

**BYLAWS OF THE  
HUMAN RIGHTS COMMISSION  
CITY OF ANN ARBOR, MICHIGAN**

Adopted by the Human Rights Commission on June 8, 2016

**Article 1  
NAME**

The name of this commission is the Human Rights Commission.

**Article 2  
ENABLING AUTHORITY**

The Human Rights Commission is established by Chapter 8, Section 1:221 of Ann Arbor City Code, as amended.

**Article 3  
PURPOSE, OBJECTIVES, AND DUTIES**

3.1 The Human Rights Commission ("Commission") is responsible directly to the Mayor and City Council and shall be limited to performing the tasks enumerated in these bylaws or otherwise delegated to it by City Council. The Commission is charged with the following powers and duties:

- (a) Receive and review complaints from individuals alleging violations of Ann Arbor's human rights ordinance, Chapter 112 Non-Discrimination, and take appropriate action, including but not limited to, referral of complaints to appropriate agencies or to the City Attorney, mediation of complaints, or dismissal of complaints;
- (b) Report annually to City Council regarding complaints received and actions taken;
- (c) With city staff, develop procedures to (1) enforce and (2) provide notice of non-compliance with nondiscrimination provisions of Chapter 112 Non-Discrimination applicable to city contractors;
- (d) With city staff, provide an annual report to City Council regarding compliance of city contractors with nondiscrimination provisions of Chapter 112 Non-Discrimination;
- (e) Investigate, study, hold hearings and make recommendations to City Council regarding complaints from any class or group protected under the human rights ordinance;
- (f) Make periodic public reports and recommendations to the City Council and City Administrator on ways to improve city government programs and ordinances designed to eliminate discrimination or to remove the effects of past discrimination;
- (g) Communicate with federal and state agencies regarding human rights and affirmative action programs for the purpose of making recommendations to City Council;

(h) Provide education and programs about the human rights ordinance, other commission initiatives, and/or to discourage and eliminate racial tensions, prejudice, and/or discrimination.

3.2 The Commission shall develop written procedures regarding the handling of complaints.

#### **Article 4 MEMBERSHIP**

4.1 The Commission shall consist of 9 voting members appointed by the Mayor with the approval of City Council.

4.2 All members of the Commission shall serve without compensation.

4.3 Each member shall be appointed for a 3-year term. Terms shall be staggered so that one third of the voting members' terms expire each year.

4.4 Consistent with City Charter § 12.2, each member of the Commission shall be a registered elector in the City of Ann Arbor at the time of appointment, unless this requirement is waived by a resolution concurred in by at least 7 members of City Council.

4.5 A member whose term has expired may hold over and continue to serve as a member of the Commission until a successor has been appointed. Consistent with City Code § 1:171, no member shall be allowed to hold over for more than 60 days beyond the appointed term whether or not a successor has been appointed, except that City Council may extend terms for periods of 90 days upon the recommendation of the Mayor and vote of at least 6 members of Council.

4.6 Consistent with City Code § 1:171, the Mayor shall notify City Council of the expiration of a member's term at least 30 days prior and shall present to City Council all proposed reappointments no later than 60 days after the expiration of the term.

4.7 Consistent with City Code § 1:171, any vacancy on the Commission occurring in the middle of a term shall be filled for the remainder of the term in the same manner as for full-term appointments.

4.8 Members are expected to attend regularly scheduled meetings and to notify the Chair and the staff liaison in advance if they expect to be tardy or absent. If a member misses more than 3 regularly scheduled meetings in a 12 month period, the Chair shall notify the Mayor and may recommend removal of the member.

4.9 Consistent with City Code § 1:171, a member of the Commission may be removed for cause by the Mayor with the approval of City Council.

#### **Article 5 ETHICS AND CONFLICTS OF INTEREST**

5.1 A member of the Commission shall abstain from discussion or voting on any matter where that member is involved in a real or apparent conflict of interest. Decisions regarding

conflicts of interest shall be evaluated on a case-by-case basis with reasonable application of the principles provided in this Article. A conflict of interest shall at a minimum include, but is not necessarily limited to:

- (1) Discussing, voting on, or otherwise acting on a matter in which a member or any member of his/her immediate family, his/her partner, or an entity with whom the member has family or business ties has a direct financial or beneficial interest.
- (2) Discussing, voting on, or otherwise acting on a matter where the member's employee or employer is an applicant or agent for an applicant, or has a direct financial or beneficial interest in the outcome.

5.2 A member of the Commission shall neither solicit nor accept gratuities, favors, or anything of monetary value from entities in a position to benefit from a decision of the Commission.

5.3 A member of the Commission shall not obtain, for himself/herself or for any person with whom he/she has business or family ties, any financial or beneficial interest in a matter which may be affected by a decision of the Commission. This restriction shall apply during the member's tenure on the Commission and for 1 year thereafter.

