



REQUESTED BUDGET

FY2019-20

City Attorney's Office

Portland, Oregon

Tracy Reeve, City Attorney



Office of Mayor Ted Wheeler
City of Portland

MEMORANDUM

February 4, 2019

To: City Budget Office
Commissioner Chloe Eudaly
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Jo Ann Hardesty
Auditor Mary Hull Caballero

From: Mayor Ted Wheeler

Subject: FY 2019-20 Requested Budget of the City Attorney's Office

Enclosed for your consideration is the FY2019-20 budget request 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.

Budget guidance to bureaus this year included an objective of getting to a more stable, predictable and transparent budget process. Bureaus were directed to build budgets within the target of CAL less 1% and seek to identify efficiencies and reduce administration costs that do not harm front-line services.

This requested budget responds to that guidance by building a base budget within the target constraint. The office has a very small administrative staff which cannot be further reduced without harm to basic services. However, the office expects it can reduce external materials and services budget without harming essential services. The office received three directions to develop and is submitting the following decision packages in response:

- Decision Package 1 - Convert four limited term positions to permanent ongoing: two Paralegals, one Legal Assistant and one Deputy City Attorney. This decision package responds to two Directions to Develop: 1) Maintain staffing levels in the City Attorney's Office to accommodate increased workload demands for collections, contract review and public safety advice work, and 2) Convert the two limited term Paralegals to permanent to allow the public records team Paralegal to continue critical public records work.

One limited term Paralegal and one limited term Legal Assistant help to bring in millions of dollars in General Fund revenues through legal collections. Another limited term Paralegal reviews citywide contracts that have been significantly increasing. These three positions have been funded

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on a one-time basis for ongoing work. If these positions are not funded, another permanent Paralegal position that manages the Citywide public records system and helps respond to public records requests will have to be reassigned to support the mandatory contract review work.

The limited term Attorney position advises the Police Bureau in support of police oversight and reform, and to achieve full compliance with the DOJ Settlement Agreement. (The Attorney position also supports the Police Bureau's direction to develop a proposal to provide service level enhancements to police accountability and training efficacy.)

All of this work is ongoing. Funding these positions permanently rather than on a serial one-time basis is cost-effective and provides stability.

- Decision Package 2 - Develop a way to proactively release high profile documents within the GovQA system. The City Attorney's office and the Bureau of Technology Services have worked together to accomplish this with no additional resources required.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ted Wheeler', followed by a long horizontal line extending to the right.

Ted Wheeler
Mayor of Portland



CITY OF
PORTLAND, OREGON
OFFICE OF THE CITY ATTORNEY

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January 30, 2019

FY 2019-20 BUDGET ADVISORY COMMITTEE SUMMARY REPORT

The City Attorney's Office Budget Advisory Committee (BAC) convened on January 30, 2019, at 9:00 a.m. The Committee members present were Tracy Reeve, Robert Taylor, Scott Moede, Linda Law, Crystine Jividen, Kim Sneath, Darla Eng, and citizen advisor Josie Aaron.

After introductions, the group discussed the City budget process, the office's background and mission, and the services the office provides to the City. The role and goals of the BAC were reviewed, and the group indicated they understood the services the office provides, the budget process and the role of the BAC. Robert Taylor provided citizen advisor Josie Aaron with the requisite advisory board training and Ms. Aaron completed the Conflict of Interest Disclosure forms.

The BAC discussed funding sources and expenditures. The office's budgetary resources include interagency agreements and General Fund overhead and discretionary funds. Personnel Services account for 88% of the office's expenditures including salaries and benefits for the office's largest and most important asset, its employees. External Materials & Services (EMS) accounts for 4% of the budget including office supplies, publications, legal research services, education, repair & maintenance, and software. Internal Materials & Services (IMS) accounts for 8% of the budget including printing & distribution, facilities, fleet, technology services, liability, and workers' compensation.

The BAC discussed the changes to the budget process this year. Bureaus received a target allocation level and any requested changes to that level must be formally directed to be developed by a Council member. Bureaus and BAC members cannot submit packages without direction from a Council member.

The Mayor issued three directives to develop changes to the City Attorney's Office. 1) Maintain staffing levels to accommodate increased workload demands for collections, contract review and public safety advice work; 2) propose a way to convert two limited-term paralegals to permanent to allow the Office's public records team to have its own paralegal, making the delivery of public records faster and less expensive for the requestor; and 3) develop a way to proactively release high profile documents within the GovQA system.

The office plans to submit a decision package to convert two one-time limited term Paralegals, one Legal Assistant and one Deputy City Attorney to ongoing which will allow the collections, contracts, public records and public safety work to continue. Because all of this work is ongoing, funding these positions permanently, rather than on a serial one-time basis, will provide stability. The office will also submit a package addressing the direction to proactively release high profile

public records. The City's current software system, managed by the public records team paralegal, can accomplish this type of work for a \$2,400 per year upgrade. This can be accomplished by reallocating existing resources.

The BAC also discussed changes to the budget process as the City transitions to Program Offers format. The group discussed some of the challenges that exist in measuring the success of legal work. Good preventive legal advice is very valuable but cannot be easily measured. Some examples of things we can measure include counting the number of contracts reviewed and approved, and the percent of litigation cases favorably resolved. The metric for favorable outcomes is to pay no more than 25% of a claimed amount which is a more rigorous goal than that of some similar jurisdictions. It was suggested that this definition be included somewhere in the budget documents for clarity. When asked about strategic targets, we discussed long-term goals versus short-term goals and reiterated the difficulties in measuring legal services.

We also discussed outside counsel costs which average \$362 per hour versus the in-house City Attorney rate of \$158 per hour. The type of matters handled by outside counsel are conflict matters that the office is prohibited from handling, and certain specialty expertise matters.

