



BUREAU/OFFICE/DEPARTMENT: Bureau of Development Services

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?

BDS established its previous [Racial Equity Plan](#) on October 27, 2016, from July 1, 2016, through June 30, 2021. The plan is now expired, and the bureau is working on establishing a new Racial Equity Plan.

BDS's Requested Budget funds several programs and initiatives that advance achievement of the goals in the previous Racial Equity Plan, including:

- The BDS Equity & Policy Development, and Communications Division, with a full-time dedicated staff of 18.0 regular FTE, including 1.0 FTE for program management, 5.0 FTE for Empowered Communities Program staff specifically serving and assisting BIPOC customers (Small Business Empowerment Program, Empowering Neighborhoods Program, Arts Empowerment Program), 4.0 FTE equity program staff, 1.0 FTE recruitment and hiring staff, and 7.0 communications staff. (Five-Year Bureau Objectives #1, #6)
 - 1.0 FTE data analyst position dedicated to gathering and analyzing equity-related data. (Five-Year Bureau Objective #3)
 - Time (6 hours per month, per member) allotted for BDS Bureau Equity Committee (BEC) members to engage in equity work (Five-Year Bureau Objectives #1);
 - Equity training for bureau leadership, BEC members, and bureau staff (Five-Year Bureau Objectives #1, #2, #3, #4);
 - Customer service training to BDS staff. In 2022, the training activity will be expanding, focusing on a comprehensive culture shift including concentrating on the needs of BIPOC, women, and people with disabilities (Five-Year Bureau Objectives #1, #2, #4);
 - Monthly Equity in Motion events with time provided for staff to participate (Five-Year Bureau Objectives #2);
 - The use of D/M/W/ESB-certified contractors. (Five-Year Bureau Objective #5);
 - Requiring interview panel participants to complete Equitable Hiring Practices training (Five-Year Bureau Objectives #3); and,
 - BDS requires all staff meetings to discuss equity-related topics at least once per month (Five-Year Bureau Objectives #2).
- a. **In what ways does the Requested Budget benefit Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities?**

Overall, BDS is working to integrate the Equity learnings that we have received over the past few years into bureau operations to impact interactions with its citizen customers positively. This effort is an ongoing process taking place over several years. We've made progress, and much additional work remains in this area.

The Requested Budget funds the work of the Empowered Communities Program, which targets explicitly working with and reaching out to historically underserved communities, including Black people, Indigenous people, people of color, people with disabilities, and immigrants and refugees. Within this program:

- The Small Business Empowerment Program assists historically marginalized business owners who have experienced unnecessary barriers in the development review process, creating opportunities to obtain permits for their businesses successfully.
- The Empowering Neighborhoods Program assists clients of color and those with ADA disabilities who have received enforcement letters from the City to fully resolve the issues related to building and zoning code standards.
- The Arts Empowerment Program helps artists and arts organizations prioritize historically marginalized communities who have faced disproportionate barriers to obtaining permits and access to permitting information.

The work of the programs within the Empowered Communities Program extends to collaborating with the services BDS provides bureauwide, including zoning code administration, permitting assistance, plan review, inspections, and compliance, as required to obtain resolutions. Included in BDS's FY 2022-23 Requested Budget submission are Decision Packages requesting additional funding to support the Empowered Communities Program.

The Training and Workforce Development team is partnering with the Equity and Policy Development team to deliver a six-month training on co-facilitating equity conversations throughout the current fiscal year. The immediate impacts of that training will be internal but will help to continue to grow the bureau's equity literacy, helping staff engage on equity-related topics, both internally and externally.

As the team responsible for managing the facilities and use of space, the Facilities and Safety Section has impacted the bureau's ability to serve customers and employees with disabilities. BDS has established individual employee workspaces upon accommodation requests designed to meet ADA requirements. Examples of shared/public space redesigns include the remodel of the 2nd-floor mesa room, the provision of an accessible counter in the Development Services Center, and the acquisition of a 'stair chair' to aid in building evacuation of people with mobility issues.

The Code and Policy Development team requires a Change Coordination Process Business Case document for project proposals. This document requires the project sponsor to identify how the proposed project addresses equity issues and engage the Equity and Policy Development Section in the change. BDS also shares the document with all BDS and interagency partner bureau section and division managers.

The Code and Policy Development Team is currently managing a 360-degree feedback project. This project will result in changes and improvements to the performance review process and requirements for all BDS managers/supervisors. The project includes equity-related accountability measures and skill-building. It will also have support to assist managers in exercising these competencies and improving skills.

b. In what ways does the Requested Budget negatively impact Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities?

