

RULES AND REGULATIONS OF THE HUMAN RELATIONS COMMISSION OF THE CITY OF
FREMONT

ARTICLE I - GENERAL

The Commission is established pursuant to Article 1 (Sections 2—3100 - 2-3104) and Article 5 (Sections 2-3500 et seq.), Chapter 3, Title II of the Fremont Municipal Code, and reference is made thereto for statements of policies and purposes of the Commission, and for provisions relating to Functions and Powers of the Commission, appointments, qualifications and terms of office of Commissioners, removal and termination of membership of Commissioners, and terms of office and times of election of the Chairperson and Vice-Chairperson of the Commission.

ARTICLE II ELECTION OF OFFICERS

A. CHAIRPERSON

No chairperson who has served terms comprising two consecutive years as Chairperson shall be qualified for further service in that office until they have a break in service in that office of at least one year. At the last regular meeting of each calendar year, the Commission shall appoint three (3) of its members as a Nominating Committee. The incumbent Chair and Vice-Chair may be members of the Nominating Committee. The Nominating Committee shall contact all eligible Commissioners to assess their interest in being nominated as Chairperson. All eligible Commissioners may contact the Nominating Committee to express their interest in being nominated as Chairperson. The Nominating Committee shall recommend to the Commission persons to fill the office of Chairperson to the Commission. The Nominating Committee shall obtain consent of nominee(s) and shall then notify staff of its recommendations. Staff will then include the recommendation on the agenda of the first regular meeting of the calendar year. Persons other than those recommended by the Nominating Committee may be nominated from the floor.

B. VICE CHAIRPERSON

No Vice-Chairperson who has served terms comprising two consecutive years as Vice-Chairperson shall be qualified for further service in that office until they have a break in service in that office of at least one year. At the last regular meeting of each calendar year, the Commission shall appoint three (3) of its members as a Nominating Committee. The incumbent Chair and Vice-Chair may be members of the Nominating Committee. The Nominating Committee shall contact all eligible

Commissioners to assess their interest in being nominated as Chairperson. All eligible Commissioners may contact the Nominating Committee to express their interest in being nominated as Chairperson. The Nominating Committee shall recommend to the Commission persons to fill the office of Chairperson to the Commission. The Nominating Committee shall obtain consent of nominee(s) and shall then notify staff of its recommendations. Staff will then include the recommendation on the agenda of the first regular meeting of the calendar year. Persons other than those recommended by the Nominating Committee may be nominated from the

floor. A random, neutral method of a coin flip will resolve ties involving two candidates and drawing lots to resolve ties involving three or more candidates.

ARTICLE III — DUTIES OF OFFICERS

A. CHAIRPERSON

1. It shall be the duty of the Chairperson to preside at all meetings of the Commission.
2. The Chairperson shall decide all points of order and, unless a majority of votes dissent therefrom, that decision shall stand.
3. The Chairperson shall appoint the Chairperson of all committees, except the Chairperson of the Nominating Committee. Appointments to every committee shall be ratified by the Commission. The Chairperson shall be an ex-officio member of all committees, except the Nominating Committee.
4. The Chairperson, or that person's designated appointee, shall represent the Commission at appropriate public functions.

B. VICE CHAIRPERSON

The Vice Chairperson shall perform all duties that may be assigned to that office. The Vice Chairperson shall perform the duties of the Chairperson in the absence of that officer.

ARTICLE IV

INDIVIDUAL AUTHORITY AND OBLIGATIONS OF COMMISSIONERS

- A. Social Service Grant oversight
Includes reviewing applications and submitting funding recommendation to City Council every three years and site visits to grantees the other years
- B. Representing the Commission at City Council meetings
- C. Representing the Commission at Commission sponsored events
- D. Participation in Commissions Committees and Ad Hoc Committees
- E. No action shall be taken by any Commission member on behalf of or in the name of the Commission unless that member is specifically authorized by the Commission so to do.
- E. Attendance rules are found in the Fremont Municipal Code Section 2-3102.

ARTICLE V - COMMITTEES

The Commission may, at its discretion, establish standing and ad hoc committees composed of less than a majority of the members of the Commission. The purpose of said committees may be to investigate, study, consider, and report back to the Commission at a regular or special meeting with respect to a particular matter of concern. The reports and recommendations of a committee shall be made publicly to the Commission at a regular or special meeting and discussion and deliberation with respect thereto shall be held publicly by the Commission before final action thereon is taken.

