



## REQUESTED BUDGET

**FY2023-24**

*City Attorney's Office*

*Portland, Oregon*

*Robert Taylor, City Attorney*



CITY OF  
**PORTLAND, OREGON**  
OFFICE OF THE CITY ATTORNEY

**Robert L. Taylor, City Attorney**  
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January 26, 2023

INTEROFFICE MEMORANDUM

TO: City Budget Office  
Commissioner Rene Gonzalez  
Commissioner Mingus Mapps  
Commissioner Dan Ryan  
Commissioner Carmen Rubio  
Auditor Simone Rede

FROM: Mayor Ted Wheeler  
City Attorney Robert Taylor

SUBJECT: FY 2023-24 Requested Budget of the City Attorney's Office

Enclosed for your consideration is the FY2023-24 requested budget for the City Attorney's Office. The City Attorney's Office has one program – Legal Services. The Legal Services program supports the City's elected officials and all City bureaus by providing legal advice and advocacy necessary to implement the City's programs and services and enable the City to achieve its policy goals.

The work of the City Attorney's Office is guided by four strategic goals: customer service, effective advocacy, achieving equity and ensuring accountability.

The City Attorney's Office actively seeks to impart helpful, accurate, and timely legal advice. Clients are encouraged to involve the City Attorney's Office at early levels of decision making, even if a significant legal issue has not yet been identified. Office attorneys work with clients to provide solutions-oriented legal services to help achieve City policy objectives. Legal Services advances all priority issue areas including Community Safety, Economic Recovery, Homelessness, and Livability as well as transitioning the City's form of government. Office attorneys also are trained to use Equity, Climate Action, and High-Performance Government lenses while providing legal services.

The office effectively and vigorously advocates for the City's interests in state and federal courts and in other proceedings. Attorneys evaluate cases to determine how best to protect the City's interests, including through early alternative dispute resolution where the City faces some legal risk, the strategic use of offers of judgment to minimize the risk of adverse outcomes in cases taken to trial, and the vigorous defense or prosecution of cases through

pretrial motions, trial, and on appeal. Because almost all litigation is handled in-house, the office can try cases in a cost-effective manner. The office is achieving this goal effectively, with 93% of its cases resolving favorably to the City.

The office also strives to support and advance the City's objective of achieving equity in all of its programs, services, and activities. As the City's legal counsel, office attorneys work with internal clients to ensure that all Portlanders have access to all of the services, benefits, and programs of the City free from discrimination, and that the civil rights of all Portlanders are legally recognized and protected by the City, its contractors, and grantees. The office works to foster a professional atmosphere where diversity is appreciated and valued, and equity is the norm. This is accomplished by seeking to uncover and eliminate individual conscious and unconscious biases through training, education, discussion, honest self-appraisal, and through other cultural and diversity activities.

Finally, the office strives to ensure accountability for its professional performance and effective stewardship of public resources. The City Attorney evaluates office policies and procedures and makes improvements as needed so systems are clear, accurate, and transparent. The City Attorney evaluates workloads and ensures that work schedules fit clients' needs for access to accurate, prompt, and reliable preventive legal advice. The City Attorney actively seeks to minimize costs for outside legal counsel as well as overhead and administration expenses.

City legal services are fully centralized in the City Attorney's Office, with the exception of Prosper Portland and some legal services on behalf of the Auditor. The City Attorney oversees the City's occasional use of outside counsel. The office's attorney rates are significantly lower than outside counsel, and the City Attorney has greater familiarity with and expertise on the vast majority of the legal issues arising from City operations than outside counsel. The cost of service per City Attorney hour is \$195. The average outside counsel rate is \$395 and can range up to \$550 or more per hour. A goal of the City Attorney's Office is to minimize the number of occasions when outside counsel is hired by having sufficient in-house staff available.

This requested base budget maintains existing service levels. It includes an internal realignment to reclassify three Deputy City Attorney positions to Senior Deputy positions to address the increasing complexity of legal work and to assist employee retention. The base budget includes an increase to the interagency agreement with Risk Management to provide an additional attorney and support staff to defend the City's interests in litigation without resorting to more expensive outside counsel. Current staffing levels are not sufficient to keep up with increasing caseloads. Office attorneys have worked over 5,800 extra unpaid hours per year for the last two years, which is unsustainable. The base budget also includes a one-year limited term interagency agreement with Portland Fire & Rescue to cover the costs of loaning an employee to staff the Fire Bureau's Professional Standards Program.

January 26, 2023

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The office plans to collaborate with our service area counterparts throughout the budget development process and does not foresee the need for additional General Fund resources for the next budget year.

Thank you for your consideration.

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Ted Wheeler  
Mayor

A handwritten signature in black ink, appearing to read 'Robert Taylor', with a stylized 'R' and 'T'.

Robert Taylor  
City Attorney



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January 19, 2023

**FY2023-24 BUDGET ADVISORY COMMITTEE MEETING REPORT**

The City Attorney's Office Budget Advisory Committee (BAC) convened on January 19, 2023, at 9:00 am. The meeting was held via Microsoft Teams, and the following persons were in attendance: Robert Taylor, Tony García, Carrie Huffman, Crystine Jividen, Linda Law, Owen Saïtes, Darla Eng, Christy Pierce, and Shannon White.