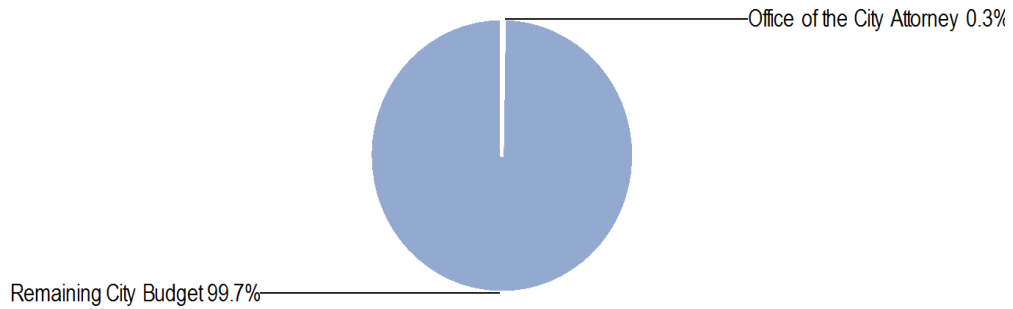
The BAC discussed the direction to reduce the office's General Fund budget by 1% (\$67,000). The office expects this can be done without a reduction in staff by reducing external expenses. Tracy Reeve explained the importance of equity and diversity to the office and explained the budget equity tool and how we use an equity lens when considering reductions. One example is protecting the Honors Attorney Program created five years ago to advance equity goals. The office traditionally hires newer attorneys using a broad spectrum of recruitment and outreach mechanisms to attract diverse candidates from historically underserved communities for a two-year term in public service. The office also chose not to eliminate dues for membership in the Oregon State Bar's Diversity section as part of the office's racial equity plan.

The BAC discussed the Citywide need for public records technology searches. Currently, the work is shared between City Attorney's Office and BTS staff. BTS is not a General Fund bureau and must charge bureaus for their services, which gets passed on to the requestor. The City Attorney's Office receives General Fund support but technology searches are not Legal Services. Both bureaus understand the need and wish to see the work completed at a low cost to the public. The question posed to the group was: Are there any creative ideas or suggestions on how to get these services properly funded? Perhaps the City Budget Office could weigh in on this Citywide issue.

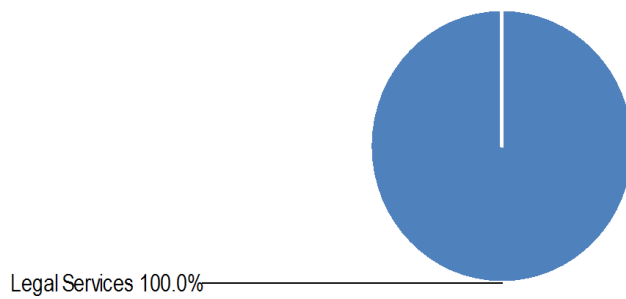
The BAC closed the meeting and agreed to submit any additional feedback within the requested timeline.

Office of the City Attorney

Percent of City Budget

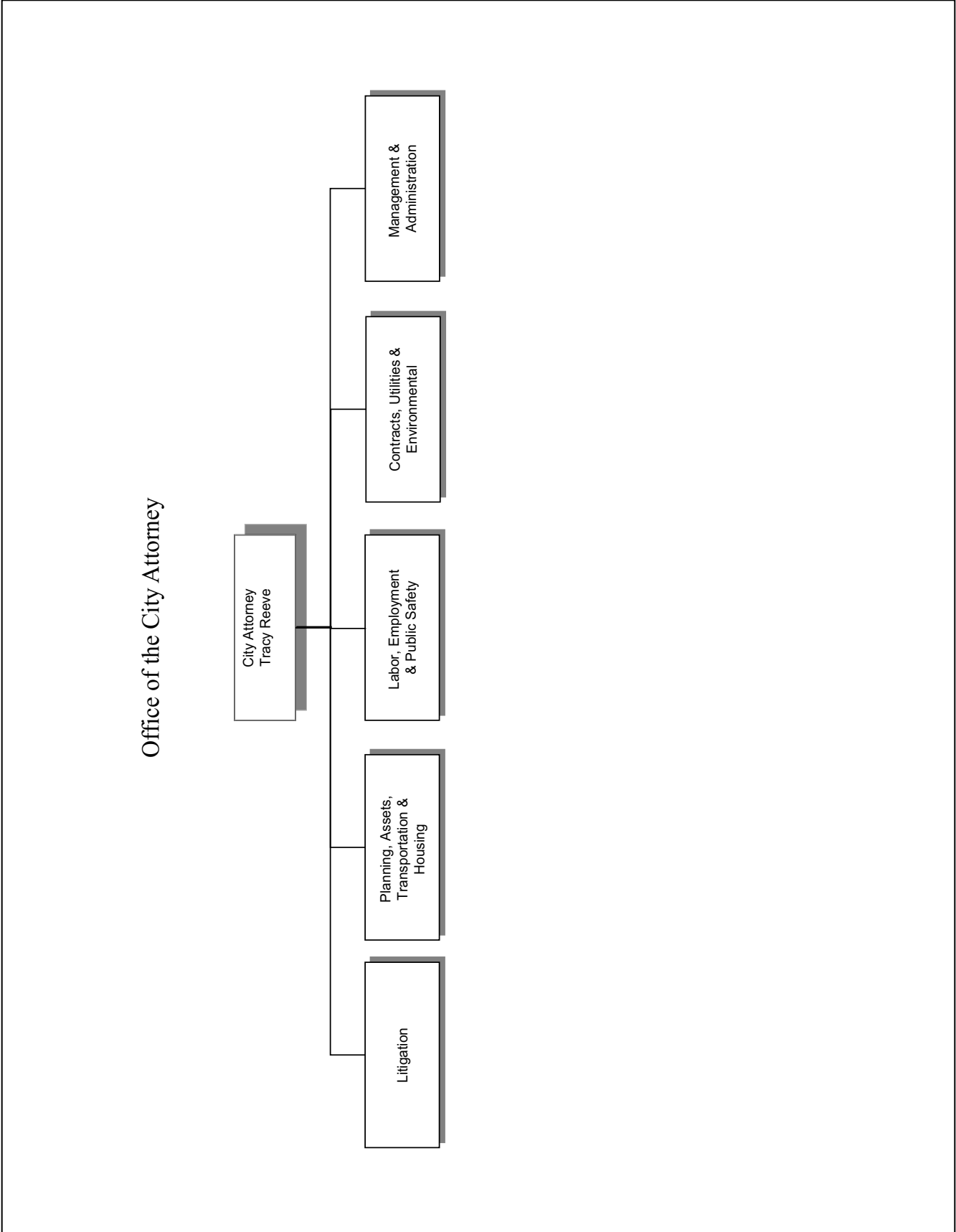


Bureau Programs



Bureau Overview

Requirements	Revised FY 2018-19	Requested FY 2019-20	Change from Prior Year	Percent Change
Operating	13,621,064	14,097,400	476,336	3.50
Capital	0	0	0	0.00
Total Requirements	13,621,064	14,097,400	476,336	3.50
Authorized Positions	70.60	70.60	0.00	0.00



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 five sections, staffed with 41 lawyers and 29 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.

