

**BYLAWS  
OF THE  
HUMAN RIGHTS COMMISSION  
OF THE CITY AND COUNTY OF SAN FRANCISCO**

Article I -- Identification and Purpose

Section 1. Name

The name of this commission shall be the Human Rights Commission of the City and County of San Francisco ("Commission.")

Section 2. Office

The principal office for the transaction of the activities and affairs of the Commission shall be fixed and located at 25 Van Ness Avenue, San Francisco, CA 94102 6033.

Any change of location of the principal office shall be noted by the secretary on these Bylaws opposite this section without amendment.

Section 3. Purpose

The purpose of the Commission is to give effect to the rights of every inhabitant of the City and County to equal economic, political and educational opportunity, to equal accommodations in all business establishments in the City and County and to equal service and protection by public agencies; to eliminate prejudice and discrimination because of race, color, creed, religion, national origin, ancestry, place of birth, age, sex, sexual orientation, gender identity, domestic partner status, marital status, disability or Acquired Immune Deficiency Syndrome, HIV status, weight, height, or association with members of such classes; to inform the inhabitants of the City and County of developments in human relations; to provide expert advice and assistance to the officers, agencies, boards, departments, and employees of the City and County in undertaking ameliorative practices to keep peace and good order; and to officially encourage private persons and groups to promote and provide equal opportunity for and good will toward all people.

Section 4. Authority

The Commission shall exercise its authority, functions, powers, and duties in accordance with the Charter for the City and County of San Francisco ("Charter") Section 4.100-4.104 and 4.107 and all rules, regulations, orders, and laws of the City and County of San Francisco, including, without limitation thereto, the applicable provisions of the San Francisco Administrative Code and Police Code and in accordance with these Commission Bylaws.

## Article II – Members of the Commission

### Section 1. Membership

The Commission is part of the executive branch of the City and County of San Francisco and it shall have eleven (11) members appointed by the Mayor . (S.F. Charter § 4.107.)

### Section 2. Term of Appointment

Except as otherwise provided by law, the term of office of Commissioners shall be four (4) years terms. Commissioners may be removed by the Mayor. (S.F. Charter § 4.107.)

### Section 3. Limitation on Hold Over Service

Commissioners may not serve on the Commission as hold-overs for more than sixty (60) days after the end of their terms. (S.F. Charter § 4.101.5.)

### 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 be a Chairperson of the Commission ("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.

### Section 2: Officer's Term of Appointment

The term of each office 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), at the first regular meeting of the Commission held after the first day of January of each year, or at a subsequent meeting, the date of which shall be fixed by the Commission at the first regular meeting held after the first day of January of each year.

### Section 3. General Duties and Responsibilities of the Chair

The Chair shall preside at all meetings 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 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, 1 Dr. Carlton B. Goodlett Place, Room 416, San Francisco, California, at 5:30 p.m. every second and fourth Thursday of each month, except for the months of July and August there shall be only one meeting on the second Thursday of the month. Additional meetings for the months of July or August, if any, shall be noticed as special meetings.

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. Special meetings shall be noticed in accordance with Section 67.6(f) of the San Francisco Sunshine Ordinance (S.F. Admin. Code, ch. 67, § 67.6(f).)

#### 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, at the meeting site, the San Francisco Main Library Government Information Center and the Commission Office at least seventy-two (72) hours in advance of each meeting. Agendas 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 a 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 meeting; 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 law. All meetings shall be conducted in compliance with all applicable laws, including, but not limited to Charter Section 4.104(2), the Ralph M. Brown Act (Government Code Section 54950 et. Seq.), the San Francisco Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) 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 and support thereof, 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 agenda items.

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 edition of *Roberts Rules of Order* (Revised) unless provided otherwise herein.

### Section 7. Agenda

Chair and Commission staff shall prepare the agenda. The agenda shall consist of items requested by the Chair, the 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.

### Section 8. Voting and Abstention

The affirmative vote of a majority of Commissioners (six votes) 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 majority of members; or (2) the member has a conflict of interest that legally precludes participation in the discussion and vote. In consultation with the City Attorney's Office, 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 calling 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 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. 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 under the Brown Act and the San Francisco Sunshine Ordinance to be considered in closed session; and
4. Reviewing its actions, recommendations, and procedures periodically to determine whether the Commission has 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 and shall comply with the provisions of the San Francisco Sunshine Ordinance. (S.F. Admin. Code, ch. 67, § 67.16.)

