

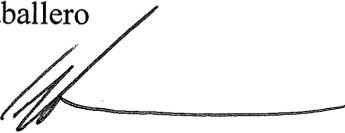


Office of Mayor Ted Wheeler
City of Portland

MEMORANDUM

January 30, 2017

To: City Budget Office
Commissioner Chloe Eudaly
Commissioner Nick Fish
Commissioner Amanda Fritz
Commissioner Dan Saltzman
Auditor Mary Hull Caballero

From: Mayor Ted Wheeler 

Subject: FY 2017-18 Requested Budget of the City Attorney's Office

Enclosed for your consideration is the FY2017-18 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 requested realigning resources to focus on core missions and Council priorities, a five percent reduction to General Fund resources, and limiting new requests to the highest priority programs including reducing homelessness and maintaining critical infrastructure. This budget request responds to that guidance by including three add packages and three reduction packages.

The work of the City Attorney's Office to support the City's efforts to address housing and homelessness has been extensive and is essential to those efforts. In addition, the FY16-17 budget included a limited term attorney position to support efforts addressing vacant and abandoned houses in Portland. Because of this work, the City is moving forward with its first foreclosures on vacant and distressed residential properties in decades. The program provides benefits to neighborhood livability by targeting and improving abandoned and dilapidated properties in neighborhoods throughout the City. In addition, the revenue raised from this work for the City will be far more than the cost of the position. The Office is requesting General Fund resources to continue this work.

The Office is also working to help realize City policies in support of police oversight and reform and achieving full compliance with the DOJ Settlement Agreement. The Police Bureau is responsible for reviewing and revising over 200 directives in a comprehensive and timely manner, including 47 identified by the USDOJ. PPB realigned internal resources to create a Policy Team that will produce a higher volume of policies at an accelerated rate. PPB added additional internal staff to meet its objectives which has resulted in an increased demand for legal review of the policies as well as

requests for training on the new policies. Legal analysis and advice is a critical component of policy development and the considerable existing resources at the City Attorney's Office devoted to police work are insufficient to meet the increased demand. Having an attorney assigned to the PPB Policy Team from the outset will ensure issues are identified early and will provide the necessary counsel to ensure directives are legally sound and compatible with the Settlement Agreement. This request for an attorney position will be funded with Interagency resources provided by PPB.

The Office is also submitting a decision package to fund a Senior Policy Advisor to the Mayor to work with the City Attorney's Office, the other Council offices, IPR staff, PPB staff and community representatives to provide strategic policy advice regarding the implementation of the *United States Department of Justice v. City of Portland* Settlement Agreement. The Senior Policy Advisor will have significant capacity to work within a political environment and the skill to build political consensus in challenging environments. This advisor will work closely with the Mayor's Chief of Staff and police legal advisor, with all elected offices, with the PPB staff working on DOJ compliance and with the City Attorney's Office to achieve full compliance with the Agreement.

Finally, as directed, the Office has submitted reduction packages totaling five percent. The Office anticipates it could reduce office supplies and miscellaneous expenses by one half percent without significant negative effects on service. However, having reduced its EMS budget in five of the last eight years, further reductions will be detrimental to the provision of legal services. The two remaining reduction packages of half percent and four percent include reducing legal education and technology upgrades and eliminating a Chief Deputy City Attorney position. These reduction packages cut into core legal services and are neither cost-effective nor efficient. The City would still require legal services from more expensive outside counsel.

Finally, the office is requesting that Council include the following budget note directing bureaus to enroll all City owned phones and texting devices into the SMARSH archiving system to ensure proper retention of text messages.

BUDGET NOTE: Council directs each City bureau to enroll all City owned phones, as well as any other City owned cellular device that uses text messaging, in the SMARSH archiving system administered by the Office of the City Attorney. This enrollment should occur at the beginning of FY 2017-18. City bureaus will also work with the Office of the City Attorney and the City Archivist to properly retain those messages according to state law, including moving them into HP Records Manager or an approved alternative for longer term archiving. The Bureau of Technology Services is directed to act as the agent for cost recovery through its cellular phone service billing platform.

Thank you for your consideration.



CITY OF
PORTLAND, OREGON
OFFICE OF THE CITY ATTORNEY

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January 19, 2017

FY 17-18 BUDGET ADVISORY COMMITTEE SUMMARY REPORT

The City Attorney's Office Budget Advisory Committee (BAC) convened on January 19, 2017, at 3:00 p.m. The Committee members present were Tracy Reeve, Harry Auerbach, Scott Moede, Linda Law, Crystine Jividen, Kim Sneath, Janet Long, Darla Eng, citizen advisor Susan Felstiner, and City Budget Office analyst Jessica Eden.

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.

The BAC discussed funding sources and expenditures. The office's budgetary resources include Interagency Agreements and General Fund overhead and discretionary funds. Overall, 86.4% of expenditures are for salaries and benefits. Other major expenditures include electronic legal research, software and publications.

The office's fully-loaded cost for one hour of attorney work is about \$148, whereas the average outside counsel rate is \$375 per hour. The BAC agreed that the office provides very affordable legal services to the City. The group briefly discussed why the office engages outside counsel, such as expertise, conflicts and on rare occasions, workload. The office's ongoing goal to reduce outside counsel costs in order to provide the highest quality legal services at the lowest possible cost to the City was also discussed. The office has reduced the need for outside counsel due to an emphasis on hiring highly competent attorneys with the experience and expertise necessary to complete the work.

The BAC discussed the request to reduce the office's budget by 5%. The budget guidelines state the reductions should focus on programs which are outside of the bureau's core mission. The City Attorney's Office has only one program, legal services, and therefore has no programs outside its core mission. To reach a 5% reduction, the office would be forced to eliminate staff. The BAC discussed each position and the approximate cost including two Honors Attorney positions, 1.5 Deputy City Attorney positions, one Chief Deputy City Attorney and/or several paralegals or legal assistants. It was difficult to prioritize the cuts because of the severe negative impact of each decision.

The BAC discussed the importance of keeping the Honors Attorney Program, particularly using the Budget Equity Tool. Tracy Reeve talked about the importance of the program which was designed to hire and train new lawyers in public service and provide a means to increase racial

diversity in the office and in the legal profession by recruiting nationally from diverse law schools.

The group discussed the changes within the office due to the approaching retirement of a Chief Deputy City Attorney. A question was posed: could the office eliminate this position and reassign all the supervisory duties to other Chief Deputies? The five Chief Deputy City Attorneys supervise an average of seven attorneys each, and all Chiefs handle full caseloads and legal advice work in addition to their supervisory responsibilities. The Chief positions each handle very specialized legal work and eliminating one from the existing structure of the office would be extremely detrimental. Having too many direct reports would lessen their ability to handle legal work inasmuch as the Chiefs are already at the upper end of the desirable span of control. Also, the land use cases handled by this Chief Deputy position would need to be handled by outside counsel if the position were not filled on her retirement, which is far more expensive than the cost of the position.

The group discussed the effect of budget reductions on office technology. The office has transitioned from hard copy legal research to online legal research, but these services are continuing to increase in cost. Access to online legal research is absolutely essential. One BAC member suggested negotiating costs with legal research providers to get the best price. The office does this and will continue to use the City's procurement processes to get the best price when the current contract expires. Other areas noted for reduction were office furniture, travel, law clerks, and membership dues. Eliminating membership dues would be equivalent to a pay cut for all lawyers because bar dues are mandatory and would need to be paid by each employee.