Strategic Direction

The work of the City Attorney's Office is guided by the following four strategic goals:

Customer Service

Goal 1: To provide the highest level of customer service to clients through preventive legal advice that is timely, accurate and easy to access.

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. The City Attorney's Office commits to an initial response time goal of one business day on any client inquiry. Clients are regularly surveyed, both formally and informally, to solicit feedback on the quality of legal services provided and how the City Attorney's Office can improve.

Effective Advocacy

Goal 2: To effectively and vigorously advocate for the City's interests in state and federal courts and otherwise.

The City Attorney's Office handles cases in state and federal courts and in other proceedings, such as the Employment Relations Board and the Land Use Board of Appeals. 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 is able to try cases in a cost-effective manner. The office is achieving this goal effectively, with 90% of its cases resolved favorably to the City.

Achieving Equity

Goal 3: 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 City Attorney's Office does this by advising in programmatic areas such as the ADA and Title VI, fair contracting, hiring practices, and implementation of the City's civil rights ordinance, as well as by providing anti-discrimination training on civil rights and related issues to City employees. 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.

Ensuring Accountability

Goal 4: To ensure accountability for the office's 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 timekeeping methods and ensures that work schedules fit clients' needs for access to accurate, prompt, and reliable preventative 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 for FY 2019-20 is \$158. The average outside counsel rate is \$362 and can range up to \$550 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.

The City Attorney's Office plans to achieve these goals as follows:

Allocation of Resources

The office allocates resources across its sections in an effort to meet the office's four strategic goals. The office periodically reviews the staffing allocation to ensure the client bureau's customer service and advocacy needs are met. Further, the office seeks to support its equity goal by dedicating a certain amount of attorney and staff time toward equity and diversity training and events. Finally, in terms of accountability and stewardship, the office seeks to allocate assignments among attorneys and staff to ensure that each position is performing its highest and best function in support of the Legal Services program.

Collecting and Reporting Data and Analyzing Results

The office collects, reports, and analyzes the results of data it can reasonably gather in an effort to meet its four strategic goals. For example, the office tracks attorney time worked on major projects, and then explicitly requires attorneys and staff to denote which office goal those projects support and advance. This allows management to track how well the work of the office is allocated to supporting the respective goals. In addition, by asking attorneys and staff to explicitly link their work to each goal, the office encourages its staff and attorneys to consciously question how well their work is aligned with and supporting the goals of the office. This type of data tracking makes consideration of office goals a daily focus of attorneys' work. Similarly, the office tracks the number of equity and diversity trainings and events attended to monitor how well that portion of the office's equity goal is being achieved. The office also tracks data on the number of contracts reviewed, and the percentage of litigation matters that achieve a favorable outcome to the City. This type of data allows the office to track both the volume of the work and the quality of the output. Office management regularly analyzes data to help make data-driven policy, budget, and management decisions.

Efforts Toward Operational Improvement

The office continues to make progress toward operational improvement. For example, the office regularly reviews and revises policies governing attorney and staff expectations to ensure that the office is operating consistently in a manner that promotes office goals of customer service, advocacy, equity, and accountability. Office management is also evaluating the efficiency and effectiveness of work, particularly in the area of collections and contract review, to be sure the office is achieving the best rate of return for its collection efforts and that the office is using attorney resources as efficiently as possible for contract review.

	Actual FY 2016-17	Actual FY 2017-18	Revised FY 2018-19	Requested No DP FY 2019-20	Requested FY 2019-20
Resources					
External Revenues					
Charges for Services	204,338	71,690	100,000	30,000	30,000
Intergovernmental	38,000	0	0	0	0
Miscellaneous	0	601	0	0	0
Total External Revenues	242,338	72,291	100,000	30,000	30,000
Internal Revenues					
General Fund Discretionary	2,268,144	2,745,887	3,213,069	3,179,858	3,358,011
General Fund Overhead	3,524,279	3,579,712	3,747,426	3,616,527	3,818,449
Interagency Revenue	5,826,189	6,224,862	6,560,569	6,675,940	6,890,940
Total Internal Revenues	11,618,612	12,550,461	13,521,064	13,472,325	14,067,400
Beginning Fund Balance	0	0	0	0	0
Total Resources	\$11,860,950	\$12,622,752	\$13,621,064	\$13,502,325	\$14,097,400
Requirements					
Bureau Expenditures					
Personnel Services	10,045,088	10,378,878	11,668,835	11,939,149	12,484,867
External Materials and Services	665,995	362,101	849,039	444,946	494,303
Internal Materials and Services	1,149,867	1,495,630	1,103,190	1,118,230	1,118,230
Total Bureau Expenditures	11,860,950	12,236,609	13,621,064	13,502,325	14,097,400
Fund Expenditures					
Total Fund Expenditures	0	0	0	0	0
Ending Fund Balance	0	0	0	0	0
Total Requirements	\$11,860,950	\$12,236,609	\$13,621,064	\$13,502,325	\$14,097,400
Programs					
Legal Services	11,860,950	12,236,609	13,621,064	13,502,325	14,097,400
Total Programs	\$11,860,950	\$12,236,609	\$13,621,064	\$13,502,325	\$14,097,400

