



# CITY OF BEAVERTON

## CITY ORDINANCES

**ORDINANCE** #3841-AMENDING CHAPTER TWO OF B.C. BY ADDING NEW

PROVISIONS ESTABLISHING A HUMAN RIGHTS ADVISORY COMMISSION (HRAC)

**NUMBER OF PAGES** 8

**AN ORDINANCE AMENDING CHAPTER TWO OF THE BEAVERTON CODE  
BY ADDING NEW PROVISIONS  
ESTABLISHING A HUMAN RIGHTS ADVISORY COMMISSION (HRAC)**

**WHEREAS**, the City wishes to affirm its intent that all employment decisions and practices will be based on the principles and practices of equal employment opportunity; and

**WHEREAS**, the City wishes to communicate its policy that discrimination against any employee or citizen on the basis of race, sex, religion, age, disability, marital status, membership in other protected status or category or on the basis of protected activity will not be permitted; and

**WHEREAS**, the City wishes to promote awareness and education of the public at large as to the value of diversity and the barriers to diversity which may exist; and

**WHEREAS**, the City wishes to promote harmonious intergroup relations by enlisting the cooperation of various racial, religious, and nationality groups, business, community, labor and governmental organizations, fraternal and benevolent associations, educational and other groups; and

**WHEREAS**, the Council and Mayor find that establishment of a standing commission within the City with a liaison to City staff is a means to fulfilling those goals, now, therefore,

**THE CITY OF BEAVERTON ORDAINS AS FOLLOWS:**

**Section 1.** The Beaverton Code is amended by adding new provisions to be numbered and to read as follows:

**"HUMAN RIGHTS ADVISORY COMMISSION"**

**"2.03.260 Established.** There is hereby established a Human Rights Advisory Commission (HRAC). The commission shall consist of nine members demographically representative of the residents of the city of Beaverton. When possible, the Mayor shall appoint individuals who are either property owners, residents or engaged in business or employed in the City."

**Section 2.** The Beaverton Code is amended by adding new provisions to be numbered and to read as follows:

**"2.03.265 Term of Office.** Appointments shall be made for a term of three years or until successors are appointed, except the terms of the first

appointments shall be staggered so that the term of office of not more than three members will expire in the same year. Terms of office shall begin the first day of the calendar year. Any vacancy shall be filled for the remainder of the unexpired term in the same manner provided for in BC 2.03.260. Committee members serve at the Mayor's pleasure."

**Section 3.** The Beaverton Code is amended by adding new provisions to be numbered and to read as follows:

**"2.03.270 Organization.** The commission shall elect a chairperson and vice-chairperson who shall hold office at the pleasure of the commission. The City shall provide a staff liaison skilled in human resources and a secretary to the commission. The secretary shall keep an accurate record of all proceedings of the commission and shall perform such other record keeping duties as may be imposed by the commission. The commission shall meet at least four times each year and at such other times as it may provide by its bylaws."

**Section 4.** The Beaverton Code is amended by adding new provisions to be numbered and to read as follows:

**"2.03.275 General Powers and Duties.** The commission shall be advisory and shall have powers, duties, and functions as follows:

- A. Promote harmonious intergroup relations within the city of Beaverton by enlisting the cooperation of various racial, religious, and nationality groups, business, community, labor and governmental organizations, fraternal and benevolent associations, educational and other groups;
- B. Examine sources of tension, practices of discrimination and acts of prejudice by employees of the city of Beaverton;
- C. Perform conciliatory services that do not conflict with the functions of any other government agency or city department;
- D. Make recommendations concerning solutions to specific problems of prejudice or discrimination;
- E. Recommend to the city council, action, policies and legislation to be considered by state and local governments; and,
- G. Make such reports to the city council as the council may request."

**Section 5.** The Beaverton Code is amended by adding new provisions to be numbered and to read as follows:

**"2.03.280 Investigation.**

- A. Upon receiving information of a possible act of discrimination or

prejudice, any person may make a full report of his or her information, including the source thereof, to the staff liaison to the commission who shall promptly notify the chairperson of the commission. The chairperson shall advise the commission of such report at its next meeting.

B. If it appears to the commission that a violation may have been committed, the chairperson shall promptly designate the staff liaison and such other member of the commission as is willing to so act as investigator. The designation of the investigators shall be entered in the minutes of the meeting of the commission. The commission may by majority vote of members present and voting designate a commission member as investigator if the chairperson refuses or neglects to appoint one. The proceedings shall be deemed to have been commenced when the investigators are appointed.