The group discussed the possibility of telecommuting as a way to save money on office space. One problem with this approach is the lack of accessibility to clients and other office lawyers. City clients often have situations that warrant the need for legal advice at a moment's notice, often in meetings with other City staff, which telecommuting doesn't support well. In addition, many attorneys are frequently appearing in court or before administrative bodies.

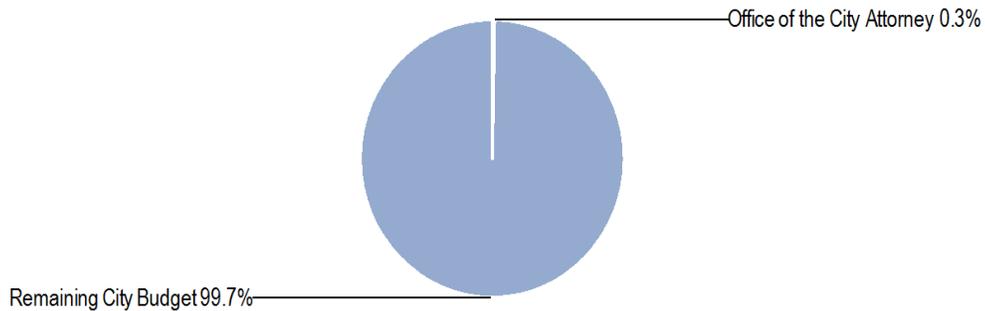
The group closed the meeting and agreed to submit any feedback within the requested timeline.

Office of the City Attorney

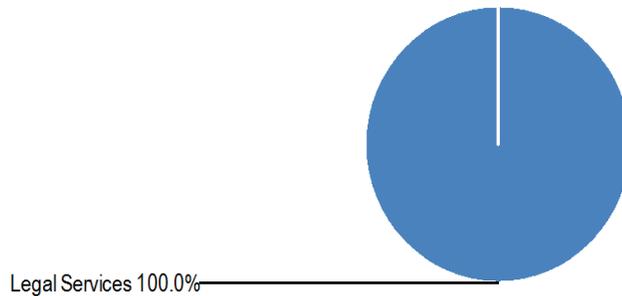
City Support Services Service Area

Mayor Ted Wheeler, Commissioner-in-Charge
Tracy Reeve, City Attorney

Percent of City Budget

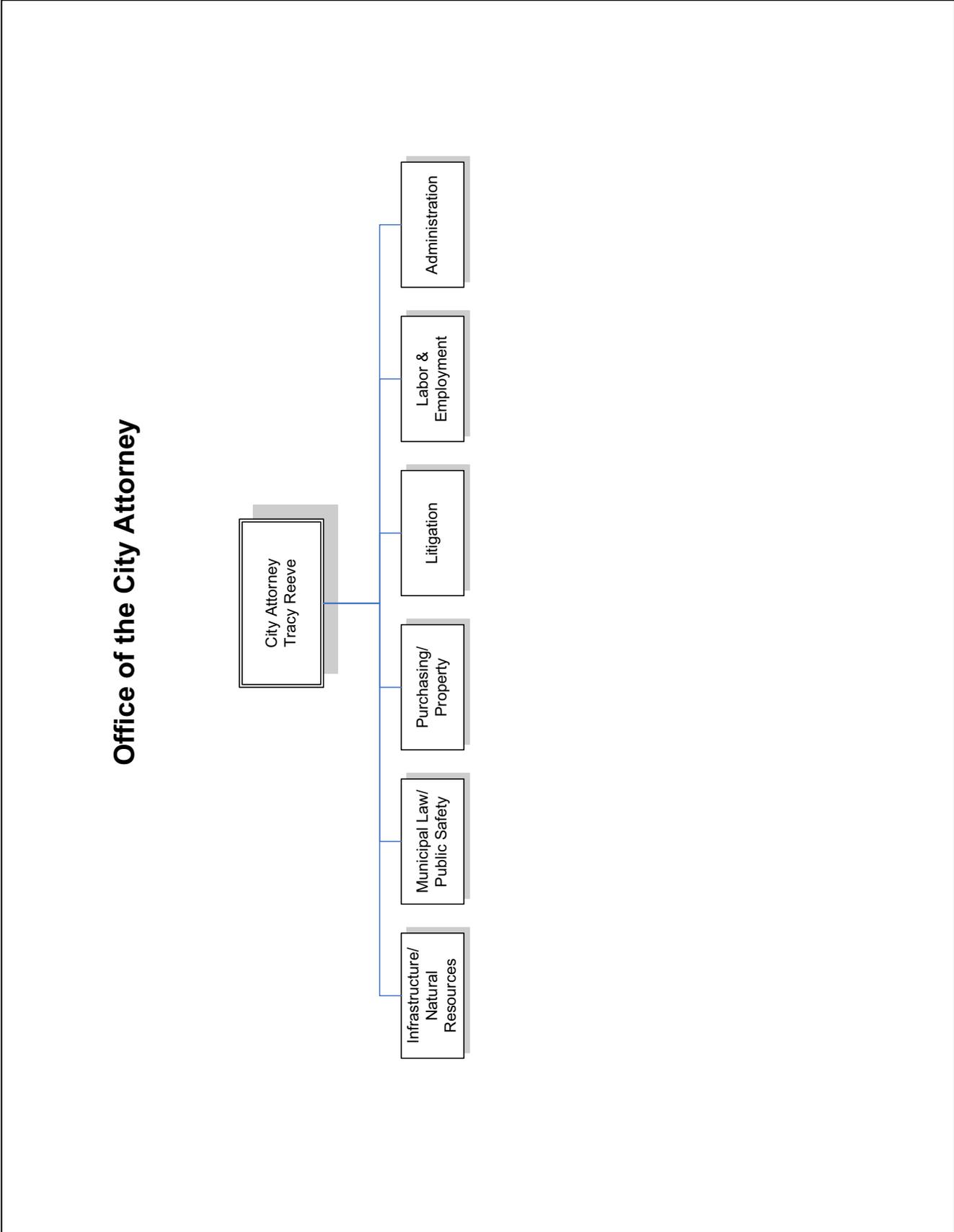


Bureau Programs



Bureau Overview

Expenditures	Revised FY 2016-17	Requested FY 2017-18	Change from Prior Year	Percent Change
Operating	12,664,952	12,064,733	(600,219)	(4.74)
Capital	0	0	0	0.00
Total Requirements	12,664,952	12,064,733	(600,219)	(4.74)
Authorized Positions	66.30	66.30	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 Portland City Attorney's Office is responsible for all of the legal affairs of the City. The office represents the City, the Mayor, other elected officials and the City's bureaus and offices in all affirmative and defensive civil litigation, and administrative and quasi-judicial proceedings. Office attorneys draft and review local legislation, procurement contracts, real estate leases, intergovernmental agreements and other documents and legal instruments. The City Attorney's Office provides legal counsel to City officials on a wide range of issues including: environmental law; constitutional law; civil rights; employee benefits; proposed legislation; public records requests and legal records management; personnel and labor law issues; tort claims; workers' compensation; construction contracts and claims; land use planning; equity; diversity and affirmative action; revenue and taxation; policing, fire, rescue and emergency services; code enforcement; housing; telecommunications; franchises and utilities; and collection of revenues owed to the City. Office attorneys advise on policy development and program implementation, advocate and negotiate on behalf of the City, and provide training to elected officials, City boards and commissions and City employees in a wide variety of areas.

The City Attorney's Office consists of five legal practice groups, staffed with 41 lawyers and 27 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 49% 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 recovery revenue. The FY 2017-18 Requested Budget includes 67.3 FTE. The personnel services category represents 86.4% of the office's expenditures.