Class	Title	Salary Range		Revised FY 2018-19		Requested No DP FY 2019-20		Requested FY 2019-20	
		Minimum	Maximum	No.	Amount	No.	Amount	No.	Amount
30003003	Administrative Specialist II	48,277	89,523	3.00	229,570	3.00	229,570	3.00	229,570
30003017	City Attorney	147,035	235,227	1.00	208,270	1.00	208,270	1.00	208,270
30003018	City Attorney, Assistant Deputy	69,805	126,318	2.00	133,306	2.00	148,180	2.00	148,180
30003019	City Attorney, Chief Deputy	130,478	208,770	5.00	826,877	5.00	826,877	5.00	826,877
30003020	City Attorney, Deputy	91,728	152,277	17.00	2,032,255	17.00	2,051,743	18.00	2,189,293
30003021	City Attorney, Senior Deputy	111,696	189,842	13.00	2,019,078	13.00	2,019,078	13.00	2,019,078
30003077	Legal Assistant	53,290	98,800	11.00	811,377	11.00	811,377	12.00	881,377
30003081	Manager I	80,205	140,338	1.00	116,938	1.00	116,938	1.00	116,938
30000012	Office Support Specialist II	37,461	53,789	1.00	52,208	1.00	53,262	1.00	53,262
30003087	Paralegal	63,336	105,373	9.00	758,408	9.00	758,408	11.00	918,408
30003088	Paralegal Supervisor	69,805	126,318	1.00	98,904	1.00	98,904	1.00	98,904
30003104	Supervisor II	69,805	126,318	1.00	104,146	1.00	104,146	1.00	104,146
TOTAL FULL-TIME POSITIONS				65.00	7,391,337	65.00	7,426,753	69.00	7,794,303
30003021	City Attorney, Senior Deputy	111,696	189,842	1.60	247,200	1.60	247,200	1.60	247,200
TOTAL PART-TIME POSITIONS				1.60	247,200	1.60	247,200	1.60	247,200
30003020	City Attorney, Deputy	91,728	152,277	1.00	137,550	0.00	0	0.00	0
30003077	Legal Assistant	53,290	98,800	1.00	53,290	0.00	0	0.00	0
30003087	Paralegal	63,336	105,373	2.00	152,089	0.00	0	0.00	0
TOTAL LIMITED TERM POSITIONS				4.00	342,929	0.00	0	0.00	0
GRAND TOTAL				70.60	7,981,466	66.60	7,673,953	70.60	8,041,503

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 good laws and policies.

Good 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, \$158 versus \$376 per hour for outside counsel, and a 90% success rate in litigation.

Measure Title	PM 2016-17 Actuals	PM 2017-18 Actuals	PM 2018-19 YTD Actual	PM 2019-20 Target	Strategic Target
Number of litigation cases	1,580	1,481	991	1,300	1,300
Number of contracts reviewed and approved	9,938	11,432	5,092	11,000	10,000
Number of training hours provided by City Attorney staff to other City staff	468	394	238	400	450
Annual costs of outside counsel	\$508,718	\$490,695	\$172,000	\$500,000	\$500,000
Cost of service per attorney hour	\$138	\$141	\$150	\$158	\$158
Percentage of cases favorably resolved	90%	97%	90%	90%	90%

Explanation of Services

Legal Services is an essential program that provides excellent, objective, timely and cost-effective legal advice and advocacy in support of the City's policy goals and ensures that the official actions of the City, its elected officials and employees comply with the law. This essential work includes defending the City in court, initiating legal actions when appropriate, negotiating and reviewing contracts, reviewing policies and programs, providing legal advice and counsel, and performing any other legal services needed.

Legal obligations are created by the City Code and Charter, state statutes, regulations, administrative requirements, and federal law. In addition, the Oregon State Bar establishes ethical professional requirements that govern lawyers and the work performed for the City and City officials. City attorneys work with clients to provide solutions-oriented legal services to help achieve City policy objectives. 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.

Attorneys and staff in the office provide a wide variety of legal services. Office staff draft and review local legislation, contracts, real estate leases, intergovernmental agreements and other legal documents, and negotiate on behalf of the City. The Program also provides preventive legal services, including training for City staff on a broad spectrum of legal topics which can help reduce risk and prevent serious problems before they arise. Finally, attorneys evaluate cases to determine how best to protect the City's interests and represent the City in court. Because almost all litigation is handled in-house, the office can try cases in a cost-effective manner. The office is effectively achieving this goal, with 90% of its cases resolved favorably to the City.

The Legal Services Program has a positive impact on the City. By providing good legal advice, the City Attorney's Office helps ensure that the City complies with the law and avoids litigation. This helps reduce costs to the City and also ensures that the City is acting lawfully towards all Portlanders.

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 trainings. This helps attorneys and staff use an informed equity lens when conducting the City's legal work. Further, the office runs an Honors Attorney Program aimed at training new lawyers interested in public service who come from historically underserved communities. In developing budget constraints, the office protected these investments in advancing equity by maintaining them in the base budget. However, the office's small administrative staff was reduced in FY2016-17. As a result, the office's capacity to track data has been diminished which makes it difficult to effectively evaluate progress toward equity goals.

Changes to Program

The demand for Legal Services across the City continues to rise. The office is required to review more and more contracts every year, and the office faces increasing demands related to public records. Also, the office has taken on more affirmative litigation matters for the City, including tax collection efforts as well as challenging the legality of the federal government's policies.

Since 2014, the Program has added four ongoing attorney positions to keep up with the increased demand for legal services. The office also added one ongoing staff position to manage legal holds and legal records, while General Fund reductions led to the elimination of one technical support position. Currently, the office was able to fund three limited term legal support positions for one year. However, there is insufficient ongoing funding for these positions, which will result in delays in contract reviews and a reduction in tax collection matters.

Program Budget

	2016-17 Actuals	2017-18 Actuals	2019 Revised Budget	2019-20 Request - V52 -No DP
Bureau Expense				
External Materials and Services	665,995	362,101	849,039	444,946
Internal Materials and Services	1,149,867	1,495,630	1,103,190	1,118,230
Personnel	10,045,088	10,378,878	11,668,835	11,939,149
Sum:	11,860,950	12,236,609	13,621,064	13,502,325
	2016-17 Actuals	2017-18 Actuals	2019 Revised Budget	2019-20 Request - V52 -No DP
FTE	66.3	67.6	70.9	66.6
Sum:	66.3	67.6	70.9	66.6

Resources: The FY2019-20 base budget for Legal Services is \$13.5 million. Interagency agreements with other bureaus for specialized legal work represent half of the total operating resources of the office. The remainder is supported by General Fund discretionary and overhead revenue.

Expenses: Personnel services represent 88% of the office's expenditures. Internal services, such as rent and technology services, make up 8%. The remaining 4% is for external services such as office supplies, software, legal research services, and continuing legal education.

Staffing: The office has 41 lawyers and 30 support professionals. The office is led by the City Attorney who is appointed by the City Council. The requested budget includes converting four limited term positions to ongoing to handle increased workloads in collections, contracts and public safety work. The office has recently experienced higher employee turnover due to retirements and lawyers leaving the City to take higher paying positions elsewhere. To remain competitive and attract and retain the best legal professionals to the City, the office should keep its salary and benefits levels consistent with other public sector legal offices.

