



# CITY AND COUNTY OF SAN FRANCISCO

## IMMIGRANT RIGHTS COMMISSION

Immigrant Rights Commission

Commission Bylaws

Approved October 17, 2022

### ARTICLE I

#### **Official Name:**

The Commission shall be known as The Immigrant Rights Commission of the City and County of San Francisco (IRC), hereinafter "The Commission."

#### **Office Location:**

The Commission shall be located in San Francisco City Hall, 1155 Market Street, San Francisco, California 94103, or such other address where the Commission may be located from time to time. The telephone number for the Commission is (415) 581-2360, and can be found on the web at [sf.gov/immigrantrights](http://sf.gov/immigrantrights).

#### **Compliance with Applicable Laws:**

The Commission shall comply with all applicable laws, including but not limited to the Ralph M. Brown Act (Cal. Gov't Code § 4950 et. seq.), the Political Reform Act of 1974 (Cal. Govt. Code § 87100 et seq.), the San Francisco Charter, the San Francisco Sunshine Ordinance (San Francisco Administrative Code § 67.1), San Francisco Administrative Code, Section 5.201.

### ARTICLE II

#### **Mission Statement:**

"The mission of the Immigrant Rights Commission shall be to improve, enhance and preserve the quality of life and civic participation of all immigrants in the City and County of San Francisco."

#### **Duties and Responsibilities:**

The Commission shall have the power and duty to:

- Make recommendations to the Board of Supervisors and the Mayor to further involve immigrants in local government process; and
- Hold annual public hearings to obtain input from the immigrant community about programs, policies, and issues that relate to immigrants who are the residents of the City and County; and

- Report recommendations developed from the public hearings to the Board of Supervisors and the Mayor; and
- Advise the Board of Supervisors and the Mayor on state and federal legislation related to immigrants; and
- Cooperate with and make recommendations to other City and County departments, agencies, and commissions that administer and enforce regulations relating to health, human services, law enforcement, human rights, language access, sanctuary city ordinance, municipal identification, and all other issues that affect immigrants; and
- Prepare and submit to the Board of Supervisors and the Mayor an annual report on the review and evaluation of the services and programs in place for immigrants residing in San Francisco; and
- Develop a plan for outreach to, and education of, the public to increase public awareness of the contributions made by immigrants to the local economy, educational institutions, and other fields in San Francisco; and
- Recommend to the Board and the Mayor on the participation of the City and County of San Francisco in publicizing and presenting concerns of immigrants in San Francisco within regional and national efforts to protect the rights of immigrants.

### **ARTICLE III**

#### **A. Membership:**

##### **1. Number:**

The Immigrant Rights Commission shall consist of at least fifteen voting members, eleven members shall be appointed by the Board of Supervisors and four members appointed by the Mayor. At least eight members shall be immigrants to the U.S. who are appointed in accordance with Section 4.101 of the Charter. Members appointed to the Commission shall have a demonstrated knowledge of and interest in the health, human service, educational, or employment issues that affect immigrants residing in San Francisco and shall reflect the geographic, ethnic, and sexual orientation populations of San Francisco [San Francisco administrative Code § 5.201(b).]

##### **2. Term of Office:**

The term of each member of the Commission shall be two years, provided, however, that the members first appointed shall, by lot, classify their terms so that eight members shall serve a term of three years and seven members shall serve a term of two years. Members shall serve at the pleasure of the appointing authority.

##### **3. Vacancy:**

In the event a vacancy occurs during the term of office of any member, a successor shall be appointed to complete the unexpired term of the office vacated in a manner similar to that for the initial member.

**B. Officers:**

The officers of the Commission are the Chair, Vice Chair, and Chair Emeritus. The Chair and Vice Chair shall serve at the pleasure of the Commission. The Chair and Vice Chair may sign letters or statements on behalf of the Commission on issues that have been previously discussed, voted upon and passed by a majority of the Commission. The Chair Emeritus serves at the pleasure of the Chair and provides leadership guidance to the incoming Chair and Executive Committee.

**1. Nomination & Election of Officers:**

a) Election of officers shall be conducted at the monthly meeting of the Commission in January of each year. The Executive Committee will annually review or amend the process for the election of officers no later than December 1 of each year.