Strategic Direction

The City Attorney's Office has four main goals:

- 1) To provide the highest level of customer service to clients through preventative legal advice that is timely, accurate and easy to access.
- 2) To effectively and vigorously advocate for the City's interests in state and federal courts and otherwise.
- 3) To support and advance the City's objective of achieving equity in all of its programs, services and activities.
- 4) To ensure accountability for the office's professional performance and effective stewardship of public resources.

Office of the City Attorney

City Support Services Service Area

- Customer Service** The City Attorney's Office actively seeks to impart helpful, accurate, and timely preventative 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. City 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** 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 88% of its cases resolved favorably to the City.
- Achieving Equity** 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 has a Community Justice and Civil Rights Work Group that shares information and collaborates on legal strategies to advance equity, justice and civil rights Citywide. 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 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 the Portland Development Commission and outside counsel. The City Attorney's 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 2017-18 is \$148. The average outside counsel rate is \$375 and rates can range as high as \$500 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.

Legal Services

Description Legal Services is the sole budget program in the City Attorney's Office. All personnel provide legal work directly to the City Council, Auditor 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.

Goals The Legal Services Program supports the City's goal of delivering efficient, effective, and accountable municipal services.

Performance The City Attorney's Office achieved excellent results in the past year, with 88% of contested cases resolved on terms favorable to the City. The office continues to focus efforts toward increasing the number of Citywide training hours provided but a five percent reduction would have a negative impact on training hours. The total cost for legal services in the City Attorney's Office remains significantly lower than for outside legal services. Additionally, the office increased the diversity of its lawyer and non-lawyer professional staff in its hiring over the past year, and several attorneys in the office were honored with prestigious awards including the 2016 Oregon State Bar President's Diversity & Inclusion Award, and the Oregon State Bar Real Estate and Land Use Section Award of Merit for extraordinary service and professionalism.

Changes to Services and Activities The Requested Budget includes two ongoing Deputy City Attorney positions to support efforts addressing vacant and abandoned homes and to support the Police Bureau with DOJ Settlement implementation and other legal needs. The requested budget also includes reductions totaling five percent that include eliminating a Chief Deputy City Attorney position. Eliminating this position would be extremely detrimental to the City in numerous immeasurable ways. Measurable results would include outside counsel costs far greater than the cost of the position and a reduction in the number of training hours provided.

FTE & Financials	Actual FY 2014-15	Actual FY 2015-16	Revised FY 2016-17	Requested No DP FY 2017-18	Requested FY 2017-18
FTE	62.05	64.30	66.30	65.30	66.30
Expenditures					
Legal Services	10,852,593	10,767,908	12,664,952	11,908,437	12,064,733
Total Expenditures	10,852,593	10,767,908	12,664,952	11,908,437	12,064,733

Office of the City Attorney

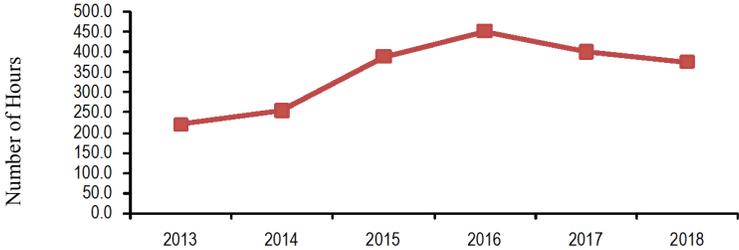
City Support Services Service Area

Performance	Actual FY 2014-15	Actual FY 2015-16	Yr End Est. FY 2016-17	Base FY 2017-18	Target FY 2017-18
Key Performance Measure					
Number of training hours provided by City Attorney staff to other City staff	388	451	400	400	375
Annual costs of outside counsel	\$331,624	\$316,443	\$470,000	\$400,000	\$1,075,000
Cost of service per attorney hour	\$133	\$138	\$146	\$148	\$146
Percentage of cases favorably resolved	89%	95%	88%	85%	85%
Workload					
Number of litigation cases	1,259	1,624	1,650	1,600	1,610
Number of contracts reviewed and approved	8,892	8,983	8,900	9,000	9,000

Performance Measures

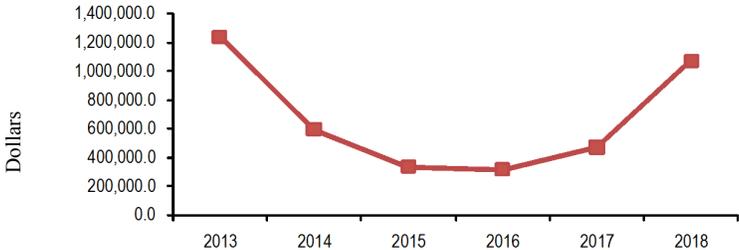
Training Hours

City Attorney staff provide Citywide training to assure consistent and coordinated City services and to minimize risks.



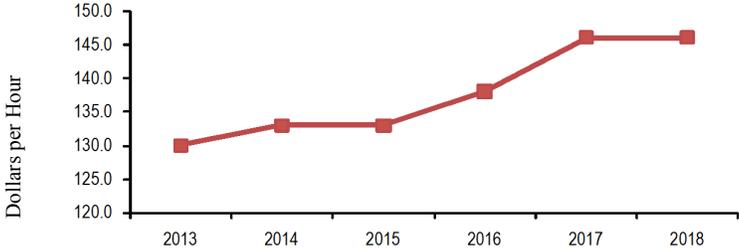
Annual Costs of Outside Counsel

Some outside counsel costs are unavoidable but the office strives to minimize these costs by having sufficient in-house staffing. The estimated increase for FY17-18 is due to a 4% reduction decision package eliminating a Chief Deputy City Attorney position. Without that reduction, outside counsel costs are expected to be similar to the last few years at about \$400,000.



Cost of Service per Attorney Hour

The cost of service per City Attorney hour is significantly lower than outside counsel costs. The average rate for outside counsel is \$375 per hour. At \$148 an hour, the City Attorney cost of service is only 40% of outside counsel costs.



City Support Services Service Area

	Actual FY 2014-15	Actual FY 2015-16	Revised FY 2016-17	Requested No DP FY 2017-18	Requested FY 2017-18
Resources					
External Revenues					
Charges for Services	22,507	85,709	106,000	30,000	30,000
Miscellaneous	1,979	0	0	0	0
Total External Revenues	24,486	85,709	106,000	30,000	30,000
Internal Revenues					
General Fund Discretionary	2,762,205	1,881,809	3,037,182	2,782,654	2,778,559
General Fund Overhead	2,892,929	3,174,964	3,524,279	3,301,421	3,296,562
Interagency Revenue	5,172,877	5,625,426	5,997,491	5,794,362	5,959,612
Total Internal Revenues	10,828,011	10,682,199	12,558,952	11,878,437	12,034,733
Beginning Fund Balance	0	0	0	0	0
Total Resources	\$10,852,497	\$10,767,908	\$12,664,952	\$11,908,437	\$12,064,733
Requirements					
Bureau Expenditures					
Personnel Services	9,194,166	9,336,197	10,706,979	10,397,451	10,600,751
External Materials and Services	775,265	457,209	874,757	488,798	441,794
Internal Materials and Services	883,066	974,502	1,083,216	1,022,188	1,022,188
Total Bureau Expenditures	10,852,497	10,767,908	12,664,952	11,908,437	12,064,733
Fund Expenditures					
Total Fund Expenditures	0	0	0	0	0
Ending Fund Balance	0	0	0	0	0
Total Requirements	\$10,852,497	\$10,767,908	\$12,664,952	\$11,908,437	\$12,064,733
Programs					
Administration & Support	(100)	0	0	0	0
Facilities Services	4	0	0	0	0
Legal Services	10,852,593	10,767,908	12,664,952	11,908,437	12,064,733
Total Programs	10,852,497	\$10,767,908	\$12,664,952	\$11,908,437	\$12,064,733

