

# Bylaws of the City of Sioux Falls

## Human Relations Commission

### Article I – Name

The name of this Board shall be the “City of Sioux Falls Human Relations Commission.”

### Article II – Purpose

This Commission shall carry forward the policies of the City in the field of human relations, promote civil rights, and act as an advisory board to the mayor and city council on matters relating to its purposes, in accordance with the empowering laws of the City of Sioux Falls as set forth in Sections 98.020 through 98.042 of the Code of Ordinances of Sioux Falls, SD.

### Article III – Powers

The Commission shall have all of those powers and duties, and be subject to all such limitations, as are provided by law and as are necessary to carry out its stated purpose. It shall also enjoy those privileges and immunities as are provided for by law.

### Article IV – Members

**Section 1.** The Commission shall consist of no more than eleven members, appointed by the mayor with the advice and consent of the city council. Due regard shall be given to representation of minorities on the Commission.

**Section 2.** The appointment of each member of the Commission shall be for staggered five-year terms to expire on May 1 of their fifth year. Commission members shall not serve more than two full consecutive terms of office.

**Section 3.** Any vacancy on the Commission shall be filled for the unexpired term of the member vacating the Commission in the same manner as is required for a regular appointment.

**Section 4.** All members of the Commission shall serve without compensation.

**Section 5.** Each member of the Commission shall, upon assuming office, receive orientation materials regarding the form of city government, the City’s conflicts of interest ordinance, the state open meeting laws, and the basic rules of parliamentary procedure. These materials will also be available online.

### Article V – Officers

**Section 1.** The officers of the Commission shall be a chair, a vice-chair, and a secretary.

**Section 2.** The officers shall be elected by the Commission at the first regular meeting in May of each year and shall serve from the immediately subsequent regular meeting through the first regular meeting of the following calendar year. The vice-chair shall act in the absence of the chair. A successor shall be elected immediately, as determined by the Commission, if a vacancy creates an unfilled officer position.

**Section 3.** Duties of the Officers are as follows:

**A. Chair** – preside over all meetings; prepare meeting agendas in cooperation with the Human Relations Specialist, or his or her designee; schedule special meetings as provided in these by-laws; recommend policies, procedures, and programs to the Commission; assure full participation of all Commission members; supervises conduct of Commission’s business and activities and retains authority to close debate and speak last on any item.

**B. Vice Chairperson** – to act in the absence or incapacity of the Chairperson; perform other duties as assigned by the Chair.

**C. Secretary** – to direct and maintain accurate minutes of Commission meetings and correspondence.

**Article VI – Staff of the Commission**

**Section 1.** Human Relations staff shall serve as the liaison between the Mayor, the City, and the Commission. Human Relations staff advises the Commission, Mayor, and City Council on matters related to unlawful discrimination and civil rights, and assists the Commission in the exercise of their duties.

**Article VI – Meetings**

**Section 1.** The Commission shall meet as frequently as necessary but not less than once each year. Written notice (which may be provided via email) of the time and place of each meeting shall be provided by the City’s Human Relations Office not less than 24 hours in advance of each meeting.

**Section 2.** Special meetings may be called by the chair of the Commission upon receipt of written or electronic requests from at least three members of the Commission. The purpose of the special meeting shall be stated in the requests. Except in the case of emergencies, notice of the time and place of the meeting shall be provided as set forth in Section 1 of this Article VI.

**Section 3.** A majority of the members of the Commission shall constitute a quorum.

**Section 4.** The City’s Human Relations Office shall act as staff to the Commission. As such, the Human Relations Office will prepare an agenda in advance of all meetings in cooperation with the Chair as described in Article V, Section 3, which agenda will contain, at a minimum, the time and place of the meeting and specific descriptions of the topics to be discussed.

**Article VII – Voting and Minutes**

**Section 1.** The minutes shall show the vote of each member on every question or motion presented. Every member present shall vote on every question or motion presented, unless he or she is excused by the Commission, or unless the member shall state that he or she has a personal interest which he or she believes sufficient to disqualify the member, which statement shall be made part of the minutes.

**Section 2.** The Commission or its staff shall develop a uniform format for the taking of minutes. The minutes will contain, at a minimum, a record of attendance, actions taken, numerical results of votes taken, and specific descriptions of items discussed.

The draft minutes from a meeting shall be posted on the City's website within ten working days following the meeting. Approved minutes of all public Commission meetings shall be kept and maintained by the City's Human Relations Office.

**Section 3.** All records of the Commission relating to the filing and disposition of complaints shall be retained for at least ten years from the date of final action. Any disposal of such records shall be in compliance with the requirements of the City's Record Retention and Destruction Schedule as adopted by Resolution No. 42-05. All other records of the Commission shall be retained for at least five years after final action is taken.

