Mr. Yunker stated that such a prohibition could be used for enforcement with a change to State law.
6. Ms. Rotker stated from the audience that she would also like to suggest a transit funding relationship. She stated that she was preparing a document describing a means of authority to regulate transportation projects under the biennial Transportation Improvement Program (TIP) so that non-highway (notably transit) projects are better assured of moving forward. Mr. Yunker stated that information on the topic, including the material being prepared by Ms. Rotker, would be attached to the Task Force meeting minutes (Attachment 3). Mr. Yunker also stated that a project being included in the TIP means that it could happen, but doesn't require that it will be implemented.
7. Ms. McNeely stated that there are duplexes and areas of relatively affordable homes in Brookfield, but they may be difficult to find available in a community which is generally regarded as having higher-end housing. Mr. Yunker stated that some neighborhoods may have housing units affordable to moderate income families, and that the need for greater job/housing balance existed for both low- and moderate cost housing in sub-regional housing analysis area # 21, comprised of the City and Town of Brookfield and the Village of Elm Grove, as well as other nearby analysis areas.
8. Ms. McNeely stated that better public transit would be an improvement that she supported in the preliminary plan recommendations. Ms. Dunbar stated that interest may exist on the part of industries to collaborate and even provide transit for the purpose of getting employees to jobs at particular locations. Ms. Adams stated that the Kenosha area has a grant related to the provision of transit rides where public transit service doesn't exist, which would help link some otherwise difficult-to-reach job and housing locations.
9. Ms. Dunbar stated that migrant workers often experience some of the temporary transportation needs being discussed relative to job and housing locations. Mr. Peters stated that such needs relate to work performed by the United Migrant Opportunity Services (UMOS) organization, and maybe linkages needed to be made. Ms. Schuerman stated that in her role with migrant worker outreach in Walworth County, Wisconsin Workforce Development is currently working on a

transportation initiative linking housing to jobs. Mr. Flores stated that, in his experience, State inspectors often do not deal directly with workers who are seasonal, but with housing providers, service providers, and employers. Ms. Schuerman stated that her office is trying to monitor the situation and identify needs and avenues for getting those needs met.

10. Ms. Schuerman stated that some employers have housing that they provide to migrant workers; others recognize the need and come to migrant worker outreach seeking to identify suitable housing. Mr. Yunker stated that the regional housing study has made it apparent that the total need for migrant housing is not known, and a better understanding must be developed.
11. Ms. McNeely stated that it seems farmers' personal interests and the need to document information related to migrant housing may sometimes reflect competing objectives, which is an issue for the State Department of Workforce Development. Ms. Adams stated that she does not see a realistic way of having farmers identifying migrant housing needs, when there may be 20 workers that they have working for three months, whom they are paying cash. Ms. Schuerman agreed, noting the inherent difficulties.
12. Mr. Flores stated that some people come north from states to the south of Wisconsin to find work on their own, apart from any publicly advertised job announcement. He noted that those people outside of the system can become lost, as far as tracking of employment and housing are concerned. Mr. Flores wondered whether such workers are finding suitable housing after traveling long distances, or if they were living in substandard housing—and who else besides the employer would arrange for housing? Ms. Schuerman stated that UMOS has built some housing to meet the needs of such workers. Mr. Lapid stated that nonprofit organizations, like the 16th Street Community Health Center in Milwaukee, may also be of some help.
13. In regard to the summary of preliminary plan recommendations, Mr. Peters stated that independent living centers may have long term care programs, but are really something different than State-funded programs such as: Family Care; Include, Respect, I Self-direct (IRIS); and Family Care Partnership. Mr. Yunker asked if Mr. Peters would agree to provide guidance on how the clarification could best be written. Mr. Peters agreed, indicating that he would like the independent living center language to be stronger in the plan.
14. Mr. Flores suggested that the summary recommendation on continued State funding for public funded long term care programs should include independent living centers. Ms. Anderson stated that Aging and Disability Resource Centers (ADRCs), in the Administration on Aging within the U.S. Department of Health & Human Services, may be of help because they are designed to streamline access to long term health care.
15. Ms. Adams asked why the preliminary plan recommendations would indicate an economic need for subsidized housing and a subsidized workforce housing need in the Racine area, but not the Kenosha area. She stated that poorer people don't characteristically move to Kenosha, because there is generally not enough low-income housing available. Mr. McKay stated that the data and criteria used could be examined again, and revisions would be made if appropriate.
16. Mr. Flores asked if it were possible for a community which does not have subsidized housing—because people with such needs are not living there—to then not be identified as having a need for subsidized housing under the preliminary plan recommendations. Mr. McKay stated that such a scenario should not be possible. Using Waukesha County as an example, areas of the County

are map-identified as having subsidized workforce housing needs because they have an insufficient amount of multi-family housing compared to the substantial availability of lower-wage jobs.