Class	Title	Salary Range		Revised FY 2016-17		Requested No DP FY 2017-18		Requested FY 2017-18	
		Minimum	Maximum	No.	Amount	No.	Amount	No.	Amount
30002134	Attorney, Assistant Deputy City	69,971	93,413	2.00	139,944	2.00	144,724	2.00	144,724
30000597	Attorney, Chief Deputy City	113,318	162,219	5.00	802,764	5.00	806,446	4.00	644,230
30000418	Attorney, City	143,312	205,379	1.00	192,822	1.00	200,724	1.00	200,724
30000595	Attorney, Deputy City	95,888	129,917	16.00	1,888,281	16.00	1,923,020	18.00	2,143,028
30000596	Attorney, Sr Deputy City	102,981	143,811	13.50	1,875,924	13.50	1,888,321	13.50	1,888,321
30000440	Business Operations Supervisor	73,528	98,363	1.00	98,364	1.00	98,364	1.00	98,364
30000600	Law Office Administrator	82,909	110,448	1.00	110,448	1.00	110,448	1.00	110,448
30000591	Legal Assistant	49,774	76,648	7.00	444,512	7.00	455,868	7.00	455,868
30000592	Legal Assistant, Sr	60,403	80,517	4.00	312,072	4.00	314,964	4.00	314,964
30000450	Management Assistant	49,774	76,648	1.00	56,868	1.00	58,808	1.00	58,808
30000012	Office Support Specialist II	34,798	49,962	2.00	91,740	2.00	94,180	2.00	94,180
30000593	Paralegal	60,403	80,517	6.00	439,259	6.00	452,449	6.00	452,449
30000830	Paralegal Supervisor	69,971	93,413	1.00	93,408	1.00	93,408	1.00	93,408
30000594	Paralegal, Sr	66,622	88,837	3.00	240,009	3.00	244,997	3.00	244,997
30000462	Program Specialist, Assistant	49,774	76,648	1.00	61,032	1.00	62,904	1.00	62,904
TOTAL FULL-TIME POSITIONS				64.50	6,847,447	64.50	6,949,625	65.50	7,007,417
30000596	Attorney, Sr Deputy City	102,981	143,811	0.80	115,044	0.80	115,044	0.80	115,044
TOTAL PART-TIME POSITIONS				0.80	115,044	0.80	115,044	0.80	115,044
30000595	Attorney, Deputy City	95,888	129,917	1.00	95,892	0.00	0	0.00	0
TOTAL LIMITED TERM POSITIONS				1.00	95,892	0.00	0	0.00	0
GRAND TOTAL				66.30	7,058,383	65.30	7,064,669	66.30	7,122,461

Decision Package Summary

Bureau: Office of the City Attorney

Priority: 01

Type: Reductions

Decision Package: AT_01 - Materials and Services Reduction 0.5%

Program: Legal Services

	FY 2017-18 Requested 1 Time DP	FY 2017-18 Requested Ongoing DP	FY 2017-18 Requested Budget	FY 2018-19 Estimated Budget	FY 2019-20 Estimated Budget	FY 2020-21 Estimated Budget	FY 2021-22 Estimated Budget		
EXPENDITURES									
External Materials and Services	0	(30,420)	(30,420)	0	0	0	0	0	0
TOTAL EXPENDITURES	0	(30,420)	(30,420)	0	0	0	0	0	0
REVENUES									
General Fund Discretionary	0	(13,913)	(13,913)	0	0	0	0	0	0
General Fund Overhead	0	(16,507)	(16,507)	0	0	0	0	0	0
TOTAL REVENUES	0	(30,420)	(30,420)	0	0	0	0	0	0

Description:

This decision package will make reductions to external materials and services expenses by \$30,420 for office supplies and miscellaneous expenses.

Expected Results:

The office expects it can reduce office supplies and miscellaneous expenses by \$30,420 without significant impact to service levels. The office is working on conference room upgrades and repairs in FY17 and can limit any new office space related purchases after that. Also, the office can attempt to reduce the use of filing and paper products by continuing to increase the use of paper-less office techniques.

Decision Package Summary

Bureau: Office of the City Attorney

Priority: 02

Type: Reductions

Decision Package: AT_02 - Materials and Services Reduction 0.5%

Program: Legal Services

	FY 2017-18 Requested 1 Time DP	FY 2017-18 Requested Ongoing DP	FY 2017-18 Requested Budget	FY 2018-19 Estimated Budget	FY 2019-20 Estimated Budget	FY 2020-21 Estimated Budget	FY 2021-22 Estimated Budget
EXPENDITURES							
External Materials and Services	0	(30,421)	(30,421)	0	0	0	0
TOTAL EXPENDITURES	0	(30,421)	(30,421)	0	0	0	0
REVENUES							
General Fund Discretionary	0	(13,914)	(13,914)	0	0	0	0
General Fund Overhead	0	(16,507)	(16,507)	0	0	0	0
TOTAL REVENUES	0	(30,421)	(30,421)	0	0	0	0

Description:

This decision package will make reductions to external materials and services expenses by \$30,421 for office supplies, legal publications, travel and education.

Expected Results:

Combined with package AT_01, this decision package would reduce materials and services by an additional \$30,421 to reach a one percent reduction of \$60,841. The office would need to make reductions in education, travel, legal publications and technology upgrades. The office has made materials and services reductions in five of the last eight years and cannot sustain additional cuts without negative impacts on service.

Reducing funding for education would hamper the office's ability to keep attorneys informed about rapidly changing areas of law. Continuing legal education enables the City to compete effectively with litigants challenging City actions and to identify and avoid pitfalls. Continuing legal education is required to maintain a license to practice law. Out-of-town travel is occasionally necessary to obtain this specialized education and training, particularly in cutting edge areas such as police reform, municipal immigration issues and housing policies. Valuable programs that could help the City advance its policy objectives and win lawsuits would be missed. The office has optimized its continuing legal education and travel budget by providing more group and in-house education, and requiring attorneys to personally pay for individual Bar Section memberships. Disadvantages include significant staff and attorney time which overburdens existing resources, and not all specialized training is available in these formats or in the local area.

The office has reduced its legal publication costs by utilizing online resources and limiting hard copy expenses for legal publications whenever possible. However, the cost of online legal research services is continuously increasing, negating much of those savings. Access to online legal research is absolutely essential.

Finally, the cost of software is increasing. The office has been searching for a cost-efficient replacement for its nearly-obsolete litigation document management system. Reducing the office's external materials and services budget will further impede the office's ability to replace this mission-critical software. Last year, the office eliminated one technology support FTE due to a mandatory budget reduction. Much of the work was transferred to other employees. However, new software implementation costs will need to be paid with external M&S funds to handle work that cannot be managed by existing staff. A reduction in this area would impede the office's ability to timely implement new mission-critical litigation software. This type of software can increase efficiency and keep costs down by automating document management work. This will allow paralegals and attorneys to focus on more complicated work. This type of software also has the potential to reduce external coding costs currently being incurred by Risk Management and other bureaus involved in litigation.

