

ORDINANCE NO.

AN ORDINANCE AMENDING BEND CODE CHAPTER 1.20 TO ADD SECTION 1.20.120 – HUMAN RIGHTS AND EQUITY COMMISSION

Recital

A. In June 2017, City Council adopted Resolution 3068 declaring Bend an inclusive and welcoming city that embraces and celebrates its immigrant and refugee residents, and welcomes and encourages their contributions to the collective prosperity and security of all current and future residents. The Resolution also affirmed the City's membership in the National Welcoming America Initiative.

B. The 2019-2021 Council Goals include a strategy to embed a commitment to diversity, equity, and inclusion (DEI) within the City of Bend. The strategy includes the following actions: implement a DEI training program for City Council, City staff, and volunteers; hire a consultant to conduct an organizational assessment; establish a short-term task force to assist in identifying needs and priorities of underrepresented communities in Bend; and establish a permanent commission or committee to develop a DEI action plan and to seek opportunities to leverage community efforts through funding and staff support.

C. The City contracted with Allyship in Action (AiA) to assist in implementing these actions. AiA began working with City Council members and City staff in autumn 2019.

D. The AiA work included interviews with community stakeholders representing a broad range of marginalized and underrepresented communities to help inform how the City could better serve members of those communities.

E. The City created the short-term Diversity, Equity, and Inclusion (DEI) task force called for in the Council's DEI strategy. The task force was asked to:

- i. Identify ways the needs and priorities of historically marginalized and underrepresented communities could be addressed by a DEI committee or commission.
- ii. Evaluate existing models for DEI-related committees and commissions to identify options for Bend.
- iii. Draft recommendations for City Council drawing from this research, evaluation, and consultation.

F. City Council liaisons, City staff, and AiA participated in task force meetings and deliberations.

G. The task force concluded the City needed a multifaceted, permanent commission with a responsibility to Bend's historically marginalized and underrepresented communities, the City Council, and the community as a whole.

H. The task force identified needs, priorities, and other considerations for a permanent commission; the task force recommendations are outlined in detail in the August 2020 Diversity, Equity, and Inclusion Summary Report and Recommendations from AiA presented first to the Council Stewardship Subcommittee and then embedded within the full report to the City Council.

I. Some key elements of the recommendations for a permanent commission include, but are not limited to, the following:

- i. The ability to investigate and respond to complaints of discrimination and/or violations of Bend's Equal Rights Ordinance;
- ii. Developing and facilitating non-punitive resolutions, such as mediation or restorative justice, supported by appropriate education and resources;
- iii. Advising City Council on issues relating to DEI;
- iv. Creating and providing regular guidance and feedback on implementation of a DEI action plan for the City that is responsive to the evolving needs of historically marginalized and underrepresented communities as well as the capacity of Council and staff.

J. Based on the recommendation of the Stewardship Subcommittee and the review by the entire Council, the Council desires to form a permanent Human Rights and Equity Commission (HREC) pursuant to Bend Code Chapter 1.20. Council has found that committees, boards, and commissions are most effective when they have both support from the City and clear direction on what is expected, which is Council's intent in this amendment to the Bend Municipal Code.

K. The Council intends the HREC to be broadly representative of the Bend community by effectively representing people from historically marginalized and underrepresented communities. While it can be difficult to create a comprehensive listing of every community fitting that description, Council believes that in Bend those communities include people of color, immigrants, those for whom English is not their first language, people who do not identify as cisgender or heterosexual, people who have physical, mental, sensory, or intellectual/developmental disabilities, and others.

L. At its September 16, 2020 meeting, Council discussed and considered several topics and ideas related to equity and inclusion. While the HREC will develop its own work plan informed by the Council Goals, Council expects that HREC's work may start with consideration of some of the ideas and topics discussed and presented at the September 16, 2020 Council meeting, as well as in the August 2020 report from AiA to Council.

M. Council also expects that part of the work of the HREC will include interactions, as needed, with other key committees whose work relates to and involves important issues related to diversity, equity and inclusion in the community of Bend, such as (but not limited to) the City of Bend Accessibility Advisory Committee (COBAAC), the Affordable Housing Advisory Committee and the Environment and Climate Committee.

Based on these findings,

THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. Chapter 1.20 of the Bend Code is amended to read as shown on the attached Exhibit A.

Section 2. All other provisions of Chapter 1.20 Bend Code remain unchanged and in full effect.

Section 3. If any provision, section, phrase, or word of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

First Reading Date: October 7, 2020

Second Reading and adopted by roll call vote on October 21, 2020.

YES:

NO:

Sally Russell, Mayor

ATTEST:

Robyn Christie, City Recorder

Approved as to form:

City Attorney's Office