

ORGANIZATION AND BYLAWS OF THE CITY OF EUGENE HUMAN RIGHTS COMMISSION

(October 16, 2012)

INTRODUCTION: MISSION OF THE HUMAN RIGHTS COMMISSION

The mission of the Human Rights Commission is to promote implementation of universal human rights values and principles in all City of Eugene programs and throughout the wider community.

To carry out this mission the commission shall affirm, encourage and initiate programs and services within the City of Eugene and in the wider community designed to place priority upon protecting, respecting, and fulfilling the full range of universal human rights as enumerated in the *Universal Declaration of Human Rights*. To support and promote human rights, the commission will:

- a) Provide human rights education
- b) Be proactive in human rights efforts
- c) Address human rights violations
- d) Ensure active public participation
- e) Be transparent and open
- f) Be publicly accountable for human rights progress

The following sets forth information, rules and regulations concerning the Human Rights Commission. The rules and regulations herein are established pursuant to authority contained in the Oregon Revised Statutes, Chapter 227, and the Eugene Code, 1971, Chapters 2, 8 and 9.

ARTICLE I. ESTABLISHMENT

The Eugene Human Rights Commission, hereinafter referred to as the commission, was established in 1990 (Ordinance No. 19732) and is appointed by the City Council, hereinafter referred to as the council, in conformance with Eugene Municipal Code 2.26 to 2.28. The commission's organization was revised by Ordinance No. 20481 which amended sections 2.013, 2.265, 2.270, 2.275 and 2.280 of the Eugene Municipal Code, 1971. Nothing in these bylaws shall be construed as expanding the authority conferred upon the commission by the ordinance.

ARTICLE II. PURPOSE AND OBJECTIVES

Section 1. The commission shall act as an advisory body to the Mayor, City Council, City Manager and wider community in the pursuit of progress towards

the elimination of systemic barriers to equitable treatment and toward inclusion and accommodation of differences among people. The commission will promote justice and equal opportunity for all. In these efforts, the commission may enlist the support of community groups and public agencies.

Section 2. The commission shall endeavor to ascertain the status of civil and human rights in the community. The commission may investigate, research and hold hearings to effectuate this provision.

Section 3. The commission shall make periodic recommendations to elected officials and city manager concerning the civil and human rights of persons and groups in the community.

Section 4. The commission shall cooperate with city officials to ensure that the City of Eugene is a leader in extending equal opportunity to its community members, including but not limited to:

- a) Employment opportunities in city government;
- b) Training for city jobs;
- c) Equality of city services provided;
- d) Equality of all before the law; and
- e) Equal treatment of all by holders of city licenses, contracts and privileges.

Section 5. The commission shall cooperate with the City of Eugene in ensuring the city is receiving, referring and/or investigating specific acts of discrimination, hate and bias against individuals in the community.

Section 6. The commission shall work to educate and encourage community members to report acts of discrimination, hate and bias to the City of Eugene.

ARTICLE III. MEMBERSHIP, APPOINTMENT, TERM OF OFFICE

Section 1: The commission shall consist of:

- a) One City Councilor or the mayor. The mayor will appoint this member on an annual basis.
- b) Ten community members. Community members shall have a demonstrated knowledge and interest in the civil and human rights concerns of the community. Members shall be appointed in a way that strives to achieve a balance on the commission that reflects the community and has protected class representation.

Section 2: Members of the commission shall be persons who have actively demonstrated an expertise and interest in efforts to promote diversity, equality, equity and understanding of human rights, and to dismantle injustice, discrimination, bigotry, hatred and harassment within the community.

Section 3: Members shall be appointed by the council. The chair and appointed delegates shall perform the initial review of applications and make recommendations to council for its consideration.

Section 4. Vacancies on the commission shall be filled in the same manner as original appointments. Except where the vacancy occurs because the City Councilor or the mayor ceases to serve on the commission, the council shall appoint, within 90 days of the position becoming vacant, a person to complete the member's unexpired term from the non-commission members of the commission's workgroups. A position becomes vacant upon:

- a) The death or resignation of the incumbent;
- b) Removal of an incumbent for nonperformance of duty or upon recommendation by the commission after the commission has determined that the incumbent has failed to properly represent the commission or otherwise damaged the work of the commission, and the council has concurred with that determination;
- c) Failure of the council to reappoint an incumbent at the expiration of his or her term; or
- d) The incumbent ceasing to be qualified for initial appointment.

Section 5. Each community member of the commission shall serve a three-year term. No member of the commission shall serve more than six consecutive years as a member of the commission.