Decision Package Summary

Bureau: Office of the City Attorney

Priority: 03

Type: Reductions

Decision Package: AT_03 - Chief Deputy City Attorney Position Reduction 4%

Program: Legal Services

	FY 2017-18 Requested 1 Time DP	FY 2017-18 Requested Ongoing DP	FY 2017-18 Requested Budget	FY 2018-19 Estimated Budget	FY 2019-20 Estimated Budget	FY 2020-21 Estimated Budget	FY 2021-22 Estimated Budget	
EXPENDITURES								
Personnel Services	0	(234,056)	(234,056)	0	0	0	0	0
External Materials and Services	0	(9,307)	(9,307)	0	0	0	0	0
TOTAL EXPENDITURES	0	(243,363)	(243,363)	0	0	0	0	0
REVENUES								
General Fund Discretionary	0	(111,307)	(111,307)	0	0	0	0	0
General Fund Overhead	0	(132,056)	(132,056)	0	0	0	0	0
TOTAL REVENUES	0	(243,363)	(243,363)	0	0	0	0	0
FTE								
Full-Time Positions	0.00	-1.00	-1.00	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	-1.00	-1.00	0.00	0.00	0.00	0.00	0.00

Description:

In order to make an additional 4% reduction of \$243,363, the office would be forced to reduce staffing levels by eliminating a Chief Deputy City Attorney position and making an additional \$9,317 reduction to materials and services. Eliminating a Chief Deputy City Attorney position would be extremely detrimental to the office and to the City as a whole. Chief Deputy City Attorneys are experts in one or more fields of law, have extensive knowledge of City legal requirements, and manage and supervise the work of an average of seven attorneys while handling full caseloads and legal advice work. Chief Deputies act as mentors to their work groups and to the Honors Attorney program in the office. The Chief position identified for this reduction handles extremely specialized work in the areas of Land Use, Infrastructure and Natural resources. Chief Deputies are members of the office's leadership team and are available to advise elected officials and bureau directors.

Decision Package Summary

Bureau: Office of the City Attorney

Priority: 03

Type: Reductions

Decision Package: AT_03 - Chief Deputy City Attorney Position Reduction 4%

Program: Legal Services

FY 2017-18 Requested 1 Time DP	FY 2017-18 Requested Ongoing DP	FY 2017-18 Requested Budget	FY 2018-19 Estimated Budget	FY 2019-20 Estimated Budget	FY 2020-21 Estimated Budget	FY 2021-22 Estimated Budget
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Expected Results:

Eliminating this position would result in outside counsel costs far greater than the cost of this position. Cases that come before the Land Use Board of Appeals (LUBA) would be handled by outside counsel. Last year, in addition to providing legal advice to the City, this position handled 13 LUBA cases which are often complex and document intensive. Experienced attorneys doing this type of work charge \$400-\$500 or more per hour. It would cost the City up to \$900,000 per year for the same amount of work that one Chief Deputy City Attorney can provide. In addition, the office has a very high percentage of favorable outcomes on all cases, including land use cases. Last year 86% of land use cases were resolved in favor of the City which exceeds the office's goal of 85%. This type of reduction is not cost-effective.

While some of this work could be redistributed to other attorneys in the office, most of it could not. Office attorneys are already averaging 110 hours of overtime each year which equates to 4,150 hours of extra work or 2.3 FTE for the City every year. Timeliness of legal advice, quality of work product and quality of legal staff will suffer if additional work is demanded without enough resources to handle it. In addition, the City Attorney's Office is very well-respected and is a desirable place to work. Attorneys interested in public service for the City of Portland can expect a reasonable work-life balance at the City Attorney's office because the office strives to not require excessive amounts of overtime from its attorneys. If attorneys are expected to work more overtime without additional compensation, the office will be at serious risk of losing excellent attorneys to private firms offering much higher salaries.

The City Attorney's Office considered eliminating two Honors Attorney positions in lieu of one Chief Deputy position, which would eliminate the honors attorney program altogether. This program was designed to hire and train new lawyers in public service every two years, and provide a means to increase the racial diversity of Oregon lawyers over time as the office recruits both within and without Oregon including at historically black law schools. The City Attorney's Office has prioritized equity over the past several years in its budgeting process in numerous ways, including adding an attorney position to focus on Community Justice and Affirmative Civil Rights and creating the two Honors Attorney positions. Although this office, like most City bureaus and offices, is proposing a budget including a five percent cut, the office has intentionally protected these positions. This is because the office utilizes the budget equity tool and prioritizes its efforts to continue to work to further equity both within the City and within the Oregon legal community.

The office also considered eliminating a Deputy City Attorney position that handles collection matters for the City. This approach did not seem appropriate for several reasons: 1) this reduction would not meet the 4% needed, 2) this position helps to collect delinquent business license and other fees bringing in large amounts of revenue to the City, and 3) the office already has more work in this area than it can handle in a timely fashion. Eliminating this position would result in a net loss to the City by effectively eliminating the City's ability to affordably collect on delinquent business license fees.

Decision Package Summary

Bureau: Office of the City Attorney

Priority: 01

Type: Adds

Decision Package: AT_04 - Legal Services to PPB for DOJ work

Program: Legal Services

	FY 2017-18 Requested 1 Time DP	FY 2017-18 Requested Ongoing DP	FY 2017-18 Requested Budget	FY 2018-19 Estimated Budget	FY 2019-20 Estimated Budget	FY 2020-21 Estimated Budget	FY 2021-22 Estimated Budget	
EXPENDITURES								
Personnel Services	0	153,678	153,678	0	0	0	0	0
External Materials and Services	0	11,572	11,572	0	0	0	0	0
TOTAL EXPENDITURES	0	165,250	165,250	0	0	0	0	0
REVENUES								
Interagency Revenue	0	165,250	165,250	0	0	0	0	0
TOTAL REVENUES	0	165,250	165,250	0	0	0	0	0
FTE								
Full-Time Positions	0.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00

Description:

This request will increase interagency funding for 1.0 FTE Attorney to support Portland Police Bureau (PPB) policy development and training. Work includes researching relevant legal standards, synthesizing input from multiple internal and external stakeholders, producing documents and training materials, and negotiating with the US Department of Justice (DOJ) and the Compliance Officer and Community Liaison (COCL) where necessary to obtain approvals in conformance with the City's Settlement Agreement.

PPB did not have the capacity to review and revise its 200+ directives, and particularly the 47 identified by the DOJ, in a comprehensive and timely manner. The Bureau needed a more robust and efficient mechanism to roll out new and revised policies. PPB realigned internal resources to create a "policy team." The policy team is able to produce a higher volume of policies at an accelerated rate which is a desired outcome. Legal analysis and advice is a critical component of policy development. Attorneys are currently working at or above capacity, and attorneys are working extra hours for the City to expedite policy review. Existing resources at the City Attorney's Office are insufficient to meet the increased demand for legal services related to policy development, including the 47 DOJ-related policies.

By hiring a City Attorney primarily for this purpose, PPB can expect to process its directives more quickly and efficiently. That attorney will be at the table from the outset of policy review and development to identify issues and provide the necessary counsel so that it is legally sound and compatible with the Settlement Agreement at the time the draft is completed. The Settlement Agreement obligates DOJ to review and approve PPB policies in a timely fashion, something which has not always occurred. Since the effective date of the agreement in 2015, DOJ has reviewed and approved only 7 of the 47 directives. The attorney will represent the City in ensuring DOJ meets its obligations and works to find solutions when approvals are not forthcoming. The City's strategic objective is to obtain approval for all policies by the end of 2017. PPB has added additional internal staff to meet that objective which has resulted in an increased demand for legal review of the policies as well as requests for training on the new policies. The attorney hired for this work will also be available to assist PPB with policy implementation and, time permitting, to assist PPB with other DOJ-related legal needs.