After the introductions, Crystine Jividen presented the overall meeting goals, and information regarding increasing community involvement in managing City resources, including assessing how the budget will help communities, especially for people of color and people with disabilities.

The committee reviewed the office's budget process consisting of the Mayor's budget guidance, City Budget Office guidelines and the needs of the office. To summarize, a draft budget is developed, committee members provide input, and a requested budget is submitted by January 26. After the requested budget is submitted, the City Budget Office reviews it, the City Council holds budget work sessions and the Mayor presents the Proposed Budget. City Council adopts the budget in May.

The committee reviewed the City Attorney's office background, mission, and strategic goals, as well as expenses and revenue, including General Fund and interagency agreements.

FY 2023-24 Budget guidance from the Mayor included no required General Fund cuts. Any requests for additional General Fund resources can be made at a later stage in the budget process. Bureaus should focus on working towards transitioning the system of government, with a focus on priority areas of community safety, houselessness, livability, and shared economic recovery, in addition to using priority lenses of equity, climate action and high-performance government. A critical need to increase tort litigation staff by either hiring additional staff or utilizing outside counsel was highlighted.

Crystine shared performance measures and metrics, including the efficiency of costs of service (rates half that of outside counsel), litigation results (93% effective), training (350 hours per year), outside counsel costs, the number of cases handled, and contracts reviewed.

Crystine commented there is an opportunity in March 2023 to make requests for more funding and referenced the need for an Equity Manager or perhaps partnering equity management with other bureaus. Robert Taylor asked Crystine if the office was in conversations with other bureaus, and if so, are they requesting items that may impact our office such as more legal services. Crystine responded there may be increased legal needs from other bureaus, but sometimes it's difficult to predict. Crystine confirmed the office has regular conversations with Risk Management regarding workload and additional staffing and resources needs. Tort cases have been increasing in complexity and in numbers and additional staff is critical to avoid more expensive outside counsel.

Robert confirmed no decision packages are expected for additional funds. The office will make internal budget adjustments to convert three Deputy attorney positions to Senior Deputy positions to reflect skill level. Robert commented he believes the attorney's office is in a good position at this time.

Crystine commented this is one of the few years we didn't need to have discussions around cuts.

Linda Law asked about expenditures for outside counsel and if there is a way to bring any portion in-house since outside counsel is more expensive. Linda suggested temporary or flexible employee(s) that can help with other tasks. Crystine responded that the office tracks outside counsel work and costs. Crystine explained the occasional need for outside counsel such as conflict work that cannot be done in-house, specialty projects that require unusual expertise such as bond counsel, and overflow work due to staffing capacity issues.

Robert shared a budget success story: In last budget process, the office requested additional funds for Public Records support. Council funded it, staff was hired, and the team assembled is working to improve overall City response time, particularly with the Police Bureau on their records backlog. Resources, developing a plan, cooperation with the Police Bureau, and leveraging outside counsel has made significant progress on the backlog. Crystine commented she was proud of the office for making that happen.

Owen Saitea inquired if the office would be needing additional resources related to the charter change. Robert responded that the litigation work and advice that office provides to bureaus will largely remain the same. Robert explained the current form of government, with the City Council acting as both the legislative and executive branch, and the change to a larger number of council members with a separate executive branch. A larger council may put more demand on legal services than we currently have. Robert shared he previously worked for State legislature and explained how the Attorney General's office gives advice the entire state, but the legislative branch has their own separate group of attorneys that only give advice to the legislative branch. He does not want to see that happen at the City.

