

BYLAWS OF THE RAPID CITY HUMAN RELATIONS COMMISSION

Article I. Name of the Commission

The name of this organization shall be the Rapid City Human Relations Commission, hereinafter referred to as “the Commission.”

Article II. Authorization

This Commission is established pursuant to Rapid City Municipal Code Chapter 2.64.

Article III. Purpose

The purpose of the Commission is as follows:

A. To acknowledge that discriminatory practices based on race, color, sex, creed, religion, ancestry, disability, familial status, or national origin with respect to employment, labor union membership, housing accommodations, property rights, education, public accommodations, and public services, or any of them, tend to create and intensify conditions of poverty, ill health, unrest, lawlessness and vice which adversely affect the public health, safety, order, convenience and general welfare;

B. To recognize the rights of all persons, without regard to race, color, sex, creed, religion, ancestry, disability, familial status, or national origin, to have equal opportunities with respect to employment, labor union membership, housing accommodations, property rights, education, public accommodations and public services;

C. To prevent, investigate, mediate, and prohibit any and all discriminatory practices based on race, color, sex, creed, religion, ancestry, disability, familial status, or national origin with respect to employment, labor union membership, housing accommodations, property rights, education, public accommodations or public services;

D. To protect all persons from unfounded charges of discriminatory practices;

E. To encourage the resolution of discrimination complaints through mediation; and

F. To effectuate the foregoing policy by means of public information and education, mediation and conciliation, and the enforcement powers conferred by law on the Commission.

Article IV. Responsibilities and Duties of the Commission

The duties of the Commission shall be as follows:

A. The Commission may investigate complaints of discrimination occurring within the corporate limits of the City of Rapid City that allege one or more acts declared unlawful by § 2.64.030 of the Rapid City Municipal Code.

B. The Commission may act to disseminate information, to engage in and cooperate with programs of research and education, to cooperate with persons or groups interested in similar objectives, to conduct public meetings, to mediate and conciliate the instances of alleged discrimination, and to approve stipulations, consent orders and agreed settlements, to refer matters to another agency or department of government, and to hear complaints alleging discrimination with such investigation and inquiry as may reasonably appear necessary. The Commission shall not solicit persons or groups for the referral of prospective complainants. For the purposes of this section, the term solicit shall not include providing information concerning the existence of the Commission, the powers or limitations of the Commission, or the process for filing a complaint with the Commission.

C. The Commission, in the hearing of verified complaints, may subpoena and examine witnesses, administer oaths, take testimony, and require the production for examination of relevant books or papers and to take such affirmative action as allowed herein as in the judgment of the Commission will effectuate its purposes. No subpoena may issue prior to the time allowed for a response pursuant to §2.64.140 B. A subpoena shall only be issued upon the recommendation of the investigator and upon the vote of a majority of all the appointed Commissioners. The Commission shall have no power to award pain and suffering, punitive, or consequential damages.

D. The Commission is authorized to enter into agreements with other private or governmental organizations tasked with similar purposes for the purpose of referring complaints filed with the Commission. The Commission shall have the power to make such rules and regulations not inconsistent with this chapter and state law as are required by any such agreement. Notwithstanding § 2.64.140, the Commission is specifically authorized to create by rule an alternative process for informal resolution of complaints. All rules and referral agreements shall be approved by the Common Council before they are implemented by the Commission.

Article V. Officers

Section 1. The officers of the Commission shall consist of a Chair, Vice-Chair and Administrative Officer.

Section 2. The duties of the officers shall be as follows:

Chair. The Chair shall preside at all meetings and hearings of the Commission, develop the agenda for each meeting, shall direct (or cause to be directed) staff to notify the Rapid City Common Council and other involved bodies of the recommendations and actions of the Commission, shall direct staff to see that all decisions of the Commission are properly carried out, shall sign all documents on behalf of the Commission, shall prepare and deliver all required reports to the Common Council, shall serve as a spokesperson for the Commission when required, and shall perform other duties and functions as may be determined by the Commission. The Chair may select other members of the Commission to assist in carrying out the duties of the office. The Chair shall be responsible for appointing Commissioners to the various sub-committees established by the Commission.

Vice Chair. The Vice Chair shall assume the responsibilities of the Chair in his or her absence. The Vice Chair may sign all documents in the absence of the Chair, and shall perform such duties as from time to time may be assigned by the Chair or the Commission

Administrative Officer. The Administrative Officer shall work closely with assigned city staff to (1) ensure accuracy of minutes (2) see that all notices are duly given in accordance with the provisions of the bylaws and (3) ensure that Commissioner's handbooks are up to date. The Administrative Officer shall act as parliamentarian for the Commission and act as Chair in the absence of the Chair and Vice Chair.