In FY2013-14, the City Attorney's Office anticipated the need for two to three additional full time attorneys to handle implementation of the Settlement Agreement but requested only for 1 FTE attorney with no additional support staff to keep initial costs as low as possible. However, it was also noted that the office "may need to request additional attorney or paralegal FTEs if workload demands." The workload demand has increased, is expected to rise significantly in the next year, and work must be completed in an expedited manner to meet the City's legal obligations under the Settlement Agreement. The Police Bureau provided additional funding in the FY2016-17 Fall BMP and agrees that continuing this funding through FY17-18 is critical.

Decision Package Summary

Bureau: Office of the City Attorney

Priority: 01

Type: Adds

Decision Package: AT_04 - Legal Services to PPB for DOJ work

Program: Legal Services

FY 2017-18 Requested 1 Time DP	FY 2017-18 Requested Ongoing DP	FY 2017-18 Requested Budget	FY 2018-19 Estimated Budget	FY 2019-20 Estimated Budget	FY 2020-21 Estimated Budget	FY 2021-22 Estimated Budget
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Expected Results:

Continuing to fund an attorney position will result in more directives being produced and reviewed within the time frames required by both the Settlement Agreement and PPB's rules. This is critical to the achievement of substantial compliance with the Settlement Agreement. Results will be immediate and PPB and the City Attorney's Office could measure its success in this regard by tracking the number of directives enacted on an annual basis under this new team approach versus the prior system. In addition, this attorney will help PPB with ongoing implementation and monitoring of policies.

The entire community will be better served by having the policies that guide PPB members' behavior and actions completed in a more efficient and effective manner. All will be aware of the expectations imposed on a member of the Police Bureau. PPB is currently making great strides in addressing concerns that the community has raised, particularly regarding use of force and the treatment of persons with mental illness. These are outlined in directives that will benefit the community in significant ways if they come in contact with a Bureau member.

In addition, this request will provide for internal organizational development in the policy arena which is sorely needed and long overdue as these are the rules that guide all officers' actions in the performance of their duties. It will also contribute to the training and growth of the other members of the policy team as they learn to become sensitive to areas of legal concern. As time allows, the attorney will be available to assist with other aspects of the DOJ Settlement implementation and with other PPB legal needs.

Without this request, the City Attorney's Office will be able to provide assistance in the directives' process but only as time allows. Outcomes will be adversely affected, both short term and long term, as it will take much longer to get policies enacted. The City will not achieve compliance with the Settlement Agreement in a timely manner if this request is not approved.

Decision Package Summary

Bureau: Office of the City Attorney

Priority: 02

Type: Adds

Decision Package: AT_05 - Vacant/Abandoned Houses Attorney Support

Program: Legal Services

	FY 2017-18 Requested 1 Time DP	FY 2017-18 Requested Ongoing DP	FY 2017-18 Requested Budget	FY 2018-19 Estimated Budget	FY 2019-20 Estimated Budget	FY 2020-21 Estimated Budget	FY 2021-22 Estimated Budget	
EXPENDITURES								
Personnel Services	0	153,678	153,678	0	0	0	0	0
External Materials and Services	0	11,572	11,572	0	0	0	0	0
TOTAL EXPENDITURES	0	165,250	165,250	0	0	0	0	0
REVENUES								
Interagency Revenue	0	0	0	0	0	0	0	0
General Fund Discretionary	0	75,581	75,581	0	0	0	0	0
General Fund Overhead	0	89,669	89,669	0	0	0	0	0
TOTAL REVENUES	0	165,250	165,250	0	0	0	0	0
FTE								
Full-Time Positions	0.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00
TOTAL FTE	0.00	1.00	1.00	0.00	0.00	0.00	0.00	0.00

Description:

The FY16-17 Adopted Budget included one-time General Fund resources to fund a 1.0 FTE limited term Deputy City Attorney to support efforts addressing vacant and abandoned houses in Portland. The position was filled immediately and significant progress has been made. The office requests \$165,250 in ongoing funding to continue this work. This program provides benefits to neighborhood livability by targeting and improving abandoned and dilapidated properties in neighborhoods throughout the City. The Mayor's Office convened work sessions at which community members spoke about the adverse neighborhood effects of having vacant, abandoned properties nearby. Such homes have problems with squatters, criminal behavior, and unsafe or unhealthy conditions. Foreclosure is one tool to resolve blight and put properties back into productive use. The lien recovery revenue expected from this work is more than \$585,000 dollars for properties already approved for foreclosure. Revenue will increase as additional properties are approved. This request addresses all four of the City Attorney's Office strategic goals and addresses Citywide housing goals.

Vacant and abandoned houses are a major problem affecting neighborhood livability, particularly during a homelessness crisis. The City is moving forward with its first foreclosures or vacant and distressed residential properties in decades. The extensive legal work required to get to this point has included the following: 1) amending City Code Section 5.30 to ensure that the City's process to foreclose on derelict properties is neutral, transparent and procedurally proper; 2) advising multiple bureaus including BDS, Treasury, the Auditor, Mayor and Council Offices on all aspects of the foreclosure process; 3) researching and advising Council on alternatives to foreclosure such as receiverships and direct City acquisition of properties; 4) developing and drafting a Vacant Property Registration ordinance to require lenders with an ownership interest in a home to register their home with the City upon the lender sending notice of default to the homeowner; and 5) collaborating with other municipal attorneys across the state to share new ideas and techniques for addressing community livability issues that many cities are facing.

Decision Package Summary

Bureau: Office of the City Attorney

Priority: 02

Type: Adds

Decision Package: AT_05 - Vacant/Abandoned Houses Attorney Support

Program: Legal Services

FY 2017-18 Requested 1 Time DP	FY 2017-18 Requested Ongoing DP	FY 2017-18 Requested Budget	FY 2018-19 Estimated Budget	FY 2019-20 Estimated Budget	FY 2020-21 Estimated Budget	FY 2021-22 Estimated Budget
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Expected Results:

In June 2016, Council approved the first five houses on the foreclosure list thereby initiating the foreclosure process. In September 2016, Council approved four additional houses. By publishing the City's foreclosure rules and forms, the mortgage lender community has become aware that the City is taking this problem seriously. As a result, lenders have contacted the City requesting to pay off their liens and remove the houses from the foreclosure list. Of the initial five houses that Council approved for foreclosure, all five have had mortgage lenders contact the City regarding the liens. Two houses have been paid off, two have engaged in negotiations, and one lender contacted the City but ultimately decided to let the City foreclose on its house for economic reasons. Of the seven houses that have not paid off their liens, the City has targeted four houses for foreclosure and is monitoring active foreclosures from outside lenders on the remaining three houses. The foreclosure sale on the first four houses will likely take place in the first half of 2017. While it is difficult to measure the results of legal advice, success can be measured in part by the number of properties in the program that result in lien payoffs.

There are ongoing legal issues involving the new foreclosure process including liability, lien priority, redemption periods, and demolition rights, for example. The attorney working on these issues maintains weekly contact with the Treasurer, Auditor and BDS and provides in-depth explanations of the complex legal issues surrounding the foreclosure process. Funding for this position will provide the necessary legal resources to advance this program, help make a positive impact on neighborhood livability in Portland, continue to collect money owed to the City, and return formerly abandoned or vacant houses to the active housing stock.

If this position is not funded, the legal work required to proceed with foreclosures will need to be handled by outside counsel. Outside counsel rates average \$375 per hour which is much higher than the City Attorney cost of \$148 per hour. It would cost the City approximately \$675,000 for the same amount of work that one Deputy City Attorney can provide. This is not cost-effective.

