

BEFORE THE BOARD OF COUNTY COMMISSIONERS
FOR MULTNOMAH COUNTY, OREGON

Ordinance No. 771

An Ordinance amending Ordinance 720 to provide changes in the Bylaws of the Metropolitan Human Rights Commission and declaring an emergency.

Multnomah County Ordains:

Section 1. Purpose

(A) Ordinance No. 720, passed by the Multnomah Board of County Commissioners on April 30, 1992, created the Metropolitan Human Rights Commission (MHRC) through an intergovernmental agreement between Multnomah County and the City of Portland.

(B) The MHRC Bylaws, adopted as part of the ordinance, established the operational procedures and administrative structure for the organization.

(C) MHRC has found that modification of the Commission's Bylaws would result in a more workable, effective body. In particular, MHRC wishes to change the stated quorum from 12 to 9 members which constitutes a majority plus one; to meet monthly rather than quarterly; to increase the frequency of regular Executive Committee meetings; and to require a simple majority of Executive Committee members as a quorum for conduct of its business.

(D) Attachment A delineates the proposed changes to the MHRC Bylaws effective June 30, 1993.

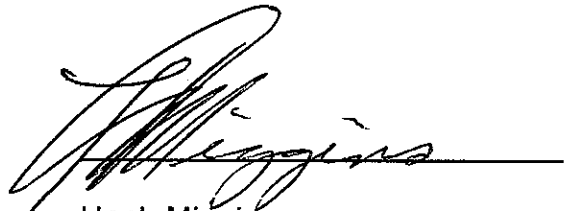
Section 2. Approval of Amended MHRC Bylaws

The Bylaws of MHRC are amended according to Attachment A with the intention of increasing the effectiveness of MHRC.

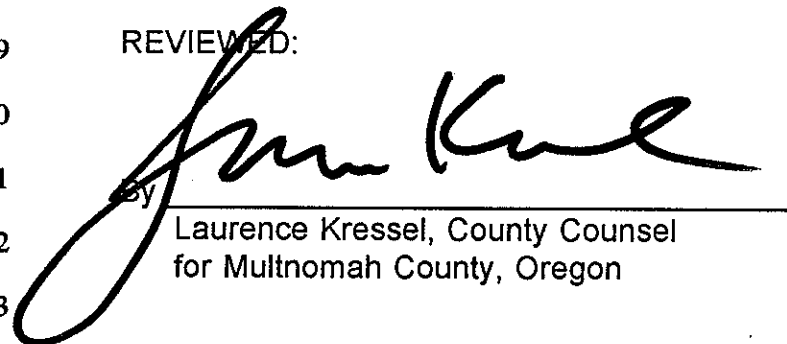
The Ordinance, being necessary for the effective and important work of MHRC, an emergency is declared, and the Ordinance shall take effect upon its execution by the County Chair, pursuant to Section 5.50 of the Charter of Multnomah County.

ADOPTED this 8th day of July, being the date of its first reading before the Board of County Commissioners of Multnomah County, Oregon.




Hank Miggins
Multnomah County Chair

REVIEWED:


by _____
Laurence Kressel, County Counsel
for Multnomah County, Oregon

**MHRC Recommended By-Law Changes:
Commission**

P.6 Article I

Section 5

OLD TEXT

~~A. The Commission shall hold four regular meetings, once each quarter; and in addition shall hold an Annual Meeting in September. Special meetings may be held as necessary~~

REPLACE WITH:

A. "The Commission shall meet monthly, which includes an Annual Meeting in the Fall. Special meetings may be held as necessary."

P. 6. Article I

Section 5

OLD TEXT

~~A(1) Twelve members shall constitute a quorum; eight (8) of those members present shall constitute a voting majority for purposes of conducting business at any meeting of the Commission.~~

REPLACE WITH:

A(1) "Nine members shall constitute a quorum; a simple majority of those members present shall constitute a voting majority for purposes of conducting business at any meetings of the Commission."

Executive Committee

P.6 Article II

Section 1

OLD TEXT:

~~C(1) The Executive Committee shall meet monthly; additional meetings may be called by the Chair or any three members of the Committee.~~

REPLACE WITH:

C(1) "The Executive Committee shall meet as needed. Meetings may be called by the Chair or any three members of the Committee."