For the most part, BDS is responsible for administering and enforcing statutes and policies created by others; these policies and regulations may not include equity considerations.

There is a need to invest in greater outreach using culturally appropriate approaches to engage communities which barriers to the permitting process have negatively impacted. Other services and programs will be necessary to remove the obstacles to services and empower these communities. In some cases, adequate training and resources have been an issue for outreach and engagement efforts. This work often falls to staff and managers who may not have sufficient knowledge, experience, and time to engage Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities.

The approachability and complexity of the permitting process can be a barrier to people accessing BDS services. Especially for first-time or infrequent customers, with many procedures, rules, and regulations. To help address this issue, the Training and Workforce Development (TWD) team has developed and delivered introductory training focused on the needs of BIPOC and women-owned emerging businesses who are trying to enter the Portland development industry. TWD plans to conduct additional outreach and develop other customer-facing training materials dedicated to improving services for BIPOC customers.

The shift in business practices during COVID-19 resulted in the closing of the Permit Center to the public, creating different barriers than the Permit Center model made. Before COVID, customers had to have the time and ability to travel downtown and seek services in person in the Permit Center. That presented its challenges and barriers to some of the bureau's customers. Since the Permit Center has been closed, the bureau has relied on telephone hotlines to answer the public's questions. Permit applications can now be submitted digitally online or in-person with paper plans, moving away from a single method to access services toward multiple paths, thereby increasing access to the bureau's services overall.

Previously, anyone who could travel to downtown Portland to visit the Development Services Center could ask questions in person. New and different techniques and accessibility barriers to access have replaced time and travel as the necessary resource to get assistance. The tools required for an online question, permit, and plan submittals, such as a laptop or desktop computer and architectural software, may disproportionately be less accessible for Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities. The BDS Budget Advisory Committee included a recommendation that BDS explore the feasibility of satellite offices to improve access to services.

Employees are empowered and strive to provide equitable services through their interactions with Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities; however, employees are often unaware of individual customer needs, limiting the ability to remove barriers modifying service delivery. As a result, there could be delays and additional costs for projects with applicants who identify with these groups.

The Property Compliance Division of BDS faces several challenges. First, funding for most of their programs rely on fees, penalties, and liens to support operations, which often become a financial barrier for low-income property owners with cases, which is counterintuitive to the ultimate goal of helping bring properties into compliance with health and safety standards. Second, there is a lack of area resources and adequately funded repair programs across the City, available for staff to refer those in need so residents can access supportive programs to ensure safe and healthy housing, prevent displacement and ensure generational wealth for owner-occupied properties.

Finally, existing legacy enforcement policies, practices, and programs lack the deliberate structure to mitigate adverse outcomes for Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities. The BDS Empowered Communities Program addresses these challenges with proactive, non-punitive support in solving property compliance issues.

2.) 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?

The lack of comprehensive data tracking and analysis to evaluate insufficiencies inhibits the bureau's achievement of equity goals. There is a bureau-wide barrier to measuring outcome disparities amongst various demographic groups served by BDS. The bureau identified this as an area of need in previous years, and the FY 2020-21 Budget took the first step by including a permanent, dedicated data analyst position to gather and analyze equity-related data. BDS is in the process of filling this position currently. The data analyst position will determine how to collect, use, and store the data. BDS is absorbing the work this position intends using existing resources; however, this work is still in the beginning stages and little progress is likely to be made until the position is filled.

Plan review goals and priorities are established based on permit and project types. Under current processes, these goals and priorities determine the order in which reviews occur for permit applications. For example, the plan review goal for new residential construction is 15 days, whereas new commercial construction is 20 days. These goals and priorities may, in some cases, benefit BIPOC communities. However, the opposite may also be true in other cases. The bureau lacks sufficient demographic data associated with permits and project types to ascertain which communities benefit.

Another challenge BDS often faces is enforcing codes/rules written by others without equity consideration. This challenge can leave the bureau enforcing potentially inequitable laws in their design. An example of this is in the responsibility of the BDS Land Use Services Division for

implementing the Comprehensive Plan and Zoning Code. Land Use Services does not create the goals, policies, standards, and criteria included in these documents, generally made by the Bureau of Planning & Sustainability and adopted by the City Council. An emphasis on adequate analysis of the equity impacts of new rules and regulations is necessary to bring forward potential inequities on new legislation.

