

RESOLUTION NO. 2013-007

A RESOLUTION OF THE CITY OF OCOEE, FLORIDA AMENDING RESOLUTION NO. 2010-10 RELATING TO THE HUMAN RELATIONS DIVERSITY BOARD BY PROVIDING FOR A CHANGE IN EXHIBIT “A” AND EXHIBIT “B” TO RESOLUTION 2010-10 TO CHANGE THE TERM OF SERVICE; ALTERING AND CLARIFYING MEMBERSHIP QUALIFICATIONS; PROVIDING FOR TERMINATING A MEMBER UPON EXCESSIVE ABSENCES; CLARIFYING OTHER REQUIREMENTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Article II, Section C-8.C of the Charter of the City of Ocoee, Florida, provides that the City of Ocoee has the power to create boards, commissions and committees to advise and assist the City in carrying out municipal functions; and

WHEREAS, the City Commission of the City of Ocoee adopted Resolution 2004-11 creating the Human Relations Diversity Board and adopting its Bylaws; and

WHEREAS, the City Commission believes it is in the best interest of the city and the Board to amend Article III of the General Purposes of the Human Relations Diversity Board entitled “Membership,” amend Article IV of the General Purposes of the Human Relations Diversity Board entitled “Officers,” amend Article 1 entitled “Name of Organization” of the Bylaws of the Human Relations Diversity Board, amend Article 2 entitled “Purpose and Objectives” of the Bylaws of the Human Relations Diversity Board, amend Article 3 entitled “Membership” of the Bylaws of Human Relations Diversity Board, amend Article 4 entitled “Officers” of the Bylaws of the Human Relations Diversity Board, amend Article 5 entitled “Duties of Officers” of the Bylaws of the Human Relations Diversity Board, amend Article 6 entitled “Subcommittees” of the Bylaws of the Human Relations Diversity Board, amend Article 7 entitled “Meetings” of the Bylaws of the Human Relations Diversity Board, and amend Article 8 entitled “Quorum and Voting” of the Bylaws of the Human Relations Diversity Board.

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COMMISSION
OF THE CITY OF OCOEE, FLORIDA, AS FOLLOWS:**

SECTION 1. Authority. The City Commission of the City of Ocoee has the authority to adopt this Resolution pursuant to Article VIII of the Constitution of the State of Florida, Article II, Section C-8.C of the Charter of the City of Ocoee, Florida and Chapter 166, Florida Statutes.

SECTION 2. Purpose. The amended purpose, objectives, membership, and officers of the City of Ocoee Human Relations Diversity Board shall be as set forth on **Exhibit “A”** attached hereto and incorporated herein by reference, as attached.

SECTION 3. Bylaws. The amended Bylaws for the City of Ocoee Human Relations Diversity Board shall be as set forth on **Exhibit “B”** attached hereto and incorporated herein by reference, as attached.

SECTION 5. Severability. If any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereto.

SECTION 6. Effective Date. This Resolution shall become effective immediately upon passage and adoption.

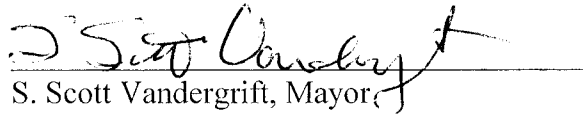
PASSED AND ADOPTED this 16th day of April, 2013.

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CITY OF OCOEE, FLORIDA

Attest


Beth Eikenberry, City Clerk


S. Scott Vandergrift, Mayor

(SEAL)

FOR USE AND RELIANCE ONLY
BY THE CITY OF OCOEE, APPROVED
AS TO FORM AND LEGALITY
THIS 16th DAY OF APRIL, 2013

READ FIRST TIME AND ADOPTED
April 16, 2013, UNDER
AGENDA ITEM NO. 6

Shuffield Lowman and Wilson

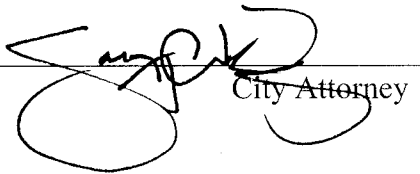
By: 
City Attorney

EXHIBIT A

CITY OF OCOEE HUMAN RELATIONS/ DIVERSITY BOARD

I. PURPOSE:

The general purpose of the Human Relations/ Diversity Board (“HRDB”) is to promote understanding, respect, goodwill, and equality among all citizens and businesses of the City of Ocoee. In no event shall the HRDB by itself possess any decision-making authority or be authorized to bind the City of Ocoee.