P.7 Article II

Section 1

OLD TEXT:

~~D(2) Six(6) members shall constitute a quorum; five (5) of those members must agree before any action is taken.~~

REPLACE WITH:

D(2) "A simple majority of current sitting members shall constitute a quorum. A majority of those present must agree before any action is taken."

BYLAWS OF THE METROPOLITAN HUMAN RIGHTS COMMISSION
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ARTICLE I
METROPOLITAN HUMAN RIGHTS COMMISSION
("MHRC", "COMMISSION")

SECTION 1. MISSION & PURPOSE

The Metropolitan Human Rights Commission believes in the dignity and worth of all human beings. MHRC's mission is to foster mutual understanding and respect, and to protect the human rights of all persons in the City of Portland and Multnomah County regardless of socioeconomic status, religion, ethnicity, race, national origin, disability, age, gender, and sexual orientation.

The Metropolitan Human Rights Commission is organized to help citizens and government in the City of Portland and Multnomah County to achieve the goal of embracing and celebrating diversity, eliminating bigotry, and enhancing a sense of community.

SECTION 2. MEMBERSHIP, APPOINTMENT, TERM OF OFFICE, VACANCIES

- A. Membership. The Metropolitan Human Rights Commission of 15 members shall be constituted of three (3) Officers: Chairperson ("Chair"), Vice-Chairperson ("Vice-Chair"), and Secretary; and twelve (12) Commissioners.
- (1) Nine (9) members shall be appointed by the Mayor of the City of Portland and six (6) members shall be appointed by the Chair of the Multnomah County Commission. The Chairperson of the Commission shall be appointed jointly by the Mayor and the County Chairperson.
- (a) Elected public officials, and employees of the City of Portland ("the City") and Multnomah County ("the County") may not serve on the Commission.
- (b) No Commission member may receive funds directly, or be an employee of an agency that receives funds, from the Commission.
- (c) The Portland City Council and Multnomah County Commissioners shall ratify through ordinance the respective appointments of the Mayor and County Chairperson.
- (2) Members shall serve at the pleasure of the appointing authority.

Members shall be expected to conduct themselves throughout their term of office in a manner consistent with the goals and purposes of the Commission and shall perform the duties and responsibilities as set forth in these Bylaws.

(3) The Mayor and County Chairperson may appoint such ex officio members as they deem advantageous to accomplishing the mission of the Commission, said ex officio members to be without vote on the Commission.

B. Terms of office for all members shall be for three (3) years except for initial appointments to the Commission. Members may serve no more than two consecutive three-year terms. Terms of office shall be staggered to provide continuity of membership on the Commission. Initial appointments and terms of office shall be made as specified in "Appendix 1" attached hereto.

C. Vacancy in office.

(1) A vacancy on the Commission shall exist:

- (a) upon expiration of a completed term of office;
- (b) upon formal written resignation of a Commission member;
- (c) upon removal of a member from office;
- (d) because of violation of the prohibition in Section 2, A (1)(b) regarding receipt of funds;
- (e) when a member files as a candidate for any public office or accepts compensated employment within the City or County government.
- (f) If the vacancy is the result of a completed term of office, the appointing authority shall name an individual to serve for a full term of office. In the case of resignation or removal from office the appointment shall be for the remaining unexpired term. If the time remaining in the term of office created by the vacancy is five (5) months or less, the appointment to fill the vacancy may be for the remaining unexpired term plus three years.

(2) A Commissioner may be presumed to have vacated his or her position as Commissioner and the appointing authority may fill the vacancy for one or more of the following reasons:

- (a) A Commission member has missed three (3) consecutive regularly scheduled meetings of the full Commission; however, the

Chair may excuse the absence of a member for good cause.

(b) A Commission member has misused or misappropriated funds of the Commission.

(c) A Commission member has failed to perform the duties of office as specified in these Bylaws.

(3) The Commission may recommend to the Mayor and County Chair the names of prospective Commission members from among the membership of the Issue Committees and the community. The Chair and Executive Director (see Article III, *infra*.) shall from time to time advise the Mayor and County Chair with respect to the needs for talent, expertise, and diversity on the Commission.

