



Minutes

Committee on Equity, Diversity & Inclusion Wednesday, September 2, 2020 @ 6:00 P.M.

<https://us02web.zoom.us/j/86451246623>; ID: 864 5124 6623; Dial In: (312)612-6799

Email comments prior to the meeting to sherrie.boak@lansingmi.gov

CALL TO ORDER

Council Member Spitzley called the meeting to order at 6:02 p.m.

PRESENT via audio/video

Council Member Spitzley, Chair
Council Member Dunbar, Vice-Chair
Council Member Spadafore, Member

OTHERS PRESENT via audio/video

Sherrie Boak, Council Staff
Jim Smiertka, City Attorney
Lisa Hagen, Assistant City Attorney
Rachel Willis

MINUTES

MOTION BY COUNCIL MEMBER DUNBAR TO APPROVE THE MINUTES FROM AUGUST 26, 2020 AS PRESENTED. ROLL CALL VOTE, MOTION CARRIED 3-0.

DISCUSSION

Budget Priorities FY2020/2021

Council Member Spitzley Patricia confirmed she had a conversation with Council Member Betz on his proposed resolution "Invest in the People of Lansing" and at the next meeting there could be option to bring him in to go over his proposed resolution. This might also provide an option for budget priorities for that resolution. Council Member Dunbar noted the resolution itself still needs work. Council Member Spadafore asked for the Committee to consider moving on the budget priorities now. Council Member Dunbar acknowledged the Committee will need time to find a way to make the resolution workable. There has been talk in the past about all of the overarching items connected to what the resolution is talking about. She admitted she would like to put something out for a start to work on, however she again stated she does not think the resolution is ready to go out with the way it is currently written. Council Member Dunbar then began the discussion on recent information that Council was given at the Committee of the Whole where they found out that during contract negotiations Council gives up any disciplinary action even though the Charter says otherwise. In her opinion the City has negotiated away the right to have any say. Therefore the Committee began a discussion on a stand along resolution that would address whenever a contract is up for negotiations, they cannot contravene the Charter with that contract. Council Member Spadafore concurred with Council Member Dunbar, noting his understanding that State law lets a contract to supersede the Charter, however he would like to see the Charter address negotiations. Therefore the Council needs to make their intentions clear while heading to negotiations. Mr. Smiertka stated they can do that, and it is the

Public Employees Relations Act. Council Member Dunbar asked how that would play out if the administration puts in language that supersedes the Charter, could Council choose not to ratify.

Mr. Smiertka stated they could do that, but then in the future it could be considered for an unfair labor suit and the unions could say the City is not bargaining in good faith. After discussions the Committee concurred that they will work on a resolution to express the will of this committee to protect the City. They asked OCA what else in a contract agreement might not follow the Charter and were told compensation, leave time, classifications and there is nothing wrong with bargaining to follow the Charter if other side agrees. He added that they could claim because of past practice, the City would not be bargaining in good faith.

The Committee moved into a discussion on proposed budget priorities and Council Member Spadafore requested \$500,000 to hire up to 5 FT social workers, including up to 1 administrative position. Council Member Dunbar asked if he had parameters in mind as to how the social workers would get implemented, noting she was not a supporter of social workers embedded in the police department. Based on the last meeting, she stated she believed there were some tasks of the social worker that do not require assistance from the LPD on a 911 call. She concluded by stating she was looking for parameters on how a social worker is deployed. Council Member Spitzley supported the recommended \$500,000 and supported them embedded in police department. She continued by acknowledging that setting up policy is a longer process. Council Member Dunbar admitted that these funds would be for FY 2021/2022 so the Committee would have until July 1, 2021 to work on the policy and where the \$500,000 funds would come from. One suggestion she had was to not replace officers when they retire, and divert those funds to whatever source Council finally determines. She then asked for clarification on if it is the goal of Council to tell the Administration to find the money or to tell them where to take the funds from. Council Member Spitzley was encouraged by the option of making suggestions of where to take the funds from, but would be open to state "if 5 officers retire, the City will replace 2 of those positions with social workers until the City gets 5". Council Member Spadafore stated he was less interested in finding the funding source, but setting the markers in place, and he was not in support of reducing the number of officers at this time because the infrastructure is not in place. He clarified that for the \$500,000 he is not suggesting creating a new system and he understands there are strengths and weaknesses for either model, but what was important to him is to get a number to the Administration on what Council wants. Council Member Spitzley concurred that there is a future discussion needed on if the social worker is a "peace officer" when they make the calls.