Assets and Liabilities: The office's legal practice management and knowledgebase software system is its only physical asset.

Program Information

Bureau: Office of the City Attorney
<https://www.portlandoregon.gov/attorney/>

Program Contact: Crystine Jividen
Contact Phone (503) 823-4047

City of Portland
Office of the City Attorney
 Performance Measures

Run Date: 2/1/19
 Run Time: 10:05:42 AM

Performance Measure	KPM	Measure Type Name	FY 2016-17 Actuals	FY 2017-18 Actuals	FY 2018-19 YTD Actuals	FY 2019-20 Target	Strategic Target
AT_0001 Number of litigation cases	NO	WORKLOAD	1,580	1,481	991	1,300	1,300
AT_0004 Number of contracts reviewed and approved	NO	WORKLOAD	9,938	11,432	5,092	11,000	10,000
AT_0006 Number of training hours provided by City Attorney staff to other City staff	YES	WORKLOAD	468	394	238	400	450
AT_0007 Annual costs of outside counsel	YES	EFFICIENCY	\$508,718	\$490,695	\$172,000	\$500,000	\$500,000
AT_0008 Cost of service per attorney hour	YES	EFFICIENCY	\$138	\$141	\$150	\$158	\$158
AT_0010 Percentage of cases favorably resolved	YES	EFFECTIVE	90%	97%	90%	90%	90%

Issue Title: Maintain staffing levels in the City Attorney's Office to accommodate increased workload demands for collections, contract review and public safety work.

Commissioner[s] Issuing Direction: Ted Wheeler

Bureau Directed: City Attorney's Office

Issue Overview: The City Attorney's Office has one program offer, Legal Services. All personnel provide legal work directly to Elected Officials and City bureau staff, as well as City boards and commissions. The Legal Services program allows the City Attorney's Office to represent the City in court litigation, administrative proceedings, appeals, and other judicial processes. This program provides advice, consultation, and research on issues and questions regarding municipal operations and programs, contract negotiations, and training. If the City's legal needs cannot be met by the City Attorney's Office due to insufficient staffing levels, more expensive outside counsel may be required.

The workload of the City Attorney's Office has increased significantly in the areas of collecting delinquent taxes, reviewing contracts as to form, and public safety legal advice.

The Office is directed to develop a package that provides sufficient staff and materials needed to adequately manage the increased workload in these areas as set forth in the attached memo.

Funding Options: Funding options include General Fund Resources or new revenue.

January 8, 2018

INTEROFFICE MEMORANDUM

TO: City Attorney Tracy Reeve

FROM: Mayor Ted Wheeler

SUBJECT: FY19-20 Directions to Develop – City Attorney’s Office

Under the City’s new budgeting process, I am providing the following Direction to Develop to the City Attorney’s Office:

Issue Title: Maintain staffing levels in the City Attorney’s Office to accommodate increased workload demands for collections, contract review and public safety advice work.

Council Member Issuing Direction: Mayor Wheeler

Bureau Directed: City Attorney’s Office

Issue Overview and Desired Goal/Outcome: The City Attorney's Office has one program offer, Legal Services. All personnel provide legal work directly to Elected Officials and City bureau staff, as well as City boards and commissions. The Legal Services program allows the City Attorney's Office to represent the City in court litigation, administrative proceedings, appeals, and other judicial processes. This program provides advice, consultation, and research on issues and questions regarding municipal operations and programs, contract negotiations, and training. If the City’s legal needs cannot be met by the City Attorney’s Office due to insufficient staffing levels, more expensive outside counsel may be required.

The workload of the City Attorney’s Office has increased significantly in the areas of collecting delinquent taxes, reviewing contracts as to form, and public safety legal advice.

The Office is directed to develop a package that provides sufficient staff and materials needed to adequately manage the increased workload in these areas as set forth below.

Delinquent Business License Tax, Transient Lodging Tax and other Legal Collections work:

- **Overview/Outcome:** Since July 2016, this work of the City Attorney’s Office has brought in over \$2.5 million in business license taxes, \$1.8 million in transient lodging taxes and over \$400,000 in other legal collections for a total of \$4.8 million in two years. In FY11-12, the Office handled 86 collections matters, while in FY 17-18 it handled 630 matters – a significant increase. In addition to ongoing resources, this work is supported

by one paralegal position and one legal assistant position funded on a one-time basis through June 2019 using unspent General Fund resources carried over from the Office's FY17-18 budget. If these positions are not continued, the City's ability to collect delinquent business license taxes and other revenue will be greatly diminished.

- **Additional Notes:** Through an internal process redesign and improved efficiencies, the City Attorney's Office reduced the staffing devoted to this collections work while improving results. For example, previously eight people worked on collections matters providing a total of 5.5 FTE. That level of service was unsustainable without additional funding. Now, due to the process redesign and efficiencies, a total of five people work on collections matters providing a total of 4.5 FTE. However, if the City Attorney's Office loses the one-time funded paralegal position and legal assistant position, these efficiencies will be lost. Without these positions, the collections staffing will be cut nearly in half and the City's ability to collect money will suffer.

Funding Options: The mission of the Revenue Division is to collect revenue for the City, and the City Attorney's Office supports the Revenue Division's mission by performing the Division's legal collections work. The money collected is deposited in the General Fund for the benefit of the entire City. It would be appropriate to fund these positions with General Fund resources, either directly to the City Attorney's Office, or to the Revenue Division to fund the legal services with an Interagency Agreement. The Revenue Division Director supports the need for these two positions.

Contract Review:

- **Overview/Outcome:** The City Code requires the City Attorney's Office to review as to form every contract entered into by the City. PCC 3.10.030 B. The number of contracts reviewed by the City Attorney's Office has doubled in the last ten years and continues to grow. In FY07-08, the Office reviewed approximately 5,000 contracts, while in FY17-18 the Office reviewed over 11,000 contracts for the City. Moreover, while the volume has increased, so has the complexity of the contracts as they increasingly involve complex technology and software purchases.