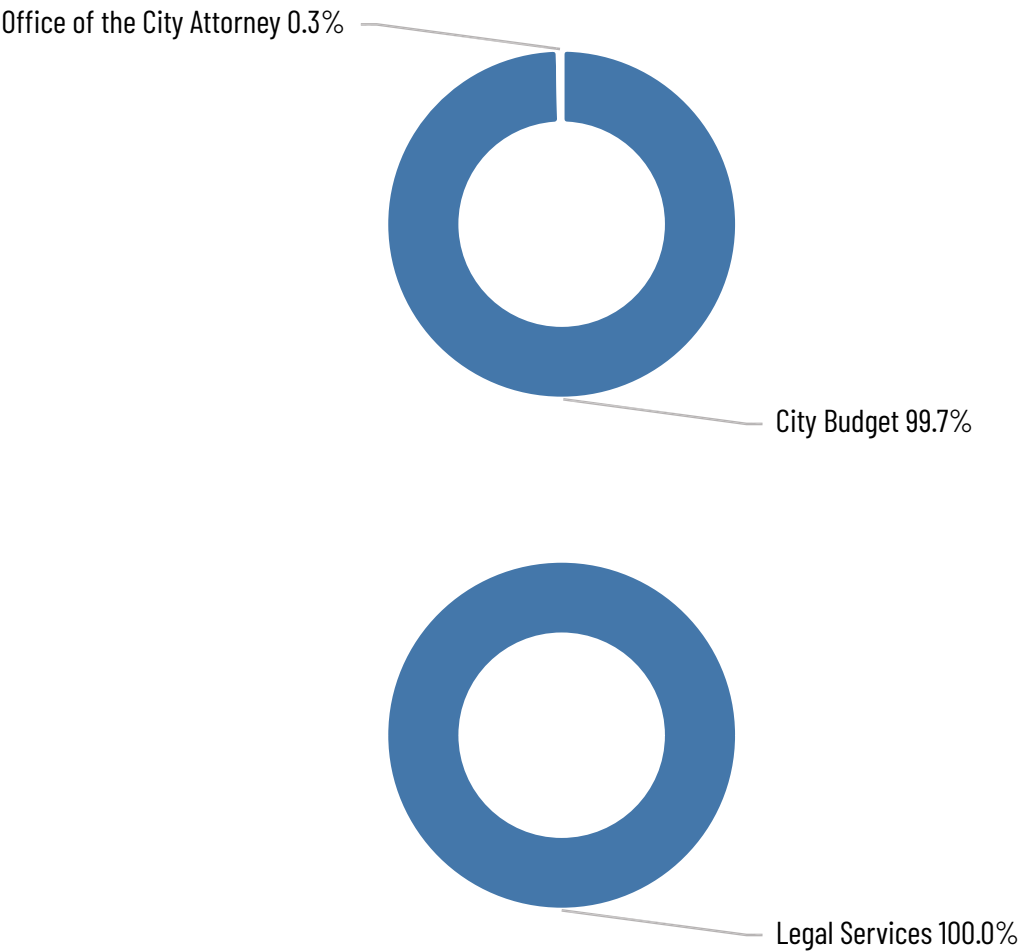
Crystine commented the Attorney's office is excellent at finding and following cost saving measures. The majority of office costs are for personnel but even small changes such as sharing offices, comparing the costs for hybrid work expenses such as furniture, etc., are some of the ways we keep costs down.

Robert and Crystine thanked everyone for coming and especially Carrie Huffman, our citizen advisor. The committee was asked to review information and provide any additional comments or improvement ideas to Crystine by January 24, 2023. This summary report of BAC recommendations will be included with the budget submittal.

The meeting concluded at approximately 9:40 am.

Office of the City Attorney  
City Support Services Service Area

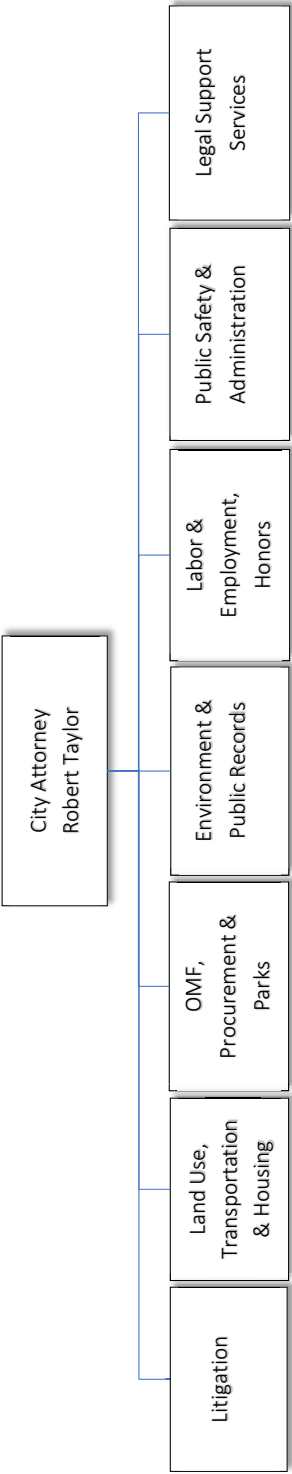
Mayor Ted Wheeler, Commissioner-in-Charge  
Robert Taylor, City Attorney



Bureau Overview

Requirements	Revised FY 2022-23	Requested Total FY 2023-24	Change from Prior Year	Percent Change
Operating	\$19,419,679	\$20,641,605	\$1,221,926	6%
Capital				
Total	\$19,419,679	\$20,641,605	\$1,221,926	6%
Authorized Positions	82.80	86.80	4.00	4.83%

Office of the City Attorney





## Bureau Summary

### Bureau Mission

To provide excellent, objective, timely, and cost-effective legal advice and advocacy in support of the City's policy goals and to ensure that the official actions of the City, its elected officials, and employees comply with the law.

### Bureau Overview

The Office of the City Attorney is responsible for all of the legal work for the City of Portland (with the exception of Prosper Portland and certain aspects of the Auditor's Office). Virtually all City programs and operations require some legal staff involvement. The office has a single budget program: Legal Services.

The office represents the City and its elected officials, employees, bureaus, offices, boards, and commissions in court and in administrative and quasi-judicial proceedings. Office attorneys draft and review local legislation, contracts, real estate leases, intergovernmental agreements, and other documents and legal instruments. The office advises on policy development and program implementation. Attorneys advocate and negotiate on behalf of the City. Office attorneys provide training to elected officials, City boards and commissions, and City employees on a broad spectrum of legal topics. In addition, the City Attorney administers the City's occasional use of outside legal counsel.