Article VI. Election of Officers

Section 1. An annual organizational meeting shall be held at the Commission's regular meeting in October.

Section 2. At the October meeting, nominations shall first be taken for the Chair.

Section 3. The candidate for Chair receiving a majority vote of the entire membership of the Commission shall be declared elected and shall serve for one year or until his or her successor shall take office. If no candidate receives a majority vote, the top two vote-getting candidates shall advance to a secondary election. In the event of a deadlock where two top vote-getting candidates cannot be identified, the candidate receiving a plurality vote shall be elected. Upon election, the Chair shall assume the gavel for the remainder of the meeting.

Section 4. Nominations for Vice Chair and Administrative Officer, respectively, shall follow the election for Chair and shall be conducted in the same manner.

Section 5. Any officer may be removed from office by a 75% vote of all voting members at a regular Commission meeting, provided said officer is notified of the proposed removal at least 15 days before the meeting. In the event of the removal or resignation of the Chair, the Vice Chair shall assume the Chair's responsibilities for the remainder of the term. In the event the Vice Chair succeeds to the office of Chair, the office of Vice Chair shall be filled for the remainder of the term at the next regular meeting by the regular election procedure.

Article VII. Sub-Committees

Section 1. There shall be two types of sub-committees: Standing Committees and Special Committees. All sub-committees are empowered to meet via teleconference or electronic medium, provided that any applicable public notice is given.

Section 2. Standing Committees. The following standing committees are created:

Executive Committee. The Executive Committee shall consist of the Chair, the Vice Chair, and the Administrative Officer. The committee shall meet at the call of the Chairperson, not to conflict with the regular Commission meetings. The Executive Committee shall make a monthly report to the Commission.

Planning Committee. The Planning Committee shall consist of three members appointed by the Chair. The committee shall meet at such intervals as are necessary to discuss and provide recommendations to the Commission on the budget, events, and community outreach activities.

Section 3. The Chair, with the concurrence of the Commission, may establish such special sub-committees as may be necessary for the conduct of the business of the Commission. The Chair shall appoint the members of each such sub-committee.

Section 4. Any meetings of the sub-committees created pursuant to this section shall be held in accordance with all applicable sections of the South Dakota Codified Laws and the requirements of the Rapid City Municipal Code. All members of the Commission shall be entitled to attend meetings of the sub-committees. Commissioners that are not members of the sub-committee that wish to attend sub-committee meetings should give ample notice so that required public notice may be published.

Article VIII. Meetings

Section 1. Meetings shall be held on the first Thursday of every month or as otherwise scheduled for the purpose of hearing complaints. Public notice of the meetings, including proposed agendas, shall be provided at least twenty-four hours prior to any meeting. Public notice shall be made by posting a copy of the notice, visible to the public, at City Hall.

Section 2. A quorum shall consist of a majority of all appointed members of the Commission. Voting shall be by oral question and answer. Upon the request of any Commissioner, a roll call vote may be held.

Section 3. Special meetings may be called by the Chair. It shall be the duty of the Chair to call a special meeting when requested to do so by a majority of members of the Commission. All members of the Commission shall be notified not less than 24 hours in advance of such a special meeting.

Section 4. All meetings or portions of meetings at which official action is taken shall be open to the general public. However, the Commission may meet in closed session to discuss those matters allowed or required by law.

Section 5. Unless otherwise specified, Robert's Rules of Order shall govern the proceedings at the meetings of the Commission.

Article IX. Conflict of Interest

Section 1. No member of the Commission or any sub-committee thereof shall participate in the voting upon, or recommendation to the City Council, of any matter before the Commission in which the member has a conflict of interest.

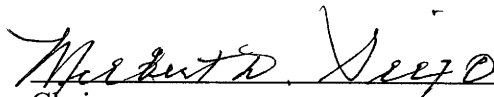
Section 2. The provisions of this Article shall apply to all proceedings of the Commission and its sub-committees.

Article X. Amendment of Bylaws

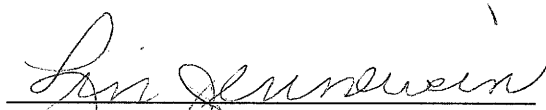
These Bylaws may be amended at any regular meeting of the Commission, provided that the proposed amendment has been introduced in writing at least two (2) weeks prior to a regular meeting of the Commission. Amendment of the Bylaws shall require the affirmative vote of a majority of all the appointed Commissioners.

Approved this 7th day of August, 2014.

RAPID CITY HUMAN RELATIONS COMMISSION


Chairman

ATTEST


Secretary

Updated August 7, 2014