

BYLAWS

Commission on Citizens' Rights and Community Relations

For the

City of Buffalo

Article I – Identification and Purpose

Section 1. Name

The name of this body shall be the Commission on Citizens' Rights and Community Relations for the City of Buffalo (Here after "Commission").

Section 2. Office

The principal office for the transaction of activities and affairs of the Commission shall be located in City Hall of the City of Buffalo. Currently, the office is located at 1316 C City Hall, 65 Niagara Square, Buffalo, New York 14202.

Any change of location of the principal office shall be noted by the Chairperson and changed immediately in these bylaws without amendment.

Section 3. Purpose

It is the mission of the Commission on Citizens' Rights and Community Relations of the City of Buffalo to strive to eliminate prejudice, intolerance, bigotry and discrimination; to encourage equality of treatment and prevent discrimination against persons based upon race, ethnic background, cultural background, language, religion, gender, sexual orientation, disability, nationality and age; and to assure respect for the civil liberties of all citizens as stated in the City Charter Section 18:20.

Section 4. Authority

The Commission shall exercise its authority, functions, powers and duties in accordance with the Charter for the City of Buffalo ("Charter") Section 18.20 -18-22.

Article II – Members of the Commission

Section 1. Membership

The Commission shall have eleven (11) members appointed by the Mayor and confirmed by Common Council. (Charter § 18-21).

Section 2. Term of Appointment

Except as otherwise provided by law, the term of office of Commissioners shall be three (3) years. Commissioner may be removed by the Mayor at any time for reasons stated in writing upon fifteen (15) days notice to the Common Council. (Charter § 18-21).

Section 3. Limitation on Hold Over Service

Commissioners may not serve on the Commission as hold-overs for more than ninety (90) days after the end of their terms.

Section 4. Oath of Public Office

Swearing to the Oath of Public Office constitutes the Commissioner's sworn responsibility to the public trust.

Article III – Officers

Section 1. Officers

The Officers of the Commission shall consist of a Chairperson ("Chair"), a Vice Chairperson (Vice-Chair), and such other officers with such titles and duties as shall be stated in these bylaws or determined by the Commission in accordance with applicable law. (Charter §18-21)

Section 2. Officer's Term of Appointment

The term of each officer elected is one (1) year. The elections of the Chair and Vice-Chair shall occur at the completion of the one (1) year term (or as needed in the event of the officer's resignation or the expiration of the Officer's Mayoral appointment).

Section 3. General Duties and Responsibilities of the Chairperson

The Chair shall preside at all meetings and hearings of the Commission. The Chair shall perform all duties incident to the office of Chair, such other duties as may be prescribed elsewhere in the Commission Bylaws or as may be assigned by the Commission or which are otherwise necessary or incidental to the office.

Section 4. General Duties and Responsibilities of the Vice-Chair

In the absence or disability of the Chair, the Vice-Chair shall perform temporarily all duties of the Chair, and when so acting shall have all the powers of and be subject to all restrictions upon, the Chair. In the event of the Chair's inability to act, the Commission shall elect a new Chair at the next regular or special meeting to serve until the expiration of the term of the succeeded Chair. If the office of the Vice-Chair is vacated before the expiration of a term, it shall remain vacant until the next regular meeting, at which time the Commission shall elect a new Vice-Chair to serve until the expiration of the term of the succeeded Vice-Chair.

Article IV – Meetings

Section 1. Regular Meetings

The Commission shall hold its regular meetings in City Hall, 65 Niagara Square, Buffalo, New York 14202, quarterly beginning September of 2009 on the 1st Wednesday of the month. Additional meetings may be called as described in this article.

Meetings that take place outside of City Hall will be announced in advance and posted on the Commission website.

The Commission shall annually designate a meeting for planning its goals and objectives and reviewing its prior year performance.

Section 2. Special Meetings

The Chair or a majority of the members of the Commission may call special meetings to address specific matters. Commissioner will be notified by U.S. Postal Service as well as by email of such meetings.

Section 3. Noticing Meetings

The agenda of all regular meetings and notices and agendas of all special meetings shall be posted on the Commission website, available at the meeting site and the Commission office at least seventy-two (72) hours in advance of each meeting. Agendas for past meetings and notices shall be provided to each Commissioner and any person who files a written request for such notice.