5.4 A member of the Commission shall disclose the general nature of any potential conflict, real or apparent, and, except where it violates a confidence, shall disclose all pertinent facts relating to the conflict. These disclosures shall be made prior to discussion and voting, where possible, and shall be recorded in the minutes of the proceedings. The member may then abstain from discussion and voting on the matter.

5.5 A member who cannot vote due to a conflict of interest shall, during deliberation of the matter before the Commission, leave the meeting or the area where the members sit until action on the matter is concluded.

5.6 When a question has arisen as to whether a member is ineligible to participate in discussion or vote on a matter because of a conflict of interest, the Commission may determine that the member is ineligible due to a conflict of interest by a vote of a majority of the other members. Upon such a determination, the ineligible member shall not participate in discussion or vote on the matter.

5.7 Members of the Commission shall complete an annual disclosure of organization affiliations that could conceivably present a conflict of interest for the member at some point and shall update this disclosure in writing at any time during the year when such affiliations change.

5.8 Members shall not act, hold themselves out, or permit themselves to be perceived as official representatives or spokespersons for the Commission without authorization from the Chair. When communicating for personal purposes on matters that may relate to the Commission's business, Members shall clearly indicate that their statements are made in a personal capacity and do not necessarily reflect the views of the Commission. Whenever a member is asked to speak on behalf of the Commission, the member shall seek permission of the Commission or the Chair in advance.

5.9 To maintain public confidence in the objectivity of the Commission and to avoid the

appearance of bias or prejudice, a member shall not speak or appear before the Commission on behalf of or as a representative of a potential or actual petitioner. A member should avoid speaking or appearing before another entity on behalf of or as a representative of a potential or actual petitioner and shall inform the Commission and recuse themselves from such a petition if the member does so. Outside of a Commission meeting or other Commission process, a member shall not advise an actual or potential petitioner regarding a petition, except to inform the petitioner of factual procedures of the Commission. This section does not preclude a member from discussing a petition within the scope of the Commission's duties at a Commission meeting.

5.10 Members of the Commission shall communicate with City staff through the Commission's designated staff liaison unless otherwise authorized by the City administration and shall follow applicable City administrative policies.

5.11 Members shall conduct themselves in a fair, courteous, and understanding manner at all times in the discharge of their duties, and shall avoid exchanges or actions based upon personal differences.

## **Article 6 OFFICERS**

6.1 The officers of the Commission shall be a Chair and Vice-Chair. The officers shall be elected by ballot each year from among the voting members of the Commission. The officers shall be elected for a 1-year term by a majority of the voting members currently serving on the Commission. The term of each officer shall run from January 1 to December 31 of each calendar year.

6.2 The Chair shall preside at all meetings and shall decide points of order and procedure, subject to the provisions of these bylaws. The Chair shall have the privilege of discussing and voting on all matters before the Commission. The Vice-Chair shall assume the duties of the Chair in the Chair's absence.

6.3 When an office becomes vacant before the expiration of the current term (whether by resignation, removal, incapacity, or other circumstance), the vacancy shall be filled by election in the same manner as for full-term officers and the new officer shall serve the remainder of the term. The replacement officer shall be elected at the next regularly scheduled meeting or as soon as practicable. The Vice-Chair may be elected as replacement Chair, in which case a replacement Vice-Chair shall be elected at the same time.

6.4 No member may hold more than 1 office at a time.

## **Article 7 MEETINGS**

7.1 The Commission shall schedule regular meetings at least once every 2 months. The entire schedule of regular meetings for the upcoming year shall be posted within 10 days after approval at the first meeting of the year. A change in the schedule of regular meetings must be approved by the Commission, and notice of the change shall be posted within 3 days after the meeting at which the change is approved.

7.2 Special meetings may be called by the Chair or by the written concurrence of a

majority of the voting members currently serving on the Commission. When practicable, notice of the special meeting shall be provided to staff and all members of the Commission at least 48 hours in advance. Public notice of the special meeting shall be posted at least 18 hours prior to the scheduled starting time. Except when the special meeting is a rescheduled regular meeting, the purpose of the special meeting shall be stated in the public notice for that meeting and the Commission may not conduct any business beyond the specific purpose stated in the public notice, except by unanimous consent of the voting members present.

7.3 The Commission may hold non-voting working meetings to carry on the work of the Commission. Public notice of the working meeting shall be posted at least 18 hours prior to the scheduled starting time.

7.4 Public notice of regularly scheduled committee meetings shall be posted in the same manner as the schedule of regular Commission meetings. Public notice of irregular or special committee meetings shall be posted at least 18 hours prior to the scheduled starting time.

7.5 Public notice of all meetings shall be posted at City Hall or at any location designated by the City Administrator or City Council.

7.6 When practicable, meetings shall be scheduled to allow the staff liaison to provide notice to all members of the Commission at least 48 hours in advance.