Council Member Spitzley next proposed doubling the LPD training budget. Council Member Dunbar concurred but wanted it to be clear the funding would not be for internal training but outside agencies for the training. It was confirmed the current budget is \$130,000 so they made a recommendation increasing it to \$250,000. Council Member Spitzley suggested bringing in a person to the department to monitor that training, then reporting to the Police Commission on the trainings. Mr. Smiertka informed the Committee that the City has recently joined the Michigan Municipal Risk Management and they are coming to the City and LPD to review the form of risk management in the LPD. This would include law suits, trainings and civil rights; whether there is or is not. Once that report is done, he stated it will be telling on if there is a need for training on operations. Council Member Spadafore agreed with the need for the training to be external agencies not internal training.

The Committee recapped their proposal so far to the document:

\$500,000 social workers, to encourage a model behind what the City has now.

\$250,000 for police department training – this includes looking at best practices. Council Member Spitzley recommended reserving a future Committee meeting to make training recommendations. She noted for consideration that the City of Jackson has a community paramedic which helps with EMT, and she was interested in learning more on how to bring that to the LFD. Council Member Spitzley concluded that at the 9/16/2020 Committee meeting they will finalize then at Council they can provide examples so the entire body knows where the Committee is going with their recommendations.

Reverting back to the discussion on the resolution for contract negotiations and the Charter, Mr. Smiertka stated other portions that could concede to Charter or ordinances are personnel, discipline and retirement

Council Member Spadafore asked that the Committee consider adding \$125,000 to the budget priorities to create a Grant Writer position for education, social justice, and equity injustice, and this position could be either in Economic Development and Planning or the Mayor's office. This position could offer assistance to outside agencies in growing their funds. The Committee agreed the purpose would be to assist the local groups and organizations in funding outreach, consider reinstating *My Brother's Keeper* and if the City issues grants this person can coordinate with the recipients and provide assistance. Council Member Dunbar suggested HRCS for position placement, and Council Member Spitzley recommended a position for grant writing in Neighborhood and Citizen Engagement and a position of grant coordinator in HRCS. Council Member Dunbar asked the OCA if there would be an issue with due process and equal protection accusations if the City hired a grant write for specific programs, and Mr. Smiertka stated there would be no problem with the plan.

Council Member Spitzley set the next meeting for September 16, 2020 at 6 p.m. That meeting the Committee will review the most recent draft of budget priorities. The discussion on a resolution to address the difference impact of the Charter vs. the contract negotiations will be up for discussion at a future meeting.

Council Member Spitzley asked the OCA to review the resolution sponsored by Council Members Betz and Dunbar and document their concerns with it so the Committee can review those. Mr. Smiertka stated they do not have an issue with the entire resolution. Council Member Dunbar asked for those concerns to be documented out in a list so that the Committee can review and determine how to proceed with the resolution taking those concerns into consideration. Council Member Spitzley stated those would be addressed at the September 23, 2020 meeting.

Public Comments/Listening Session

Limited to 3 minutes; sign up to speak at public comment will end 15 minutes after the first speaker starts.

Ms. Willis acknowledged the Committee, but no comments at this time.

Other:

PENDING – RESOLUTION – Invest in the People of Lansing

No discussion on this topic.

Adjourn

Adjourned at 6:48 p.m.

Submitted by, Sherrie Boak

Recording Secretary, Lansing City Council

Approved by the Committee on September 23, 2020