SECTION 3. OFFICERS

- A. General. The officers of the Commission shall consist of a chairperson, a vice-chairperson and a secretary. All officers shall serve one year terms effective immediately following the Annual Meeting. The chairperson may be reappointed to one consecutive term. The vice-chairperson and secretary shall be elected by the Commission from among its members at the Annual Meeting of the Commission. All officers shall serve until their successors are elected or, in the case of the chairperson, appointed. In addition to the duties set forth below, each officer shall also perform such other duties as may be prescribed by the Commission.
- B. Chairperson. The Chairperson shall preside at all meetings of the Commission and the Executive Committee, shall be ex officio member of all committees, and shall perform such other duties as are usually incident to such office.
- (1) The Chairperson shall assist the Mayor and County Chair in the selection and annual performance evaluation of an Executive Director for the Commission.
 - (2) The Chairperson shall maintain regular communication with the Mayor and County Chair and shall be the principal spokesperson for the MHRC.
- C. Vice-Chairperson. The Vice-Chairperson, in the absence of the Chairperson, shall perform the duties of the Chairperson. The Vice-Chairperson shall have general oversight responsibilities for the Issue Committees created under Article II, Section 2 of these bylaws.

(1) The Vice-Chair shall annually appoint, and the Commission shall confirm, the chairpersons of the Issue Committees.

- D. Secretary. The Secretary shall keep and authenticate the records of the Commission, shall keep minutes on actions taken at any regular, special, or emergency meeting of the Commission, and shall assist the Chairperson in conducting meetings of the Commission as described in Section 5 herein.

SECTION 4. RESPONSIBILITIES OF THE COMMISSION

The Metropolitan Human Rights Commission shall:

- A. Develop and implement policies and positions of the MHRC consistent with its mission and purpose;
- B. Establish and maintain dialogue with the broad range of community and cultural groups operating in the City and the County;
- C. Conduct public meetings, hearings, and special events as required to determine the issues, problems, and needs facing Portland and Multnomah County residents in the areas of human rights and cultural diversity;
- D. Based upon a foundation of public dialogue, establish annual goals for the Commission and approve and direct the annual work plans and activities of the Issues Committees;
- E. Issue and present to the Portland City Council, Multnomah County Commission and the citizens an Annual Report and a six-month progress report of the activities and accomplishments of the Commission;
- F. Approve the Commission's annual budget and work program and submit both to the Portland City Council and Multnomah County Commission by January 31 of each year;
- G. Recommend to the City and the County programs, policies and actions which would further the goals of human rights, diversity and cultural harmony in the community;
- H. The Commission may delegate any non policy-making authority to Commission committees and staff as required to accomplish the mission and goals of the MHRC.

SECTION 5. MEETINGS OF THE COMMISSION

- A. The Commission shall hold four regular meetings, once each quarter; and in addition shall hold an Annual Meeting in September. Special meetings may be held as necessary.
- (1) Twelve (12) members shall constitute a quorum; eight (8) of those members present shall constitute a voting majority for purposes of conducting business at any meeting of the Commission.
 - (2) Special meetings of the Commission may be called by agreement of the Executive Committee; provided, however, that a regular Commission meeting is not scheduled within 30 days of the requested special meeting date.
 - (3) Emergency meetings of the Commission may be called under procedures authorized in a special Crisis Response Plan approved annually by the Commission.
 - (4) The fiscal year of the Commission shall be July 1 to June 30.
- B. The Commission shall conduct business according to Roberts Rules of Order, Rev. unless otherwise expressly noted in the bylaws and shall conduct meetings and maintain records in compliance with Oregon laws governing public meetings and public records.

SECTION 6. EXPENDITURE OF FUNDS

Neither the Commission nor its individual members shall have authority to expend or encumber funds budgeted to the Commission. All disbursements of funds shall be made by the Executive Director with the oversight of the Mayor or the Mayor's designee and according to established budget and accounting policies and practices of the fiscal agent, which shall be the City of Portland. However, the Commission or its Executive Committee may request of the Executive Director that funds be expended or encumbered to accomplish the work program of the Commission as approved in the annual budget.

ARTICLE II. COMMITTEES

SECTION 1. EXECUTIVE COMMITTEE

- A. The purpose of the Executive Committee shall be to conduct the business of the MHRC between regularly scheduled meetings of the full Commission, as expressly authorized by the Commission.