With internal process improvements and one-time paralegal support this year, the Office has improved its turnaround time on routine contract reviews – same-day turnaround was only 8% five years ago and is up to 28% today. However, five years ago the Office was able to return 97% of contracts within five days. That has dropped to 84% due to insufficient staffing levels. In addition, the number of complex contracts that take more than five days to review has increased from 200 to 900 per year. Many of these more complex contracts involve technology projects.

While many attorneys and staff support this effort, the Office has a small core team of two attorneys and one paralegal devoted to this work. Funding is ongoing for the attorney

positions, but the paralegal is funded with one-time money from unspent General Fund resources carried over from the Office's FY17-18 budget. Funding a paralegal to work under the direction of an attorney is a cost-effective way to manage the more routine aspects of this required work, allowing attorneys to focus on the more complex contracts. To continue to handle the large amount of complex contract review work required by the City Code, the City Attorney's Office requires the paralegal position on an ongoing, continuous basis.

- **Additional Notes:** The City Attorney's Office is currently realigning internal resources to support the required contract review work. However, if the paralegal position is no longer funded, then it will be even harder for the Office to keep up with the work, and the Office's efforts to realign internal resources will be undermined.
- **Funding Options:** The contract review work is required by the City Code and supports all bureaus within the City. It would be most appropriate for this paralegal position to be funded on an ongoing basis from the General Fund.

Public Safety:

The Police Bureau will be submitting a public safety proposal that includes ongoing funding for legal services to the Police Bureau's policy team. In previous budgets, the position of legal advisor to the policy team was funded on a one-time basis. The City Attorney's Office fully supports the Police Bureau's request for ongoing legal services to support its policy team included in its public safety budget package.

- **Overview/Outcome:** The City Attorney's Office provides substantial and valuable support to the Portland Police Bureau. One critical attorney position is funded by the Police Bureau on a one-time basis through an interagency agreement. This position is focused on supporting PPB's policy development work, but the position also does contract review work for the bureau as well as helping to cover protest events. While PPB has renewed this one-time funding in the past, it is challenging to retain an attorney for this important position given the limited duration of the one-time funding.
- **Funding Options:** The Police Bureau funded this position through an interagency agreement using vacancy savings within PPB. As the Police Bureau increases its staffing levels, that funding model becomes untenable. As a result, to continue this position, General Fund resources are necessary. The Police Bureau and City Attorney's Office jointly propose ongoing General Fund resources for this position.

Issue Title: [Public Records](#)

Commissioner(s) Issuing Direction: Mayor Wheeler

Bureau Directed: City Attorney's Office

Issue Overview and Desired Goal/Outcome(s): The prompt, ethical and meticulous delivery of public records is a key function of government and ensures that jurisdictions operate in a transparent way. Reforming the public records system is a priority for the Mayor. The desired outcomes of any public records changes are to decrease the amount of time it takes to fill public records requests and to decrease the cost to the requestor. To best achieve this outcome, the City Attorney's Office is directed to propose a way to convert two limited-term paralegals to permanent. This would allow the City Attorney's Office public records team to have its own paralegal, which would make the delivery of public records faster and less expensive for the requestor.

Funding Options: Funding options include General Fund resources or new revenue.

Additional Requests/Notes: None.

Issue Title: Public Records

Commissioner(s) Issuing Direction: Mayor Wheeler

Bureau Directed: City Attorney's Office

Issue Overview and Desired Goal/Outcome(s): The prompt, ethical and meticulous delivery of public records is a key function of government and ensures that jurisdictions operate in a transparent way. Reforming the public records system is a priority for the Mayor. The desired outcomes of any public records changes are to decrease the amount of time it takes to fill public records requests and to decrease the cost to the requestor. To best achieve this outcome, City Attorney's Office is directed to develop a way to proactively release high profile documents within the GovQA system.

Funding Options: Funding options include General Fund resources and reallocation of funds within the bureau.

Additional Requests/Notes: None.

Decision Package Summary

Run Date: 2/1/19

Details

Run Time: 2:48:56 PM

DP: 7596 - Proactive Release of Public Records

DP Type

Priority

New

REAL

0

No

Package Description

In December 2015, the City implemented new public records request software (GovQA) that enables the public to more easily submit, and the City to more effectively receive and respond to, public records requests. One way to improve the process is to proactively release high profile documents to the public, which is expected to reduce staff time and decrease the cost to requestors. This additional functionality will cost \$2,400 per year. The City Attorney's Office and the Bureau of Technology Services will work together to implement and manage this process. The City Attorney's Office public records team paralegal will manage the content and BTS will fund this with existing resources. Members of the public would have immediate access to high profile records. Interested parties would be able to check for updates or "follow" pages to receive updates as they happen. This process would serve important Council values of transparency, open government and public accountability.

Service Impacts

By proactively releasing high profile documents on the City's website, the public will have easier access to certain public records and will not be charged fees for that access. In addition, when high profile records are readily available on the internet at no cost to the public, the number of requests to the City should be reduced. This should save staff time and eliminate duplicate efforts.

Equity Impacts

Reducing or eliminating fees for high profile records can reduce economic barriers to access to public records.

Budget Detail

Fund		2019-20 Request - V52 with DP	2019-20 CBO Recommended- V53	2019-20 Proposed-V53	2019-20 Approved - V54	2019-20 Adopted - V55
	Major Object Name	Expense				
100000	External Materials and Servi	0	0	0	0	0
		0	0	0		0
		0	0	0		0

DP: 7690 - Maintain Staff Levels for Increased Work

DP Type

Priority

New

ADD

0

No

Package Description

The workload of the City Attorney's Office has increased significantly, particularly in the areas of collecting delinquent taxes, reviewing contracts, and public safety legal advice. If the City's legal needs cannot be met by the City Attorney's Office due to insufficient staffing levels, certain legal work will not be possible, and other legal work may require more expensive outside counsel.

The office currently has two Paralegal positions, one Legal Assistant position and one Deputy City Attorney position that are funded on a one-time basis. These positions are critical to maintaining current legal service levels.

Service Impacts

Two of these limited term positions handle collections work. Since July 2016, work of the City Attorney's Office has brought in over \$3.1 million in business license taxes, \$1.8 million in transient lodging taxes and over \$250,000 in other legal collections for a total of \$5.2 million in two and a half years. The office has also secured an additional \$2.9 million in judgments. Five years ago, the office handled 86 collections matters; last year it handled 630 – a significant increase. The office redesigned its internal processes to maximize collections revenue using fewer staff resources. Optimal FTE staffing is 1.0 Deputy City Attorney, 1.5 Paralegal and 1.5 Legal Assistant positions. If the two limited term positions are not converted to ongoing, the office's collections staff will be reduced by half, and the City's ability to collect delinquent business license taxes and other revenue will be greatly diminished. The office is unable to realign existing resources for this work because existing Paralegal and Legal Assistant positions handle litigation and preventive work that has priority over discretionary collections work.

