

## ADMINISTRATION AND FINANCE COMMITTEE

**DATE:** January 27, 2009

**CALLED TO ORDER:** 5:56 p.m.

**ADJOURNED:** 6:30 p.m.

### ATTENDANCE

#### ATTENDING MEMBERS

Susie Day, Acting Chairwoman  
Jackie Nytes  
Joanne Sanders

#### ABSENT MEMBERS

Marilyn Pfisterer  
Paul Bateman  
Barbara Malone  
Ryan Vaughn

### AGENDA

INDIANAPOLIS/MARION COUNTY BOND BANK PRESENTATION – Deron Kintner,  
Deputy Director

EQUAL OPPORTUNITY UPDATE – Chris Cotterill, Corporation Counsel

## **ADMINISTRATION AND FINANCE COMMITTEE**

The Administration and Finance Committee of the City-County Council met on Tuesday, January 27, 2009. Acting Chairwoman Susie Day called the meeting to order at 5:56 p.m. with the following members present: Jackie Nytes and Joanne Sanders. Paul Bateman, Barbara Malone, Marilyn Pfisterer, and Ryan Vaughn were absent.

### INDIANAPOLIS/MARION COUNTY BOND BANK PRESENTATION

Deron Kintner, Deputy Director, Indianapolis Bond Bank, explained the Summary of Indianapolis Bond Bank Variable Rate Debt (attached as Exhibit A).

Mr. Kintner said this is an opportunity to present a snap shot of the Bond Bank's debt, which is currently impacted by the credit market. He said they are mostly concerned about the Auction Rate and Variable Rate Bond issues. He said that the majority of the bonds that are subjected to a variable rate reset are Waterworks bonds. Another significant piece is the 2002A bonds of the Redevelopment District. This issue was taken care of at the last Administration and Finance Committee meeting. He said that there are a few smaller bonds that add to the variable rate debt, but these outstanding bonds have recently been changed from weekly reset bonds to daily reset bonds. Mr. Kintner said that this is working better for the bonds.

Councillor Sanders, referring to the comparison Interest Cost and Swap Payments Auctions Rate and Variable Rate bonds chart, asked if the 2004 A,B, and C Bonds Swap Cost is considered to be good or bad. Mr. Kintner said that the performance on the swap cost has done well due to the terms in which they were entered into. He said the fixed rate less than what is received on the variable rate side, and this has negated a lot of the impact on those 2004 A,B, and C notes. He said that they are working on the Waterworks debt and they are working on reimbursing the 2002A Redevelopment District bonds. The remaining bonds are still in the process of monitoring or they are performing well enough that nothing extra is needed.

### EQUAL OPPORTUNITY UPDATE

Chris Cotterill, Office of Corporation Counsel (OCC), said they found an opportunity to fix some problems that needed to be addressed. There is a lack of adequate investment in equal opportunity adjudication of Department of the Administration & Equal Opportunity (DAEO.) He added that it is not a high priority among other functions of DAEO and because of this, many claims of discrimination were unanswered. He said that the Council voted to move Equal Opportunity to OCC to change the structure and not the law.

Maxine Russell, Equal Opportunity Chief Executive, explained the Equal Opportunity status and next steps document (attached as Exhibit B.)

Some key points are:

- Equal Opportunity had a backlog of 200 cases before being transferred to OCC.
- The Council voted to move Equal Opportunity to OCC; to provide lawyers and paralegals to judiciously and methodically address each claim of discrimination, to ensure adequate resources are available; and to enforce the law, by giving a fair process to those who file a claim and those against whom a claim is filed.
- Other sections of OCC act as a law office using services, including the Litigations Department, General Counseling, Equal Opportunity, and the services of the City Prosecutor.
- OCC has made Equal Opportunity claims its top priority and has initiated several programs to employ outreach and make the public aware that these services are available.
- The Office of Equal Opportunity is collaborating with several groups such as Disability Affairs and Latino Affairs, to help with the Outreach program.