- B. Members of the Executive Committee shall be eight (8): the MHRC Chair, Vice-Chair, and Secretary, the chairs of the three Issue Committees, plus two (2) MHRC Commissioners-at-large. The Commission shall at its Annual Meeting elect from among its members the two Commissioners to serve on the Executive Committee.
- C. Responsibilities:
The Executive Committee shall:
- (1) Meet monthly; additional meetings may be called by the Chair or any three members of the Committee;
 - (2) Monitor the work program and timetable of the Issues Committees;
 - (3) Receive, approve, and monitor an annual plan for staffing MHRC committees and activities and assisting the Commission in accomplishing its mission, goals and activities;
 - (4) Prepare the agendas for the full Commission meetings;
 - (5) As authorized by the full Commission, make decisions or act on behalf of the Commission;
 - (6) Administer a "crisis response plan" approved by the Commission;
 - (7) Review new issues, information or community requests and forward to the Commission for action.
- D. Operations and Limitations:
- (1) Authorization to act on behalf of the Commission must be obtained through a motion duly seconded and passed by a majority of the full Commission at a regularly scheduled or special Commission meeting.
 - (2) Six (6) members shall constitute a quorum; five (5) of those members must agree before any action is taken.
 - (3) Minutes of Executive Committee meetings shall be kept and reported in writing to the full Commission within ten (10) days of each Executive Committee meeting.
 - (4) A regular monthly meeting time and place shall be set by the MHRC Chairperson; changes from this schedule may be made with 7 days written advance notice.
 - (5) The Executive Committee may not take positions or issue statements or reports except as authorized by the Commission, nor may it change any policy or directive of the Commission.

SECTION 2. ISSUE COMMITTEES

- A. Established. Three issue-oriented standing committees are created in the following areas:
- (1) Hate Crimes Monitoring and Response
 - (2) Future Focus Diversity Action Plan Implementation
 - (3) Civil Rights, Affirmative Action, and Disability Project Monitoring and Response
- B. Responsibilities of Issue Committees shall be:
- (1) To assist the Commission to seek out community views and encourage community dialogue to identify the issues, problems and needs in their respective issue area;
 - (2) To develop and submit to the full Commission an annual work plan to accomplish goals and conduct activities that respond to identified needs;
 - (3) To assist the Commission in bringing groups and individuals together to build coalitions and facilitate collaborations on human rights issues;
 - (4) To assist the Commission to develop leadership in the community in the areas of cultural understanding and human rights advocacy;
 - (5) To produce and submit to the Commission an annual report and semi-annual progress report of their activities.
- C. Members of Issues Committees shall be appointed by the Commission. Membership should reflect the diversity of the community and the interests of groups affected by the issues, and include age, gender, and geographic balance. The Commission shall determine the appropriate size and term of office of each Issue Committee, and shall approve any sub-committees established within the Issue Committees. Committee members shall include the following:
- (1) A Chair, who shall be a Metropolitan Human Rights Commission member but not an officer;
 - (2) At least one (1) other Commission member but not an officer;
 - (3) Neighborhood, ethnic, religious, community, and business groups;
 - (4) Other human rights and human relations organizations in the community;
 - (5) Interested citizens from the community at large.
 - (6) The Commission may appoint such ex officio members as they deem advantageous to accomplishing the work program of the

committees, said ex officio members to be without vote on the committees.

- D. Procedures. Issue Committees shall establish regular meetings and operating guidelines and procedures as appropriate to accomplishing their work program.

ARTICLE III. STAFF

SECTION 1. EXECUTIVE DIRECTOR

- A. Employment. An Executive Director of the Commission shall be hired as an employee of the City of Portland.
- (1) The Mayor, in consultation with the Chair of the Multnomah County Commission and Chairperson of the MHRC, shall determine the qualifications, develop the job description, and appoint an Executive Director for the Commission in accordance with City of Portland personnel policies and procedures.
- (2) Authority to discipline or terminate employment of the Executive Director rests with the Mayor.
- B. Performance and Evaluation. The Mayor, County Chair and MHRC Chair shall annually evaluate the performance of the Executive Director.
- (1) The performance of the Director shall be evaluated based on execution of a staffing plan submitted by the Director and approved by the Executive Committee.
- (2) MHRC members who object to the performance of the Executive Director shall address their concerns to the MHRC Chair, who shall promptly make those objections known to the Director. Such objections may be raised by the MHRC Chair during the performance evaluation, or at any time with the Mayor if, in the judgment of the Chair, a substantial problem exists in the Director's performance of his or her duties and responsibilities.
- C. Duties and Responsibilities.
- (1) The Director shall be the chief executive officer of the Commission and shall have supervisory authority over the staff and offices assigned to the Commission by the budgeting authorities. The Director shall execute the programs and policies of the Commission according to a staffing plan submitted in