The City Attorney's Office consists of seven sections, staffed with 47 lawyers and 39 support professionals. The office is led by the City Attorney who is appointed by, and serves at the pleasure of, the City Council. Interagency agreements with other bureaus and offices for specialized legal work in specific areas represent half of the total operating resources of the City Attorney's Office. The remainder of the budget is supported by General Fund discretionary revenue and General Fund overhead revenue. The personnel services category represents 88% of the office's expenditures.

### Base Budget Adjustments

The office has internally realigned resources to reclassify three Deputy City Attorney positions to Senior Deputy positions to address the increasing complexity of legal work and to assist employee retention. The base budget includes an increase to the interagency agreement with Risk Management to provide additional staffing to defend the City's interests in litigation without resorting to more expensive outside counsel. The base budget also includes a one-year limited term interagency agreement with Portland Fire & Rescue to cover the costs of loaning an employee to staff the Fire Bureau's Professional Standards Program.

Performance	Actuals FY 2020-21	Actuals FY 2021-22	Target FY 2022-23	Target FY 2023-24	Strategic Target
<b>EFFICIENCY</b>					
Annual costs of outside counsel	\$801,086	\$879,068	\$1,200,000	\$1,500,000	\$500,000
Cost of service per attorney hour	\$161	\$171	\$180	\$195	\$200
<b>OUTCOME</b>					
Percentage of cases favorably resolved	91%	95%	90%	90%	90%
<b>WORKLOAD</b>					
Number of contracts reviewed and approved	7,216	6,440	7,000	7,000	7,000
Number of litigation cases	973	1,078	1,000	1,100	1,100
Number of training hours City Attorney staff provide to City staff	426	310	400	350	400

# Office of the City Attorney

City Support Services Service Area

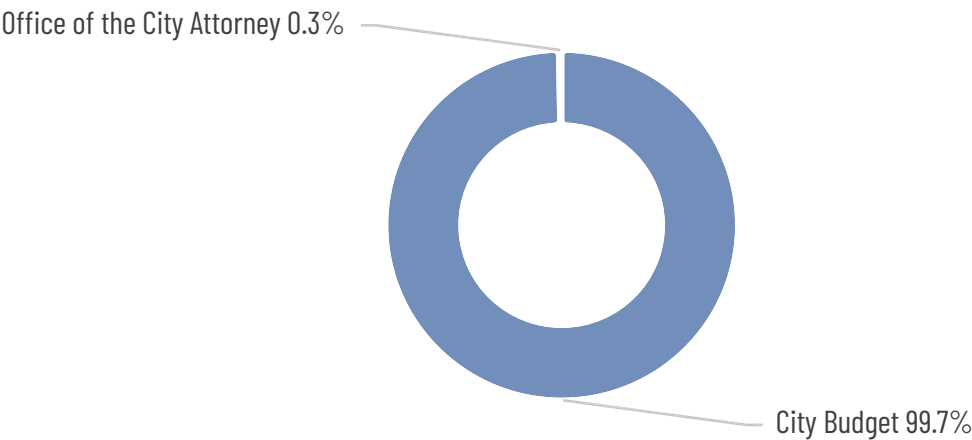
	Actuals FY 2020-21	Actuals FY 2021-22	Revised FY 2022-23	Requested No DP FY 2023-24	Requested Total FY 2023-24
<b>Resources</b>					
<b>External Revenues</b>					
Charges for Services	26,901	28,712	12,000	10,000	10,000
<b>External Revenues Total</b>	<b>26,901</b>	<b>28,712</b>	<b>12,000</b>	<b>10,000</b>	<b>10,000</b>
<b>Internal Revenues</b>					
General Fund Discretionary	2,862,421	3,531,521	4,243,225	4,170,162	4,170,162
General Fund Overhead	4,229,429	4,623,666	5,470,672	5,849,680	5,849,680
Fund Transfers - Revenue	0	0	200,000	0	0
Interagency Revenue	7,625,465	8,390,729	9,493,782	10,611,763	10,611,763
<b>Internal Revenues Total</b>	<b>14,717,315</b>	<b>16,545,916</b>	<b>19,407,679</b>	<b>20,631,605</b>	<b>20,631,605</b>
Beginning Fund Balance					
<b>Resources Total</b>	<b>14,744,216</b>	<b>16,574,628</b>	<b>19,419,679</b>	<b>20,641,605</b>	<b>20,641,605</b>
<b>Requirements</b>					
<b>Bureau Expenditures</b>					
Personnel Services	12,776,861	14,293,162	16,398,638	18,110,090	18,110,090
External Materials and Services	461,713	699,740	1,315,748	701,813	701,813
Internal Materials and Services	1,505,643	1,581,725	1,705,293	1,829,702	1,829,702
<b>Bureau Expenditures Total</b>	<b>14,744,216</b>	<b>16,574,628</b>	<b>19,419,679</b>	<b>20,641,605</b>	<b>20,641,605</b>
Ending Fund Balance					
<b>Requirements Total</b>	<b>14,744,216</b>	<b>16,574,628</b>	<b>19,419,679</b>	<b>20,641,605</b>	<b>20,641,605</b>
<b>Programs</b>					
Legal Services	14,744,216	16,574,628	19,419,679	20,641,605	20,641,605
<b>Total Programs</b>	<b>14,744,216</b>	<b>16,574,628</b>	<b>19,419,679</b>	<b>20,641,605</b>	<b>20,641,605</b>