Any Commissioner interested in running for office shall state publicly his or her interest and willingness to run for a specific office in accordance with the Commission's election process. Such Commissioners, and any other Commissioners nominated at the January meeting, shall be candidates for office to be voted on at the January meeting.

b) If the office of the Chair is vacated before the expiration of a term, the Vice Chair shall serve as Chair until the next regular meeting. The Commission shall conduct an election for Chair at the next meeting to fill the vacancy. If the Vice Chair is elected as Chair, there shall be an election for a new Vice Chair at that meeting. If the office of Vice Chair is vacated before the expiration of a term, it shall remain vacant until the next regular monthly meeting, at which time an election shall be held. Any Commissioners nominated at a meeting at which a special election is held shall be candidates for office.

**2. General Duties & Responsibilities of the Chair:**

The Chair shall preside at all meetings of the Commission. The Chair, working with the Commission's Executive Director, shall oversee the preparation and distribution of the agenda for all monthly Commission meetings. The Chair shall be accountable to the Commission as a whole and shall perform such other duties as may be assigned by the Commission. The Chair shall make any necessary public appearances on behalf of the Commission at meetings of the Mayor, Board of Supervisors, other commissions, and any other bodies requiring representation of the commission.

**3. General Duties & Responsibilities of the Vice Chair:**

The Vice Chair shall perform the duties and responsibilities that may be delegated by the Chair. In the absence or disability of the Chair, the Vice Chair shall perform the duties of the Chair, as provided by in these Bylaws.

**4. General Duties & Responsibilities of the Chair Emeritus:**

The Immediate Past Chair of the Commission will serve as the Chair Emeritus. The Chair Emeritus must be an active member in good standing of the Commission and provides guidance to the Chair and Executive Committee to ensure continuity and historical perspective in the decision-making process. The Chair Emeritus may participate in Executive Committee Meetings as a non-voting advisor and serves a one-year term, or when the Chair is re-elected, a total of one two-year term. The Chair may terminate or not fill the position after consulting with the Executive Committee.

**C. Attendance/Absences/Tardiness/Parental Leave Policy:**

**1. Attendance Requirements:**

Except in the event of an excused absence (defined below), each member of the Commission is expected to attend each regular or special meeting of the Commission. The Executive Director shall maintain a record of members' attendance.

**2. Excused Absences:**

A member's absence shall constitute an "excused absence" where the member, at least 24 hours before the scheduled meeting, notifies the Executive Director or Clerk that the member will be absent. An absence due to unforeseen circumstances such as illness or emergency shall also qualify as an excused absence where the member reports such absence to the Executive Director or Clerk as soon as reasonably possible. All other absences shall be recorded by the Executive Director as unexcused absences. Continuous absence (three or more consecutive times) without communication shall indicate a resignation from the Commission. The Chair may direct the Executive Director to confirm the resignation.

**3. Attendance Reports:**

**a) Report to the Appointing Authority:**

The Executive Director of the Commission shall report all absences as well as any instance of three consecutive absences of a member from regular meetings in a fiscal year to the member's appointing authority.

**b) Quarterly Reports to the Mayor:**

The Executive Director shall compile and submit quarterly attendance reports to the Mayor's office, including overall attendance, unexcused absences, and tardiness.

**c) Annual Attendance Report:**

At the end of each fiscal year, the Executive Director shall submit a written report to the appointing authorities of the Commission's membership detailing each member's attendance at all meetings of the Commission for that fiscal year.

**4. Tardiness:**

If the Commissioner arrives 30 minutes after the meeting has been called to order, then he/she will be considered absent from the meeting.

**5. Parental Leave Policy:**

Administrative Code Chapter 67B authorizes members of the Immigrant Rights Commission to take parental leave in certain circumstances. The terms of the parental leave policy are set forth in

Administrative Code Section 67B.1. That section is incorporated by reference into these bylaws. The Commission Secretary/Director shall provide a copy of Section 67B.1 to each member of the Immigrant Rights Commission when the member assumes office. Any member who intends to take parental leave under this policy must inform the Secretary/Executive Director and the Chair of the Immigrant Rights Commission in writing. To the extent feasible, the member's written notice shall state the beginning and end dates of the leave and whether the member intends to participate in Immigrant Rights Commission meetings remotely during the leave. The notice is not binding on the member and does not limit the member's rights under the parental leave policy, but rather is intended to aid the Secretary/Executive Director and the Chair in planning the work and the meetings of the Immigrant Rights Commission while the member is on parental leave.