Section 6. Commission members shall receive no compensation, but shall be reimbursed for authorized expenses. (see Article IX, Section 6)

ARTICLE IV. OFFICERS AND DUTIES

Section 1. The officers of the commission shall be a chairperson and a vice-chair elected by the commission from among the members of the commission. To be eligible for chair nomination a commissioner must have served on the Human Rights Commission at least one (1) year.

Section 2. Any commissioner may nominate a candidate from the commission for the position of chair or vice-chair. Nominations need not be seconded.

Section 3. A member may decline nomination because of an inability to serve, but may not withdraw in favor of another member.

Section 4. Any member may move to close the nominations; a second is required. If the motion carries, the chair then calls for the election.

Section 5. The votes of all commission members will be recorded by the minutes recorder. The candidate who receives a majority of the votes cast

becomes the new chair. In the event that no candidate receives a majority of the votes cast, a run-off election shall be held between the two candidates receiving the most votes. The same procedure is followed for the election of the vice-chair.

Section 6. The chair and vice chair shall serve for one (1) year. The election will be held no later than the commission's regular meeting in January. If the chair cannot serve a full term, the vice chair shall assume the office for the remainder of the chair's term. If the vice chair cannot serve a full term, the commission shall, at the meeting in which the resignation is received, or the vice chair is removed, elect a new vice chair to complete the unexpired term. If both chair and vice chair vacate their respective offices prior to the end of their terms, elections must be held at the following meeting to fill both offices.

Section 7. Commissioners may not be elected as chair for more than two (2) successive terms.

Section 8. The chair shall preside at all meetings of the commission; call special meetings subject to requirements of Article VI; consult with staff on preparation of commission agendas; and perform all other duties necessary or incidental to the office.

Section 9. The vice-chair shall perform the duties of the chairperson in the absence or inability of the chairperson.

Section 10. The chair and vice chair are entitled to vote on all issues.

Section 11. The chair or chair's designee is the official spokesperson for the commission on all matters of community that concern the commission. This includes media inquiries.

Section 12. The chair and vice-chair shall: a) conduct orientation of new commission members b) assist with educating commission members on procedures and responsibilities c) at the request of the commission, prepare recommendations on commission bylaws and other administrative matters

ARTICLE V. OPERATING REQUIREMENTS OF COMMISSION AND MEMBERS

Section 1. The commission shall submit an annual memo and a biennial annual work plan in writing to the council by July 1. The report shall list the activities and accomplishments to date and assess these against the commission's mission and against the annual work plans. The work plan must be reviewed by the City Manager and approved by the council. As a result of a significant event or unforeseen circumstances, the commission may request the City Council approve a work plan amendment at any time as a consent item on the council's

agenda.

Section 2. The commission shall sponsor at least two (2) activities per year.

Section 3. Each member of the commission shall attend and actively participate in at least one activity sponsored or co-sponsored by the commission.

Section 4. When the commission purchases services or activities from outside agencies, or endorses the activities or outside agencies, the commission shall send at least one member/representative to each activity so funded or endorsed. The commission's purchase of any goods and services is subject to the City's purchasing policies and legal requirements.

Section 5. All members of the commission shall be involved in commission activities, including regularly attending commission and commission approved work group meetings. Any member who misses more than three (3) consecutive regular meetings with or without a quorum and without having been given a leave of absence by a majority vote of the commission (see Article V. Section 6) or workgroup may be removed by the council upon recommendation of the commission to remove. If members are unable to attend a meeting of the commission or a workgroup, they shall notify the staff as soon as possible.

Section 6. The commission may approve a leave of absence, not to exceed 3 months, for a commissioner who is temporarily unable to fulfill the duties of a commissioner.

Section 7. Members of the commission shall serve on a screening committee to interview applicants for appointment as presiding municipal judge and associate municipal judge, and shall serve on an evaluation committee to monitor these appointments. City Code 2.01 (9)(a), (10)(c).

Section 8. The commission may make and alter rules for its conduct and procedure, providing they are consistent with state law and applicable provisions of the City charter, ordinances and policies.

Section 9. Liaison assignments are determined by the full Commission. Through this process individual commissioners may be assigned to act as liaisons from the Commission to other city boards, committees or commissions. Liaisons will give a verbal report to the Commission quarterly based on their notes from meeting attendance. Liaisons officially represent the Human Rights Commission at these meetings and will act as a conduit of information between the commissions, however the liaison must seek whole Commission input on any issues concerning official Human Rights Commission positions towards topics or policies encountered as part of their liaison duties. Liaisons assignments will be determined no later than the annual summer retreat.

