



# City of Madison

City of Madison  
Madison, WI 53703  
www.cityofmadison.com

## Meeting Minutes - Approved AFFIRMATIVE ACTION COMMISSION

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Tuesday, December 11, 2012

5:00 PM

215 Martin Luther King, Jr. Blvd.  
Room LL-120 (Madison Municipal Building)

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### CALL TO ORDER / ROLL CALL

**Staff:** Norman Davis, Affirmative Action Division Manager; Lucia Nunez, Director; Robin Bloom, Secretary; Dana Hanaman, Contract Compliance Monitor; City Attorney Roger Allen

**Present:** 7 -

Joseph R. Clausius; Linda J. Ketcham; Sharyl J. Kato; Theola V. Carter; Ashok Bhargava; Laura Sorensen and Margaret M. McInnis

**Absent:** 1 -

Dario Parra

**Excused:** 3 -

Kyara I. Moss; Michael M. Johnson and Nu Lee

### APPROVAL OF MINUTES

On a motion of Bhargava, seconded by Sorensen, minutes were approved.

### PUBLIC COMMENT

None

### DISCLOSURES AND RECUSALS

None

### NEW BUSINESS

Commissioners were reminded to get their Statement of Interest forms in.

### REPORTS

[27981](#)

Quasi-judicial training - Roger Allen, City Attorney's Office

**Attachments:** [Quasi-Judicial Training.pdf](#)  
[AACMGO&Operating Rules.pdf](#)

Attorney Peguero was unable to attend so Attorney Allen made the presentation.

Attorney Allen told the Commissioners that they could go on the Attorney website which has a handy link to the City Ordinances and interpretations. The website has much valuable information including a section on Ethics, Open Government, and Training. Atty. Allen then shared Quasi-Judicial training materials which included information on definitions and examples, conflict of interest or risk of bias, conflicts under the Ethics Code, requirements for Due Process, evidence of proof, hearsay, and burden of proof, impartiality, and deliberations. Information was provided on many of these subjects. Commissioners were told they cannot bring information to the decision, and cannot base decisions on hearsay. Everyone is allowed due process and fair play and the right to a decision that is not arbitrary or unreasonable. Decisions should be based on the facts and on the law. Hearings should be taped or transcribed so there is an accurate record. Commissioners are allowed to take notes during the hearing but these notes cannot be shared and after the decision is rendered, the notes should be destroyed. If Commissioners are served they should notate relevant information, and then call Lucia Nunez, who will then contact the City Attorney's office. Attorney Anne Zellhoefer represents the City. Atty Allen reminded Commissioners that a hearing notice is not evidence or testimony. Commissioners have to know the evidence at deliberations. When reading the charging documents Commissioners should determine if they can be fair and impartial, and determine if they need to recuse themselves. Norman Davis explained the Affirmative Action Plan hearings process and that the Commission has adopted rules regarding hearings and decisions. Chair Carter explained she always puts the hearing committees together always with a Commissioner who has previous experience with AA hearings. There is a City Attorney and staff always available, and Commissioners are allowed to go into closed session. If Commissioners have any further questions, they should e-mail them to Lucia Nunez.

**Present:** 6 -  
Linda J. Ketcham; Sharyl J. Kato; Theola V. Carter; Ashok Bhargava;  
Laura Sorensen and Margaret M. McInnis

**Absent:** 1 -  
Dario Parra

**Excused:** 4 -  
Joseph R. Clausius; Kyara I. Moss; Michael M. Johnson and Nu Lee

[07972](#)

COMMON COUNCIL UPDATE BY ALD. CLAUDIUS--Presented for information only. No action required.

None - Alder Clausius had to leave at 6:07 for another meeting.

14091

DIVISION MANAGER'S REPORT

Norman Davis, Affirmative Action Division Manager, will report on activities of the Division since the last meeting.

**None- in consideration of pending loss of quorum.**

14148

DIRECTOR'S REPORT- Presented for information only. No action required

*Lucía Nuñez, DCR Director, will report on the following:*

*-Her activities since the last meeting*

*-Staff activities since the last meeting*

*-Activities of the Equal Opportunities Commission and Commission on Persons with Disabilities since the last meeting.*

**None - in consideration of pending loss of quorum.**

ADJOURNMENT

**On a motion by Bhargava, seconded by Kato, meeting was adjourned at 6:25 p.m.**