

EUGENE CITY COUNCIL

AGENDA ITEM SUMMARY



Action: Human Rights Commission Membership

Meeting Date: July 12, 2010
Department: City Manager's Office
www.eugene-or.gov

Agenda Item Number: 4
Staff Contact: Holly LeMasurier
Contact Telephone Number: 541-682-5619

ISSUE STATEMENT

The Human Rights Commission (HRC) is seeking City Council concurrence with its recommendation to remove a member from the commission, in accordance with Eugene City Code and HRC bylaws. This member has been unable to regularly attend commission meetings.

BACKGROUND

The Human Rights Commission voted at its May 18, 2010, meeting to recommend that the City Council remove the incumbent member from Position 6 before her term expires on June 30, 2011. The commission does not take this action lightly, and it has followed procedures in accordance with HRC bylaws. A memo from Commission Chair Linda Hamilton was provided to the council previously, and is included as Attachment A.

RELATED CITY POLICIES

The relevant Code and bylaw provisions are provided below.

2.270 Human Rights Commission - Membership.

(2) Vacancies on the commission shall be filled in the same manner as original appointments. Except where the vacancy occurs because the member from the council or the mayor ceases to serve on the commission, the council shall appoint, within 90 days of the position becoming vacant, a person to complete the member's unexpired term from the non-commission members of the commission's standing committees. A position becomes vacant upon:

- (a) The death or resignation of the incumbent;
- (b) Removal of an incumbent for nonperformance of duty or upon recommendation by the commission after the commission has determined that the incumbent has failed to properly represent the commission or otherwise damaged the work of the commission, and the council has concurred with that determination;
- (c) Failure of the council to reappoint an incumbent at the expiration of his or her term; or
- (d) The incumbent ceasing to be qualified for initial appointment.

Human Rights Commission Bylaws:

Article VI: Meetings, Voting and Procedures

Section 5. All members of the commission shall be involved in commission and committee activities, including regularly attending commission and committee meetings. Any member who misses more than three (3) consecutive regular meetings with or without a quorum and without having been given a leave of absence by a majority vote of the commission or committee may be removed by the council upon recommendation of the commission or committee chair. If members are unable to attend a meeting of the commission or a committee, they shall notify the staff as soon as possible.

COUNCIL OPTIONS

1. Concur with recommendation to remove the Position 6 incumbent Human Rights Commissioner and direct that the position be filled from the non-commission members of the commission's standing committees, per Eugene Code 2.270.
2. Decline to remove the incumbent.

CITY MANAGER'S RECOMMENDATION

The City Manager defers to the recommendation of the Human Rights Commission.

SUGGESTED MOTIONS

Move to concur with the Human Rights Commission recommendation to remove the Position 6 incumbent from the commission and fill the vacancy from the non-commission members of the commission's standing committees.

ATTACHMENTS

- A. May 26, 2010, Human Rights Commission Memorandum regarding Position 6

FOR MORE INFORMATION

Staff Contact: Holly LeMasurier, Human Rights Analyst
Telephone: 682-5619
Staff E-Mail: holly.k.lemasurier@ci.eugene.or.us



**Human Rights
Commission**

Equity & Human Rights Center
99 W. 10th, Suite 116
Eugene, Oregon 97405
(541) 682-5177
(541) 682-5221 Fax
www.eugene-or.gov/hrc

MEMORANDUM

Date: May 26, 2010
To: Mayor Piercy and City Council
From: Linda Hamilton, Human Rights Commission Chair
Subject: Human Rights Commission Appointment

The Human Rights Commission voted on May 18, 2010, to recommend that the City Council remove an incumbent member, Position 6: Michelle Maher, before her term expiration of June 30, 2011. Ms. Maher requested a leave of absence for three months, which the Commission was unable to approve, citing pre-existing concerns with Ms. Maher's level of attendance and participation in Commission-sponsored events.

The Human Rights Commission has a significant work program and Ms. Maher offers beneficial expertise. Commissioners have suggested that she participate in the Commission's Community Education and Outreach Committee as a community member, which Ms. Maher has expressed interest in doing, so that she may stay connected to the Commission's work.

The Commission has provided similar recommendations to the Council in the past, and has followed procedures in accordance with Commission bylaws regarding member attendance.

Human Rights Commission Bylaws: Article VI: Meetings, Voting and Procedures

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The Commission wishes Michelle well in her future endeavors. Please contact me if you have specific questions. I can be reached through the Human Rights Center office at 682-5177. Thank you for your continued support for the Human Rights Commission.