Section 10. Individual Commissioners may not represent the Human Rights

Commission or official Human Rights Commission positions to outside bodies or individuals without the prior and express approval of the full Commission. Commissioners should take care to recognize the potential for misunderstanding of their role and position by others and actively work to be clear in their communication of their limited capacity to speak on behalf of the commission without prior approval.

ARTICLE VI. MEETINGS, VOTING AND PROCEDURES

Section 1. The commission shall meet at least six times a year, with such additional meetings as it deems necessary to properly perform its duties.

Section 2. The draft agenda for each meeting will be compiled by the chair in consultation with commissioners and staff. The agenda will be finalized by the commission during the Agenda Review/Adjustment portion of each business meeting.

Section 3. Each voting member of the commission shall be entitled to vote at all regular and special meetings of the commission, except that a member shall not vote or take part in discussion as a member when there is an actual conflict of interest. If a member wishes to abstain in a situation where there is a potential conflict or no direct conflict of interest, but where the public might construe that such a conflict exists, or if a member has a conflict deriving from his or her relationship with persons involved in the issue, then he or she may ask to abstain. In this case, it is up to the commission to decide whether the abstention is necessary. If members are in doubt about the nature of a conflict, they may ask for the advice of the City Attorney through a designated staff contact.

Section 4. Fifty percent plus one of the current membership, not including any commissioner who is on leave of absence, shall constitute a quorum.

Section 5. The chair or seven (7) members of the commission may call special meetings by delivering a 24-hour written notice personally, by mail or e-mail to each member of the commission and to media representatives filing with the City Manager's Office a written request for such notice. The call and notice shall specify the time and place of the special meeting and the business to be transacted as required by Oregon Public Meeting Law.

Section 6. Members shall not vote on a question unless they are present when their names are called or before the vote is announced. Proxies are not permitted.

Section 7. Members may at any time explain their votes, or file in writing explanations of such votes after the result of the voting has been announced and recorded.

Section 8. In general, communication to and from the public during full business meetings occurs during the public comment period. Except for the right to vote and to move a motion, the privilege of the floor may be granted to any member of the public at the discretion of the chair.

Section 9. The commission, committee and work group meetings shall follow Oregon's public meeting laws.

Section 10. The meetings of this commission shall be governed by hybrid form of Robert's Rules of Order. See Appendix 1: Decision Making Flow Chart. Commission members may refer to Robert's Rules of Order regarding rules of procedure for guidance with respect to the conduct of meetings or points of order.

ARTICLE VII. STAFF SUPPORT

Section 1. The City manager may, within his or her discretion, furnish staff assistance to the commission or to the commission's committees.

Section 7. A City staff member shall distribute minutes of the previous meeting with the agenda for the next meeting to all members the week before the meeting date in electronic format unless an alternative format is requested in advance. All printed information to be distributed to the members with the minutes will be submitted to the Equity and Human Rights Center Office ten (10) days before the meeting.

Section 8. A recorder may be furnished to the commission by City administration to record the minutes of each regular meeting in accordance with ORS 192.650. Additionally, a video recording may be made of each regular meeting. The minutes of all meetings shall be filed with the staff person appointed by the City Manager to serve the commission. The written minutes shall include at least the following information:

- a) all members of the commission present
- b) all motions, proposals, resolutions, orders, ordinances and measures proposed and their disposition
- c) the results of all votes and the vote of each member by name
- d) the substance of any discussion on any matter
- e) a reference to any document discussed at the meeting (subject to ORS 192.410 to 192.505 relating to public records).

ARTICLE VIII. COMMITTEES, PROGRAMS AND WORK GROUPS

Section 1. Work groups shall be formed as required completing necessary tasks in the commission's council approved biennial work plan.

Section 2. Work groups shall consist of commission members and formally invited community members formally invited by commission members and staff.

Section 3. The work groups shall be chaired by a commission member but may be facilitated by any member of the group including community members. Groups will select a lead from the workgroup that is an HRC member.

Section 4. The lead of each work group shall be responsible for submitting a report concerning relevant activities, requests, or proposals to the commission at regular business meetings.

Section 5. Work groups may undertake information gathering, compiling of reports, plan events, and engage in other such activities to accomplish their designated work plan tasks.

Section 6. Work groups may not directly make reports, recommendations, or requests to City Council without formal full commission approval beforehand.

Section 7. In accordance with Oregon Public Meeting law, each work group will be responsible for designating a member to record the meetings' content including members present, work discussed, and decisions made.