Section 4. Cancellation of Meetings

The Chair may cancel a regular or special meeting if she or he is aware that a quorum of the body will not be present or if the meeting date conflicts with other responsibilities of the Commissioners. The Chair may cancel a meeting if after roll call a quorum fails to attend or during a scheduled meeting the Commission loses quorum. Notices of continued, rescheduled, or cancelled meetings shall be posted as provided in Section 3 of Article IV. If time permits, notices of continued, rescheduled, or cancelled meetings shall be mailed to any person who files a written request to receive notices and agendas as provided in Section 3 of this Article.

Section 5. Quorum

The presence of a majority of Commissioners (six members) is required to conduct a meeting and shall constitute a quorum for all purposes. When a quorum fails to attend a scheduled meeting or the Commission loses a quorum because of the departure of some members, the only official actions the Commission may take are: (1) fix the time to which to adjourn; (2) adjourn the meeting; (3) recess the meetings; or (4) take measures to secure quorum. Any other action taken by the Commission while it does not have a quorum is void.

Section 6. Conduct of Meetings

- A. Public Participation. All Commission meetings and all committee meetings shall be open and public, and all persons shall be permitted to attend any meeting of the Commission. The Commission may meet in closed session at regular or special meetings as permitted by Public Meetings Laws & Procedures. All meetings shall be conducted in compliance with applicable laws and these Commission Bylaws.
- B. Public Comment. Members of the public are entitled to comment on any matter on the calendar prior to action being taken by the Commission on that item or prior to calling the next item on the agenda. In addition, the agenda shall provide an opportunity for members of the public to address the Commission on items within the subject matter jurisdiction of the Commission and have not been the subject of public comment on other items on the agenda.

Upon the specific findings of the Commission, the Chair may set a reasonable time limit for each speaker, based on such factors as the complexity and nature of the agenda item, the number of anticipated speakers for that item and the number and anticipated duration of other items on the agenda.

Individual Commissioners and Commission Staff should refrain from entering into any debates or discussion with speakers during public comment.

- C. Registration to Comment. The Chair may request speakers who wish to address the Commission to submit a speaker card before or during the Commission agenda item upon which they wish to comment. The Chair shall use speaker cards only as an aid to meeting management. The public has a right to address the Commission anonymously.
- D. Translation of Comments or Testimony. Where a speaker with limited English proficiency requires translation to comment or testify, the time used for repeating comments or testimony in English shall not count against the applicable time limit for public comment.
- E. Parliamentary Procedures. All meetings shall be conducted according to the most recent editions of ***Roberts Rules of Order*** unless provided otherwise herein.

Section 7. Agendas

Chair and The Executive Director for the Commission shall prepare the agenda. The agenda shall consist of items requested by the Chair, Executive Director, or Commissioners. The Commission Secretary shall maintain an e-mail list of community members and organizations that request electronic copies of the Commission agenda and forward said agenda in a timely manner.

Section 8. Voting and Abstention

The affirmative vote of a majority of Commissioners shall be required for the approval of all matters. The Commission shall take action on items on the agenda by roll call vote, voice vote or by a show of hands. Each Commissioner present at a Commission meeting shall vote “yes” or “no” when each question is put forth unless; (1) excused from voting by motion and adopted by a majority of members; or (2) the member has a conflict of interest that legally precludes participation in the discussion and vote. In consultation with Corporation Counsel, the individual Commissioner shall determine whether he or she has a conflict of interest, which precludes participation in a vote.

A roll call shall not be interrupted, but a Commissioner may, prior to the calling of the roll, explain his or her vote, or file in writing an explanation thereof after the result of the roll call has been announced and recorded. The minutes shall reflect how each Commissioner voted on each item.

Section 9. Commissioner’s Code of Ethics

Commissioners agree to maintain the highest standards of professional and personal conduct. Each Commissioner shall adhere to the highest standards of ethical conduct and support the Commission’s mission, goals and objectives and work to instill in the public a sense of confidence in the Commission’s operations. The standard of conduct for the Commission includes, but is not limited to:

1. Being accountable for its rules of procedures and decisions, and promoting accountability of all members of the Commission and Commission staff;
2. Treating all Commission staff, members of the public and colleagues with courtesy, respect, objectivity and fairness;
3. Refrain from representing the Commission’s stances and positions individually without express permission from the Chair or the entire Board of Commissioners;
4. Conducting all Commission business in a timely manner and in public meetings with full disclosure of policies and procedures; and engaging in the decision-making process, except for those matters authorized to be considered in closed session; and
5. Reviewing its actions, recommendations, and procedures periodically to determine whether the Commission had adhered to its Code of Ethics and mission in all respects.