The alternative to sending this work outside is to redistribute work among other attorneys in the office. However, office attorneys are already averaging 110 hours of overtime each year which equates to 4,150 hours of extra work or 2.3 FTE for the City. Timeliness of legal advice, quality of work product and work satisfaction of legal staff will suffer if additional work is demanded without sufficient resources.

Decision Package Summary

Bureau: Office of the City Attorney

Priority: 03

Type: Adds

Decision Package: AT_06 - DOJ/Community Engagement/Accountability Policy

Program: Legal Services

	FY 2017-18 Requested 1 Time DP	FY 2017-18 Requested Ongoing DP	FY 2017-18 Requested Budget	FY 2018-19 Estimated Budget	FY 2019-20 Estimated Budget	FY 2020-21 Estimated Budget	FY 2021-22 Estimated Budget		
EXPENDITURES									
Personnel Services	0	130,000	130,000	0	0	0	0	0	0
TOTAL EXPENDITURES	0	130,000	130,000	0	0	0	0	0	0
REVENUES									
General Fund Discretionary	0	59,458	59,458	0	0	0	0	0	0
General Fund Overhead	0	70,542	70,542	0	0	0	0	0	0
TOTAL REVENUES	0	130,000	130,000	0	0	0	0	0	0

Decision Package Summary

Bureau: Office of the City Attorney

Priority: 03

Type: Adds

Decision Package: AT_06 - DOJ/Community Engagement/Accountability Policy

Program: Legal Services

FY 2017-18 Requested 1 Time DP	FY 2017-18 Requested Ongoing DP	FY 2017-18 Requested Budget	FY 2018-19 Estimated Budget	FY 2019-20 Estimated Budget	FY 2020-21 Estimated Budget	FY 2021-22 Estimated Budget
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Description:

This request is to fund a Senior Policy Advisor in the Mayor's Office to work with the City Attorney's Office, the other Council offices, IPR staff, PPB staff and community representatives to provide strategic policy advice regarding the implementation of the United States Department of Justice v. City of Portland Settlement Agreement (the Agreement), an extremely complex Citywide initiative which has significant financial impacts and which is the focus of a high level of public interest. The Senior Policy Advisor would manage outside contracts required by the Agreement, serve as the primary client representative for legal matters, and work with other City and Council policy staff to build consensus within the City regarding a path forward to achieving compliance in the areas of community engagement and police oversight as required by the Agreement. The Senior Policy Advisor will have significant capacity to work within a political environment and the skill to build political consensus in challenging environments. The Senior Policy Advisor will work closely with the Mayor's Chief of Staff and police legal advisor, with all elected offices, with the PPB staff working on DOJ compliance and with the City Attorney's Office to achieve full compliance with the Agreement

Since 2012 the City has had an Agreement with the United States obligating the City to perform specified work and undertake certain reforms related to policing services. Among many other things, the Agreement requires the City to establish a community advisory board and a PPB community engagement plan. In addition, City bureaus and officials outside the Mayor's portfolio, such as the Auditor's Independent Police Review (IPR), are responsible for elements of the work essential for the City to achieve compliance with the Agreement, and the entire Council will need to act legislatively for the City to achieve compliance. The Agreement was approved by the federal court in 2014. As of the most recent report card generated by the DOJ evaluating the City's progress, the City was found to be substantially compliant in improving community-based mental health services. The City was listed in provisional substantial compliance with mental illness crisis intervention—provisional because anecdotal evidence of improvement was present, but the DOJ wanted more hard data to confirm that the City's crisis intervention model was just as effective as another city's model. The City was found to be partially compliant and making progress toward compliance in the areas of: overall reduction in excessive uses of force creation of a use of force policy; access to a computer data storage system (PPB is working to improve the EIS computer system); and officer accountability. The DOJ report found the City to be in noncompliance on one issue, the Community Oversight and Advisory Board (COAB) and community engagement.

The Agreement requires the City to establish a community advisory board capable of providing meaningful recommendations to the City and United States on strategies to ensure greater public outreach and engagement in the areas covered by the Agreement. In particular, PPB and COAB must work together to develop a community engagement plan. The City and the DOJ agree that the COAB needs to be restructured which will necessitate amendments to the Agreement. The current board has not been successful for a variety of reasons, which has impeded the City's ability to achieve compliance and damaged already frayed relationships with the community. The City Attorney's Office devoted substantial resources to attempting to support the COAB and more recently to working with the community to discuss restructuring the community engagement board. The lack of clearly identified senior staff leadership at the Council level combined with a toxic political atmosphere slowed these efforts. The City Attorney's Office has funded a Senior Policy Advisor for the remainder of FY16-17 using one-time vacancy savings, and substantial progress has begun to be made. Ongoing funding for this position is essential to continue to build the momentum needed to achieve full compliance.

The Agreement also requires the City to harmonize the work of PPB and IPR in investigating and adjudicating police misconduct cases. The United States provisionally approved of concepts presented to Council by the Auditor in proposed code amendments in September of 2016. In order to fully explore and address concerns from some community advocates and activists, Council elected to form a task force to consider additional proposals prior to passing the reforms. That task force has met and its report has now been received by the City. The community continues to assert a need for additional process, which is necessary and desirable in a broader sense. At the same time, decisive action on a path forward to achieve compliance in this relatively narrow area is necessary in the near future. This is another difficult and politically charged area where the City's elected officials will be well served by senior staff who can provide coordination and leadership.

In sum, the City Attorney's Office needs a senior-level client representative to partner with in the Mayor's Office to assist in building the political will needed for Council to make strategic and timely decisions in a highly charged atmosphere.

Expected Results:

Funding a Senior Policy Advisor will facilitate the City's efforts to achieve complete compliance with the Settlement Agreement. This will advance the City's objectives of rebuilding trust with the community and advancing racial and social justice through the provision of police services informed by the principles of 21st Century policing. It will also provide the City Attorney's Office with a policy partner to assist in building the political consensus necessary to successfully achieve the objectives of the Agreement.



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 assessing how budget requests benefit and/or burden communities, specifically communities of color and people with disabilities. As noted in Portland's 25-year strategic plan, the Portland Plan, Goal-Based Budgeting, and page 102:

When fully implemented, the new budget approach will direct City of Portland bureaus and offices 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.

City Attorney's Office
BUREAU/OFFICE/DEPARTMENT

SECTION ONE: BASE BUDGET

NOTE: *The charge of the Office of Equity and Human Rights is to remove barriers based on race and disability within Portland city government. Bureaus are charged with serving all residents, however this tool focuses specifically on information regarding race and disability.*

1. How have you maximized considerations of equity in your base budget?

The City Attorney's Office has prioritized equity over the past several years in its budgeting process in numerous ways, including adding an attorney position to focus on Community Justice and Civil Rights, funding a variety of equity trainings and activities, including co-hosting a two-day racial equity training with OEHR in 2016, and creating two Honors Attorney positions, which are designed to allow the office to recruit and train new lawyers with a commitment to furthering equity in public service, and which affords the office another opportunity to increase the racial diversity of Oregon lawyers over time, as the office recruits both within and without Oregon, including at historically black law schools. Although this office, like most City bureaus and offices, is proposing a budget including a five percent cut, the office has intentionally protected these three positions (Honors Attorneys and Work Group leader of Community Justice and Civil Rights work group) in order to continue to our emphasis on furthering equity both within the City and within the Oregon legal community.

2. Are there specific realignments in your base budget that either advance or inhibit equity?

The office has not identified any realignments this year. The office did realign resources a few years ago to develop two Honors Attorney positions to help advance equity goals. The office has protected those positions from the reduction packages required this year.