Section 8. The work group shall generally use consensus decision-making in an effort to incorporate all interests and gather full support for the final decision. Consensus is considered to be round-the-table support for outcomes under discussion. The majority voting decision-making approach can be used when the work group is taking a formal position on a topic and consensus is not possible. The conflict of interest laws (in State ethics law) apply in consensus or majority decision-making. Any member with an actual conflict of interest must recuse her/himself from deliberation on the issue.

Section 9. Work group members may refer to Robert's Rules of Order regarding rules of procedure for guidance with respect to the conduct of meetings or points of order.

ARTICLE IX. FISCAL POLICIES

Section 1. As per City ordinance (City Code 2.330.) and subject to State law, the Oregon Budget Law, and the Charter of the City, the commission may expend public funds with the approval of the City Manager or his or her designated representative and may accept contributions and expend the same, as long as the funds are related to the commission's own purposes and work plan and clearly benefit the City.

Section 2. The commission does not sponsor events that are not open to the public or that are strictly fund-raising events. The commission does not support events held in locations on the Lane County Labor Council's Unfair Labor Practices List.

Section 3. Events sponsored by the commission must be fully accessible as per the Americans with Disabilities Act, and sign interpretation should be provided if requested.

Section 4. The commission may endorse and provide recommendations to staff for financial support to events that meet the criteria of the City and the commission. Levels of support include:

- a. Endorsement—the commission may endorse specific events whose values it supports but to which it does not contribute money. The commission's name may be used in advertising for these events.
- b. Support—provide up to \$100 for events in which commissioners are not actively involved.
- c. Cosponsorship—the commission may provide up to \$400 for events in which commissioners will be actively involved. Active involvement means that, at a minimum, the group planning the event works directly with a commissioner who serves as a formal liaison between the group and the commission and reports back to the commission regularly.

Section 5. Organizations must apply in writing for endorsements and financial support. All requests for funding are approved or denied based on majority vote after consideration by the full commission. If approved, the applicant must provide a follow-up report to the commission within one month of using the funds.

Section 6. Any member who incurs expenses as a result of commission work shall submit to the chair a statement itemizing the expense. The chair may seek reimbursement for the member from the City Manager or his or her designate. Expenses shall be approved by the commission membership prior to disbursement.

Section 7. Members wanting to attend meetings on behalf of the commission shall first seek approval from the chair of the commission to have the visit placed on the agenda of a commission meeting. The membership may then approve spending of commission funds and appoint a member to attend.

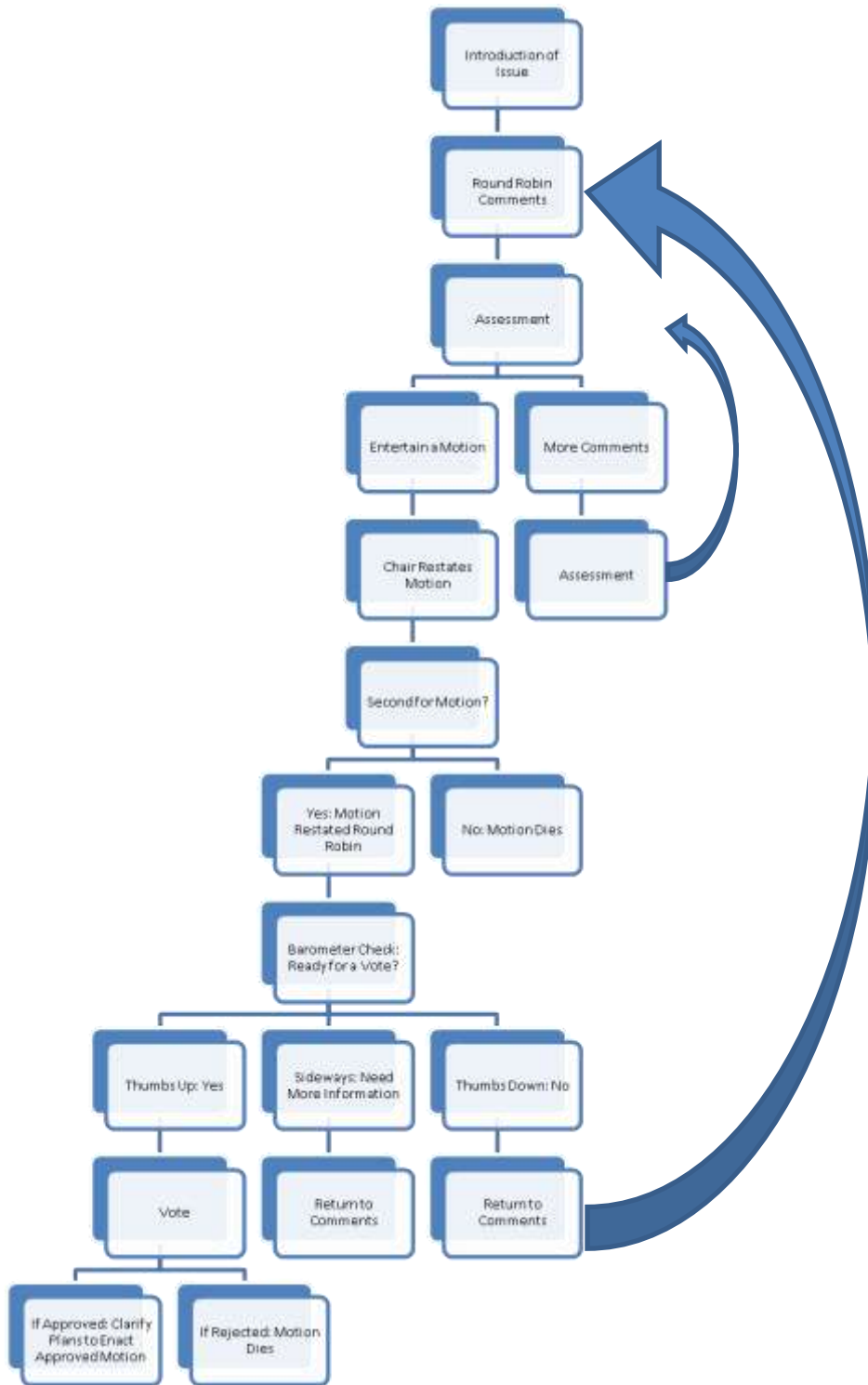
Section 8. The fiscal year of the commission runs from July 1 to June 30.