The Property Compliance Division relies on the assessment and collection of code enforcement fees for funding critical property maintenance inspections, which limits flexibility when working with customers to gain compliance without imposing a financial burden on the property owner.

Furthermore, these inspection programs operate on a complaint-based system that potentially puts vulnerable populations at risk due to the comparatively higher reporting frequency of older, less maintained, and thus more affordable properties in these communities. Code enforcement fees often create significant, negative financial impacts for owner-occupied property owners, especially people of color, the elderly, and the disabled. Additionally, the property owners often have code violations and are experiencing barriers to achieving compliance due to a lack of residual income, limited access to resources, or other obstacles such as language or disability. The small amount of ongoing General Fund monies BDS receives goes toward support of the Neighborhood Inspections Program in the Property Compliance Division. Additional General Fund monies for this program would make it less reliant on the assessment of fees and penalties, which, as noted above, can have a disproportionate impact on vulnerable populations. The bureau's budget supports the BDS Empowered Communities Program. BDS's FY 2022-23 Requested Budget submission includes Decision Packages requesting additional funding to support the Empowered Communities Program and Neighborhood Inspections Program.

Overall, BDS is funded 98% by fees for service. This funding model makes revenues highly susceptible to fluctuations in economic conditions, demand for services, and construction activity. the FY 2022-23 Requested Budget submission includes requests for one-time General Fund monies, which, if approved, would add supplemental income to that from fees and charges for services. As a result, General Fund money can reduce the direct burden on communities by funding the program and mitigating the direct impact on communities of color and those with disabilities.

During economic expansion, the bureau has more resources available for all bureau programs, including work towards achieving equity and the goals outlined in the Racial Equity Plan. However, during an economic downturn, the bureau faces resource constraints, making completing equity goals more challenging. The bureau strives to continue prioritizing equity work even during a downturn.

3.) Please take a look at the City of Portland's workforce demographic dashboard: <https://www.portlandoregon.gov/oehr/article/595121>. 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 Recruitment & Hiring team works with the Bureau of Human Resources (BHR) and the BDS Equity Manager to review job announcements and interview questions for equity competencies.

This team also works with managers to include people of color and ensure racially diverse interview panels. The Recruitment & Training team also works with BHR to track applicant workflows and language barriers for persons of color and provides bias awareness training to each interview panel.

An Equitable Hiring Practices training was developed and delivered; BDS required all interview panel participants to complete the training in the past. However, the training needs re-evaluation to continue this best practice and develop a more sustainable training program.

The BDS Training and Workforce Development Team is improving the bureau's New Employee Orientation program with a focus on providing more intentional support to new hires who identify as BIPOC or those with disabilities. In addition, they are beginning work on a Succession Plan which will focus on high school and college outreach to encourage more BIPOC applicants to BDS positions. A request for one-time General Fund monies is included in the FY 2022-23 Requested Budget submission to provide additional resources for succession planning efforts.

4.) 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)

BDS does not have a comprehensive system to analyze quantitative and qualitative evidence to track program access and service outcomes to different populations. The bureau identified this as an area of need in previous years, and the FY 2020-21 Budget took the first step by including a permanent, dedicated data analyst position to gather and analyze equity-related data. BDS is in the process of filling this position currently. The data analyst position will determine how to collect, use, and store the data. BDS is absorbing the work this position intends using existing resources; however, this work is still in the beginning stages and little progress is likely until the position is filled.

The bureau sent out a customer survey in 2021 to ask about customer experiences with BDS on various topics. This survey included voluntary identification of customer demographic information, such as race and gender. The response among people of color was low, making it difficult to conclude the impacts and effectiveness of bureau programs on people of color.

5.) 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?

BDS does not have a comprehensive system to collect disaggregated demographic data to assess impacts in the community. To adequately determine equity impacts in the community, BDS needs a system to collect and analyze individual customer data and outcomes in conjunction with Census level data.

6.) 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?

BDS is currently working with bureau staff and managers to redesign and remodel the Development Services Center. One component of this project is to address accessibility for people with disabilities.

The Performance Analytics and Continuous Improvement Section is a new section in the Technology, Training, and Continuous Improvement Division. A primary focus of this section is to evaluate and recommend business process improvements. This section will center the needs of Indigenous people, Black people, immigrants, refugees, people of color, and people with disabilities (employees and customers) as recommendations for process improvements are developed, evaluated, and implemented.

