



Overview of Equity and Human Relations Commission Bylaws

City Attorney's Office

October 3, 2023

- 8 members of the commission required to hold a meeting
- Loss of Quorum
 - If a Commissioner leaves during the meeting, quorum lost
 - Commission must stop conducting business until quorum restored
 - Chair or Co-Chair must adjourn the meeting to another time, place, and date if quorum lost
 - If no commissioners present, Clerk or Commission Liaison may adjourn the meeting for no quorum

Commissioners CAN:

- Advocate to City officials regarding a position adopted by the Commission
- Advocate as a member of the public to City officials if they identify they are not speaking as a Commissioner

Commissioners CANNOT:

- Advocate or take a public position as a Commissioner if the Commission has not voted to adopt a certain position or recommendation
-

Commission Liaison

If no City Clerk staff assigned to the Commission, Commission Liaison is responsible for:

- Preparing the agenda of the regular and special meetings
- Arranging proper and legal notice of the hearings
- Attending to correspondence
- Performing duties normally carried by a secretary to a legislative body
- Keeping minutes of Commission meetings



Commission Access to Staff

Commission or Commissioner requests for assistance or research by City staff, other than simple requests for information or clarification, require the consent and approval of the Commission Liaison.

Onboarding of New Commissioners

An officer of the Commission (Chair/Vice Chair/Co-Chair) or other Commissioner selected by the Commission will meet with new Commissioners to provide:

- A brief history of the Commission
- Context to the work of the Commission
- A copy of the Bylaws, including Community Agreement
- A copy of the Commission's Roadmap or other strategic plan

Officers of the Commission

- Two officers elected each year in July
- Officers assume office in August
- Term is one year
- Officers cannot serve more than two consecutive terms
- At each election the Commission will elect officers as either Chair/Vice Chair OR Co-Chairs
- Vacancies must be filled immediately

Chair

- Presides at all meetings of the Commission
- Has the duties normally granted to the chair of a body (identified on Co-Chair duties slide)

Vice Chair

- Vice Chair acts for the Chair in the Chair's absence
- If no Chair/Vice Chair present at meeting, Commissioners elect a Chair pro tem for that meeting only

Co-Chairs must agree on how to divide responsibilities of the Chair, which includes:

- Presiding over Commission meetings
 - Ensuring that the work of the Commission is accomplished
 - Monitoring and facilitating the Commission's progress on the Commission Roadmap
 - Setting and approving the agenda for Commission meetings prior to distribution and in consultation with Commission Liaison
 - Signing correspondence on behalf of the Commission
- Approving and signing Commission reports to the City Council prepared by the Commission (e.g., annual report to Council and Mayor)
 - Monitoring Commission dynamics and supporting, guiding and coaching fellow Commission members inside and outside of public meetings
 - Representing the Commission at external events
 - Speaking to the City Council in public comment on behalf of the Commission
 - Preparing recommendations for Commission consideration

Standing Committees

- Ongoing committees responsible for a particular subject matter
- Must hold open and public Brown Act meetings
- Usually for ongoing matters and a broader scope
- Purpose and intent of committee meetings is to provide for more thorough and detailed discussion and study of prospective or current Commission agenda items, to the end that Commission action will be expedited
- Work of the committee is advisory to the Commission only
- Requires additional staff and resources to hold open and public meetings

Ad Hoc Committees

- Must be less than a quorum of Commission
- Used on a limited basis where necessary to study Commission business in greater depth than what is possible in the time allotted for Commission meetings
- Must be limited to a single finite purpose and limited scope that can be accomplished within a reasonable amount of time
- Do not need to comply with Brown Act
- Recommend no more than 4 members per ad hoc committee. May have up to 7.
- Cannot serve on more than one ad hoc committee without consultation with the City Attorney's Office
- Task must be completed by the end of the year. If not completed, but reappoint commissioners in January
- Majority of the Commission can terminate an ad hoc committee through an agenda item. Otherwise, ad hoc committees should be dissolved once their purpose is complete.

Accessibility

The following factors should be considered and prioritized when selecting a meeting location:

- As is required by the Brown Act, the location of the meeting must be accessible pursuant under the Americans with Disabilities Act of 1990.
- The space allows for the public to provide virtual public comment and view the meeting virtually.
- The space located within those communities that have historically been unserved and underrepresented.



Parliamentary Procedure

- Commission governed by Roberts Rules of Order
- Bylaws can be amended by an affirmative vote of a simple majority (at least 8 votes) during a properly agendized item
- Can suspend the Bylaws or a meeting or item by affirmative vote of a simple majority (at least 8 votes)



Agenda

- Written agenda required for each meeting and posted in compliance with Brown Act
- Chair can rearrange agenda items with consent of Commission
- No written documentation submitted to the Commission to the Clerk, Commission Liaison, or other member of the Commission after 12:00 p.m. on the scheduled meeting date may be considered



Agenda Order

- Call to Order
- Roll Call
- Chair Remarks (Outlines Meeting Procedure/Land Acknowledgment)
- Regular Agenda
- Public Comment
- Announcements
- Adjournment



Written Recommendation to Council

- For written recommendations to Council, Commission requests a message on the cover letter to City Manager:
 - Request that recommendation is transmitted within 30 days or sooner after recommendation is adopted/finalized
 - Recommendation is transmitted unaltered
 - Recommendations from City Manager or staff contrary to Commission sent separate and include the rationale for why it is different
- Notice to Chair/Co-Chair if different recommendation will be sent by staff or City Manager

Community Agreements

- **“Community Agreements”** are the expectations for how members of the Commission aspire to work and interact with each other
- **INTENT** - to create a productive space during public meetings that is supportive, respectful, ethical, safe, welcoming, and inclusive, where all members have an opportunity to be heard
- **PURPOSE** - to help create an environment where all members are encouraged to participate in ways that support their individual and collective success



Community Agreements

Agreement	Practice
Be present and share the air	We encourage full participation from everyone through active listening, making room for others, and limiting distractions when we're working together.
Use "I" statements	We speak from our own experiences rather than generalizations.
Assume best intent but attend to impact	We give each other the benefit of doubt and are accountable for our words.
Embrace your position as a learner and leader	We each have something to offer, which means we can learn from others in this space.

Community Agreements

Agreement	Practice
Acknowledge the intersections	Our background and biases uniquely shape our experiences and understanding; therefore, we all benefit and are harmed by systems of oppression. The truths that we speak are valid, and they are ours alone.
Expect and Accept Non-Closure	We engage in courageous conversations and acknowledge that the challenges we address may not be resolved right away.
Center those most impacted	Equity means 'all,' and to achieve this we center those most impacted by the issues we address.
Acknowledge the intersections	Our background and biases uniquely shape our experiences and understanding; therefore, we all benefit and are harmed by systems of oppression. The truths that we speak are valid, and they are ours alone.

Community Agreements

Agreement	Practice
Confronting social injustice is painful and joyful	We acknowledge the spectrum of feelings everyone will experience as we engage in transformational work.
W.A.I.T.—Why Am I Talking?	We want everyone to feel comfortable contributing and sharing ideas. If you notice you have commented several times while others haven't, maybe pause a bit longer to give others a chance to respond. We also ask for all your comments to be on topic and relevant to our presenter's discussion.