ARTICLE X. AMENDMENT OF THE BYLAWS

Section 1. These bylaws may be adopted, by a majority vote at any session of the commission and will continue in force for the commission until rescinded or amended. They may be suspended, rescinded, or amended by a majority vote of the commission at a regular or supplementary meeting.

APPENDIX 1: Decision Making Flow Chart and Description

From established agenda items this is the general process for decision making. The following page contains detailed text description.



Items to be considered through this process must be integrated into the formal agenda for the meeting in which they will be presented.

1. INTRODUCE ISSUE or AGENDA ITEM
(5 MINUTES)

Clarify the purpose of the item. Seeking input, updating, decision/action, etc.

Highlight links to Human Rights Commission mission, goals, work plan, or activities, and relationship to community or City Council.

What is needed from the Commission?

2. ROUND ROBIN COMMENTS

(1-2 MINUTES PER COMMISSIONER)

The Chair, or Chair's appointee will facilitate Commissioner comments on the item.

Specifically respond to the question of "*What is needed from the Commission?*"

Share concerns, questions, awareness of pros and cons issues, etc.

- Start at right or left of Chair and Vice-chair
- Commissioners can also 'pass' and speak after we've gone around the table

3. ASSESSMENT

ENTERTAIN A MOTION or MORE COMMENTS?

Chair requests a motion for next steps. "*Are we ready for...*"

A) a decisive motion; or

B) a motion for further discussion (another time round the table/popcorn discussion with queue and time limit); or
C) a motion for postponement to a future agenda to allow for further inquiry/research?"

IF A MOTION IS PUT ON THE TABLE FOR A VOTE: The chair pauses, and restates the motion on the table.

4. A SECOND FOR THE MOTION?

Options:

YES: RESTATE THE MOTION CLEARLY AGAIN FOR THE VOTE AND THE PUBLIC RECORD.

FRIENDLY AMMENDMENTS PROPOSED AND FORWARDED.

NO: MOTION DIES.

5.MOTION SECONDED

DISCUSSION OF MOTION - ROUND ROBIN COMMENTS

(1-2 MINUTES PER COMMISSIONER)

Commissioners invited to state last comments on the motion.

This is an opportunity for Commissioners to state for the record the points that were important to them as they considered this issue, if they choose.

- Start at right or left of Chair and Vice-chair.
- Commissioners can also 'pass' and speak after we've gone around the table.

6. BAROMETER CHECK

Are we ready for a vote?

Yes: Thumb up

Need more information: Sideways thumb

No: Thumb down

7. VOTE: VOTE DOCUMENTED IN PUBLIC RECORD

Abstentions are permitted if any *conflicts of interest* are noted for abstentions

8. PLANS TO ENACT THE APPROVED MOTION CLARIFIED.

Who does what, when? Decisions/action plans documented in minutes.