II. Objectives:

- A. Foster mutual understanding and respect among all persons emphasizing the positive impact that diversity brings to the City of Ocoee;
- B. Facilitate communication between the City Commission and citizen groups, individuals, and businesses;
- C. Assist the City Commission in educating the community through projects devoted to the elimination of prejudice, racial tension, intolerance, or discrimination;
- D. Provide suggestions and encouraging equality of treatment for, and preventing ~~on~~ against discrimination against, any persons or businesses by Ocoee City government;
- E. Serve as an informational conduit to the community at large; and
- F. Assist the City Commission and staff, as requested.

III. Membership:

- A. The HRDB shall consist of no less than seven (7) and no more than ~~fifteen (15)~~ thirteen (13) voting members. The City Commission shall designate one member of the City Commission and the City Manager shall designate one member of staff, both of whom will serve as ex officio

non-voting members. ~~Board~~ HRDB members will be appointed by the City Commission from a list of interested and eligible persons who have completed the application form for membership on City boards and committees, and who are representative ~~as to~~ of the diversity of the ~~Community~~ community, including race, sex, age, religion, disability, sexual orientation, and ethnic group. ~~Of the initial members of the HRDB one-half of the members (or one more than one-half if the initial HRDB has an odd number of members) shall be appointed to serve a one (1) year term. The remaining initial members shall serve a term of two (2) years. Thereafter, all members shall serve two (2) year terms and may be reappointed, irrespective of the number of terms previously served. Members are expected to attend Board meetings and participate in Board-sponsored events. Applicants for membership should anticipate that participation will require considerable devotion of personal time. Effective May 2014, all members shall serve a three (3) year term and may be reappointed, irrespective of the number of terms previously served; however, to ensure that approximately one-third of the authorized membership positions become vacant in any given year, the City Commission may make appointments of one, two, and three years of service.~~

B. All persons who reside in Ocoee, who own real property in Ocoee, or who are owners of businesses located in Ocoee shall be eligible for membership. Persons who were convicted of a felony or a misdemeanor involving moral turpitude are ineligible. The City Commission reserves the right to waive the foregoing membership qualifications when the City Commission deems it appropriate.

BC. Members of the HRDB shall meet as determined by, and in accordance with, the provisions of the ~~By-Laws~~ Bylaws for the HRDB and/or at such other times as may be called by the Chairman thereof. Notice of each meeting shall be provided to all members of the HRDB within a reasonable time prior to the meeting. All meetings of the HRDB will be open to

the public with notice of the place, day, and hour of the meeting posted at Ocoee City Hall at least forty-eight (48) hours in advance of any such meeting.

~~CD.~~ Members shall be subject to the Florida Sunshine Law.

~~DE.~~ The members of the HRDB may not vote upon a matter at a meeting unless 50% plus one of the members (a quorum) is present. Ex officio members are not to be included in a count of the members for the purpose of determining whether a quorum is present.

~~E.~~—All persons who reside in Ocoee, or who own real property in Ocoee, or who are owners of businesses located in Ocoee, shall be eligible for membership.—The commission reserves the right to waive the foregoing membership qualifications when the commission deems it appropriate.

F. All members serve at the pleasure of the City Commission and may be removed for cause at any time. In no event will the HRDB have the authority to remove any member. Any member who misses three consecutive regular meetings or five regular meetings in a 12-month period shall be deemed to have resigned unless one or more of the absences was approved by the HRDB. Any member submitting a voluntary resignation must do so in writing to the City Clerk.

IV. Officers:

A. The officers of the HRDB shall be a Chairman, a ~~Vice Chairman-Elect,~~ and a Past-Chairman, and any such other officers and assistant officers as may be deemed necessary by affirmative vote of a majority of the members present at a meeting at which a quorum is present. A secretary shall be provided by the City of Ocoee.

B. The Chairman shall in general supervise and control the affairs of the HRDB and perform all other duties incident to the office of Chairman. In the absence of the Chairman or in the event of his or her death or inability to act, the ~~Vice Chairman-Elect~~ shall perform the duties of the Chairman, and when so acting, shall have all the powers of the

Chairman. In the absence of the Chairman and Chairman-Elect, the Past-Chairman shall perform the duties of the Chairman, and when so acting, shall have all the powers of the Chairman.

C. ~~Officers~~The Chairman-Elect shall be elected by the affirmative vote of a majority of the members present at a meeting at which a quorum is present. At the end of his or her term, the Past-Chairman shall cease to hold office, the Chairman shall become the Past-Chairman, and the Chairman-Elect shall become the Chairman. Officers may be reelected to the same position or to a different position, irrespective of the number of terms previously served.