Article V – Commission Records

Section 1. Minutes

Minutes shall be taken at every regular and special Commission and committee meeting.

Section 2. Public Review File

The Commission shall maintain a public review file for the public to be able to review upon written request received at least five (5) days before the requested date of review.

Section 3. Tape Recordings

Beginning with the regular meeting of September 2009, the Commission shall audio record all regular meetings, and all closed sessions. The audio recordings shall be maintained in the Commission office and posted on the Commission website for the public to listen to.

Section 4. Commission Mail

The Commission Secretary shall promptly notify Commissioners off all correspondence.

Article VI – Advisory Committees

Section 1. Creation of Commission Advisory Committees

The Chair or the Board of Commissioners shall establish advisory committees or task forces on an ad-hoc basis to perform tasks for functions as deemed necessary to meet the goals or mission of the Commission. Advisory committees are an integral and vitally important component of the Commission, providing community involvement and opportunity for in-depth study and exploration of issues.

Section 2. Function and Operation of the Advisory Committee

The role of the advisory committees is to provide advice and assistance to the Commission by developing and examining ideas and issues within the jurisdiction of the Commission. Upon approval of the Commission, the committees may also hold public hearings and make recommendations of positions for the Commission to take with regard to various issues.

Section 3. Advisory Committee Guidelines

The Commission shall adopt and revise from time to time guidelines governing the function and operation of each committee, the responsibilities of committee members, Commissioners and Department staff.

Section 4. Appointment and Term

The Chair assigns Commissioners to each and appoints members from the Community in accordance with the Advisory Committee Guidelines, to participate in these committees.

Committee members are appointed for one year terms beginning January and ending December. In December of each year, Commissioners assigned to each committee shall consult with the Chair to reconstitute the membership of their advisory committee.

Section 5. Committee Actions

All committee actions shall represent recommendations to the Commission and shall be subject to approval of the Commission as a whole.

Recommendations may be based on a consensus where such exists or on the presentation of the majority and minority points of view.

All committee recommendation or reports shall be brought to the Commission for approval through the committee chair or the person he or she designates.

All committee recommendation for public hearings must be brought to the Commission for review and approval. If approved, the Chair shall instruct the committee members and Commission staff to plan the public hearing and prepare an agenda for the Chair to approve in advance. The Chair may modify, augment or reject the recommended agenda.

Each committee shall meet at regularly scheduled times and places, and at such additional meetings as deemed necessary by the committee's chair or a majority of the committee. All meetings shall be conducted in compliance with all applicable laws and the rules set forth in these Commission By-laws.

Committees may not form subcommittees or other bodies without the approval of the Commission Chair.

Article VII – Attendance

Section 1. Attendance Requirements

Except in the event of a notified absence (defined below), each Commissioner is expected to attend regular and special meetings of the Commission. Commission Secretary shall maintain a record of members' attendance. At the Chair's discretion, a Commissioner may 'attend' a meeting via telephone. Notice of such attendance needs to be given in advance so that staff can prepare the needed equipment for meeting.

Section 2. Notified Absences

A commissioner's absence shall constitute a "notified absence" where the Commissioner, in advance of the meeting, informs the Commission Secretary that he or she will be absent. Once a Commissioner has more than 3 "notified absences" in a 12 month period, the matter will be discussed at the next regular meeting of the Commission.

An absence due to unforeseen circumstances such as illness or emergency shall qualify as a notified absence where the Commissioner reports such absence to the Commission Secretary as soon as reasonably possible. The Commission Secretary shall record all absences.

Section 3. Report to the Appointing Authority

The Commission Secretary shall report all instances of non-notified absences as well as any instance of three absences of a member from regular meetings in a fiscal year to the member's appointing authority.

Section 4. Annual Attendance Report

At the end of each fiscal year, the Commission Secretary shall submit a written report to the Mayor and to the Chair of the Commission detailing each Commissioner's attendance at all meetings of the Commission for that fiscal year.

Article VIII – Executive Director of the Commission

The Executive Director shall serve as the administrative head of Commission affairs and shall be selected as stated in the City Charter.

The Executive Director shall work in conjunction with the Chair in all matters as previously described in these By-Laws and as further directed by the Chair.