

**BYLAWS OF THE  
CITY OF KALAMAZOO CIVIL RIGHTS BOARD**

Adopted in accordance with  
Ordinance Nos. 2013 and 2014 effective September 18, 2020

**ARTICLE I - NAME**

The name of this body is the City of Kalamazoo Civil Rights Board, hereinafter “Board” and sometimes informally referred to as the “KCRB” or “CRB”.

**ARTICLE II – PURPOSE AND INTENT**

The purpose and intent of the Board is to implement the general policy and purposes set forth in Chapter 18 “Non-Discrimination” and Chapter 18A “Fair Housing”.

**ARTICLE III – MEMBERSHIP**

*Section 3.1 Members*

The Civil Rights Board consists of nine (9) members. Seven voting members and two ex-officio members who shall have no vote, but who may otherwise fully participate in any meeting of the Board.

*Section 3.2 Voting Members Residency; Exception*

Voting members appointed to the Board shall be appointed by the Mayor and approved by the City Commission and shall be residents of the City reflecting and representing the diversity of the Kalamazoo community and be able to demonstrate experience in civil rights, public accommodation, employment, disability or housing law. Members to the Board may be appointed who are not City residents, not to exceed two members, when there is a valid reason for such appointment, such as the member works in the City, or has special expertise to carry out the duties and responsibilities of the Board.

*Section 3.3 Ex-officio Members*

The ex officio Board members shall be appointed by the Mayor and approved by the City Commission. One member shall be a City Commissioner and the other member shall be a City officer or employee, recommended by the City Manager, but who shall not be a City Commissioner or the City Manager.

*Section 3.4 Term*

Except for the initial appointments, members of the Board are appointed for a term of three years. The initial appointments to the Board will consist of 3 members appointed for a 3-year term, 2 members appointed for a 2-year term and 2 members appointed for a 1-year

term. Members of the Board may serve up to two consecutive terms. Members of the Board whose term has expired may continue to serve until their successor is appointed.

### Section 3.5 *Vacancies*

A member who is absent for 3 consecutive meetings or more than 50% of the regular meetings of the Board over a six-month period is considered to have resigned and their seat deemed vacant. A vacancy due to death, resignation, disability or otherwise may be filled by the same appointment procedure for the remainder of the unexpired term.

### Section 3.6 *Removal*

A member who has been determined by the remaining members of the Board to have engaged in past or present discriminatory conduct or who failed to disclose a conflict of interest regarding any matter coming before the Board is subject to possible removal from the Board. Following notice to the alleged offending member informing him or her of the allegations against them, a hearing on the allegations will be held, at which the alleged offending member may be represented by counsel, and present and confront witnesses, a majority vote of the remaining members of the Board based on substantial evidence adduced at the hearing, may recommend that the City Commission remove the offending member from the Board.

## **ARTICLE IV – OFFICERS**

### Section 4.1 *Board Officers*

The officers of the Board consist of a Chairperson, a Vice Chairperson (if desired by the Board) who shall be elected by the Board at its annual meeting and a Secretary appointed by the City Manager. An Ex-officio member, though having no vote, may be elected as the Chairperson or Vice Chairperson

### Section 4.2 *Duties of Officers:*

The duties and powers of the officers of the Board are as follows:

#### (a) Chairperson

1. Preside at all meetings of the Board;
2. Call special meetings of the Board in accordance with these Bylaws;
3. See that all actions of the Board are properly taken;
4. Appoint subcommittees of the Board which, in his or her opinion, may be required from time to time to assist the Board in carrying out its responsibilities;
5. Sign documents and letters as directed by the Board;
6. Sign all documents and letters of the Board directed to the City Commission;

7. See that an annual report is prepared and submitted to the City Commission by February 1 of each year;
- (b) Vice Chairperson
1. During the absence, disability, or disqualification of the Chairperson, perform the duties and assume the responsibilities of the Chairperson.
- (c) Secretary
1. Review, present and keep the proposed and final minutes of all meetings of the Board;
  2. Distribute the proposed agenda for all meetings of the Board;
  3. Inform the Board of correspondence relating to business of the Board and, at the direction of the Board, to respond to such correspondence;
  4. Conduct the election of officers at the Board's annual meeting;
  5. Conduct a special election for the appointment of an acting chairperson to serve in the absence of both the chairperson and vice chairperson;
  6. Report to the City Commission any member who has missed three 3 consecutive meetings or more than 50% of the regular meetings of the Board over a six-month period without having made a request to be absent from a meeting for just cause.

## **ARTICLE V - MEETINGS**

### *Section 5.1 Annual Meeting*

The annual meeting of the Board shall be the first regular meeting in the month of February each year. Such meeting shall be devoted to the election of officers for the ensuing year and such other business as scheduled before the Board.

### *Section 5.2 Regular Meetings*

The Board shall meet at least four times in any calendar year. However, unless there is no business to be conducted the Board shall hold its regular meetings in the City Hall in accordance with the annual schedule adopted by the Board. At such meetings, the Board shall consider all matters properly brought before it. A regular meeting may be canceled or rescheduled by the Board with sufficient public notice as may be required under the Open Meetings Act.