C. The investigators shall make whatever inquiry and investigation of the alleged violation as they deem necessary and shall report their findings to the commission at the next meeting. The investigators shall observe city personnel policies and collective bargaining agreements relating to employee interviews, access to personnel records and rights to notice and hearing when the complaint concerns an employee's conduct."

**Section 6.** The Beaverton Code is amended by adding new provisions to be numbered and to read as follows:

**"2.03.285 Information Required for Complaint.**

A. A complaint shall be filed with the secretary of the commission and shall contain at least the following:

1. The name, business and residence address, and title, if any, of the person alleged to have committed the violation (hereafter the "respondent");

2. The date or dates on which the violation is alleged to have occurred;

3. A brief description of the practice or act alleged to be a violation;

4. The names of all persons who may have information to help the commission in determining whether in fact an act of discrimination has occurred.

B. The information need not conform to any particular form.

C. The information shall be signed by the person requesting the investigation."

**Section 7.** The Beaverton Code is amended by adding new provisions to be numbered and to read as follows:

**"2.03.290 Final Disposition by the Commission.** The commission shall forward the investigators' report and any recommendations to the council

for its review and action if the commission finds that acts of discrimination or prejudice have occurred. The commission shall direct the secretary to provide a copy of such report to the complainant."

**Section 8.** The Beaverton Code is amended by adding new provisions to be numbered and to read as follows:

**"2.03.295 Conflicts with State or Federal Agencies.** On information that there is a proceeding pending before any state or federal court or administrative agency or tribunal having jurisdiction to administer or enforce the provisions of ORS chapter 659, Title VII of the Civil Rights Act of 1964, Title I of the Americans with Disabilities Act of 1990 and the Civil Rights Act of 1991 and any similar other law, the commission shall abate any proceeding before it that involves the same parties and subject matter."

First reading this 5th day of April, 1993.  
Passed by the Council this 12th day of April, 1993.  
Approved by the Mayor this 13th day of April, 1993.

ATTEST:

Ann L. Johnson  
ANN L. JOHNSON, CITY RECORDER

Deputy City Recorder

APPROVED:

Rob Drake  
ROB DRAKE, MAYOR

93-62

April 5, 1993

Mayor Rob Drake  
City of Beaverton  
4755 S.W. Griffith Drive  
Beaverton, OR 97076

Dear Mayor Drake,

An agenda item for tonights City Council meeting is of great importance to me. I am extremely supportive of your proposal to create a Human Rights Commission and wanted very much to lend my vocal support in the form of oral testimony during the Visitors Segment of the meeting. I will, however, be celebrating the Jewish holiday of Passover with my family and will be unable to attend.

I therefore request the reading of the enclosed letter for entry into the public record as testimony on this issue.

Thank you for consideration of my request, and if I can be of any further assistance with this essential project, don't hesitate to contact me.

Sincerely,



Francine Raften-Schmidt  
297-9317

enc.

April 5, 1993

Dear Mayor Drake, City Councilor's, Administrative Officials and Guests,

I wish to address the issue of creating a Human Rights Commission in the City of Beaverton. I wanted very much to be present to offer my testimony in person, however, I am celebrating the Jewish holiday of Passover with my family tonight, and am unable to attend.

Our City is becoming more diverse with each passing day. As evidenced by some communities in this country, diversity can bring opportunity, or it can bring division. What kind of climate will we create in the City of Beaverton? Do we want a city rich with cultural possibilities, both educational and entrepreneurial? Do we want to foster understanding and acceptance of our neighbors, regardless of race, gender, religion or sexual orientation? Do we wish to work toward a harmony that can only be found with respect for all people? Or do we prefer to draw a line in the sand and support some, but not all. I want to raise my children in a community that welcomes and supports people of all backgrounds and cultures. I hope the elected officials in this city can be a unified voice for the human spirit.

I believe the creation of a Commission dedicated to embracing and supporting the diversity that exists in our city is imperative, especially in an era where even constitutionally guaranteed civil rights are sometimes not enough. As a citizen of Beaverton, I look to our elected officials and hope it is government by and for the people...

all the people. I hope the City Council shows the bold leadership necessary to make this commitment to the citizens of Beaverton.

Thank you Mayor Drake for your strong support of this Commission.

Sincerely,

A handwritten signature in cursive script that reads "Francine Raften-Schmidt". The signature is written in dark ink and is positioned above the printed name.

Francine Raften-Schmidt