



# **Citizen's Equal Opportunity Commission Bylaws**

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## **SECTION 1. AUTHORITY AND PURPOSE**

### **1.1 Authority.**

In 1983, the City Council approved San Diego Ordinance No. 0-15902, establishing the Citizens Equal Opportunity Commission, hereinafter referred to as "Commission". The Commissions' purpose, intent, duties, and functions were codified in Section 26.16 of the San Diego Municipal Code. Section 26.16 was amended by Ordinance O-19255 on January 26, 2004, and again by Ordinance O-20782 on January 18, 2017. The Commission was established to advise the Mayor, City Council, Civil Service Commission, and other City agencies of the progress being made in the City's Equal Opportunity Program.

### **1.2 Purpose and Intent.**

It is the purpose and intent of the City Council to establish a Citizens Equal Opportunity Commission to advise and inform on a continuing basis, the Mayor, City Council, Civil Service Commission and other agencies of the City government of the progress being made in the Equal Opportunity Program adopted by the Council.

## **SECTION 2. DEFINITIONS**

For purposes of these Bylaws, defined words appear in italics. The following definitions apply in these Bylaws:

- 2.1 *Commission* means Citizens Equal Opportunity Commission.
- 2.2 *Chairperson* means the chairperson of the Commission or the Vice Chairperson, if the Chairperson is not able to preside.
- 2.3 *City* means the City of San Diego, California.
- 2.4 *Prospective Commission Member* means a candidate who has been nominated, vetted, and is pending appointment to the Commission by the Mayor.

### **SECTION 3. ORGANIZATION AND MEETINGS**

- 3.1 **Composition.** The Citizens Equal Opportunity Commission shall consist of eleven (11) members.

The Commission shall include one (1) representative from each of the following advocacy groups: Latino, African-American, Native American, Asian, Women, Disabled, and Disabled Veterans.

- 3.2 **Appointment and Terms.** The members shall be appointed by the Mayor and confirmed by City Council.

- A. Members shall serve two (2) year terms and each member shall serve and continue to participate in voting until their successor is duly appointment and qualified. The members shall be appointed in such manner that the terms of not more than six (6) members shall expire in any year. The expiration date of all terms shall be January, 1<sup>st</sup>. Any vacancy shall be filled for the unexpired term of the member whose place becomes vacant.
- B. Members of such advisory boards shall be limited to a maximum of eight (8) consecutive years in office and an interval of four (4) years must pass before such persons can be reappointed.

- 3.3 **Oath.** Before entering the duties of office, each member shall subscribe to the oath of office prescribed by law.

#### **OATH OR AFFIRMATION OF ALLEGIANCE FOR PUBLIC OFFICERS**

*"I, do solemnly swear or affirm that I, **(State Your Name)** will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of*

*California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter."*

*"Which include: to fulfill the Mission of the Citizens' Equal Opportunity Commission."*

3.4 **Compensation.** Members of the Commission shall serve without compensation, but shall be reimbursed for authorized, reasonable, and necessary expenses incurred in the performance of their official duties as approved by the Mayor.

3.5 **Elections.**

A. Chairperson, Vice Chairperson. During January of each year, the Mayor may designate one (1) member as Chairperson; however, in the absence of such designation, the Commission shall on or after February 15 select a Chairperson from among its members.

Chairperson and Vice Chairperson may serve no more than four (4) consecutive years.

B. Election of Other Officers. The members of the Commission may select other officers as the Commission deems necessary in accordance with the provisions of the Charter amendment.

C. Such elections will take nominations from the floor and elect officers individually in order of precedence by show of hands. Notice of such elections shall be given one month ahead of the election date.

3.6 Resignations. Any member of the Commission can voluntarily resign by sending a letter or email of resignation to the Chairperson and the Mayor.

3.7 **Removals.** The Chairperson, after consultation with the Vice Chairperson, may request that the Mayor remove any member for cause including but not limited to: (1) conviction of a felony or crime of moral turpitude while serving as a member; (2) misconduct that impedes the member's ability to serve as an effective and credible member; (3) an unacceptable attendance record at Commission meetings; and (4) an undisclosed conflict of interest.