The third limited term position assists with contract reviews. The City Code requires the City Attorney's Office to review every City contract. The number of contracts has more than doubled in the last ten years from 5,000 to over 11,000. Moreover, the complexity of many contracts has increased as they involve complicated technology and software purchases. After internal process improvements and with one-time Paralegal support this year, the office has improved its turnaround time on routine same-day contract reviews from 8% to 28%. However, five years ago the office was able to return 97% of contracts within five days. That has dropped to 84% due to insufficient staffing levels. In addition, the number of complex contracts that take more than five days to review has increased from 200 to 900 per year. Many of these more complex contracts involve technology projects. While many attorneys and staff support this effort, the office has a small core team of two Deputy City Attorneys and one limited term Paralegal devoted to this work. Funding is ongoing for the Attorney positions, but the Paralegal is funded with one-time carryover funds. Funding a Paralegal to work under the direction of an attorney is a cost-effective way to manage more routine aspects of this required work, allowing Attorneys to focus on more complex contracts. The two core contract review Attorneys each worked over 100 hours of uncompensated overtime last fiscal year. Without this Paralegal position, contract reviews will take much longer and the office is at risk of losing highly qualified attorneys to other job opportunities with more reasonable workload demands.

Notably, if the office does not receive funding for the Paralegal position to help with the mandatory contract review work, then the office will have to realign resources away from discretionary work to support the mandatory work. Critically, the current Paralegal position assigned to help the City respond to public records requests will have to be reassigned to support the mandatory contract review work. The public records work by the Paralegal includes coordinating multi-bureau public records requests, implementing and managing the Citywide public records software system, working with records managers to help ensure legal compliance, assisting elected officials' offices with responding to public records requests, and helping to develop best practices and training. Indeed, over the past two years, the Paralegal has handled nearly 300 public records requests for City offices and bureaus. This work is undoubtedly important, but the contract review work remains mandatory for the City Attorney's Office under the City Code and cannot be absorbed by other offices and bureaus like the public records work. While this realignment will help the contract review efforts, it would likely have a negative impact on the City's handling of public records requests, particularly those directed at elected officials' offices and multi-bureau and document intensive requests. Most likely, without this Paralegal support, the time it takes to fulfill public records requests will increase.

Lastly, the Police Bureau was directed to develop a public safety proposal that includes ongoing funding for legal services to the Police Bureau's policy team. The legal advisor Attorney position has been funded on a one-time basis for several years. The City Attorney's Office fully supports the Police Bureau's request for ongoing legal services included in its decision package.

These are not new activities. They have all been funded on a one-time basis.

Equity Impacts

The City relies on tax revenue to pay for basic services, including services for historically underrepresented communities. When profit-making businesses fail to pay their taxes, less revenue is available to help those most vulnerable in our community. Ensuring that the Revenue Division has adequate legal services to collect unpaid tax revenue helps promote equity, by ensuring that for-profit businesses pay their fair share to help those most vulnerable in our community.

Smaller firms generally have a more difficult time absorbing a delay when contracting with the City. Therefore, delays in contracting likely disproportionately impact smaller firms, which is not equitable. Funding the paralegal position devoted to contract reviews would help reduce this inequitable impact.

Converting a limited term Deputy City Attorney position from serial one-time to ongoing will support the Portland Police Bureau with policy and directive legal review, accountability, and training, and ensure the City is achieving substantial compliance with the Department of Justice Settlement Agreement. The impact of this position is Citywide, but the work is focused on ensuring that the Police Bureau is fully compliant with the civil rights of people of all races and people with mental illnesses.

Decision Package Summary

Run Date: 2/1/19

Details

Run Time: 2:48:56 PM

Budget Detail

Fund		2019-20 Request - V52 with DP	2019-20 CBO Recommended- V53	2019-20 Proposed-V53	2019-20 Approved - V54	2019-20 Adopted - V55
	Major Object Name	Expense				
100000	External Materials and Servi	49,357	0	0	0	0
100000	Personnel	545,718	0	0	0	0
		595,075	0	0		0

	Major Object Name	Revenue				
100000	General Fund Discretionary	178,153	0	0	0	0
100000	General Fund Overhead	201,922	0	0	0	0
100000	Interagency Revenue	215,000	0	0	0	0
		595,075	0	0		0
		0	0	0		0

Position Detail

Job Class - Name	FTE	Salary	Supplemental	Benefit	Total
30003020 - City Attorney, Deputy	1.00	137,550	0	47,858	195,643
30003077 - Legal Assistant	1.00	70,000	0	32,660	108,015
30003087 - Paralegal	2.00	160,000	0	69,820	242,060
Total	4.00	367,550	0	150,339	545,718

Budget Equity Assessment Tool

CITY POLICY

This Budget Equity Assessment Tool is a general 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 bureau budgets. 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.

This is the fifth year of the City of Portland Budget Equity Assessment Tool, as first envisioned in the Portland Plan. The goals are to:

- 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 participation 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, City bureaus may find this tool helpful when evaluating equitable impacts on all residents.

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

In compliance with Civil Rights laws, it is the policy of the City of Portland that no person shall be excluded from participation in, denied the benefits of, or be subjected to discrimination in any City program, service, or activity on the grounds of race, color, national origin, or disability. To request accommodations, translation and/or interpretation, to file complaints, or for additional information or services, please contact us at 503-823-4433, City TTY 503-823-6868, or Oregon Relay Service: 711.

Introduction

The FY 2019-20 budget development process includes a number of significant changes, in particular the transition to Program Offer budgeting. The Program Offer template is intended to provide a clear, 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 within the template to provide equity information specific to that program. Bureaus will also be expected to identify equity impacts in any decision packages resulting from a Council Direction to Develop.

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

SECTION 1: BUREAU OPERATIONS

1. How does your Requested Budget advance your achievement of equity goals as outlined in your bureau's Racial Equity Plan?