Class	Title	Salary Range		Revised FY 2022-23		Requested No DP FY 2023-24		Requested Total FY 2023-24	
		Min	Max	No.	Amount	No.	Amount	No.	Amount
30003003	Administrative Specialist II	48,277	107,325	5.00	421,005	5.00	421,005	5.00	421,005
30003007	Analyst II	63,336	126,311	4.00	380,432	4.00	380,432	4.00	380,432
30003017	City Attorney	147,035	281,977	1.00	239,387	1.00	239,387	1.00	239,387
30003018	City Attorney, Assistant Deputy	69,805	151,438	2.00	163,802	2.00	196,802	2.00	196,802
30003019	City Attorney, Chief Deputy	130,478	250,259	6.00	1,229,925	6.00	1,229,925	6.00	1,229,925
30003020	City Attorney, Deputy	91,728	182,549	18.00	2,635,286	18.00	2,635,286	18.00	2,635,286
30003021	City Attorney, Senior Deputy	111,696	227,584	18.80	3,309,009	19.80	3,476,116	19.80	3,476,116
30003077	Legal Assistant	53,290	118,437	11.00	894,090	12.00	978,382	12.00	978,382
30003078	Legal Assistant Supervisor	63,336	126,311	1.00	96,907	1.00	96,907	1.00	96,907
30003087	Paralegal	63,336	126,311	14.00	1,264,850	15.00	1,358,356	15.00	1,358,356
30003088	Paralegal Supervisor	69,805	151,438	1.00	110,885	1.00	110,885	1.00	110,885
30003104	Supervisor II	69,805	151,438	1.00	132,122	1.00	132,122	1.00	132,122
	Total Full-Time Positions			82.80	10,877,700	85.80	11,255,605	85.80	11,255,605
30003020	City Attorney, Deputy	91,728	182,549	0.00	0	1.00	133,536	1.00	133,536
	Total Limited Term Positions			0.00	0	1.00	133,536	1.00	133,536
<b>Grand Total</b>				<b>82.80</b>	<b>10,877,700</b>	<b>86.80</b>	<b>11,389,141</b>	<b>86.80</b>	<b>11,389,141</b>

Office of the City Attorney  
City Support Services Service Area

Mayor Ted Wheeler, Commissioner-in-Charge  
Robert Taylor, City Attorney

Percent of City Budget Graph



Bureau Programs



Bureau Overview

Requirements	Revised FY 2022-23	Requested with DP FY 2023-24	Change from Prior Year	Percent Change
Operating	\$19,419,679	\$20,641,605	\$1,221,926	\$6%
Capital				
Total	\$19,419,679	\$20,641,605	\$1,221,926	\$6%
Authorized Positions	82.80	86.80	4.00	4.83%

## Legal Services

### Program Description & Goals

The City Attorney's Office performs all legal work for the City, with a few exceptions. The office represents the City and its elected officials, employees, bureaus, offices, boards, and commissions in court, administrative matters, and other proceedings. The program provides legal advice and training to help the City identify risks and create equitable laws and policies.

Effective legal advice helps avoid risk, including litigation, but there is no way to measure the lawsuits the City avoided. However, the success of the program is shown by the low cost of service, \$195 versus \$395 per hour for outside counsel, and a 93% success rate in litigation.

Performance	Actuals FY 2020-21	Actuals FY 2021-22	Target FY 2022-23	Target FY 2023-24	Strategic Target
Annual costs of outside counsel	\$801,086	\$879,068	\$1,200,000	\$1,500,000	\$500,000
Cost of service per attorney hour	\$161	\$171	\$180	\$195	\$200
Percentage of cases favorably resolved	91%	95%	90%	90%	90%
Number of contracts reviewed and approved	7,216	6,440	7,000	7,000	7,000
Number of litigation cases	973	1,078	1,000	1,100	1,100
Number of training hours City Attorney staff provide to City staff	426	310	400	350	400

### Equity Impacts

Advancing equity is an explicit goal of the City Attorney's Office. Office attorneys provide legal advice to all City bureaus to help advance the City's policy objective of achieving equity in all of its programs, services, and activities. Internally, the office encourages employees to devote up to two hours per month of work time to equity matters. In addition, employees are permitted to attend equity trainings and conferences on a case-by-case basis where those events advance the work of the City. This helps attorneys and staff use an informed equity lens when conducting the City's legal work. In addition, the office runs an Honors Attorney Program aimed at training new lawyers interested in public service. The program actively recruits attorneys from historically underserved communities. The office also supports a robust Inclusivity, Diversity, Equity, and Awareness (IDEA) Committee that integrates with internal management and establishes quarterly trainings, seminars, or discussions.

### Changes to Program

The office has internally realigned resources to reclassify three Deputy City Attorney positions to Senior Deputy positions to address the increasing complexity of legal work and to assist employee retention. The base budget includes an increase to the interagency agreement with Risk Management to provide an additional attorney and support staff to defend the City's interests in litigation without resorting to more expensive outside counsel. The base budget also includes a one-year limited term interagency agreement with Portland Fire & Rescue to cover the costs of loaning an employee to staff the Fire Bureau's Professional Standards Program.