Councillor Sanders asked if there is a main source of interest concerning cases that are being filed. Ms. Russell said that the source of cases can come from a number of different reasons depending on the situation. She added that some of the reasons come from lack of knowledge about the law in terms of hiring and firing employees. She said the employers should know that if there is an employee handbook, it must apply to everyone working for that company, and everyone must be treated the same. Mr. Cotterill said that the number of claims that OCC currently has may not properly represent a specific set of claims. He said the next step in the process is getting on the right track of outreach. This will help people become more aware that the Office of Equal Opportunity is available. Councillor Sanders asked if all the cases appear before the Advisory Board. Ms. Russell said everything will appear in front of the Advisory Board unless it is withdrawn for administrative reasons or because the complainant decided not to move forward.

Councillor Nytes asked if the Equal Opportunity Board is back on schedule with its meetings. Ms. Russell said that the board meets every other month and the first meeting will be in February. Councillor Nytes asked if the new board members names were on the website. Ms. Russell answered in the negative and said that she will make sure that the secretary of the board is notified.

Ms. Russell said that people are not aware that the city has an Office of Equal Opportunity. She said that outreach is important in making everyone aware that the Office of Equal Opportunity exists and is here to help. She said that they are continually improving the program to offer the best services. She said that OCC has been reviewing other city, state, and federal programs and mirroring their best aspects of different programs. OCC is making the website, brochures, forms, letters, and interview scripts available in English and Spanish. They are also adding teeth to the program by ensuring that respondents respond to complaints in a timely manner. She said that this system will alert OCC when a claim reaches the 70-day period, as the deadline to have a claim completed is 100 days.

Councillor Sanders asked if a claimant's claim reaches the 100-day mark and the claim is not settled, if that claimant will have the option of going to the State's Office of Equal Opportunity. Ms. Russell said that the claim cannot be with the State and with the City at the same time. If a claimant has a claim with the City, they can withdrawal their claim and transfer it to the State. She said that there have been people who have contacted the city's Office of Equal Opportunity and compare it to the State's Office of Equal Opportunity, and made the choice between the two. Ms. Russell said that the City's Office of Equal Opportunity has been working really hard to meet the 100-day deadline, and they have done a great job. However, if for some reason OCC cannot complete the claim within the 100-day deadline, the claimant will be notified as to reason for the hold up.

Councillor Sanders asked if training for the Agency Directors and Management within local City-County government has caused a huge number of claims. Ms Russell said that she is not sure, because she has not handled any claims from the City and County dealing with management. Mr. Cotterill said that those claims usually flow through Human Resources.

There being no further business, and upon motion duly made, the meeting was adjourned at 6:30 p.m.

Respectfully Submitted,

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Susie Day, (Acting) Chairwoman

SD/rjp

# Indianapolis Local Public Improvement Bond Bank

Summary of Indianapolis Bond Bank  
Variable Rate Debt

January 27, 2009

## Indianapolis Local Public Improvement Bond Bank

### Outstanding Auction Rate and Variable Rate Bonds as of January 1, 2009

BB Series	QE Series	Rate Debt	Associated Project	Outstanding Amount
2002F	Redevelopment Dist. Refunding Bonds, 2002A	VRDB	Refund portion of 1992A Bonds	\$128,210,000
2004A Notes	Redevelopment District, 2004A	VRDB	Simon Building	\$1,353,169
2004B Notes	Redevelopment District, 2004B	VRDB	Simon Building	\$9,185,000
2004C Notes	Redevelopment District, 2004C	VRDB	Simon Building	\$17,600,000
2004A	Waterworks District Net Revenue Bonds, 2004A	ARs	Capital Improvements to public water utility system	\$50,000,000
2005G	Waterworks District Net Revenue Refunding Bonds, 2005G	VRDB	Advance refund a portion of the 2002A Bonds	\$386,500,000
2005H	Waterworks District Net Revenue Bonds, 2005H	VRDB	Capital Improvements to public water utility system	\$47,810,000
2004B	Economic Development Revenue Bonds, 2004B	VRDB	Conrad Hotel / Circle Block - Parking Garage	\$9,900,000
2007A Notes	Lighthouse Charter School, Notes of 2007	VRDB	Charter School Program	\$3,512,934
2008C	Indianapolis Airport Authority, 2008C	VRDB	Indianapolis New Midfield Terminal	\$350,000,000