#### **Article VIII – Committees**

**Section 1.** Standing committee members shall be designated yearly by the current chair of the Commission and shall be confirmed by a vote of the Commission immediately following the election of officers during the first regular meeting of the calendar year. One Commission member shall serve as chairperson of each standing committee. Standing committees may include:

- A. Executive Committee** – Shall be comprised of the Chair, Vice Chair, and Secretary. Responsible for administrative matters not requiring a quorum of the Commission; making recommendations as a whole on matters of policy, procedures, and programs of the Commission.
- B. Community Outreach:** Furthers the Commission's objectives as identified in 98.031 (e) - cooperate with and seek to advise and coordinate the activities of persons or groups interested in the objectives of this chapter

**Section 2.** Special committees may be designated by the Commission as the need arises for temporary purposes. The members of the special committees shall be appointed and approved by the Commission. One Commission member shall serve as the chairperson for each special committee. An estimated length of service for a special committee shall be stated when the committee is appointed. Each member of a special committee shall continue as such until the purpose of the special committee has been accomplished or until the next annual designation of committees if the committee length of service extends beyond the current calendar year.

**Section 3.** Each committee shall include one or more members of the Commission and may include appropriate members from City departments. Additionally, the Commission Chair (for regular committees) or committee chairperson (for special committees) may appoint citizens at-large or qualified professionals to serve as voting members of the committees, subject to their approval by the Commission.

**Section 4.** The committee chairperson shall call and preside over meetings of that committee. If the committee chairperson is absent from a meeting, the committee members shall elect a temporary committee chairperson to chair such meeting. The committee chairperson shall, pursuant to the Commission's regular agenda, provide a report of the committee meeting proceedings at the next regular Commission meeting.

#### **Article IX – Order of Business**

Excluding public input, the Chair with assistance of the Human Relations Office shall prepare an agenda for each meeting. The order of business shall be patterned after the following:

1. Roll call and determination of a quorum;
2. Adoption of agenda;
3. Reading, correction, and approval of the minutes of the preceding meeting;
4. Public Input;
5. New business;
6. Report of committees;
7. Unfinished business;
8. New business;
9. Open discussion;
10. Adjournment.

Provided further that at the first regular meeting of the Commission in May of each year, the election of officers of the Commission and the designation of committees shall be the last items under New Business. Those elected will assume office at the meeting following their election.

Additionally, in compliance with § 30.026 of the Code of Ordinances of Sioux Falls, SD, at the last regular meeting of each calendar year, the Commission shall conduct a review of these bylaws to ensure that any relevant changes in governing law are incorporated into these bylaws. Such review of these bylaws shall be noticed as the last item under New Business and shall be reflected in the minutes of such meeting.

Consistent with State law, the Commission shall reserve at every regularly scheduled official meeting a period for public comment, limited at the Commission's discretion, but not so limited as to provide for no public comment. The period for public comment may be added into the agenda where the Commission deems appropriate.

#### **Article X – Parliamentary Authority**

The rules contained in the current edition of Robert's Rules of Order, Newly Revised shall govern the Commission in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Commission may adopt, or any City of Sioux Falls Administrative Regulation.

#### **Article XI – Conduct of the Members**

**Section 1.** Members of the Commission shall make every attempt to attend all meetings and shall take such time as necessary to prepare themselves for hearings and meetings. Each member of the Commission must actively participate in the planning of at least one Commission activity or program per year and attend at least one Commission activity per year.

**Section 2.** Any Commission member absent from more than 50% of regular meetings within a calendar year, without being excused by the chairperson, may be removed by the mayor for cause and will be contacted by the Chair to discuss the absences and possible resignation.

**Section 3.** A Commission member with a conflict of interest (as defined in Chapter 35 of the Code of Ordinances of the City of Sioux Falls, SD) in an item before the Commission shall declare that a conflict of

interest exists and withdraw from participation. In that item, such participation includes any presentation, discussion, or voting on that item. However, the interests of that Commission member may be represented before the Board by another designated representative or legal agent at the meeting or session, and testimony entered into the public record.

**Section 4.** The mayor, with the confirmation of the city council, may remove any member of the Commission for cause, which cause shall be stated in writing and made a part of the record of such hearing.

#### **Article XII – Conduct of Persons before the Board**

**Section 1.** During all public meetings, members of the public shall be given an equitable opportunity to speak regarding items before the Commission.

**Section 2.** At the beginning of each public meeting, and as necessary during the meeting, the hearing rules shall be presented to the public. These rules are therefore presented publicly and enforced by the chairperson throughout the meeting.

**Section 3.** During all public meetings, the public may be present but shall remain silent unless specifically invited by the chairperson to provide comment.

**Section 4.** During all Commission proceedings, members of the public have an obligation to remain in order. Any conduct which interferes with the equitable right of another to provide comment or which interferes with the proper execution of Commission affairs may be ruled by the chairperson as “out-of-order” and the offending person directed to remain silent. Once having been so directed, if such person persists in disruptive conduct, the chairperson may entertain a motion to eject such person from the Commission meeting or session. Where the person fails to comply with the successful motion to eject, the chairperson may then call proper authority to physically remove such individual from the meeting room for the duration of the meeting or deliberation on that item, as voted upon and approved by the Commission.

#### **Article XIII – Amendment of Bylaws**

These bylaws may be amended or new bylaws adopted at any regular or special meeting of the Commission by a two-thirds vote of the members present and voting.

It is hereby certified that these Bylaws were adopted unanimously by the Commission at a duly constituted meeting held on [DATE].

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Secretary

Attest:

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Chair

Dated \_\_\_\_\_

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