# Office of the City Attorney

City Support Services Service Area

## Program Budget

	Actuals FY 2020-21	Actuals FY 2021-22	Revised FY 2022-23	Requested Base FY 2023-24	Requested with DP FY 2023-24
<b>Requirements</b>					
<b>Bureau Expenditures</b>					
Personnel Services	12,776,861	14,293,162	16,398,638	18,110,090	18,110,090
External Materials and Services	461,713	699,740	1,315,748	701,813	701,813
Internal Materials and Services	1,505,643	1,581,725	1,705,293	1,829,702	1,829,702
<b>Bureau Expenditures Total</b>	14,744,216	16,574,628	19,419,679	20,641,605	20,641,605
<b>Requirements Total</b>	14,744,216	16,574,628	19,419,679	20,641,605	20,641,605
<b>FTE</b>	72.90	77.30	82.90	86.80	86.80



This Budget Equity Assessment Tool is a set of questions to guide City bureaus and their Budget Advisory Committees in providing a holistic assessment of how equity is prioritized and addressed within the development of bureau budgets each fiscal year. This analysis will also hopefully highlight opportunities to implement changes, both in the short- and long-term, to help meet bureau and City equity goals.

We highly recommend that every manager making a program offer should attempt to use this guide and respond to the questions as much as it is applicable to your program.

## CITY POLICY

The City of Portland is committed to policies, practices, and procedures that center equity in the services and support we provide to the community.

## POLICY

The Portland City Council unanimously passed Resolution 37144 on July 8, 2015 ratifying Citywide Racial Equity Goals and Strategies and directing City bureaus to use available tools to implement their Racial Equity Plans.

The Portland City Council unanimously passed Resolution 37247 on October 2, 2016 requiring City Bureaus to use the City's Budget Equity Assessment Tool on all budget proposals and base budgets and tie those budget requests to implementation of their Racial Equity Plans and ADA Transition Plan tasks. On October 2, 2019, The Portland City Council unanimously passed Resolution 37450 directing the Office of Equity and Human Rights to coordinate Civil Rights Title VI and ADA Title II compliance by setting Citywide policies and accountability measures.

The Portland City Council unanimously passed Resolution 37492 on June 17, 2020 adopting Anti-Racism, Equity, Transparency, Communication, Collaboration, and Fiscal Responsibility as the Core Values of the City of Portland. These values inform a unified workplace and city culture, systems, policies, practices, and procedures.

The City of Portland Citywide Racial Equity Goals and Strategies communicate the following:

### Equity Goal #1

We will end disparities within city government, so there is fairness in hiring and promotions, greater opportunities in contracting, and equitable services to all residents.

### Equity Goal #2

We will strengthen outreach, public engagement, and access to City services for communities of color, and immigrant and refugee communities, and support or change existing services using racial equity best practices.



### **Equity Goal #3**

We will collaborate with communities and institutions to eliminate racial inequity in all areas of government, including education, criminal justice, environmental justice, health, housing, transportation, and economic success.

### **Overall Strategies**

1. Use a racial equity framework.
2. Build organizational capacity.
3. Implement a racial equity lens.
4. Be data driven.
5. Partner with other institutions and communities.
6. Operate with urgency and accountability.

The City of Portland has integrated the Budget Equity Assessment Tool into the budget proposal requirements starting in 2013-14. This Budget Equity Assessment Tool is a set of questions to guide City bureaus and their Budget Advisory Committees in providing a holistic assessment of how budget allocations benefit and/or burden communities, especially Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities. This analysis is required and critical to implement changes, both in the short- and long-term, to help meet bureau and City equity goals. The goals for the use of the Budget Equity Assessment Tool are:

- Use an asset management approach to achieve more equitable service levels across communities and geographies.
- Track and report on service levels and investments by community and geography, including expanding the budget mapping process
- Assess the equity and social impacts of budget requests to ensure programs, projects and other investments to help reduce disparities and promote service level equity, improve public participation in government and support leadership development.
- Identify whether budget requests advance equity, represent a strategic change to improve efficiency and service levels and/or are needed to provide for basic public welfare, health and/or meet all applicable national and state regulatory standards.

It is the policy of the City of Portland that no person shall be denied the benefits of, or be subjected to, discrimination in any City program, service, or activity on the grounds of race, color, national origin, English proficiency, sex, age, disability, religion, sexual orientation, gender identity, or source of income. Additionally, the City's Civil Rights Title VI program guidelines obligate public entities to develop systems and procedures that guard against or proactively prevent discrimination, while simultaneously ensuring equitable impacts on all persons. Therefore, this Budget Equity Assessment Tool is required and helpful for City bureaus to evaluate the impacts of the policies, the services, the programs, and the resource allocations on all residents.

The Office of Equity and Human Rights is also available for discussion/training/consultation regarding the use of this document.

## INTRODUCTION

The FY 2023-24 budget development process continues to utilize the City's Program Offer framework where there is intended to be a clear and concise description of bureau budgeted programs at the 6-digit functional area level. The template includes both general guiding questions to help bureaus use an equity lens when writing program descriptions, as well as a dedicated section to provide equity information specific to that program. Bureaus will also be expected to identify benefits and/or burdens in submitted decision packages for Council consideration.

