



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?

Please see the following link to the bureau's Racial Equity Plan, established October 27, 2016:
<https://www.portlandoregon.gov/oehr/article/596665>

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

- The BDS Equity & Policy Development, and Communications Section, with a full-time dedicated staff of 17.0 regular FTE, including 1.0 FTE for program management, 4.0 FTE Empowered Communities Program staff specifically serving and assisting BIPOC customers (Small Business Empowerment Program, Empowering Neighborhoods Program, Arts Empowerment Program), 3.0 FTE equity program staff, 1.0 FTE recruitment and hiring staff, and 8.0 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);
 - 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,
 - Requiring all BDS staff meetings to include discussion of 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?**

The Requested Budget funds the work of the Empowered Communities Program, which specifically targets 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 disproportionate barriers in the development review process, creating opportunities to successfully obtain permits for their businesses.
- The Empowering Neighborhoods Program assists clients of color and those with ADA disabilities who have received enforcement letters from the City with reaching full resolution of the issues related to building and zoning code standards.
- The Arts Empowerment Program helps artists and arts organizations, prioritizing historically marginalized communities who have faced disproportionate barriers to permitting, access information needed to ensure all required permits related to development are obtained.

The work of the programs within the Empowered Communities Program extends to collaborating with the services BDS provides bureauwide, including zoning code administration, permitting services, plan review, inspections, and compliance, as required to obtain resolutions.

In this FY 2021-22 Requested Budget, the bureau is requesting additional funding to support the expansion of the Empowered Communities Program by 2.0 FTE for work assisting property owners with permitting their projects and for solar energy projects, focused specifically on Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities. In addition, the bureau is requesting funding to support a community engagement specialist. This funding is necessary for sustained engagement with Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities which is needed to understand their needs, barriers to accessing BDS services, etc.

The Equity & Policy Development, and Communications Section will adopt a more robust language access program. This will include increased translation of BDS documents and accessibility considerations. Translation services will be utilized more consistently as the team works to do more co-creation and community outreach with underserved populations

The Property Compliance Division also performs work which benefits underserved and marginalized communities. Property maintenance inspections protect the community from unsafe and unsanitary conditions in both residential and commercial buildings through a variety of enforcement inspection programs. Buildings and housing units in disrepair often disproportionately effect low income communities and communities of color due to affordability issues and a historic lack of access to resources. Rental housing inspections also serve communities in low income housing that is being poorly maintained. Within the Property Compliance Division, the Housing Inspections team has been reviewing all older cases in order to provide assistance, removing barriers and negative impacts created by years of code enforcement fees and creating financial relief for those they have been able to serve.

The Training & Workforce Development (TWD) team within the Technology & Continuous Improvement Division is partnering with the Equity, Communications, & Policy Development team to develop an Equity Conversation Co-Facilitation Training for the Bureau Equity Committee members and section managers to support facilitation of impactful conversations at team meetings across the bureau, and action on equity and antiracism. TWD also works with the Equity Team to track equity training events in the Learning Management System.

As policy or process changes are proposed by staff around the bureau, the Code and Policy Development team requires completion of a Change Coordination Process Business Case document, which mandates the project sponsor identify how the project addresses equity issues and engages with the Equity & Policy Development, and Communications Section on bureau changes.

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 have been developed with equity as a consideration.

The majority of BDS development review and inspection services are provided to projects likely to be disproportionately owned by white persons, as evidenced by recent demographic and development trends reported by the Portland Housing Bureau (<https://www.portland.gov/sites/default/files/2020-04/phb-soh-2019-web-part-01.pdf>). Because property ownership is disproportionately white, the generational wealth gained by the projects to which BDS provides services disproportionately benefit white people as opposed to Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities. It should also be noted that the statutes, codes and policies enforced by BDS are there to ensure the safety and livability of building end-users, which in many circumstances are not the building owners.