D. Each officer shall hold office for a term of one (1) year commencing upon his or her appointment to office or until his or her expiration of membership, death, resignation, or removal. ~~Officers may be removed in the manner set forth in III (F) hereinabove.~~

V. Bylaws:

A. The Bylaws for the HRDB shall be as set forth on **Exhibit "B"** attached hereto and incorporated herein by reference.

B. Unless otherwise provided in its Bylaws, the HRDB shall follow Robert's Rules of Order (latest edition).

EXHIBIT B

CITY OF OCOEE HUMAN RELATIONS/ DIVERSITY BOARD

BYLAWS

ARTICLE 1

(Name of Organization)

The official name of this organization shall be the City Of Ocoee Human Relations/
Diversity Board (“HRDB”).

ARTICLE 2

(Purpose and Objectives)

1. Purpose. The general purpose of the HRDB is to promote understanding, respect, goodwill, and equality among all citizens and businesses of the City of Ocoee. In no event shall the HRDB by itself possess any decision-making authority or be authorized to bind the City of Ocoee.

2. Objectives. The objectives of the HRDB are as follows:

- A. Foster mutual understanding and respect among all persons, emphasizing the positive impact that diversity brings to the City of Ocoee;
- B. Facilitate communication between the City Commission and citizen groups, individuals, and businesses;
- C. Assist the City Commission in educating the community through projects devoted to ~~the eliminating~~en~~of~~ prejudice, racial tension, intolerance, or discrimination;
- D. Provide suggestions and ~~encouraging~~ encourage equality of treatment for, and ~~prevention against~~ discrimination against, any persons or businesses by Ocoee City government;
- E. Serve as an informational conduit to the community at large; and
- F. Assist the City Commission and staff as requested.

ARTICLE 3
(Membership)

1. Number of Members. The HRDB shall consist of no less than seven (7) and no more than ~~fifteen (15)~~ thirteen (13) voting members.

2. Qualifications for Membership. Only those persons who are legal residents of the City of Ocoee, or who own real property in Ocoee, or who are owners of a business located in Ocoee shall be eligible for membership. Persons who were convicted of a felony or a misdemeanor involving moral turpitude are ineligible. The City Ceommission reserves the right to waive the foregoing membership qualifications when the City Ceommission deems it appropriate. Members are expected to attend Board meetings and participate in Board-sponsored events. Applicants for membership should anticipate that participation will require considerable devotion of personal time.

3. Manner of Selection of Members. The City Commission shall designate one member of the City Commission and the City Manager shall designate one member of staff, both of whom will serve as ex officio non-voting members. ~~Board~~Other HRDB members will be appointed by the City Commission from a list of interested and eligible persons who have completed the application form for membership on City boards and committees, and who are representative as to the diversity of the Community including race, sex, age, religion, disability, sexual orientation, and ethnic groups.

4. Term of Appointment. ~~Of the initial members of the HRDB, one half of the members (or one more than one half if the initial HRDB has an odd number of members) shall be appointed to serve a one (1) year term. The remaining initial members shall serve a term of two (2) years. Thereafter, all members shall serve two (2) year terms and may be reappointed, irrespective of~~

~~the number of terms previously served. All members shall serve three (3) year terms and may be reappointed, irrespective of the number of terms previously served.~~

5. Termination of Membership. All members serve at the pleasure of the City Commission and may be removed for cause at any time. ~~In no event will the HRDB have the authority to remove any member. Any member who misses three consecutive regular meetings or five regular meetings in a 12-month period shall be deemed to have resigned unless one or more of the absences was approved by the HRDB. Any member submitting a voluntary resignation must do so in writing to the City Clerk. If any member is absent five (5) board meetings in a 12-month period or three (3) consecutive board meetings without providing prior notice to the secretary, the member shall be presumed to have resigned. In the event that a member deemed to have acted in a manner that is detrimental to the purposes and objectives of the HRDB, the member can be removed with a consensual vote by a quorum of board members at a regularly scheduled board meeting. A is removed by action of the City Commission or is deemed to have resigned through excessive unapproved absences, a notice of termination shall be promptly sent by the HRDB secretary to any member whose membership is terminated.~~

ARTICLE 4

(Officers)

The HRDB shall elect from among its members a ~~Chairman, Vice Chairman~~ Chairman-Elect and any such other officers and assistant officers as may be deemed necessary by affirmative vote of a majority of the members present at a meeting at which a quorum is present. At the end of his or her term as Chairman-Elect, the incumbent shall become Chairman and the former Chairman shall become the Past-Chairman. Officers shall each serve for a term of one (1) year or until their successors are elected. Officers shall not be limited in the number of terms

they serve. Vacancies which occur among the officers of the HRDB during the term of service may be filled by the HRDB at its next regular meeting, provided that there is at least one week's notice of the election prior to the meeting.