The Budget Equity Tool will continue to serve as a guide for more robust equity analysis. In your responses below, please consider the Bureau's Requested Budget as a whole.

## SECTION 1: BUREAU OPERATIONS

1. How does the Requested Budget advance the achievement of equity goals as outlined in the bureau's Racial Equity Plan?
  - a. In what ways does the Requested Budget benefit Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities?
  - b. In what ways does the Requested Budget negatively impact Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities?

The Racial Equity Plan for the City Attorney's Office identifies the following long-term goals: 1) End disparities in City government hiring and promotion; 2) Provide equitable City services to all residents; 3) Create greater opportunities for City government contracting and procurement; and 4) Make racial equity and inclusion an integral component of the office's identity and culture.

The Racial Equity Plan identifies several concrete actions to pursue these goals, and the following identified actions are all funded in the requested base budget for the City Attorney's Office: 1) Continue Honors Attorney program to provide opportunities for lawyers from historically underrepresented and diverse backgrounds; 2) Cover costs to advertise in print and web-based minority outreach services and to recruit from law schools with substantial populations of people of color, including historically black law schools; 3) Require all lawyers and staff to attend two racial equity events per year; 4) allow employees to record up to two hours per month as work time for diversity events or trainings; and 5) Support Oregon State Bar equity programs by paying for all attorneys to participate in the Bar's Diversity Section, and support a variety of other specialty bar events which specifically target marginalized communities.

2. How has the bureau engaged with communities in the budget request to identify the priorities, particularly with Indigenous people, Black people, people of color, immigrants and refugees, multilingual, multicultural, and people with disabilities. How are these priorities reflected in this Proposed Budget?

The budget advisory committee for the City Attorney's Office includes a member of the public, Black people and people of color and members of the Office's Inclusion, Diversity, Equity & Awareness (IDEA) group. The committee reviewed and considered the office's budget and provided feedback.

3. What are the insufficiencies in the base budget that inhibit the bureau's achievement of equity or the goals outlined in the Racial Equity Plan?

Limited staffing has inhibited the office's ability to track progress on equity goals. The office's small administrative staff was reduced in the FY2016-17 budget cycle due to a mandatory reduction. As a result, the office has not had the ability to track data as thoroughly as it would like to report on the office's equity plan and strategies in a timely manner. However, the FY23 budget included a realignment to add a Business Systems Analyst position to help with these types of analyses. The office would like to update its website to provide more information to the public about legal resources for low income and historically disadvantaged communities. This work, however, would require research, engagement, and translation services that are not included in the base budget. The office canceled a two-year equity training and evaluation as part of the FY2019-20 budget in response to necessary ongoing budget reductions at the onset of the COVID-19 pandemic. Workload demand has also made it difficult to attract and retain employees, undermining significant progress the office has made with attorneys from marginalized backgrounds.

4. Have you made significant realignments or changes to the bureau's budget? If so, how/do these changes impact the community? Is this different for Indigenous people, Black people, immigrants and refugees, people of color, and/or people with disabilities?

The office has increased its focus on equity in recent years. The office retained outside equity consultants to provide officewide, small group, and individual equity coaching sessions. In addition, the office encourages employees to devote up to two hours per month of work time to equity matters. Employees also are permitted to attend equity trainings and conferences on a case-by-case basis where these advance the work of the City.

5. If applicable, how is funding being prioritized to meet obligations related to Title II of the Americans with Disabilities Act and the bureau's Transition Plan barrier removal schedule?

The base budget includes funding for attorney positions that advise all City bureaus on their ADA Title II obligations. Maintaining funding for these positions is a critical way the office helps the City achieve its equity goals.

6. What funding have you allocated in the bureau's budget to meet the requirements of ADA (Americans with Disabilities Act) Title II and Civil Rights Title VI?

This includes but is not limited to:

- Funding for translation, interpretation, video captioning, and other accommodations
- Translation of essential documents into safe harbor languages
- Engagement efforts with multilingual and multicultural communities

Translation services, and access to those translation services are included in the base budget.

7. Please take a look at the City of Portland's workforce demographic dashboard as provided by the Bureau of Human Resources: [Public Human Resources Analytics Dashboard - September 2022 | City of Portland Public Analytics Dashboards | The City of Portland, Oregon \(portlandoregon.gov\)](#). How does the bureau's Requested Budget support employee equity in hiring, retention, and inclusion, particularly for Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities?

The office's requested base budget preserves all positions in the office, and particularly those that directly advance the office's equity goals. Also, adding staff to the litigation section through an interagency agreement with Risk Management will reduce the overwhelmingly heavy workloads in that section. People of color work in the litigation section and improving workloads can support employee equity and retention.

8. If the bureau has capital assets, how does the Requested Budget take into consideration intergenerational equity (ensuring that those who are currently benefiting from the service are paying for its upkeep versus placing the financial burden on future generations)?

The office does not have any capital assets but regularly advises bureaus on their capital asset obligations and considerations for future generations.

9. If applicable, how does the bureau's budget create contracting opportunities for disadvantaged, minority, women, and emerging small businesses (D/M/W/ESB)?