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**Indianapolis Local Public Improvement Bond Bank  
Interest Cost and Swap Payments Auction Rate and Variable Rate Bonds**

BB Series	QE	2008			2007			% 2008- 2007	Variation
		Interest Cost	Swap Cost	Total Cost Paid in 2008	Interest Cost	Swap Cost	Total Cost Paid in 2007		
2002F 2004A, B, C Notes	Redevelopment District Redevelopment District	5,108,697.03 2,388,277.10	4,233,292.75 (92,810.58)	9,341,989.78 2,295,466.52	4,899,197.51 3,025,907.90	3,017,051.70 (4,706.47)	7,916,249.21 3,021,201.43	118% 76%	(1,425,740.57) 725,734.91
2004A	Waterworks District	2,843,645.83	None	2,843,645.83	2,021,990.17	None	2,021,990.17	141%	(821,655.66)
2005G	Waterworks District	20,018,411.05	6,590,085.32	26,608,496.37	15,726,968.89	112,069.41	15,839,038.30	168%	(10,769,458.07)
2005H	Waterworks District	2,570,556.82	825,548.45	3,396,105.27	1,794,175.61	7,899.27	1,794,175.61	189%	(1,601,929.66)
2004B	Economic Development	734,031.03	None	734,031.03	500,439.88	None	500,439.88	147%	(233,591.15)
2007A Notes	Lighthouse Charter School	68,816.75	63,471.06	132,287.81	113,004.78	7,656.60	120,661.38	110%	(11,626.43)
2008C	Indianapolis Airport Authority	6,532,052.48	2,856,174.93	9,388,227.41	None	None	None		N/A

# Indianapolis Local Public Improvement Bond Bank

## Long Term Plan

### Auction Rate and Variable Rate Bonds

<b>BB Series</b>	<b>QE</b>	<b>Objectives</b>
2002F	Redevelopment District	In process of refunding, expected to be completed by June 2009
2004A,B,C Notes	Redevelopment District	Performing within expectations; no further action needed
2004A	Waterworks District	In process of refunding, expected to be completed by June 2009
2005G	Waterworks District	In process of refunding, expected to be completed by June 2009
2005H	Waterworks District	In process of refunding, expected to be completed by June 2009
2004B	Economic Development	Performing within expectations; will continue to monitor
2007A Notes	Lighthouse Charter School	Evaluating options; will work with the school on any future actions



City of  
**Indianapolis**  
Gregory A. Ballard, Mayor

## Office of Corporation Counsel *Equal Opportunity Status & Next Steps*

Maxine Russell  
Equal Opportunity Chief

Chris W. Cotterill  
Corporation Counsel  
01/27/09

### **Equal Opportunity: What We Found**

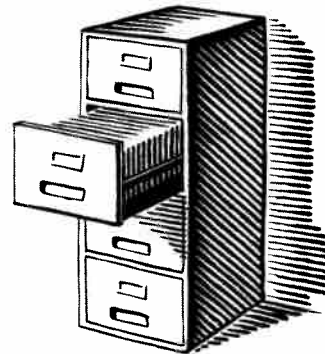
#### ■ 200 Case Backlog

- For the last several years, the City has had a backlog of claims of discrimination in file cabinets



#### ■ Why?

- Lack of adequate investment in Equal Opportunity adjudication of Department of Administration & Equal Opportunity
- Not a high priority among other functions of DAEO, which included HR, M/WBE, etc.



#### ■ The Result: Unacceptable

- Many claims of discrimination went unanswered

## Mayor Ballard Proposes Overhaul

### ■ Council Voted Overwhelmingly to Move Equal Opportunity to OCC



- To provide lawyers and paralegal to judiciously and methodically address each claim of discrimination
- To ensure adequate resources are available
- To enforce the law, by giving a fair process to those who file a claim and those against whom a claim is filed

### ■ What We Didn't Change

- Maintains oversight by the Equal Opportunity Board
- Maintains the laws on discrimination