The Racial Equity Plan for the City Attorney's Office identifies the following long-term goals:

- End disparities in City government hiring and promotion;
- Provide equitable City services to all residents;
- Create greater opportunities for City government contracting and procurement; and
- Make racial equity and inclusion an integral component of the Office's identity and culture.

Our Racial Equity Plan identifies several concrete actions to pursue these goals, and the following identified actions are all funded in the requested budget for the City Attorney's Office:

- Continue Honors Attorney and Law Clerk programs to provide opportunities for lawyers from historically underrepresented and diverse backgrounds;
- 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;
- Require all lawyers and staff to attend two racial equity training events per year;

- 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.
2. Are there deficiencies in your base budget that inhibit your bureau's achievement of equity or the goals outlined in your Racial Equity Plan?

Please take a look at the City of Portland's workforce demographic dashboard: <https://www.portlandoregon.gov/oehr/article/595121>. How does your bureau's Requested Budget support employee equity in hiring, retention, and inclusion, particularly for communities of color and people with disabilities?

Reduced staffing has inhibited our ability to track progress on our office's 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 we would like to report on the office's equity plan and strategies in a timely manner. Without the proper data collection and analysis, it is difficult to do the type of evaluation we would like as far as progress toward equity goals. In addition, the office continues to want to revamp 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 at a cost not included in our base budget.

3. How does your bureau use quantitative and qualitative data to track program access and service outcomes for different populations?

Our office uses both quantitative and qualitative data to track progress toward the goals in our Racial Equity Plan. For example, our office tracks quantitative data regarding the demographics of our legal professionals so we can compare our office's composition to the legal market in Oregon and the overall population in Portland. We also track quantitative data on the number of equity training events employees attend. Also, on a qualitative basis, the annual performance self-evaluation for our office includes an explicit question asking whether the employee finds the office to be an equitable and inclusive place to work. The self-evaluation also encourages employees to follow up directly in person with the City Attorney or the Office Manager if employees would feel more comfortable doing so.

4. How did you consider the impacts on underserved communities in the development of your budget?

Our budget considers the impacts on underserved communities in a number of ways. First, the budget retains 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. Our office considered eliminating the Honors Attorney program or Law Clerk program to meet the budget constraint, but those cuts were rejected because they would undermine our office's commitment to equity and diversity. On a community wide basis, our

budget is also seeking continued ongoing funding for an attorney position 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. Our budget request also seeks to continue the staff support for our office's tax collection efforts on behalf of the Revenue Division. Our 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 contemplated by our budget. Equity continues to be one of our office's four strategic goals and we will continue to fund training on use of an equity lens in the provision of legal services even in the face of the 1% budget reduction. We also continue to actively track and participate in many national legal issues that raise very significant equity concerns, including challenges to a variety of the President's immigration actions, DACA restrictions, national Opioid litigation and environmental justice litigation.

5. Have you made any significant realignments or changes to your bureau's budget? If so, how/do these changes impact the community? Is this different for communities of color and/or people with disabilities?

In the FY 2017-18 budget year, the office realigned its internal organizational chart due to several recent retirements. As part of this realignment, the office has also looked to develop future leaders in the organization. This has included the designation of a formal Public Safety Coordinator position and a Property & Assets Coordinator position using existing resources. Both of these newly designated positions come with leadership responsibilities in legal areas with significant impacts on the City. Both of these positions have been filled by highly-qualified Senior Deputy City Attorneys who are also women of color. The office believes this realignment will help better serve the legal needs of the City while also advancing the office's equity goals and enhancing succession planning. Throughout FY2018-19 the office has maintained and supported this realignment in resources.

6. If your bureau has capital assets, how does your 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 only significant capital asset of the office consists of our legal document management software. We do not believe there are intergenerational equity issues with this software.

7. 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](#)?

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

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

Our office budget maintains 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.

9. If your bureau has dedicated equity staff, such as an Equity Manager, how were they involved in developing your bureau’s Requested Budget?

Our office does not have dedicated equity staff such as an Equity Manager. However, our office has an Equity and Diversity Committee, and several members of that Committee participated in the budget development process, including the City Attorney.

SECTION TWO: EQUITABLE ENGAGEMENT AND ACCESS

10. What funding have you allocated in your 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

Within our existing budget, our office has access to translation services, and access to those translation services are also included in our requested budget.

11. How have community members engaged with your requested budget, including this tool?

The budget advisory committee for the City Attorney’s Office includes a member of the public. The committee reviewed and considered the office’s budget and provided feedback.

12. 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 outreach, etc.)

The office’s requested budget preserves all positions in the office, but particularly shields those that directly advance the office’s equity goals. This budget provides additional leadership opportunities to women of color with the advent of a formal Public Safety Legal Coordinator position and a Property & Asset Coordinator position, which were accomplished by realigning existing resources. The Chair of our Equity and Diversity Committee, which continues to be funded in the budget and which assists in allocating office funds for “We are Better Together” events that support equity in the community is also a woman of color.

13. How does this budget build community capacity and power in communities most impacted by inequities? (e.g., improved leadership opportunities within BAC, community meetings, stakeholder groups, increased outreach, etc.)

The budget maintains 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 budget continues funding for attorney participation in Oregon State Bar activities that support equity and equity education. The budget seeks to continue funding our 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 seeks to extend the 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 also continues our work developing training for participants in the City's various stakeholder groups, including boards and commissions. The budget continues funding for our 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.

Identifying Impacts Worksheet

Please use the following chart to name the potential burdens and benefits.

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. We also positively impact these communities through our recruiting outreach efforts.	
Vulnerable populations assisted by programs funded by the General Fund.	Our tax collection efforts help these vulnerable populations by ensuring more money is available to serve them in the General Fund.	We have a decision package that continues funding for staff devoted to revenue collection work. If that package is not approved, then fewer General Fund dollars will be available to assist vulnerable populations.
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.	We have a decision package that continues legal support for the Police Bureau's policy team. If that is not approved, then this population could be negatively impacted.
Disadvantaged, Minority, Women, and Emerging Small Businesses	These populations are positively impacted through our 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.	

Attorneys and Staff in Office	Attorneys and staff in our 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 (there are specialty bars for lawyers from various affinity groups which our office actively supports).	
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Crystine Jividen
Name of Staff Contact

Tracy Reeve
Name of Bureau Director

1/29/19
Date

Rev: December 2018