ARTICLE VI - MEETINGS

Meetings of the Commission are governed by the Brown Act (Govt. §§ 54950 et seq). To the extent that these rules are consistent with the Brown Act, the latter shall govern.

A. REGULAR MEETINGS

Regular meetings of the Commission shall be held monthly on the third Monday of each month at 7 P.M. If a regular meeting falls on a holiday, the meeting shall be held on the fourth Monday of that Month.

Agendas of all Commission regular meetings shall be published a minimum of 72 hours in advance of the meeting and posted for public viewing.

B. SPECIAL MEETINGS

1. Special meetings of the Commission may be held on call of the Chairperson, or by a quorum of the members of the Commission. The call shall be by written notice delivered to each Commission member and to each local newspaper of general circulation, radio or television station which has in writing requested notice of such meetings. Any such call and notice must be delivered personally or by mail at least twenty-four (24) hours prior to the time set for such meeting.
2. The call for a special meeting shall specify the time, date and place of such meeting and the business to be transacted at such meeting. The notice provided for herein may be dispensed with as to any member who is actually present at the meeting at the time it convenes or who, at or prior to the time the meeting convenes files with the Secretary a written waiver of notice.

C. ADJOURNED MEETINGS

The Commission may adjourn any regular, adjourned regular, special or adjourned special meeting to a time and place specified in the order of adjournment. Less than a quorum may so adjourn from time to time. If all members are absent from any regular or adjourned regular meeting, the Secretary may declare the meeting adjourned to a stated time and place and shall cause a written notice of the adjournment to be given in the same manner as provided in B above for special meetings, unless such notice is waived as provided for special meetings. A copy of the order or notice of adjournment shall be conspicuously posted on or near the door of the place where the regular, adjourned regular, special or adjourned special meeting was held within 24 hours after the time of the adjournment. When a regular or adjourned regular meeting is adjourned as provided in this section, the resulting adjourned regular meeting is a regular meeting for all purposes. When an order of adjournment of any meeting fails to state the hour at which the adjourned meeting is to be held, it shall be held at the hour specified for regular meetings herein.

D. QUORUM

A quorum of the Commission at any given time shall be deemed to be a majority of the number of members at that time duly and currently holding active appointment to and membership on the Commission.

E. OPEN MEETINGS

All meetings of the Commission shall be open to the public.

ARTICLE VII — CONDUCT OF BUSINESS

A. ORDER OF BUSINESS

The business of each meeting of the Commission shall be transacted as far as possible in the following order:

1. Check for quorum by Secretary
2. Call to Order
3. Roll Call
4. Oral Communications
5. Written Communications
6. Consent Items
7. Scheduled Business
8. Commission Referrals
9. Committee Reports
10. Staff Reports
11. Announcements
12. Referrals to Staff
13. Meeting Evaluation
14. Adjournment

B. ROLL CALL NOT REQUIRED

The roll call need not be called in voting upon a motion except when requested by a member. If the roll is not called, in the absence of objection, the Chairperson may declare the motion unanimously approved.

C. AGENDA PROCESS

Items may be placed on the Commission agenda in the following manner:

- 1) Referrals to the Commission from the City Council
- 2) Requests from individual Commissioners (these items will be handled as Commission referrals, so the entire Commission can determine whether the item should be an action item at a subsequent meeting)

- 3) Annual items requiring Commission action/input, for example social service grants
- 4) Items that in staff's and Chair's judgment require timely consideration by the Commission (e.g. complaints of discriminatory actions)
- 5) Staff will consult with the Chair prior to finalizing the agenda regarding the inclusion of other items that in their judgment are consistent with the Commission's mission and/or provide important information that assists the Commission in fulfilling its role.

REQUEST TO BE HEARD

Requirements for persons wishing to appear and be heard at regular meetings on matters germane to the jurisdiction of the Commission, and at special meetings on matters germane to the special business to be transacted at such meetings are as follows:

1. Regular Meetings. Interested parties may approach the Chair or staff at least ten (10) days before a scheduled meeting requesting that an item be placed on the agenda. Requests will be evaluated in accordance with the "Agenda Process" described above. Persons wishing to speak on any topic not scheduled on the Agenda may do so during oral Communications.
2. Special Meetings. At special meetings, no communications shall be received except as the same are germane to items specified in the call for the special meeting. As to such items, the Chairperson may allow communications from parties having made formal request to be heard, prior to the time the meeting convened.

