

**AN ORDINANCE AMENDING THE COMPOSITION OF THE HUMAN
RELATIONS COMMISSION**

Whereas, N.C. Gen. Stat. § 160A-492 provides that the governing body of a city is authorized to undertake and expend funds for human relations programs;

Whereas, N.C. Gen. Stat. § 160A-492 provides that the governing body may appoint such human relations committees as it may deem necessary in carrying out such programs and activities; and

Whereas, council wants to expand the makeup of the human relations commission to better reflect all the citizens who reside in the city;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DURHAM:

Section 1: Durham City Code section 34-108 reads as rewritten:

“Sec. 34-108. Composition; appointment and terms of members; filling vacancies.

a) The city council shall appoint 15 members to serve on the commission, of whom one shall be appointed by the mayor. Such persons shall be citizens and residents of the city. The goal is that these 15 voting members represent the diverse social, economic, gender, sexual orientation, ability, religious affiliations, and racial and ethnic composition of the city. To assist the city council in achieving this goal, the commission shall proactively encourage applicants of diverse backgrounds to apply to serve on the commission.

b) The recommended commission membership shall consist of five Black /African-Americans, five White/European Americans, two Hispanic/Latino Americans, and two from one of the following racial/ ethnic categories (American Indian/Alaskan Native, Asian-Pacific American, Multi/Biracial ancestry). The mayor’s appointee shall be from any racial/ ethnic category provided in this section.

If the commission lacks an individual who self-identifies in whole or in part as either Black/ African American; White/European American; Hispanic/Latino American; American Indian/Alaskan Native; Asian-Pacific American; or Multi/Biracial ancestry, the city council shall hold open at least one seat or more for applications from those who identify as one or more of the identities not represented on the commission. After three months if no applicant who identifies as one or more of the missing identities is appointed, the city council shall fill the vacancy with otherwise qualified applicants. Both race and gender shall be equally represented, but neither by more than 53 percent. The city clerk shall cause public notice to be given when vacancies occur in one of the aforementioned seats.

c) The term of office of each aforementioned member is three years; the terms are staggered, so that the terms of five members shall expire each year. The term of office of each commissioner

expires on June 30 of the last year of the term; provided, however, that a commissioner shall continue in office beyond the expiration of the term until such time as a successor may be appointed. Commissioners are limited to serving two consecutive terms. Citizens who previously served must wait for one full term before reapplying for appointment except in unusual circumstances.

d) A person appointed to fill a vacancy occurring prior to the expiration of a term shall be appointed only for the unexpired part of that term. In the event that an applicant is not appointed to the commission, the city clerk shall keep that applicant's application on file for three years. The city clerk shall notify the applicant that such applicant may request the city clerk to re-submit his or her existing application or an amended one for consideration by the city council when another vacancy arises.”

Section 2. This ordinance shall be in full force and effect from the date of passage.