**D. Working Committees:**

Each committee established herein shall have at least three (3) members. Committee members shall be appointed by the Chair of the Commission. Committee membership is subject to attendance requirements as stated in Article III Section C. The Chair may suspend any committee based on ongoing lack of membership, quorum or attendance.

**1. Executive:**

The standing committee of the Commission is the Executive Committee. The Executive Committee shall consist of the Chair, Vice Chair, and a Commissioner in good standing appointed by the Chair. Other Commissioners may attend the Executive Committee meetings but may not vote. The Chair Emeritus shall be a non-voting advisor to the Executive Committee.

The Executive Committee shall be responsible for ensuring that the Commission is following its own policies and ensuring that City policies and programs are consistent with supporting and benefiting immigrants in San Francisco. The Committee shall monitor issues related to immigration reform, state and federal legislation related to immigrants, Sanctuary City, Municipal ID Card and other programs. The Committee shall have jurisdiction for monitoring and evaluating the Commission's goals and mandates. The Executive Committee only staffed by one commissioner should not set the Commission's agenda. The Executive Committee may make recommendations to the Chair on items to be placed on the agenda.

**2. Other Committees:**

The Commission and/or the Chair, at their discretion, may establish other committees or task forces on an ad-hoc basis to perform specific tasks or functions as necessary, or to address issues outside purview of the Executive Committee. These committees are advisory and will remain in place as long as the Commission deems necessary.

## **ARTICLE IV**

**A. Executive Director:**

The City Administrator provides the Immigrant Rights Commission with staff from the Office of Civic Engagement & Immigrant Affairs (OCEIA) to assist with the Commission's regular functions and workload. The OCEIA Executive Director shall appoint a Commission Clerk from the OCEIA staff and may assign other OCEIA staff to assist with programs and projects as needed. The OCEIA Executive Director or her designee and the Clerk shall attend all meetings of the Commission. Requests for additional assistance from OCEIA staff must be submitted to and approved by the Executive Director.

**B. Legal Advisor:**

The City Attorney, or her/his designee, shall be the legal advisor to the Commission.

**ARTICLE V**

**A. Regular Monthly Meetings:**

Regular monthly meetings shall be held on the second Monday of each month, except in the case of City recognized holidays, when the meeting shall be held on a different day of that month. Meetings shall be held at City Hall, 1 Dr. Carlton B. Goodlett Place, hearing Room 416, in the City and County of San Francisco, unless otherwise noticed by the Commission. Such regular meeting place may be changed from time to time and sufficient notice shall be made in accordance with the Sunshine Act.

**B. Commission Quorum:**

For the purpose of transacting all businesses of the Commission, at all meetings of the full Commission, the presence of a majority of the members shall constitute a quorum [San Francisco Charter § 4.104(3).] Majority shall be defined as at least 51% of the number of seats on the Commission whether or not the seats are vacant.

**C. Voting:**

Except for the approval of rules and regulations of the Commission with respect to matters of procedure, the affirmative vote of a majority shall be required for the approval of any matter unless otherwise provided for in the San Francisco Charter [San Francisco Charter § 4.104(3).] Affirmative vote of the majority of the members present at a meeting shall be required for the approval of rules and regulations of the Commission with respect to matters of procedure, provided that the members present constitute a quorum. [San Francisco Charter § 4.104(3).]

**D. Public Participation:**

The Commission shall hold meetings open to the public and encourage the participation of interested persons. Each person wishing to speak on an item before the Commission shall be permitted to be heard. Each agenda for regular meetings shall provide an opportunity for members of the public to directly address the Commission on items of interest to the public that are within the Commission's jurisdiction.

**E. Minutes:**

Meeting minutes shall be taken at every regular and special Commission and Committee meeting and shall be approved by the majority vote of the Commission or Committee, as applicable.

**F. Notice of Meetings:**

Notices and agendas of all regular and special Commission and Committee meetings shall be posted at the San Francisco Main Library, posted on OCEIA's website and e-mailed to each Commissioner and any person who files a written request for such notice with the Commission. Notices of special meetings shall be posted at least 72 hours before the meeting. Notices of regular monthly meetings shall be posted at least 72 hours before the meeting. In the case of a special meeting held at a location other than the regular Commission meeting place, 15 days notice shall be provided.

## **ARTICLE VI**

These bylaws shall be reviewed as necessary and may be amended at any regular meeting of the Commission by a majority vote of those present, provided such proposed amendments are circulated in writing to all Commissioners and posted publicly at least ten (10) days prior to such meeting.