



**DIVERSITY, EQUITY AND INCLUSION COMMITTEE MEETING  
STAFF REPORT**

<b>Meeting Date: February 13, 2024</b>		<b>Subject: DEI Committee as City Standing Committee</b>	
		<b>Staff Member:</b> Amanda Guile-Hinman, City Attorney	
		<b>Department:</b> Legal	
<b>Action Required</b>		<b>Advisory Board/Commission Recommendation</b>	
<input type="checkbox"/> Motion <input type="checkbox"/> Public Hearing Date: <input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading Date: <input type="checkbox"/> Ordinance 2 <sup>nd</sup> Reading Date: <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Information or Direction <input type="checkbox"/> Information Only <input type="checkbox"/> Council Direction <input type="checkbox"/> Consent Agenda		<input type="checkbox"/> Approval <input type="checkbox"/> Denial <input type="checkbox"/> None Forwarded <input type="checkbox"/> Not Applicable <b>Comments:</b> N/A	
<b>Staff Recommendation:</b> N/A			
<b>Recommended Language for Motion:</b> N/A			
<b>Project / Issue Relates To:</b>			
<input type="checkbox"/> Council Goals/Priorities:	<input type="checkbox"/> Adopted Master Plan(s):	<input checked="" type="checkbox"/> Not Applicable	

**ISSUE BEFORE COMMITTEE:**

Whether to recommend that the City Council establish the Diversity, Equity and Inclusion (DEI) Committee as a standing committee of the City of Wilsonville.

## EXECUTIVE SUMMARY:

In May 2021, the Wilsonville City Council adopted Resolution No. 2893 (Attachment 1) establishing the DEI Committee with a purpose to “create a culture of acceptance and mutual respect that acknowledges differences and strives for equitable outcomes of opportunity, access and inclusion....” Recently, the DEI Committee discussed whether options existed to become a longer-term, standing committee of the City of Wilsonville. Staff discussed with the DEI Committee options that it could consider to recommend to City Council to make it a standing committee of the City. Staff seek direction from the DEI Committee whether it desires to pursue a recommendation to City Council to establish it as a standing committee of the City. If the DEI Committee wants to move forward with a recommendation to Council, staff will return to the DEI Committee with a draft recommendation to the City Council for the DEI Committee’s consideration.

### 1. Background of City Laws and Regulations

For this discussion, the DEI Committee should understand the distinction between the City Charter, Wilsonville Code (established by Ordinances), and Resolutions. The City Charter is generally the local equivalent of a state or federal constitution. It provides the basic framework of city government, such as establishing the form of government; rights, obligations, and powers of the City Council and the City Manager; and how elections and vacancies are handled.

The Charter can be considered the general outline of city government, while the City’s laws – housed in the Wilsonville Code – are the equivalent of state and federal statutes. The Wilsonville Code establishes the operation of the City in more detail than the Charter, such as regulating the City’s municipal water and sewer, regulating public health and safety, regulating local businesses, and establishing the requirements for development and uses of property within the City. The City’s laws are established by ordinance<sup>1</sup>. Pursuant to the requirements of the City Charter, to adopt an ordinance, the Council must conduct two “readings” of the ordinance – that is, the Council must separately vote on the ordinance twice, typically in two different meetings. A public hearing is also required for ordinances, which is held during the first reading of the ordinance. Once adopted on the second reading, ordinances generally go into effect 30 days after adoption unless a later date is stated in the ordinance or an emergency exists that requires it to go into effect immediately.

City resolutions are generally used for items that are more temporary in nature, such as approving contracts, establishing a task force, or adopting a limited-duration strategic plan. While some current City boards, commissions, and committees (collectively referred to herein as

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<sup>1</sup> Although not relevant to this particular discussion, ordinances are also the vehicle to adopt and approve other long-term City actions that are not part of the Wilsonville Code, such as adopting the City’s long-term planning documents (e.g., the Transportation System Plan, the Parks and Recreation Master Plan, and the Frog Pond West Master Plan) or vacating City right-of-way.

“committees”) have been established via resolution, the City’s longstanding committees have been adopted by ordinance as part of the Wilsonville Code.

## 2. City Standing Committees

Standing committees of the City are generally codified in the Wilsonville Code. They are established by ordinance. Unlike the resolution that established the DEI Committee, which was considered at one Council meeting and did not require a public hearing, the process of adopting ordinances requires more public involvement and scrutiny. As mentioned above, ordinances require a public hearing and two readings for adoption.

The current standing committees in the Wilsonville Code are:

- Parks and Recreation Advisory Board
- Contract Review Board
- Planning Commission
- Development Review Board
- Library Board
- Budget Committee

Some of these committees – the Contract Review Board, the Planning Commission, the Development Review Board, and the Budget Committee – are required to exist pursuant to various Oregon laws. The Parks and Recreation Advisory Board and Library Board have been standing committees codified in the Wilsonville Code since at least the 1980s. Other committees that are established by resolution, rather than ordinance, include:

- DEI Committee
- Kitakata Sister City Advisory Board
- Arts, Culture, and Heritage Commission
- Tourism Promotion Committee

As explained in the description of ordinances and resolutions, the key distinction between the City’s standing committees and the committees established by resolution is whether a committee is considered to be a long-term standing committee or not. While the Wilsonville Code can be amended to remove a committee, the process is much more involved than repealing a resolution that established a committee, and amending the Wilsonville Code requires a public hearing.

Importantly, the general structure and powers of the DEI Committee, as stated in Resolution No. 2893, follow a similar format to the City’s standing committees. Attachment 2 includes the Wilsonville Code provisions of the Parks and Recreation Advisory Board as an example to compare to the current structure and powers of the DEI Committee.

Staff notes that no committees of the City are established through the City Charter. The Charter is designed to provide the overarching framework for city governance and the City's ordinances and resolutions are the vehicles to build the structure of city governance. Thus, staff does not recommend the DEI Committee consider recommending a Charter amendment to establish the DEI Committee as a long-term, standing committee of the City.

**EXPECTED RESULTS:**

Based on feedback from the DEI Committee at its February 13, 2024 meeting, staff may prepare a recommendation of the DEI Committee to the City Council concerning its status as a committee of the City for the DEI Committee to consider at a future meeting.

**TIMELINE:**

Depending on the will of the DEI Committee, staff may work with the DEI Committee to provide a recommendation to the City Council concerning its status as a committee of the City in the coming months.

**CURRENT YEAR BUDGET IMPACTS:**

N/A

**COMMUNITY INVOLVEMENT PROCESS:**

Should the DEI Committee recommend, and the Council desire to consider, making the DEI Committee a standing committee in the Wilsonville Code, the Council's consideration will be subject to a public hearing.

**POTENTIAL IMPACTS OR BENEFIT TO THE COMMUNITY:**

The DEI Committee may determine that its status as a standing committee, codified in the Wilsonville Code, is an important component to furthering the DEI Committee's mission and purpose of creating a culture of acceptance and mutual respect.

**ALTERNATIVES:**

Determine not to make a recommendation to City Council and to continue to operate in accordance with Resolution No. 2893.

**ATTACHMENTS:**

1. Resolution No. 2893
2. WC Sections 2.300-2.303