- writing annually to and approved by the Executive Committee.
- (2) The duties and responsibilities of the Executive Director shall be specified in the job description for the position and shall be reviewed and revised

as deemed necessary by the Mayor in consultation with the MHRC Chair and the Chairperson of the Multnomah County Commission.

SECTION 2. OTHER STAFF

- A. The Commission shall have other clerical and professional staff as authorized in the budget approved by the City and County. Staff shall be employees of the City of Portland. Neither the Commission nor its individual members shall direct the activities of the staff; however, staff shall perform their duties in accordance with a staffing plan developed by the Executive Director and approved by the Executive Committee.
- B. The Executive Director shall prepare job descriptions and establish personnel policies and grievance procedures in accordance with accepted practices of the City of Portland Bureau of Personnel Services.

ARTICLE IV. BYLAW AMENDMENTS

- A. The Bylaws may be amended by affirmative vote of the Portland City Council and Multnomah County Commission. Such amendments shall be by non-emergency ordinance or resolution.
- (1) The Commission may recommend Bylaw amendments to the City Council and County Commission where such amendments have been discussed at the Annual Meeting or at any regularly scheduled meeting of the Commission and affirmatively acted upon by a majority of the Commission.

Adopted:

City of Portland

Ordinance/Resolution # _____, (____)

Multnomah County

Ordinance/Resolution # _____, (____)

APPENDIX 1

APPOINTMENTS AND TERMS OF OFFICE METROPOLITAN HUMAN RIGHTS COMMISSION

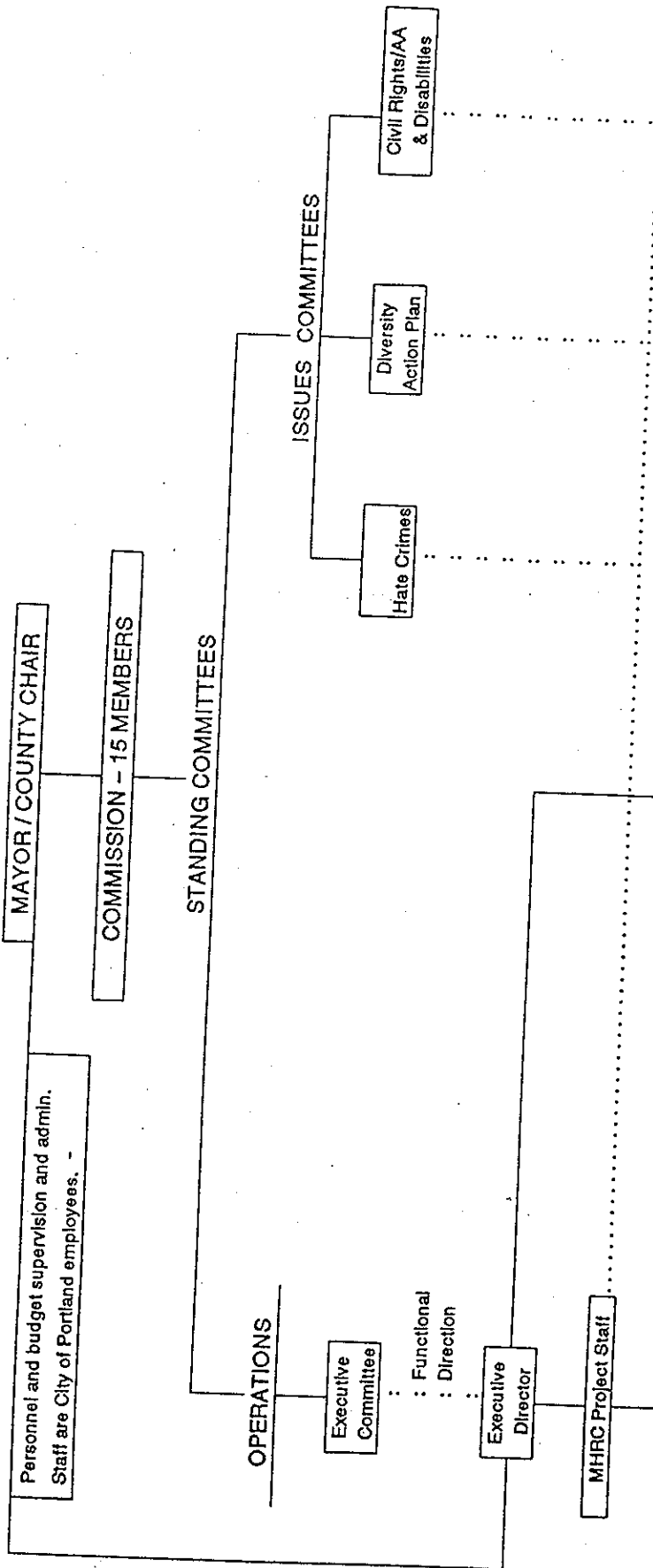
Mayor, City of Portland: Appoints nine (9) members
Board Chair, Multnomah County: Appoints six (6) members