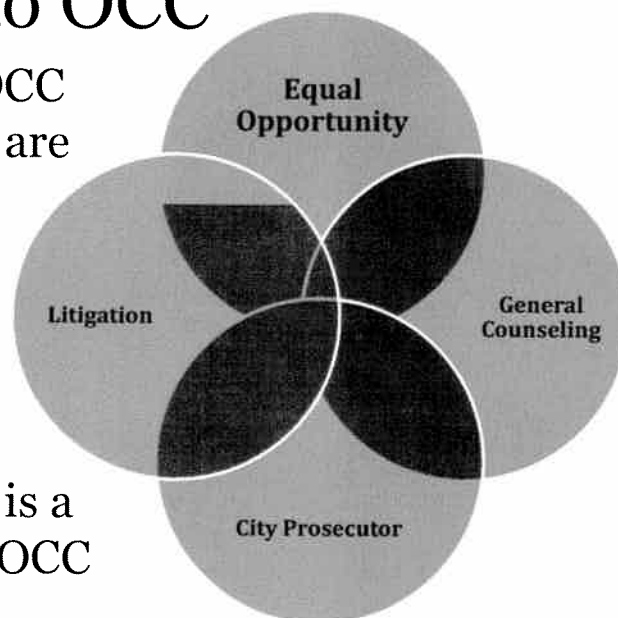
3

## A Perfect Fit

### ■ It Made Sense to Move Equal Opportunity to OCC



- Other sections of OCC assist to ensure we are most effective
- When added resources are needed, OCC has them available
- Equal Opportunity is a **TOP PRIORITY** to OCC



4

## We Protect Against These



Disability Discrimination

Gender Identity Discrimination

National Origin Discrimination

Race Discrimination

Religious Discrimination

Retaliation

Sex Discrimination

Sexual Harassment

Sexual Orientation Discrimination

5

## Equal Opportunity Adjudication at OCC



### ■ First, Get Back on Track

- Diligently resolving backlog of discrimination claims dating back several years
- We did not clean out file cabinets
- We are resolving all claims through appropriate follow-up on each and every claim
- We instituted a case management system to track every claim

### ■ All Claims Are Now in Process

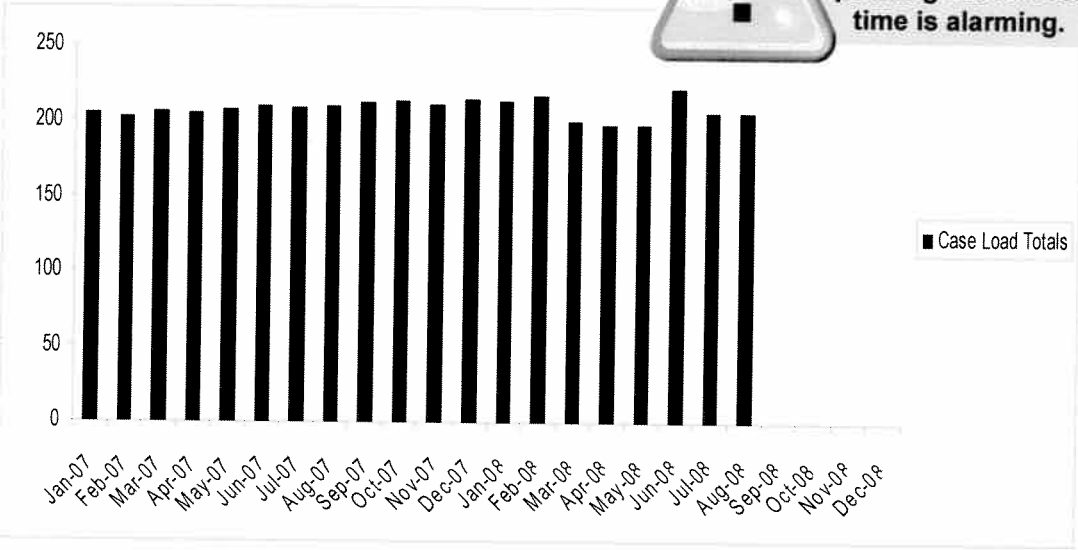
- The last set of responses to complainants were sent on November 18, 2008