There is a need to invest in greater outreach using culturally appropriate approaches to engage communities which have historically been negatively impacted by barriers to the permitting process. Other services and programs will be necessary to remove barriers to accessing services and to empower these communities.

The majority of the services provided by BDS are provided at the initiative of its customers, and the customers seeking permits are typically property owners, and property owners with the resources to pursue a project on their property (ie., typically white people). BDS historically has been in a reactive mode, responding to permit applications that are submitted by property owners. Property owners are most often white, and the bureau's programs and services, were historically designed by white people for white people, with the exception of more recent programs such as the Empowered Communities Programs. In this FY 2021-22 Requested Budget, the bureau is requesting additional funding to support the expansion of the Empowered Communities Program by 2.0 FTE for work assisting property owners with permitting their projects and for solar energy projects, focused specifically on Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities. In addition, the bureau is requesting funding to support a community engagement specialist to help build a foundation of relationship-building and trust-building needed with these communities, and direct, sustained engagement. Without this funding the bureau will continue to lack the specific information it needs to adapt its programs and services to meet the needs of these community members.

The most significant negative impacts of concern are in general related to housing, specifically the inadequate funding for the Neighborhood Inspection Program which does housing inspections of apartment buildings constructed before the 1972 building code, as well as inspections in response to tenants calling BDS to report unsafe or unhealthy conditions in their apartment, dangerous buildings, etc. The goals of this program are to get housing into compliance with applicable regulations so that it's safe and healthy. If the program is successful, the revenue from fines and penalties drops, and so General Fund is needed to support this program.

The bureau also administers the zoning regulations City Council adopts, and as is the concern with regulatory changes like the Residential Infill Project, without adequate outreach and education about how these regulatory changes will increase the development potential on their property, and in turn its value, they may unknowingly sell their property at low prices to developers who understand the development potential of these properties.

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 bureauwide barrier to measuring outcome disparities amongst various demographic groups served by BDS. The FY 2020-21 Budget took a first step by including a permanent, dedicated data analyst position to gather and analyze equity related data. BDS intends to fill this position in the next year and is working to determine what data will be gathered, how the data will be used, and how the data will be stored. Until the position is filled, BDS is absorbing the work intended by this position using existing resources.

Secondly, the Property Compliance Division is reliant 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 them, yet the bureau must cover its costs. Furthermore, these inspection programs operate on a complaint-based system which potentially puts vulnerable populations at risk due to the comparatively higher frequency of reporting of older, less maintained and thus more affordable properties in these communities. As a result, the Housing Inspections and Construction Code Section's enforcement policies are being amended with the goal of reducing negative financial impacts imposed on low income property owners and other marginalized community groups with barriers to success. These changes include a new equity-focused process for reviewing active, owner-occupied, housing cases with non-critical safety related maintenance violations, which provides an automatic enforcement fee review and referral to various programs for assistance.

The small amount of General Fund monies BDS receives goes to 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.

Finally, BDS is funded 98% by fees and charges for service. This funding model makes revenues highly susceptible to fluctuations in economic conditions, demand for services, and construction activity. During times of economic expansion, the bureau has more resources available for all bureau programs, including work directed towards achievement of equity and the goals outlined in the Racial Equity Plan. However, during an economic downturn the bureau faces resource constraints which can make achievement of equity goals more challenging. The bureau strives to continue the prioritization of 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?

As a matter of context, compared to the population of the City, as of FY 2020, BDS staff is somewhat disproportionately white (76% of staff compared to 70.6% for the City as a whole). Latinx employees are particularly underrepresented, at 3.5% of staff compared to 9.7% of the City population. This pattern holds among higher paid staff and staff with more decision-making power: among 40 managers at BDS, 33 are white.

The Recruitment & Hiring team is working 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 ensure people of color are included on 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.