<u>Position # & Appointing Authority</u>	<u>Initial Term of Office</u>	<u>Term of Office et. sequential</u>
#1 County	6/1/92 - 9/93	9/93 - 9/96
#2 County	6/1/92 - 9/93	9/93 - 9/96
#3 City	6/1/92 - 9/93	9/93 - 9/96
#4 City	6/1/92 - 9/93	9/93 - 9/96
#5 City	6/1/92 - 9/93	9/93 - 9/96
#6 County	6/1/92 - 9/94	9/94 - 9/97
#7 County	6/1/92 - 9/94	9/94 - 9/97
#8 City	6/1/92 - 9/94	9/94 - 9/97
#9 City	6/1/92 - 9/94	9/94 - 9/97
#10 City	6/1/92 - 9/94	9/94 - 9/97
#11 County	6/1/92 - 9/95	9/95 - 9/98
#12 County	6/1/92 - 9/95	9/95 - 9/98
#13 City	6/1/92 - 9/95	9/95 - 9/98
#14 City	6/1/92 - 9/95	9/95 - 9/98
#15 City	6/1/92 - 9/95	9/95 - 9/98

Note: Terms of office are staggered. The initial appointments to Positions 1-5 are for one- year terms. Initial appointments to Positions 6-10 are for two-year terms. Initial appointments to Positions 11-15 are for three-year terms. Upon expiration of initial terms of office, all reappointments (et. seq.) would be for three-year terms.

MHRC TABL IF ORGANIZATION

(And Suggested Initial Functions And Responsibilities)



- Functions & Responsibilities**
1. Hire & supervise MHRC staff. Prepare & direct plan for staff support of Issues Committees & MHRC projects.
 2. Manage the MHRC office & maintain official records of MHRC.
 3. Prepare and administer MHRC budget and contracts.
 4. Represent Commission at public & community meetings.
 5. Attend all meetings of Commission & Executive Committee; staff to Executive Committee.
 6. Assist the Commission in accomplishing its mission and goals:
 - a. Organize annual meeting & awards presentation.
 - b. Assist appointing authorities in filling vacancies on Commission.
 - c. Prepare leadership development & training plan for MHRC.
 - d. Conduct annual training for new Commission members.
 - e. Prepare & administer communications & outreach plan for Commission.
 - f. Build & maintain ties with community groups.
 - g. Recommend members for Issues Committees.
 - h. Forward requests for assistance & action received from organizations & individuals in the community.
 - i. Inform Commission of developments & activities relevant to the work of the Commission.