3. Are there specific realignments in your base budget that would advance or inhibit your achievement of equity goals outlined in your bureau's Racial Equity Plan?

See Above.

4. What funding have you allocated for translation, interpretation and ADA (American's with Disability Act) accommodation including ASL (American Sign Language) interpretation and video captioning?

Because the office is primarily an internal facing service provider which does not provide services directly to the public, the need for translation and interpretation services has been minimal and those services that are needed are funded through our materials and services budget. However, the office has ensured that interpretation services are available at legal proceedings such as the DOJ status conference where we anticipate members of the public could benefit from such services. The office has installed relevant software on shared laptops and has enough resources in its budget to cover anticipated potential expenses.

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

To some extent. The office's small administrative support staff was reduced by one FTE last year due to a mandatory reduction and the office accordingly does not have sufficient capacity to track data as thoroughly as we would like to report on the office's equity plan and strategies in a timely manner. Although the office is striving to meet its goals, without proper data collection and analysis, it is difficult to do the level of analysis we would like to do. In addition, the office would like to revamp its website to provide more information of interest to the public, including information on available legal resources for low income and historically disadvantaged members of the community. To do this would require research, engagement and translation, which our current budget does not permit.

SECTION TWO: DECISION PACKAGES

If your bureau or office has multiple decision packages, please address each one separately.

AT-01 – .5% External Materials and Services Reduction

1. How does this program or service align with the goal of advancing equity or achieving goals outlined in your bureau's Racial Equity Plan?
 - This should have little to no impact, positive or negative, on the goal of advancing equity, except that the office will have fewer discretionary resources to sponsor equity related events.
 - Identify all Citywide Goals and or Strategies you are using: NA
2. What areas of the city will be impacted by your program or service and is there a larger than average population of people of color in those areas?
 - This proposed cut should primarily affect the employees of the City Attorney's Office and should have little to no effect on members of the public, except that the office will have fewer discretionary resources to sponsor equity related events.
3. Identify impacts on how resource allocation includes improving ADA accessibility for people with disabilities. (See Attached Worksheet.)
 - This proposed cut should primarily affect the employees of the City Attorney's Office and should have little to no effect on members of the public.
4. Identify impacts on workforce demographics. (Racial Equity Goal #1, Model Employer Resolution.)
 - None anticipated.

AT-02 – .5% External Materials and Services Reduction

1. How does this program or service align with the goal of advancing equity or achieving goals outlined in your bureau’s Racial Equity Plan?
 - This should have little to no impact, positive or negative, on the goal of advancing equity, except that the office will have fewer discretionary resources to sponsor equity related events and attend equity related continuing legal education.
 - Identify all Citywide Goals and or Strategies you are using: Goals 1 and 3, Strategies 1-3
2. What areas of the city will be impacted by your program or service and is there a larger than average population of people of color in those areas?
 - This proposed cut should primarily affect the employees of the City Attorney’s Office and should have little to no effect on members of the public.
3. Identify impacts on how resource allocation includes improving ADA accessibility for people with disabilities. (See Attached Worksheet.)
 - This proposed cut should primarily affect the employees of the City Attorney’s Office and should have little to no effect on members of the public.
4. Identify impacts on workforce demographics. (Racial Equity Goal #1, Model Employer Resolution.)
 - None anticipated.

AT-03 – Chief Deputy City Attorney Position - 4% reduction

1. How does this program or service align with the goal of advancing equity or achieving goals outlined in your bureau’s Racial Equity Plan?
 - A reduction of a Chief Deputy City Attorney position would have a dramatic negative effect on the office’s work to further the City’s equity policies by limiting the amount of time that can be devoted to equity activities as fewer lawyers would have to take on more work to meet the City’s basic legal needs. Such a significant decrease in attorney resources would require the office to prioritize basic and essential legal work over more proactive legal work to assist clients with fuller compliance in the areas of public involvement, environmental justice, and ensuring equity in the provision of all City programs, services and activities.
 - Identify all Citywide Goals and or Strategies you are using: Goals 1-3, Strategies 1-6

2. What areas of the city will be impacted by your program or service and is there a larger than average population of people of color in those areas?
 - In general, the office would be less able to focus on assisting clients in ensuring that people of color and other historically disadvantaged communities have full access to all City programs services and activities.
3. Identify impacts on how resource allocation includes improving ADA accessibility for people with disabilities. (See Attached Worksheet.)
 - No specific impacts
4. Identify impacts on workforce demographics. (Racial Equity Goal #1, Model Employer Resolution.)
 - If the office loses funding for this position, it would not currently affect a person of color or with other minority status, but it reduces career growth opportunities in the office by eliminating a senior level position that would otherwise afford a promotional opportunity.

AT04-Vacant/Abandoned Houses Attorney Support

1. How does this program or service align with the goal of advancing equity or achieving goals outlined in your bureau's Racial Equity Plan?
 - This will enable the office to continue to assign an attorney to support efforts addressing vacant and abandoned houses in Portland, which are often located in historically disadvantaged neighborhoods.
 - Identify all Citywide Goals and or Strategies you are using: Goals 1-3, Strategies 1-6
2. What areas of the city will be impacted by your program or service and is there a larger than average population of people of color in those areas?
 - The impact of this position is citywide, although the nuisance and abandoned homes are disproportionately located in low income neighborhoods.
3. Identify impacts on how resource allocation includes improving ADA accessibility for people with disabilities. (See Attached Worksheet.)
 - None that we are aware of.

4. Identify impacts on workforce demographics. (Racial Equity Goal #1, Model Employer Resolution.)
 - Not funding this position on an ongoing basis will eliminate a position that is currently held by a person of color.

AT-05 PPB Legal Policy Work and AT-06 DOJ/Community Engagement/Police Accountability Policy Work

1. How does this program or service align with the goal of advancing equity or achieving goals outlined in your bureau's Racial Equity Plan?
 - This will enable the office to continue to assign an attorney to support the Portland Police Bureau policy development and training, and is focused on achieving full compliance with the Department of Justice Settlement Agreement to ensure that PPB is fully compliant with all civil rights obligations.
 - Identify all Citywide Goals and or Strategies you are using: Equity Goals 1, 2 and 3
2. What areas of the city will be impacted by your program or service and is there a larger than average population of people of color in those areas?
 - The impact of this position is citywide, but the work is focused on ensuring that PPB is fully compliant with the civil rights of people of all races and people with mental illnesses.
3. Identify impacts on how resource allocation includes improving ADA accessibility for people with disabilities. (See Attached Worksheet.)
 - PPB is currently making great strides in addressing concerns that the community has raised, particularly regarding use of force and the treatment of persons with mental illness. These are outlined in directives that will benefit the community in significant ways if they come in contact with a Police Bureau member. This position directly supports this program by providing necessary legal advice.
4. Identify impacts on workforce demographics. (Racial Equity Goal #1, Model Employer Resolution.)
 - None known

Section THREE: EQUITABLE ENGAGEMENT AND ACCESS (Racial Equity Goal #2)

1. How has community engaged with your requested budget, including this tool?
 - The City Attorney’s Office’s budget advisory committee includes a member of the public. The committee reviewed the draft budget and the office’s racial equity plan and offered feedback. The budget advisory committee is racially diverse.
2. 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.)
 - This budget request seeks to preserve all positions in the office, and in particular those that directly advance the office’s equity goals.
3. 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.)
 - This budget request seeks to preserve all positions in the office, and in particular those that directly advance the office’s equity goals.

Tracy Reeve

1/30/17

Name of Bureau Director

Date

Rev: Oct. 2016