### Section 2. Public Review File

The Commission shall maintain a public review file in compliance with the San Francisco Sunshine Ordinance. (See S.F. Admin. Code, ch. 67, § 67.23.)

### Section 3. Records Retention Policy

The Commission shall create and maintain a record retention and destruction policy. (S.F. Admin. Code, ch. 8, § 8.3.)

### Section 4. Tape Recordings

The Commission shall audio record all regular and special meetings, and all closed sessions. The audio recordings shall be maintained and released to the public in accordance with the San Francisco Sunshine Ordinance. (See, S.F. Admin. Code, ch. 67, § Section 67.14(b) and 67.8-1.)

### Section 5. Commission Mail

The Commission Secretary shall promptly notify Commissioners of all correspondences.

## Article VI – Advisory Committees

### Section 1. Creation of Commission Advisory Committees

The Chair of the Commission may establish Advisory Committees 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 for community involvement and opportunity for in-depth study and exploration of issues.

### Section 2: Function and Operation of the Advisory Committees

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. The Advisory Committees may also hold public hearings and make recommendations of positions for the Commission to take on legislation.

### Section 3: Advisory Committee Guidelines

The Commission shall adopt and revise from time to time guidelines governing the function and operation of each Advisory Committee, the responsibilities of Community Members, Commissioners, and Department Staff.

### Section 4: Recruitment, Appointments, Terms and Removal

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

Every first meeting in September, each Advisory Committee shall present to the Commission a recruiting and interview timeline for new members. Each Advisory Committee shall have, in addition to Commissioners serving on the Advisory Committee, a membership target of 15 – 25 Community Members. No Advisory Committees' membership shall exceed 25 Community Members without approval of the Commission Chair.

Commission Staff shall present the Commission Chair with a list of proposed new Advisory Committee appointments no later than the date of the last Commission meeting of the calendar year.

Community Members serving on Advisory Committees will be appointed for 2 year terms beginning January 1 and ending December 31 of the following year. Although Community Members may reapply for membership to their respective Advisory Committee for up to a total of 3 consecutive terms, no Community Member may serve more than 3 consecutive terms on a specific Advisory Committee. However, this shall not be a prohibition against any formerly "termed out" Community Member applying to serve a new term after taking a 1-year hiatus from serving on an Advisory Committee. Additionally, there shall be no prohibition on Community Members of one Advisory Committee moving to another Advisory Committee without a 1-year hiatus. Commissioners serving on Advisory Committees will be appointed by the Commission Chair at the beginning of the calendar year or at any other time that such appointment is necessary. Each Commissioner serving on an Advisory Committee will either be designated "Chair" or "Co-Chair" of the Advisory Committee. Commissioners are expected to maintain regular attendance at Advisory Committee meetings and activities. Commissioners serving on Advisory Committees are also expected to consult regularly with Commission Staff to develop and implement a work-plan over the course of the calendar year. Community Members are to attend regularly and to participate actively in Advisory Committee meetings and activities. If a Community Member accumulates 3 absences (whether or not they are excused) in a calendar year, that Community Member shall be removed from the Advisory Committee, unless the Commission Chair makes an exception.

On January 1<sup>st</sup> of each year, the Commission Chair, in agreement with the Commissioners and in consultation with Commission staff assigned to each Advisory Committee, may elect to reconstitute the membership of each Advisory Committee.

Community Members may be removed at the discretion of the Chair, in consultation with Commission Staff and Commissioners assigned to each Advisory Committee, at any time. A decision by the Chair to remove can be overruled by a vote of the majority of the Commission, if taken within 30 days of the removal.

#### Section 5: Committee Actions

All Advisory 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 Advisory Committee recommendations or reports shall be brought to the Commission for approval through the Advisory Committee chair or the person he or she designates.

All Advisory Committee recommendation for public hearings must be brought to the Commission for review and approval. If approved, the Chair shall appoint a special taskforce to plan the public hearing and prepare an agenda for the Commission to approve in advance of the public hearing. The Commission may modify, augment or reject the recommended agenda.