Being funded 98% by fees and charges for service, BDS revenues are highly susceptible to fluctuations in economic conditions. During a downturn the bureau may need to implement a workforce reduction in response to lower revenues and demand for services. One challenge facing the bureau is the retention of a diverse workforce during a workforce reduction, as union contracts stipulate reductions are based on seniority, leaving little room for consideration of additional factors. The bureau is made up of many professions and trades that are historically dominated by white males (plumbers, electricians, and contractors who have become inspectors, engineers and architects, etc.). In many job classifications, our employees of color have less seniority than white males. In following the contracts as they currently exist, as the bureau does periodic layoffs (due to the bureau being reliant almost solely on fee revenue), the bureau would be losing its least senior employees, setting the bureau back in its efforts to retain a diverse workforce. The root causes here are the labor contracts, as well as the lack of ongoing General Fund support to even out the volatility of the bureau’s fee revenue, which is needed to maintain a stable workforce.

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 in place to analyze quantitative and qualitative evidence to track program access and service outcomes to different populations. This area has been identified as an area of need and the FY 2020-21 Budget took a first step by including a permanent, dedicated data analyst position to gather and analyze equity related data. BDS intends to fill this position in the next year and is working to determine what data will be gathered, how the data will be used, and how the data will be stored. Until the position is filled, BDS is absorbing the work intended by this position using existing resources; however, this work is nascent and little progress has been made to date.

BDS has not previously collected demographic data on its customers outside the limited data collected by the Empowered Communities Program. The Enhanced Rental Inspections Program is considering gathering demographic data in the future, but resources are necessary to develop the methodology and systems of collection. The team is focused on understanding the impacts of this program on the community and identifying possible ways to make the program more effective, both in protecting the health and safety of tenants and reducing displacement.

Finally, the Property Compliance Division has developed a methodology that is compatible with the current database system to begin collecting some baseline quantitative data on Housing Cases. This data will be used in the coming year to apply a racial equity lens to the work and better align resources to more effectively meet service goals and community needs.

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 in place to collect disaggregated demographic data for the purpose of assessing impacts in the community. In order to adequately assess equity impacts in the community, BDS needs a system to collect and analyze both individual customer data and outcomes, in conjunction with Census level data.

Several members of the BDS Equity Committee and bureau management participated in the Citywide Results Based Accountability training during Fall 2020. This training provides a base level of knowledge for the bureau to implement the framework and development performance metrics aimed at measuring the impacts of BDS' services on Portland communities. While BDS continues to develop the tools and resources necessary to safely collect and analyze demographic information, any data collected (not already described in the previous question) would be in addition to the limited amount collected currently. Additional Results Based Accountability training for BDS staff would be beneficial in advancing the bureau's ability to adequately evaluate and assess equity impacts.

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?

In the past year the BDS Communications and Equity & Policy Development teams were merged to form the Equity & Policy Development, and Communications Section. Combining these two

functions under the BDS Equity Manager can potentially help focus communications and outreach efforts towards the many populations BDS serves, including Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities. In addition, the recruitment and hiring work has been moved under the Equity & Policy Development, and Communications Section under the supervision of the BDS Equity Manager.

The shift in business practices during COVID-19 resulted in the closing of the Permit Center to the public which has potentially created different barriers than the Permit Center model created. Prior to COVID, customers had to have the time and ability to travel downtown and seek services in person in the Permit Center. That presented its own 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. This is an example of the direction the bureau is taking, to move away from a single way to access services to instead create multiple paths to access services, thereby increasing access to the bureau's services.

Previously, anyone with the ability to travel to downtown Portland to visit the Development Services Center could ask questions in person. New and different technological and accessibility barriers to access have replaced time and travel as the necessary resource to get assistance. The tools required for online question, permit, and plan submittal, such as a laptop or desktop computer and architectural software, may be disproportionately less accessible for Indigenous people, Black people, immigrants and refugees, people of color, and/or people with disabilities. The recent shift in business practices has the potential to increase difficulty for these community members and contribute to disparity among the services BDS provides.