ARTICLE 5
(Duties of Officers)

1. Duties of the Chairman. The Chairman shall preside at all meetings of the HRDB and shall hold ex-officio membership on all subcommittees. The Chairman shall perform all other duties ordinarily pertaining to the office and shall appoint all subcommittees whose composition or method of selection is not provided for elsewhere in these Bylaws.

2. Duties of the ~~Vice-Chairman~~ Chairman-Elect. The ~~Vice-Chairman~~ Chairman-Elect shall perform the duties of the Chairman in the absence of the Chairman, chair one or more subcommittees, or undertake additional duties assigned by the Chairman.

3. Duties of the Past-Chairman. The Past-Chairman shall perform the duties of the Chairman in the absence of the Chairman and Chairman-Elect, chair one or more subcommittees, or undertake additional duties assigned by the Chairman.

4. Duties of the Secretary. The City Clerk shall assign a person to serve as secretary of the HRDB. Said person shall have the duties normally assigned to such a position, including the duty of preparing minutes of each regular or special meeting of the HRDB, preparing correspondence, and making and posting announcements of HRDB and subcommittee meetings.

5. The duties of any office created by the HRDB shall be those assigned in the motion creating the office but cannot conflict with the duties assigned to any office established by these Bylaws.

ARTICLE 6
(Subcommittees)

The HRDB may create such subcommittees as may be required to attain its objectives as set forth in Article 2. Subcommittee ~~Chairpersons~~ Chairmen shall be selected by the members of each subcommittee. Members of subcommittees need not hold membership in the HRDB, however, any person serving as a Subcommittee ~~Chairperson~~ Chairman must be an HRDB member.

ARTICLE 7
(Meetings)

1. Regular Meetings. Regularly scheduled meetings shall be held throughout the year. The frequency and specific calendar shall be determined by consensus at the first meeting of the year and shall include a first meeting date for the following calendar year. Notification of all regular meetings shall be provided to all members no less than seven (7) days prior to said each meeting. All meetings of the HRDB shall be open to the public with notice of the date, place, and time posted at Ocoee City Hall at least forty-eight (48) hours in advance of any such meeting. The secretary shall prepare minutes of each regular meeting.

2. Special Meetings. Special meetings may be called by the Chairman or the ~~Vice Chairman-~~ Elect or by a majority of the HRDB members. Notification of all special meetings shall be posted in the same manner as regular meetings but with not less than five (5) days prior ~~to said meeting~~ notice. Special meetings shall be conducted in the same manner as a regular meeting but shall be limited to the conduct of business specifically set forth in the notice. The secretary shall prepare minutes of each special meeting.

3. Subcommittee Meetings. Subcommittees may meet with such frequency as they deem appropriate for the assigned task. Notification of all subcommittee meetings shall be provided to all members no less than five (5) days prior to each meeting. All meetings of any subcommittee shall be open to the public with notice of the date, place, and time posted at Ocoee City Hall at least forty-eight (48) hours in advance of any such meeting. Subcommittee meetings shall be conducted in the same manner as a regular meeting but shall be limited to the conduct of business according to the scope of the subcommittee. Subcommittee meeting minutes need not be prepared, but if they are prepared, may be created by any person designated by the Subcommittee Chairman.

ARTICLE 8
(Quorum and Voting)

1. Quorum. For the purpose of conducting the regular business of the organization, 50% plus one of the total of all currently duly qualified members shall constitute a quorum. Ex officio members cannot be counted when determining the presence of a quorum.

2. Voting. Voting shall be done by voice vote or by show of hands at the discretion of the Chairman. Votes may only be taken at a properly noticed meeting at which a quorum is present. Unless otherwise provided in these Bylaws, the passage of any item shall require a simple majority vote of those in attendance. Each duly qualified member in attendance, including officers, shall be entitled to one vote. Voting by proxy, absentee ballot, electronic mail, or by telephone shall not be permitted.

ARTICLE 9
(Parliamentary Authority)

The parliamentary procedural rules found in the current edition of Robert's Rules of Order shall

govern HRDB meetings and actions in all cases where they are not in conflict with these ~~By-~~
~~laws~~Bylaws.