NATIONAL CITY COMMUNITY AND POLICE RELATIONS COMMISSION

BYLAWS

ARTICLE I – THE COMMISSION

Section 1. Name of Commission

The name of the Commission shall be the "National City Community and Police Relations Commission" (hereinafter referred to as the "Commission").

Section 2. Mission Statement

That the following shall be the Mission Statement of the Commission:

> *The Commission will (1) provide a forum for citizens to voice their concerns about police conduct, practices and policies; (2) examine police practices and policies as they pertain to conduct issues; and (3) identify opportunities to ameliorate adversity between the National City Police Department and citizen complaints.*
>
> *It is the intent of the Mayor and City Council that because of our actions, the relations between the citizens of this city and the Police Department will improve, and positive communications and cooperation between the Police Department and community will be facilitated.*

Section 3. Duties

The duties of the Commission shall be:

(a) To receive and investigate citizen complaints regarding police conduct.

(b) To request and receive supplemental information from the Police Department regarding citizen complaints and such other matters as the Commission may be reviewing.

(c) To allow parties the opportunity to mediate their disputes.

(d) To make recommendations to the City Council regarding additional duties which the Commission may perform.

(e) To make an annual report of its activities, findings and recommendations to the City Council.

Section 4. Membership

A. Composition

The Commission shall be comprised of nine (9) individuals appointed by the Mayor with the approval of the City Council. Of the nine members, seven (7) shall be voting members, and two (2) shall be non-voting members. Of the seven voting members, five (5) shall be residents of the City of National City. One of the two non-voting members shall be a member of the National City Police Officers' Association, and one of the non-voting members shall be a member of a human rights organization.

B. Terms of Membership

[1]The terms of the members shall be for two years, subject to reappointment by the City Council. Upon expiration of term, a member shall serve until re-appointed or replaced.

C. Termination of Membership

Membership in the Commission shall automatically terminate in the event that:

1) The member's term has expired. If a term expires, the member can either continue until reappointment or replacement; or

2) The member shall have been absent from the number of Commission meetings specified in these Bylaws.

D. Removal of Members

A member may be removed by a majority vote of the City Council.

E. Resignation

Any Commission member may resign at any time by giving written notice to the Chairperson. Any such resignation will take effect upon receipt or upon any date specified therein. The acceptance of such resignation shall not be necessary to make it effective.

F. Filling of Vacancies

In the event a vacancy occurs on the Commission by reason of death, resignation, removal or termination, such vacancy shall be filled by the Mayor with the approval of a majority of the City Council, with new members so appointed having to meet the qualifications set forth in Article I, Section 4(a). Persons appointed to fill vacancies shall fill the unexpired terms of their predecessors.

ARTICLE II – OFFICERS

Section 1. Officers

The officers of the Commission shall consist of a Chairperson and a Vice Chairperson, and shall be elected in the manner set forth in this Article II.

Section 2. Chairperson

The Chairperson shall preside at all meetings of the Commission and shall submit such agenda recommendations and information at such meetings that are reasonable and proper for the conduct of the business affairs and policies of the Commission. The Chairperson shall sign all resolutions, approved minutes, and other legal documents of the Commission (if any).

Section 3. Vice Chairperson

The Vice Chairperson shall perform the duties of the Chairperson in the absence or incapacity of the Chairperson.

Section 4. Additional Duties

The officers of the Commission shall perform such other duties and functions as may from time to time be required by the Commission, the Bylaws or other rules and regulations, or which duties and functions are incidental to the office held by such officers.

Section 5. Election

The Chairperson and Vice Chairperson shall initially be elected by a majority of the members of the Commission at its meeting at which these Bylaws are adopted from among the members of the Commission. The terms of the Chairperson and Vice Chairperson shall be one year. Upon the first anniversary of the appointment of officers, the terms of the Chairperson and Vice Chairperson shall expire, and a new Chairperson and Vice Chairperson shall be elected, according to the procedures set forth in this Section 5.

Section 6. Vacancies

Should the offices of the Chairperson or Vice Chairperson become vacant, the Commission shall elect a successor from among the Commission members at the next regular or special meeting, and such office shall be held for the unexpired term of said office.

ARTICLE III – MEETINGS

Section 1. Regular Meetings

[2]The Commission shall schedule and conduct at least four meetings per year for the purpose of exercising the authority and responsibility delegated to it in the Operating Procedures. The Commission shall meet on the second Thursday of the month for which a meeting has been called by the Chairperson at 6:00 p.m. in the Council Chambers of the National City Civic Center, 1243 National City Boulevard, 2nd Floor, National City, unless otherwise designated. The agenda for each regular meeting shall be posted by City staff at least 72 hours in advance consistent with the requirements of the Ralph M. Brown Act and the City's customary procedures.

Section 2. Special Meetings

Special meetings may be held upon call of the Chairperson, or of the majority of the membership of the Commission, for the purpose of transacting any business designated in the call, after notification of all members of the Commission by written notice personally delivered or by mail at least 24 hours before the time specified in the notice for a special meeting. Such written notice may be dispensed with as to any member who at or prior to the time the meeting convenes files with the Chairperson a written waiver of notice, and as to any member who is actually present at the time the meeting convenes. Additionally, City staff shall be responsible for the posting of the agenda of the special meeting in the four (4) locations designated in Section 1 at least 24 hours prior to the time specified in the notice for the meeting, and for providing copies of the notice of meeting to the news media. At such special meeting, no business other than that designated in the call shall be considered.