The bureau implements a priority system for permit intakes and plans reviews consisting of three tiers based on permit and project type. An expedited intake and review process has been implemented for minor project permits, significantly reducing the permit timeline for these permits. A program for remote 15-minute question appointments has also been implemented and received positive customer feedback. While these changes are positive overall, the lack of customer demographic data makes it difficult to ascertain how these changes impact Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities communities.

In coordination with the Empowered Communities Program, Land Use Services considers utilizing existing fee waiver options to promote and provide Early Assistance appointments for their customers. These appointments would allow customers to meet with BDS staff and obtain detailed zoning information on their projects. The cost of Early Assistance meetings may be a barrier for some customers, and they may not be aware of fee waiver options.

Next year, BDS is looking into providing viewing locations for public meetings. While online meetings and hearings provide a phone call option for people without internet access, a public viewing location would allow community members to see presentations and provide closed captioning.

The Property Compliance Division is completing an update to its Lien Reduction Review Process Rules and SOP to better support Indigenous people, Black people, immigrants and refugees, people of color, people with disabilities, providing an easier path to reduce or eliminate outstanding liens and fees resulting from code enforcement. They are also completing a new policy standard that redefines the inspection criteria and program requirements for specific owner-occupied work. The intent is to for work without permit violations and housing cases to avoid having compliance cases on owner-occupied properties with only a few violations which are non-structural in nature and not an imminent threat to fire, life and safety. The Property Compliance Division will continue to make systemic changes to operations through reviewing, amendment, and creating internal policies and programs in the coming fiscal year.

7.) 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)?

BDS's primary asset is the City's permitting system and database, which uses AMANDA software. The development and maintenance of this system are funded through current and ongoing permit revenues, paid by bureau customers. After several years of development, the vastly updated system went live in February 2020.

Technology is playing an increasingly important role in service delivery at BDS. The bureau partners with stakeholders, including community partners, to improve processes and implement additional technology. Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities are underrepresented in the collaborative process. Other outreach and discovery are necessary to better understand the needs and barriers in the permitting process for these groups. The Technology, Training, and Continuous Improvement (TTCI) Division strengthen partnership with the BDS Equity and Polity Development team for these efforts. TTCI is also improving project plans to include collaboration and advisement with the Equity Team on each project. TTCI will also need to conduct community outreach during the needs assessment phase of projects, and the customer feedback phases of development, implementation, and post-implementation. This outreach would include participation in the training development processes and informing communication needs from the TTCI Division to stakeholders.

TTCI is working on several technology solution projects that are customer-facing. Many of these projects are contracted private vendors providing limited customization options on "off-the-shelf" products. Translation service is not offered on all (or many) existing technology solutions. TTCI will need to collaborate with existing vendors to improve language translation capabilities for technology solutions. TTCI also needs to work with BTS and new vendors to incorporate language translation service needs into future RFPs and contracts.

8.) 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?

Not applicable to BDS.

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

In 2021, 50% of BDS's contracts over \$5,000 (1 out of 2) used M/W/ESB-certified vendors. In 2020, BDS did not sign any new contracts with M/W/ESB-certified vendors. However, in 2019 66% of BDS's contracts over \$5,000 (2 out of 3) used M/W/ESB-certified vendors.

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 BDS Equity & Policy Development and Communications Division and the BDS Equity Committee (BEC) have been involved from the early stages of the budget development process. Beginning in September 2021, the BDS Equity Manager was consulted on best working through the Budget Equity Assessment Tool. Equity & Policy Development and Communications Division

staff and members of the BDS Equity Committee also attended and led discussions at the BDS Budget Advisory Committee meetings focused on the bureau's equity-related work. The Equity & Policy Development Section is budgeted separately in its cost center, and the BDS Equity Manager was consulted regarding the budgeted expenditures for the section. Finally, the BDS Equity Manager and the BDS Equity Committee reviewed and provided input on the Budget Equity Assessment Tool responses.

SECTION TWO: EQUITABLE ENGAGEMENT AND ACCESS

11.) 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**

Funds are budgeted and available for training, the development of additional materials, and resources for translation, interpretation, and video captioning. BDS utilizes Citywide contracts for translation and interpretation services; however, the services are used infrequently. The majority of all documents published and/or distributed by BDS are in the English language and are not translated for non-English speaking audiences. BDS has included an appropriation of \$60,000 for language translation services in this Requested Budget.

The BDS Communications and Outreach team is responsible for enhancing and standardizing the bureau's ADA-related efforts. Currently, some information is only available in PDF format, which limits accessibility if not properly formatted.