### *Section 5.3 Special Meetings*

The Board may hold a special meeting at the call of the chairperson or by 2 other members upon written request to the secretary. The time, place within City Hall, and purpose of the special meeting shall be included in the written notice given to all Board members not less than 48 hours before the meeting. Sufficient public notice as required by law shall be made of all special meetings.

#### Section 5.4 *Electronic Meetings*

In conformity with the Michigan Open Meetings, any meeting of the Board may be held by electronic means to accommodate the absence of a member.

#### Section 5.5 *Quorum*

At any meeting of the Board, a quorum shall consist of five (5) members. No action shall be taken in the absence of a quorum except to adjourn the meeting to a subsequent date. Ex-officio members shall be counted for purposes of establishing a quorum

#### Section 5.6 *Voting*

At all meetings of the Board, each voting member attending is entitled to cast one vote.

#### Section 5.7 *Disclosure of Conflict*

Parties having a matter heard by the Board are entitled to a fair and impartial hearing. If any member of the Board shall have a personal interest of any kind or a reasonably potential conflict of interest in a matter then before the Board, he or she shall disclose any such interests. As a result, the member is disqualified from participating and voting upon the matter and the minutes shall reflect that no vote was cast by such member.

A conflict of interest exists if a Board member has either a personal or professional interest in a matter that interferes with the ability to exercise objectivity or a bias against any of the parties or the issued involved in the matter to be heard. For purposes of determining whether a member has a personal interest or reasonably potential conflict of interest in a matter before the Board the following, without limitation, apply:

- (a) The member has a direct interest in outcome of the matter because of any ownership or other interest in the land in question, or in land adjacent to the land in question.
- (b) The matter involves a corporation, company, partnership or any other entity in which the member is part owner, or any other relationship where the member may stand to have a financial gain or loss.
- (c) The matter directly involves the employer or employee of the member.
- (d) The applicant or agent of the applicant on the matter before the Board is directly related to the member (spouse, child, grandchild, parent, grandparent or in-law) or a member of his or her household.
- (e) Action on the matter will result in a pecuniary benefit to the member.

The question of whether or not a conflict of interest exists is decided by a majority vote of the remaining members.

#### Section 5.8 *Board Action*

The affirmative vote of a majority of the voting members present at any official meeting of the Board shall be necessary for the adoption of any resolution or other voting matter. The reasons for Board action shall be specified in writing.

#### Section 5.9 Conduct of Meeting:

All meetings shall be open to the public, and citizens shall be permitted to address the meeting in accordance with law and pursuant to these bylaws. Citizens' comments shall be limited to 4 minutes, unless extended by the chairperson. The order of business at the meeting shall be as follows:

- A. Call to Order;
- B. Roll Call;
- C. Adoption of Agenda;
- D. Approval of Minutes;
- E. Public Announcements and Communications;
- F. Public Hearings;
  
- H. Old Business (Citizens' comments are welcome before each item is voted upon by the Board);
- I. New Business (Citizens' comments are welcome before each item is voted upon by the Board);
- J. Citizens' Comments;
- K. Miscellaneous Comments by Board Members;
- L. Adjournment

#### Section 5.10 Adjourned Meetings

The Board may adjourn or recess a regular or special meeting if all business cannot be disposed of on the day set, and public notices in accordance with law shall be made for such a meeting.

Section 5.11 Robert's Rules of Order: All meetings of the Board shall be conducted in accordance with Robert's Rules of Order.

### **ARTICLE VII – POWERS AND AUTHORITY OF BOARD**

The Board shall exercise its authority, functions, powers, and duties in accordance with all ordinances, rules, regulations, orders, and city charter of the City of Kalamazoo. The authority, duties, and responsibilities of the Board include the following:

- A. Foster mutual understanding and respect among the people in the City and discourage and prevent unlawful discriminatory practices toward the protected classes described in this Chapter.
- B. Review claims of discrimination brought by residents of the City of Kalamazoo and make recommendations for resolution following investigation of the claim by the

City Manager or the designee of the City Manager.

- C. Review and analyze of conditions, practices, attitudes, policies, and other factors within Kalamazoo that contribute to discriminatory impact and further inequities, as well as evaluating the impact of anti-discrimination efforts.
- D. Make recommendations to the City Commission and City Manager on ways to improve City programs and ordinances to eliminate discrimination or remove effects of past discrimination.
- E. Engage in public awareness-building activities to ensure residents are informed of increased local protections and the role of the Board, including issuing an annual report of the activity of the Board.
- F. Engage with federal, state, and local agencies to assist in addressing issues of discrimination in the City.
- G. The Board shall provide an annual report to the City Commission regarding complaints received and actions taken.
- H. Establish bylaws and procedural rules for its meetings subject to approval by the City Commission.

## **ARTICLE VII - AMENDMENTS**

Section 7.1 Amending Bylaws: These bylaws may be amended at any meeting of the Board if the proposed amendment is given to each member in writing at least 5 days prior to the meeting. Amendments to these bylaws become effective only upon approval by the City Commission