Each Advisory Committee shall meet at regularly scheduled times and places, and at such additional meetings as deemed necessary by the Advisory Committee's Chair or a majority for the Advisory Committee. All meetings shall be conducted in compliance with all applicable laws, including, but not limited to, Charter Section 4.104(2), the Ralph M. Brown Act (Government Code Section 54950 et. seq.), the San Francisco Sunshine Ordinance (San Francisco Administrative Code, Chapter 67) and these Commission By-Laws.

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

#### Section. 6 Advisory Committees

##### A. Lesbian Gay Bisexual Transgender Advisory Committee

The Lesbian Gay Bisexual Transgender Advisory Committee (LGBTAC) was established in May of 1975 by amendment to Chapter 12A of the San Francisco Administrative Code. Members of the LGBTAC should reside in San Francisco.

The committee strives to represent the diversity of the Lesbian, Gay, Bisexual, and Transgender communities. The Committee provides assistance and advice to the Commission regarding discrimination against the lesbian, gay, bisexual, and transgender communities; advocates for the civil rights of persons with AIDS/HIV; and educates the lesbian, gay, bisexual, and transgender communities about issues of diversity within those communities.

The LGBTAC meets on the third Tuesday of the month from 5:30 pm to 7:30 pm at HRC offices, 25 Van Ness Avenue, Suite 800, in San Francisco.

##### B. Equity Advisory Committee

The HRC merged the Employment Advisory Committee and Issues Advisory Committee to form one committee, the Equity Advisory Committee. The Equity Advisory Committee will address all issues within the HRC's jurisdiction that do not fall under the purview of the LGBT Advisory Committee. Specifically, the Equity Advisory Committee will be charged with monitoring and advising the Commission with respect to issues concerning employment, education, housing and any other areas affecting the human rights of San Francisco's residents. All members of the Equity Advisory Committee should reside in San Francisco. However, at the recommendation of the Commissioner(s) chairing the EAC, the Commission Chair may, at his/her discretion, appoint to serve on the EAC up to

three (3) individuals who do not reside in San Francisco where those individuals have particular, knowledge, experience or skills unrepresented by other members of the EAC and have demonstrated significant ties to San Francisco. The Equity Advisory Committee will meet the second Wednesday of each month from 5:30 p.m. to 7:30 p.m. at HRC offices, 25 Van Ness Avenue, Suite 800, in San Francisco.

#### D. Other Committees

The Commission or the Chair, at his or her discretion, may establish other committees or task forces on an ad-hoc basis to perform tasks for functions as necessary. The Chair shall appoint members to such committees who shall serve at the pleasure of the Commission, unless a term of office is specified.

### Article VII – Attendance

#### Section 1: Attendance Requirements

Except in the event of a notified absence (defined below), each Commissioner is expected to attend each regular or special meeting of the Commission. Commission Secretary shall maintain a record of members' attendance.

#### 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 the Commissioner will be absent. An absence due to unforeseen circumstances such as illness or emergency shall also 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 as non-notified all absences involving neither advance notice nor unforeseen circumstances.

#### 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 consecutive 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 appointing authorities of the Commission's membership detailing each Commissioner's attendance at all meetings of the Commission for that fiscal year.

### Article VIII – Director of the Commission

#### Section 1. Appointment

The Director shall serve as the administrative head of Commission affairs and shall have all of the powers and duties of a department head under the provision of the

Charter. (S.F. Admin. Code, ch. 2A, § 2A.30; See S.F. Charter § 4.102.) The Mayor shall appoint the Director from candidates nominated by the Commission. Commission shall nominate at least three (3) qualified applicants, and, if rejected, make additional nomination in the same manner, to the Mayor for his or her approval. (S.F. Charter § 4.102.)

#### Section 2. Removal

The Commission has the power to remove the Director by Commission action and the duty to act, by removing or retaining the Director, within thirty (30) days after receiving a recommendation by the Mayor that the Director be removed. (S.F. Charter § 4.102.)

#### Section 3. Grants and Contracts Approval

The Director, or his or her designee, shall provide the Commission with all contract and grant solicitations prior to its issuance. The Director, or his or her designee, shall submit all grants and contracts to the Commission for final approval.