3.8 **Meetings and Transaction of Business.**

A. Regular monthly meetings of the Commission will be held on the first Wednesday of the month at 6:00 p.m.

B. The official address on the Commission will be:

**Purchasing & Contracting Department  
Equal Opportunity Contracting Program  
1200 Third Avenue, Suite 200  
San Diego, CA 92101**

C. All general meetings shall be held at the official address or other public place chosen by the Commission or the Chairperson.

D. In all procedures not provided for by these rules, or by Charter of the City of San Diego, the Commission shall be governed by Robert's Rules of Order, Latest Edition.

E. The Commission is subject to the Brown Act and its amendments, California Government Code section 54950 et. seq. (See Addendum). The Commission will meet in a closed session when discussing personnel or any other information specifically exempt from public disclosure by law.

F. The Chairperson shall preside over meetings. In the absence of the Chairperson, at any meeting, function, or

in the performance of any duty, the Vice Chairperson shall preside. The Chairperson will be the spokesperson for the Commission unless the Chairperson is absent and delegates that responsibility to another member.

G. Voting and Quorum.

1. Only members can vote on issues before the Commission.

2. The Commission has 11 members. A quorum of 6 members is required to conduct commission business.

3. Members may not conduct business absent a quorum and must terminate a meeting upon the loss of a quorum. The Chairperson may, upon the loss of a quorum, continue all remaining matters to the next scheduled meeting.

H. Prospective Commission members may attend all open meetings of the Commission. They have no vote and cannot be counted towards making quorum.

I. Notice of the time and place of the meetings of the Commission and the agenda for the meeting shall be posted by the Mayor at a public place at least seventy-two (72) hours prior to each meeting. The regularly scheduled meeting will be held on the first Wednesday of each month.

J. The agenda for each meeting will normally be provided to all members in time to be received at least one week prior to a regularly scheduled meeting.

K. Commission members shall be given at least seventy-two (72) hours notice prior to any special meeting.

- L. Subcommittees. Subcommittees may be established by the Commission as appropriate.
  - 1. Members of the subcommittees and the Chairperson of each Subcommittee shall be designated by the Commission Chairperson.
  - 2. Subcommittees shall meet at a place and time designated by the Chairperson of each subcommittee.
- M. Legal representation will be provided by the City Attorney pursuant to Charter Section 40.
- N. Minutes of each meeting shall be prepared by the staff, at the minimum 1 week prior to the scheduled monthly meeting.
- O. Normally, the order of business for the Commission meetings shall be as follows:
  - 1. Roll Call.
  - 2. Approval of minutes and agenda.
  - 3. Committee Reports.
  - 4. Chairperson Report.
  - 5. Staff Reports.
  - 6. Discussion.
  - 7. Communications.
  - 8. Adjournment.
- P. The Commission shall submit written annual reports which evaluate the progress of the City and its agencies for review and acceptance by the Rules Committee and Council.



- Q. Any Commission member who misses two (2) consecutive meetings or four (4) in one year without an excuse satisfactory to the Commission shall be removed from the Commission by a majority vote of the Commission.

#### **SECTION 4. DUTIES AND FUNCTIONS**

The Commission shall:

1. Monitor and/or evaluate the Equal Opportunity Contracting Program and the City Contracting as it exists and as it may be amended from time to time by the City Council.
2. Advise on a continuing basis and make recommendations regarding the City's Contracting and Equal Opportunity Contracting Program, as are deemed appropriate and/or necessary, to the Mayor, City Council, Civil Service Commission, and other agencies and appropriate authority of City government.
3. Submit written annual reports which evaluate the process of the City and its agencies for review and acceptance by the Rules Committee and Council. Submittal should coincide with annual submittals by the Mayor, Civil Service Commission, non-managerial departments and agencies.
4. In coordination with the Mayor, Civil Service Commission, non-managerial departments and agencies, assist in the recruitment of specific classes and occupations which reflect underrepresentation to compete for available City positions.
5. Promote the City of San Diego as an Equal Opportunity Employer of individuals and firms desiring to contract with the City in order to build confidence and goodwill between the City and all citizens.

6. Meet regularly with the staff of the City or designee and its agencies to carry out its responsibilities. The Equal Opportunity Contracting Program Manager will provide staff support to the Commission