The Training and Workforce Development Team (TWD) is coordinating with the Communications Outreach Team to improve the website design, updating customer-facing ePlans PDF materials to HTML text to better meet web accessibility standards. TWD also creates closed captioning subtitles in English for all new customer facing videos, and coordinates access to live captioning services for public meetings.

There is still room for improvement on these efforts. Currently, training materials developed by BDS are primarily English language only. Non-English-speaking customers must depend on third party technology translation solutions. In addition, the movement towards more electronically based services has made some materials less accessible to those without stable internet access.

12.) 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 community engaged with BDS's Requested Budget primarily through the BDS Budget Advisory Committee (BAC), which is comprised of representatives from community organizations, the development industry, the Development Review Advisory Committee, and BDS employees. The BAC convened three times during the budget preparation process (November 2021 – January 2022). The BAC meetings included discussions about how the bureau can better serve the community from an equity perspective. The Committee is submitting a report accompanying BDS's Requested Budget.

13.) How does this budget build the bureau's capacity to engage with and include communities most impacted by inequities? (e.g., improved leadership opportunities, advisory committees, commissions, targeted community meetings, stakeholder groups, increased engagement, etc.)

BDS's two primary stakeholder/community advisory bodies, Development Review Advisory Committee (DRAC) and Budget Advisory Committee (BAC) are funded in this Requested Budget. As previously mentioned, the BAC provides opportunities for community representatives to engage with the bureau regarding BDS programs, services, and budget, and community membership on the BAC was expanded this year. In order to enhance the bureau's capacity to engage with communities most impacted by inequities, BDS has worked to fill vacant DRAC positions in the past year, specifically prioritizing greater membership for Indigenous people, Black people, immigrants and refugees, people of color, and/or people with disabilities.

In addition, BDS's budget includes funding for staff actively involved in outreach to communities most impacted by inequities, most notably the community empowerment work of the Empowered Communities Program. Decision Packages requesting additional funding to support the Empowered Communities Program are included in BDS's FY 2022-23 Requested Budget submission. The Communications and Outreach Team has worked with the Empowered Communities Program to update their program's brochures. They are also beginning to publish Empowered Communities success stories, providing opportunity to elevate voices and narratives of BIPOC and other underserved communities.

The bureau's budget includes funding for a Community Engagement Specialist, originally funded in FY 2021-22 with General Fund support. This position is currently in the recruitment and hiring process. The purpose of this position is to help build a foundation of relationship-building and trust-building needed with these communities, and direct, sustained engagement.

14.) How does this budget build community capacity and power in communities most impacted by inequities? (e.g., improved leadership opportunities within Bureau Advisory Committees, community meetings, stakeholder groups, increased engagement, etc.)

BDS's two primary stakeholder/community advisory bodies, Development Review Advisory Committee (DRAC) and Budget Advisory Committee (BAC) are funded in this Requested Budget. As previously mentioned, the BAC provides opportunities for community representatives to engage with the bureau regarding BDS programs, services, and budget, and community membership on the BAC was expanded this year. In order to enhance the bureau's capacity to engage with communities most impacted by inequities, BDS has worked to fill vacant DRAC

positions in the past year, specifically prioritizing greater membership for Indigenous people, Black people, immigrants and refugees, people of color, and/or people with disabilities.

The Training and Workforce Development (TWD) team has partnered with Professional Business Development Group, a group whose membership is comprised of BIPOC-owned and women-owned development businesses. TWD delivered two virtual “Permitting 101” micro learns to this group’s membership.

The Empowered Communities Program includes the Empowered Neighborhoods Program, Small Business Empowerment Program, and Arts Empowerment Program, each of which are dedicated to helping the bureau reach equitable outcomes for their target customer bases.

In addition, BDS’s Property Compliance Division operates the Enhanced Rental Inspection Program, which provides direct benefits to disadvantaged communities. The Oregon Public Health Institute’s Health Impact Assessment of 2012 found that the Enhanced Rental Inspection Program had great potential “to contribute to improved health and health equity” for renters. Improving the effectiveness of this program is a high priority for the bureau and should continue to benefit communities of color and other marginalized groups. BDS is also hopeful that their working partnership with the Portland Housing Bureau and the landlord registration efforts in progress will result in an additional rental inspection program which could generate additional resources to improve rental inspections. (<http://www.healthimpactproject.org/resources/rental-housing-and-health-equity-in-portland-oregon-a-health-impact-assessment-of-the-citys-rental-housing-inspections-program>).