Other Ground Rules. At all times, the Chairperson shall decide the order of appearance, time limits, and other ground rules for hearing persons wishing to be heard, subject to action by a majority of the Commission. In making such decisions, the Chair shall take into consideration the number of speakers and the number of other items on the agenda.

E. RULES OF DEBATE

The following shall be used by the Chairperson and members of the Commission as the general rules of debate. However, the Chairperson may at any time declare that the said rules are suspended, until such time as the Chairperson declares them in effect once again. Such declaration may be made upon the Chairperson's own volition, or at the suggestion of any member of the Commission. Such declaration, however, is subject to action by a majority of the Commission.

1. Chairperson May Debate and Vote, etc. The Chairperson may move, second and debate from the chair, subject only to such limitations of debate as are by these rules imposed on all members and shall not be deprived of any of the rights and privileges of a Commissioner by reason of that member's acting as the Chairperson.
2. Getting the Floor - Decorum. Every member desiring to speak shall address the chair, and, upon recognition by the Chairperson, shall confine remarks to the question under debate. Commissioners shall accord the utmost courtesy to each other, City employees

- and the public appearing before the Human Relations Commission and shall refrain at all times from rude and derogatory remarks, public criticism of staff, remarks as to integrity, abusive comments and statements as to motives and personalities.
3. Interruptions. A member, once recognized, shall not be interrupted when speaking unless it be to call him to order, or as herein otherwise provided. If a member, while speaking, be called to order, that member shall cease speaking until the question of order be determined, and, if in order, that member shall be permitted to proceed.
 4. Privilege of Closing Debate. The Commissioner moving the adoption of any motion shall have the privilege of closing the debate.
 5. Motion to Reconsider. A motion to reconsider any action taken by the Commission may be made only on the day such actions was taken. It may be made either immediately during the same session, or at a recessed or adjourned session thereof, Such motion must be made by one of the prevailing side, but may be seconded by any member, and may be made at any time and have precedence over all other motions or while a member has the floor; it shall be debatable. Nothing herein shall be construed to prevent any member of the Commission from making or remaking the same or any other motion at a subsequent meeting of the Commission,
 6. Remarks of Commissioner When Entered in Minutes. A Commissioner may request, through the Presiding Officer, the privilege of having an abstract of that Commissioner's statement on any subject under consideration by the Commission entered in the minutes. If the Commission consents thereto, such statement shall be entered in the minutes,
 7. Summary Minutes. The Secretary will prepare summary minutes, which represent the Secretary's best effort to give a brief summary of the discussion on each agenda item, and which also record all motions and votes. Commissioners will generally defer to staff's discretion regarding the summary, unless the summary contains incorrect information.
 8. Rules of Order. Except as otherwise provided in these rules, the most current edition of "Robert's Rules of Order, shall be used as a guide to the conduct of the meetings of the Commission, provided, however, that the failure of the Commission to conform to any rule of order shall not, in any instance, be deemed to invalidate the action taken.

ARTICLE VIII - COMPLAINTS

A. COMPLAINTS, DEFINITION OF

The word complaint, as used in these rules and regulations, means any letter, petition, referral, or other communication regardless of form, concerning any alleged or reported situation involving group tensions, prejudice or disorder occasioned thereby in the City of Fremont, and any problem in inter-personal relations or situation involving discrimination based on race, color, ethnicity, religion/creed, national origin, ancestry, sex, including sexual identity, sexual

orientation, age, familial status, disability, medical condition, political beliefs and income, against any person, group of persons, organization or business entity in the City of Fremont.

B. AGENDIZING

Upon receipt of a complaint (as defined above), the Secretary shall include the complaint as an agenda item at the next regular Commission meeting, in accordance with the “Agenda Process” described above.

I. COMPLAINTS, ACTION BY COMMISSION

Upon receipt of a complaint, the Commission may take such action as necessary to fulfill its human relations role as defined in the Fremont Municipal Code. Such actions might include consultation with groups and individuals, using persuasion and conference to arrive at voluntary solutions, and providing advice and recommendations to the City Council.

ARTICLE IX - AMENDMENTS

Subject to Section 2-3102 of the Fremont Municipal Code concerning City Council approval, these Rules and Regulations may be amended by a majority vote of the total membership of the Commission at any regular meeting of the Commission, provided, however, that no amendment shall be adopted by the Commission unless a notice of intention to consider the particular amendment, with a copy of the proposed amendment or a reasonably accurate summary thereof, has been sent to all members of the Commission not less than five (5) days prior to the meeting at which any such amendment is considered.