Section 3. Adjourned Meetings

Any meeting of the Commission may be adjourned to an adjourned meeting without the need for additional notice or agenda, provided that the adjournment indicates the date, time and place of the adjourned meeting, and provided that the adjourned meeting occurs not more than five (5) calendar days after the meeting for which notice and agenda requirements were met. Commission members absent from the meeting at which the adjournment decision is made shall be notified by the Chairperson of the adjourned meeting.

Section 4. All Meetings to be Open and Public

All meeting of the Commission shall be open and public to the extent required by law. All persons shall be permitted to attend any such meetings except as otherwise provided by law. Nothing contained in these Bylaws shall be construed to prevent the Commission from holding closed sessions during a meeting concerning any matter permitted by law to be considered in closed session provided the Commission complies with the conditions and procedures provided by law for closed sessions. All meetings shall

be limited to no more than three (3) hours unless the Chairperson requests additional time and a majority of the membership, by vote, agrees.

Section 5. Quorum

The powers of the Commission shall be vested in the members thereof in office from time to time. A majority of the members of the Commission qualified and eligible to vote shall constitute a quorum for the purpose of conducting the Commission's business, exercising its powers and for all other purposes, but less than a majority of the members of the Commission may adjourn the meeting from time to time until a quorum is obtained. An affirmative vote by a majority of the members of the Commission qualified and eligible to vote shall be required for approval of any question brought before the Commission.

Section 6. Unexcused Absences

Membership in the Commission shall terminate if a member has three (3) consecutive unexcused absences from meetings, whether regular or special, or three (3) absences from regular meetings, whether excused or unexcused. A member's absence shall be excused if, prior to the meeting from which said member will be absent, said member notifies the Chairperson or Designee of intent to be absent and the reasons therefore. At each meeting, after the roll has been called, the Chairperson shall report to the Commission the name of any member who has so notified of their intent to be absent and the reason of such absence. The Commission shall approve or disapprove such reasons for excused absences.

Section 7. Order of Business

The following shall be the order of business at regular meetings of the Commission:

1) Roll Call
2) Approval of Minutes of previous meeting
3) Action Items
4) Public Comment
5) Adjournment

Section 8. Minutes

Minutes of the Commission shall be in writing. Copies of the Minutes of each Commission meeting shall be made available to each member of the Commission. Minutes shall be made available to the public, unless they are privileged and confidential items.

Approved Minutes shall be filed in the official Book of Minutes of the Commission.

Section 9. Rules of Order

Except as provided in these Bylaws, all business and matters before the Commission shall be transacted in conformance with Robert's Rules of Order (Newly Revised).

Section 10. Committee Reports

Oral and written reports of the Commission, including resolutions adopted by the Commission, shall include a report of the position of the minority of the Commission as well as the majority. When applicable, an indication of the relative size of the majority and the minority for each such report shall be included within the report.

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ARTICLE IV – REPRESENTATION BEFORE PUBLIC BODIES

Any official representations on behalf of the Commission before the City Council or any other public body shall be made by the Chairperson, the Vice Chairperson in the Chairperson's absence, or a member of the Commission specifically so designated by the Commission pursuant to the Brown Act.

ARTICLE V – SUBCOMMITTEES

Section 1. Establishment

The Commission shall have the authority to, and may, establish subcommittees as necessary to accomplish the purposes set forth in Section 3 of Article I of these Bylaws.

Section 2. Membership

Each subcommittee shall be composed of at least one (1), but not more than three (3) members of the Commission.

Section 3. Appointment of Members

Members on a subcommittee shall be appointed by the Chairperson of the Commission with the approval of the Commission.

Section 4. Officers and Meetings

Subcommittee chairpersons shall be designated by the Chairperson of the Commission from among the Commission members appointed to the subcommittee. Each subcommittee shall elect a vice chairperson, and shall establish the date, time and place for meetings to conduct the subcommittee's business. In the event that any subcommittee meets on more than two (2) occasions, then all further meetings of the subcommittee shall comply with the meeting requirements set forth in Article III.

Section 5. Subcommittee Reports

From time to time, the subcommittee shall submit reports to the Commission, which reports summarize the subcommittee's activities, findings and/or recommendations on matters for which the subcommittee was established.

ARTICLE VI – AMENDMENTS

Section 1. Amendment of Bylaws

The Bylaws of the Commission may be amended upon the affirmative vote of at least five (5) voting members of the Commission, but no such amendment shall be adopted unless at least seven (7) days' written notice thereof has previously been given to all members of the Commission. Notice of amendment shall identify the section or sections of the Bylaws proposed to be amended.

ARTICLE VII- ORDER OF PRECEDENCE

Section1. Conduct of Affairs

The COMMISSION will observe all applicable requirements of state and local law, including the following, which have been summarized as follows:

a. The Police Officers Bill of Rights (Government Code sections 3300, et seq.)
b. Penal Code sections 832.5 and 832.7
c. The Ralph M. Brown Act (Gov. Code, § 549501 et seq., hereinafter "the Brown Act" or "the Act")
d. National City Police Department rules and procedures, which govern the rights and duties of DEPARTMENT personnel.
e. The Operating Procedures of the National City Community and Police Relations Commission as authorized by the City Council.