6

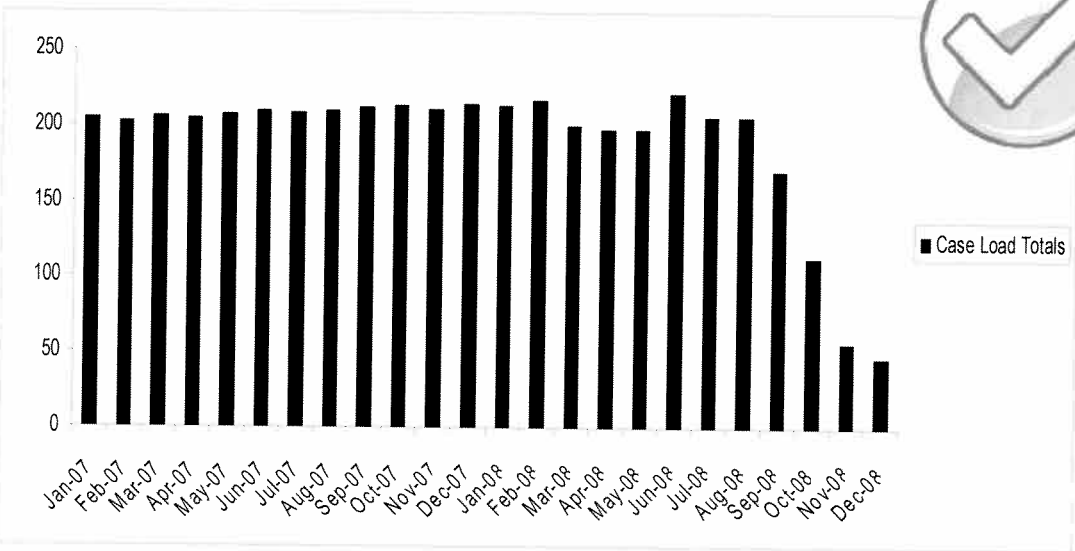
# Equal Opportunity Adjudication Case Loads



The number of pending cases over time is alarming.