The base budget includes funding for attorney positions advising the City on its efforts to promote contracting opportunities for disadvantaged, minority, women, and emerging small businesses. This includes both general contracting advice and legal advice regarding specific programs such as the Community Equity and Inclusion Plan (CEIP), Community Opportunities and Enhancement Program (COEP), and Clean Energy Community Benefits Fund. Maintaining the budget for these legal services helps the City achieve its equity goals.

10. If the bureau has dedicated equity staff, such as an Equity Manager, how were they involved in developing the bureau's Requested Budget?

The office does not have dedicated equity staff such as an Equity Manager. However, the office has an Inclusion, Diversity, Equity & Awareness (IDEA) committee, and members of that Committee participated in the budget development process.

## **SECTION TWO: EQUITABLE ENGAGEMENT AND ACCESS**

11. How does this budget build capacity within the bureau to engage with and include communities most impacted by inequities?  
(e.g., improved leadership for outreach and engagement coordinators, public information or relations officers, advisory committees, commissions, targeted community meetings, stakeholder groups, increased engagement, etc.)

The base budget includes the Honors Attorney program and the Law Clerk program, both of which are aimed at providing high-quality legal experience to attorneys and law-students of diverse backgrounds and those from underrepresented communities. These programs provide valuable help to the office, and they also help address systemic and institutional barriers in the legal market that have historically made it difficult for people of color to achieve equal success in the profession.

On a community-wide basis, the budget continues ongoing funding for attorney positions advising the Police Bureau regarding its policies and compliance with the U.S. Department of Justice Settlement Agreement. Police Bureau policies impact underserved communities and providing support to the Police Bureau's policy team is important legal work to advance the City's equity goals. The base budget also continues the staff support for tax collection efforts on behalf of the Revenue Division. The office has helped collect millions for the General Fund, and that money can be used to support programs that assist the most vulnerable in our community. Ensuring that for-profit businesses pay their legally required share in taxes to help support the most vulnerable in our community represents important equity work supported by the budget.

Equity continues to be one of the office's four strategic goals and the office will continue to fund training on use of an equity lens in the provision of legal services. Office lawyers also continue to actively track and participate in many national legal issues that raise very significant equity concerns.

12. How does this budget build capacity and power in communities most impacted by inequities?  
(e.g., leadership development for communities and guidance from communities, etc.)

The base budget includes funding for the Honors Attorney program and Law Clerk program, which are both designed to build capacity and increase outreach to people of color and those traditionally underrepresented in the legal profession, and provide exposure to a career in public interest law. The base budget includes funding for attorney participation in Oregon State Bar activities that support equity and equity education. The base budget continues funding for tax collection work, so that businesses will pay their legally required taxes and the revenue can be used by the City Council to help those most in need in our community. The budget includes an

attorney position devoted to helping the Police Bureau write and periodically update its policies, which advances the City's equity goals by ensuring an equity lens is applied to Police Bureau policies. The budget continues funding for civil rights related legal work, including legal work to support the City's Title VI and ADA Title II programs, anti-discrimination training for City employees and myriad other legal and policy obligations that are equity-related.

13. How does the bureau use quantitative and qualitative data to track program access and service outcomes for different populations? Please provide the data source(s)

What additional disaggregated demographic data will the bureau collect, track, and evaluate to assess equity impacts in community moving forward, and inform future budget decisions?

The office uses both quantitative and qualitative data to track progress toward the goals in its Racial Equity Plan. For example, the office tracks quantitative data regarding the demographics of its legal professionals to compare the office's composition to the legal market in Oregon and the overall population in Portland. The office also tracks quantitative data on the number of equity training events employees attend. Also, on a qualitative basis, the annual performance evaluation process for the office includes an explicit question asking how employees contribute to an equitable and inclusive workplace.

### IDENTIFYING IMPACTS WORKSHEET

The following chart is intended to assist in identification of impacts affecting equitable delivery of City services in the bureau's submitted Requested Budget.

Populations Impacted	Potential Positive Impacts	Potential Negative Impacts
New lawyers and law students of color and those from historically unrepresented communities.	The Honors Attorney program and Law Clerk program are both aimed at providing professional opportunities to these populations. The office also aims to positively impact these communities through recruitment outreach efforts.	None
Vulnerable populations assisted by programs funded by the General Fund.	Office tax collection efforts help these vulnerable populations by ensuring more money is available to serve them in the General Fund.	None
Minority and historically unrepresented communities in Portland.	Providing legal advice to the Police Bureau's policy team helps ensure an equity lens is applied to the Bureau's policies.	None
Disadvantaged, Minority, Women, and Emerging Small Businesses	These populations are positively impacted through the office's work actively supporting legal strategies to increase opportunities for MWESBs and DBEs in City contracting as well as specific projects such as the CEIP, COEP, and Clean Energy Community Benefits Fund.	None
Attorneys and Staff in Office	Attorneys and staff in the office are positively impacted through greater equity training and awareness accomplished by the two mandatory equity training events per year and inclusion in the Bar's Diversity Section, as well as support for a variety of other equity-related trainings and specialty bar activities. (The office actively supports specialty bars for lawyers from various affinity groups.)	None

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Name of Staff Contact

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Name of Bureau Director              Date

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