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 is funded through current and ongoing permit revenues, which are paid by bureau customers. After several years of development, the vastly updated system went live in February 2020. The bureau is currently working on a project to make information in the system available to the public via PortlandMaps. Alternatively, data from the system is available upon request from the public, as the data in the system is subject to public records requests. An equity evaluation would need to be applied to adequately evaluate intergenerational equity in relation to this database. Future areas for development include expansion of language and ADA access across the technology tools and training materials, and improved outreach to various community demographic groups specifically for technology development, process improvement, and training delivery.

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?

This is 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)?

The BDS Racial Equity Plan (implemented 10/27/16) established a Year 4 goal that 50% of contracts with a value over \$5,000 would have M/W/ESB participation. In 2020, BDS did not sign any new contracts. 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 Section and the BDS Equity Committee (BEC) have been involved from the early stages of the budget development process. Beginning in September 2020, the BDS Equity Manager was consulted regarding how to best work through the Budget Equity Assessment Tool. Equity & Policy Development, and Communications Section 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, and Communications Section is budgeted separately in its own 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 participated by reviewing and providing 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 BDS Communications and Outreach team, under the supervision of the BDS Equity Manager is responsible for enhancing and standardizing the bureau’s ADA-related efforts. 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 \$30,000 for language translation services in this Requested Budget.

BDS currently has 1.0 FTE assigned to the Portland.gov City website transition project, which includes accessibility improvements to the methods and composition of the information the

Bureau shares with the public. After this project is substantially complete, Communications team staff will begin planning on a project to translate key webpages, applications and other documents into additional languages to increase accessibility.

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. In a joint effort by the BDS Budget & Finance and Equity & Policy Development, and Communications Sections community outreach and membership was expanded during this budget cycle. The BAC convened three times during the budget preparation process (November 2020 – January 2021). 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 budget includes funding to support its two primary stakeholder/community advisory bodies, Development Review Advisory Committee (DRAC) and Budget Advisory Committee (BAC). The BAC provides opportunities for community representatives to engage with the bureau regarding BDS programs, services, and budget. Community membership on the BAC was expanded this year. With its current membership makeup, the DRAC is not adequately engaging communities most impacted by inequities. In order to enhance the bureau's capacity to engage with communities most impacted by inequities, DRAC needs to do outreach to fill other seats with diverse representatives and provide education and training for current DRAC members. The bureau has prioritized greater membership for Indigenous people, Black people, immigrants and refugees, people of color, and/or people with disabilities on all bureau commissions and committees in the coming year.

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. Prioritizing these expenditures will help to address engagement with these communities. In the past fiscal year, several "listening sessions" were conducted in different communities, to begin the repair and relationship building needed to effectively engage and partner with these communities. This work has continued in FY 2020-21, with the goal of better understanding their needs, and addressing these needs in ways that work for them. In addition, the bureau is requesting funding to support a community engagement specialist to help build a foundation of relationship-building and trust-building needed with these communities, and direct, sustained engagement. Without this funding the bureau will continue

to lack the specific information it needs to adapt its programs and services to meet the needs of these community members.

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. With its current membership makeup, the DRAC is not adequately engaging communities most impacted by inequities. In order to enhance the bureau's capacity to engage with communities most impacted by inequities, DRAC needs to fill the vacancy appropriately and provide education and training for current DRAC members. The bureau has prioritized greater membership for Indigenous people, Black people, immigrants and refugees, people of color, and/or people with disabilities on all bureau commissions and committees in the coming year.

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 this FY 2021-22 Requested Budget, the bureau is requesting additional funding to support the expansion of the Empowered Communities Program by 2.0 FTE for work assisting property owners with permitting their projects and for solar energy projects, focused specifically on Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities.

The Bureauwide Projects section is working with the Equity & Policy Development, and Communications Section to establish a set of outreach and engagement tools and resources which the bureau can use to engage with Indigenous people, Black people, immigrants and refugees, people of color, and people with disabilities. The bureau will prioritize hiring a Community Engagement and Outreach specialist to build the bureau's community engagement and relationships building with culturally specific community groups and organizations.

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 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>).