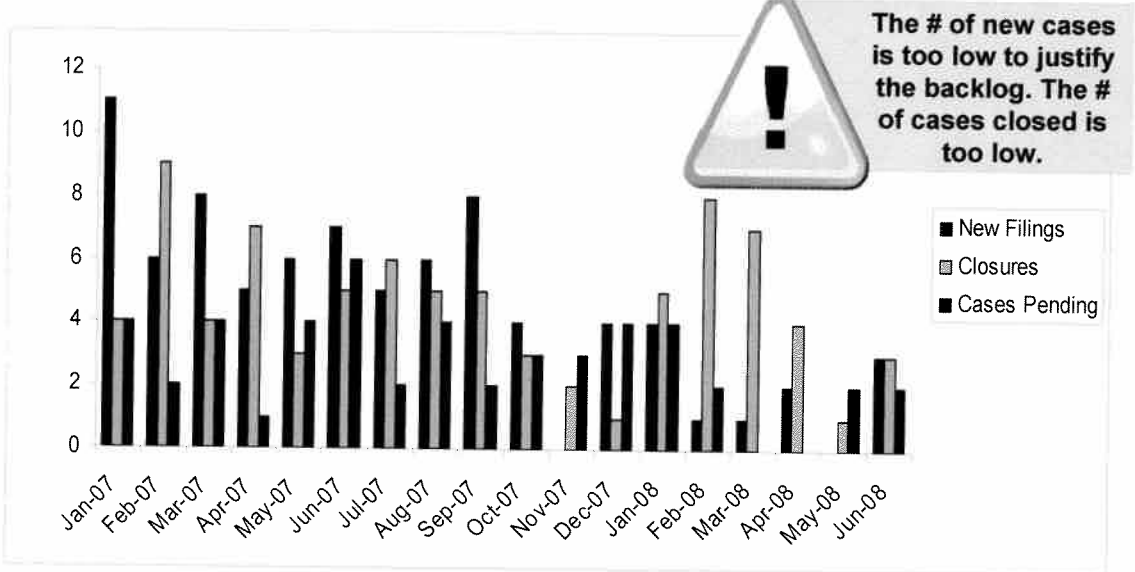


# Equal Opportunity Adjudication Case Loads



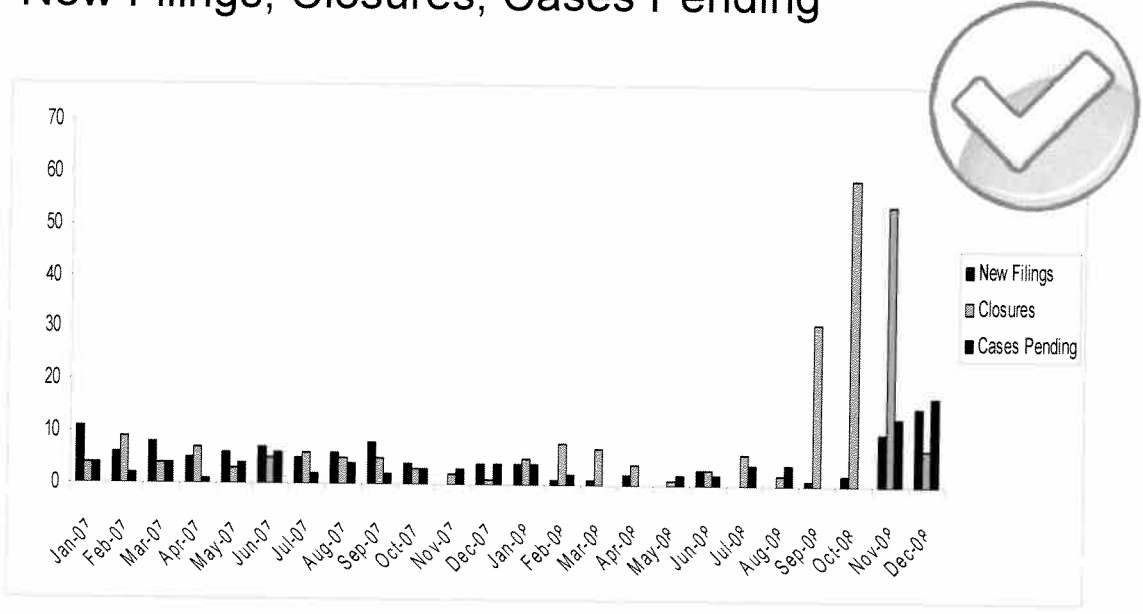
# Equal Opportunity Adjudication

## New Filings, Closures, Cases Pending



# Equal Opportunity Adjudication

## New Filings, Closures, Cases Pending



## **Now: Outreach & Improve**

### **■ Outreach, Outreach, Outreach!**



- Brochures and direct mailing sent to the many
  - Indianapolis Urban League; LA Plaza; Association of Mexican Leaders in Action (AMLA); Legal Aide; Work-one (Unemployment Office); NAACP; NOW; AARP; Mexico Consulate; INDY Rainbow Chamber of Commerce; Outward Bound; and, Indiana Youth Group
- Participating in Job Fairs and Expos
  - WEDJ & WSYW (Radio stations cater to the Hispanic Community) has a spring and fall fair; Black Expo is in July; Indianapolis Star has a Job Fair in February, June, and October; El Dia La Familia; and Multi-culture Job Fair
- Radio and print media coming soon

11

## **Now: Outreach & Improve**

### **■ Outreach, Outreach, Outreach!**



- Notified the EEOC and the ICRC about our reforms
- Updated Equal Opportunity Board
- Updating City-County Council
- Working with Mayor's Office on integrating our information with Mayor's communications
- Working with representatives of the Latino Affairs Commission & International & Cultural Affairs Office to coordinate outreach efforts
- Working with Office of Disability Affairs to coordinate outreach efforts

12

## Now: Outreach & Improve

### ■ We Must Continuously Improve: Our Next Steps



- Reviewing other city, state, and the federal programs and mirroring the best aspects of different programs
- Making website, brochure, forms, letters, and interview scripts available in English and Spanish
- Adding teeth to the program by ensuring the respondent responds to complaints in a timely manner
- Providing more details in the complaints filed
- Treating each complaint separately by tailoring the request for documentation or information based on the complaint at hand and not sending out generic requests
- Upgrading our new system to alert us when a case has reached its 70 day mark and 100 day mark

13

## Wrap Up



# Questions/Answers

# *Thank You!*

14