7.7 The Chair may cancel a meeting if there is no business on the agenda or if it is clear that a quorum will not be present. The Chair may also cancel a meeting due to weather, emergency, or other circumstances that may substantially limit the ability of members of the Commission or the public to attend. The Chair shall give notice of cancellation to members of the Commission and to the staff liaison as soon as practicable and at least 2 hours prior to the scheduled meeting time, when practicable. The staff liaison shall post public notice of the cancellation as soon as practicable. Cancelled regular meetings may be rescheduled in the same manner as special meetings.

7.8 The presence of 5 members of the Commission shall constitute a quorum. The concurring vote of a majority of all members present and eligible to vote is required for the Commission to act. The right to vote is limited to members of the Commission actually present at the time the vote is taken at a lawfully called meeting. A member who is not eligible to vote on a matter because of a conflict of interest shall not be counted in establishing a quorum for that matter.

7.9 Except for the election of officers, voting shall be by voice and a show of hands. If the vote is not unanimous, a roll call vote shall be taken and recorded in the minutes.

7.10 The Commission shall keep minutes of all regular and special meetings in accordance with City administrative policies and direction.

7.11 All meetings of the Commission shall be open to the public and conducted in accordance with the Michigan Open Meetings Act (PA 267 of 1976), as amended. Closed sessions may be called for purposes listed in the Open Meetings Act. Consistent with City Council Resolution R-642-11-91, all meetings of the Commission's committees and subcommittees shall be open to the public in the spirit of section 3 of the Open Meetings Act.

7.12 Public comment shall be allowed at the beginning of all meetings subject to the following rules:

- (1) Members of the public who wish to speak must indicate their request on the sign-in sheet prior to the start of each meeting.
- (2) The Chair shall give each member of the public 5 minutes each to address the Commission. The Chair may extend an individual's speaking time in his/her discretion. Public comment on non-agenda items may be limited in the Chair's discretion.
- (3) Speakers shall be selected in the order they appear on the sign-in sheet.
- (4) In order to assure that Commission's business can be carried out in a timely manner, if more than 6 members of the public sign up to speak, the Chair may limit the time of each speaker to less than 5 minutes to allow more comments. The Chair may also request that where multiple speakers wish to present the same viewpoint, that one person speak on behalf of that viewpoint.
- (5) Members of the public shall demonstrate respect to one another and to the Commissioners.
- (6) Members of the public shall not participate in the Commission meeting except during designated comment time and shall not interrupt other speakers.
- (7) Following the public comment period, Commissioners may ask speakers for brief clarifications. Commissioners may or may not choose to place topics raised on future agendas and, if so, may request the speaker to return as a guest speaker. A follow up message may be sent to a speaker explaining any next steps.
- (8) The Chair may ask any member of the public to leave the meeting if they do not honor these rules.

## **Article 8 AGENDA AND ORDER OF BUSINESS**

8.1 The agendas for each meeting of the Commission shall be developed by the Chair and the staff liaison in consultation with members of the Commission as necessary. Agendas for all regular meetings shall be made available to the public and other members of the Commission at least 48 hours before the meeting's scheduled starting time.

8.2 The order of business at regular meetings shall be as follows. The order of business may be suspended or modified by a majority vote of those members present.

- (1) Roll Call
- (2) Approval of Agenda
- (3) Public Comment
- (4) Presentations of Invited Speakers
- (5) Approval of Minutes of Previous Meetings
- (6) Regular Business

- (7) Communications
- (8) Adjournment

## **Article 9 COMMITTEES**

9.1 The Commission may create standing or special committees to carry on the work of the Commission. Standing committees may, but need not be, described in the bylaws. Committees shall be limited to performing the tasks delegated to them by the Commission. Each committee shall include at least 1 member of the Commission and may contain other community members, in the Commission's discretion.

9.2 Members of committees shall be appointed by the Chair and approved by the Commission.

## **Article 10 PARLIAMENTARY AUTHORITY**

10.1 The rules contained in the current edition of Robert's Rules of Order Newly Revised shall guide the Commission; however, parliamentary procedure shall be flexible and may be adjusted in the Chair's discretion to best serve the needs of the Commission. Nevertheless, no procedure shall be adopted that is inconsistent with these bylaws.

10.2 The Commission shall not adopt or follow any operating or standing rules, regulations, or guidelines not expressly prescribed by these bylaws.

## **Article 11 AMENDMENT OF BYLAWS**

11.1 Amendments to these bylaws may be approved at any regular meeting by a two-thirds vote of all voting members currently serving on the Commission. Proposed amendments must have been submitted in writing at the previous regular meeting to be considered. Proposed amendments must be submitted to the Office of the City Attorney for review prior to adoption by the Commission. After adoption by the Commission, the bylaws shall not be effective until approved by City Council.

11.2 These bylaws shall be reviewed by the Commission for possible amendment each year.

## **Article 12 MISCELLANEOUS**

12.1 The City Administrator shall assign City staff to provide administrative support to the Commission and to serve as the liaison between the Commission and other City staff.

12.2 The Ann Arbor City Attorney's Office shall be the legal consultant to the Commission.