MHRC TABLE OF ORGANIZATION

MAYOR/COUNTY CHAIR

Commission = 15 Members Quorum = 12
3 Officers (Chair, Vice-Chair, Secretary) 12 Commissioners Ex-Officio as named by City & County

STANDING COMMITTEES (authority & responsibility delegated by MHRC)

OPERATIONS

EXECUTIVE COMMITTEE (8)

Chair
Vice-Chair
Secretary
Issues Comm. Chairs (3)
Commissioner-at-Large (2)

Functions & Responsibilities

1. Meet at least monthly.
2. Monitor activities of staff & budget.
3. Monitor work program & timeliness of standing committees.
4. Prepare agendas for full Commission mtgs.
5. As authorized by full Commission, make decisions for the Commission, between regularly scheduled Commission meetings.
6. Review new issues & information or community requests for Commission action.
7. Administer "crisis response" plans as authorized by Commission.

Limitations

1. Authorization to act on behalf of Commission shall be in the form of a motion, in advance, duly seconded & passed by a majority (8) of the full Commission at a regularly scheduled or special Commission meeting.
2. Six members shall constitute a quorum; five of those members must agree before any action is taken.
3. Minutes shall be kept and reported in writing to the full Commission within 10 days of each Executive Committee meeting.
4. A regular monthly meeting time & place shall be set; changes from this schedule may be made with 7 days' written advance notice.
5. The Executive Committee may not take positions or issue statements or reports unless authorized to do so by the full Commission, nor may it change any policy or directive of the Commission.

EXHIBIT B
PAGE 2 of 2

ISSUES COMMITTEES

HATE CRIMES MONITORING

Chair (Commissioner)
Members
-At least 1 other Com'r
-Neighborhood &
Community members
-ex-officio:
MHRC Chair
County Chair designee
Mayor designee
ONA Crime Prev. Coord.
Police Bureau
District Attorney

Recommended

Functions & Responsibilities

1. Monitor & document hate crimes.
2. Develop the capacity to mobilize individuals & groups anywhere in MHRC's jurisdiction toward a rapid, organized community response to major incidents which demonstrate bigotry and intimidation.
3. Monitor & evaluate media coverage & portrayal of bias crimes.
4. Prepare "Hate Crimes" section of annual report & 8-month progress report.
5. Develop neighborhood-based network for reporting & resolving disputes leading to potential criminal behavior. Work directly with the City's Neighborhood Mediation Project & the Police Bureau & County Sheriff.
6. In cooperation with police, prosecution, courts, & corrections, develop a community-based diversion program for non-felony first offenders convicted under ORS intimidation statutes.

DIVERSITY ACTION PLAN

Chair (Commissioner)
Members
-At least 1 other Com'r
-Neighborhood &
Community members
-School District Reps.
-ex-officio:
MHRC Chair
Future Focus staff
Others
ONA staff

Recommended

Functions & Responsibilities

1. Lead coalition of community organizations to hold 1 or 2 events a year that focus on improving the quality of life for ethnic groups and members of protected classes.
2. Identify and maintain contact with all organizations working locally to celebrate and ensure the acceptance of diversity in our community.
3. Identify gaps in cultural diversity training & information & assist other organizations in meeting those needs.
4. Assist school districts with development of diversity training and anti-bias curricula.
5. In cooperation with neighborhood & community groups, develop, promote, & conduct anti-racism & cultural diversity training programs throughout community.

CIVIL RIGHTS/AA/DISABILITIES

Chair (Commissioner)
Members
-At least 1 other Com'r
-Neighborhood &
Community members
-CCACD Reps.
-ex-officio:
MHRC Chair
City/County AA Director
City Attorney designee

Recommended

Functions & Responsibilities

1. Monitor City & County progress in administering civil rights ordinances, including the BOI enforcement & Fair Housing contracts.
2. Monitor City & County progress in meeting affirmative action goals.
3. Conduct annual public hearings to establish record for asserting the existence of discrimination & bias in the community.
4. Review City & County policies, ordinances & laws for consistency & fairness under civil rights laws. Recommend changes to Commission for inclusion in annual & 6-month reports.
5. Monitor & advocate the work of The Disability Project & the City/County Advisory Committee on the Disabled.

Functions & Responsibilities

1. Meet quarterly, plus annual & special meetings.
2. Approve annual work plan & direct activities of Issues Comm
3. Conduct public meetings, hearings & events to determine community needs & values with respect to human rights, diversity & cultural understanding.
4. Build community coalitions & help mediate disputes between community groups.
5. Approve Commission budget submission to City & County.
7. Approve all MHRC reports & publications.
8. Commission may delegate to staff and committees any non-policy responsibility.