17. Ms. McNeely asked what the income or dollar figure for rent or home payments would be to constitute an economic need for subsidized housing or a subsidized workforce housing need. Mr. McKay stated that economic need was determined by the number of lower-income households present in a regional sub-area. These households have an annual income of \$26,000 or less, which is 50 percent of the regional median household income.
18. Mr. Peters stated he was concerned, given that so many of the preliminary plan recommendations were tied to the State and Federal levels of government, that implementation would not take place. He stated that he would like to see more community or local-level recommendations. Mr. Yunker stated that the data analyzed and the preliminary plan recommendations would be considered again by the Regional Housing Plan Advisory Committee and Commission staff; and he thanked the Task Force for the thoughtful discussion.

APPROVAL OF MEETING MINUTES OF DECEMBER 13, 2011

Ms. Holmlund noted that a quorum of Task Force members was present, and thus asked for a motion of approval regarding the past meeting minutes. Mr. Peters moved, and Ms. McNeely seconded approval of the Environmental Justice Task Force minutes of December 13, 2011, as they had been distributed. The motion was approved unanimously.

DISCUSSION OF THE SUMMARY OF ONE-ON-ONE MEETINGS WITH EJTF MEMBERS AND POTENTIAL DATES FOR THE NEXT MEETING

Ms. Holmlund asked Mr. Yunker to provide the Task Force with a brief summary of the individual meetings held with Task Force members during prior months. Mr. Yunker stated that, given the limited meeting time available, he would touch upon only a few logistical points from the individual meetings held during March and April 2012 with each of the 13 Task Force members who are currently serving; and a general summary would be attached to these meeting minutes (Attachment 4). He noted that the individual meetings were very helpful and very informative, with many good comments received. Unfortunately, from a logistical standpoint, there appeared to be no single time of day, nor any particular day of the week or month, which could be identified as being suitable for all members in scheduling Task Force meetings. Mr. Yunker indicated that a key part of the attendance difficulties with respect to achieving a quorum, was that conflicts arose for different people as the meeting dates varied among midweek days selected; and one member had a conflict on all days during the 4:00-6:00 p.m. time frame which had always been used. A few members had expressed a preference for trying a luncheon meeting, while others would have a conflict in that regard, or preferred meeting without the possible distraction of food. Mr. Yunker noted that the luncheon meeting idea had originated with some members of the Task Force, and not all members had been asked about that possibility until a recent email from Commission staff. Thus, any member with an unvoiced opinion on an EJTF luncheon meeting was encouraged to inform the Commission staff. Regardless, it appeared that moving the meeting time around somewhat would be warranted to allow everyone to attend at least some of the meetings. The only point of consensus appeared to be with respect to members appreciating *IndependenceFirst* as a meeting site. Mr. Yunker concluded that the next meeting should probably be at *IndependenceFirst*, with the date

dependent upon work completed by the UWM Center for Economic Development on the socio-economic impact analysis. The following discussion points and comments were made:

1. Mr. Wade stated that meetings earlier in the day would be difficult for him to attend.
2. Mr. Korb thanked Task Force members again for giving of their time and expertise both in Task Force meetings and during the individual meetings conducted during March and April. Mr. Korb noted that one additional member had just turned in a completed questionnaire for the quantitative survey which had been left with each member at the conclusion of their individual meeting. Any member who had not yet completed their questionnaire, he stated, or requiring a replacement copy with a postage prepaid envelope, could still act by contacting him.

FURTHER PUBLIC COMMENTS

Ms. Holmlund thanked the Task Force members for their active participation. She then asked whether those in attendance had any additional comments. There were none.

ADJOURNMENT

Ms. Holmlund thanked everyone for attending and declared the meeting adjourned at 6:00 p.m.

Respectfully submitted,

Gary K. Korb
Recording Secretary

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