

Portland, Oregon
FINANCIAL IMPACT and PUBLIC INVOLVEMENT STATEMENT
For Council Action Items

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Shoshanah Oppenheim, Program Manager		2. Telephone No. 503-823-2559	3. Bureau/Office/Dept. OMF-Internal Business Services-Facilities Services
4a. To be filed (date): May 30, 2013	4b. Calendar (Check One) Regular <input checked="" type="checkbox"/> Consent <input type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to Commissioner's office and FPD Budget Analyst:
6a. Financial Impact Section: <input checked="" type="checkbox"/> Financial impact section completed		6b. Public Involvement Section: <input checked="" type="checkbox"/> Public involvement section completed	

1) Legislation Title:

Adopt the City of Portland's Civil Rights Title VI Plan (Ordinance)

2) Purpose of the Proposed Legislation:

As an implementation action of the Portland Plan and a federal requirement, the Title VI Civil Rights Plan is part of the City's effort to remove physical and cultural barriers and conditions that prevent people of color, the disabled community, low income, limited English proficient persons and other disadvantaged groups and persons from receiving access, participation and benefits from City program services and activities. The plan advances the City Council's commitment to equity and brings the City of Portland into compliance with federal requirements.

3) Which area(s) of the city are affected by this Council item? (Check all that apply—areas are based on formal neighborhood coalition boundaries)?

- | | | | |
|--|------------------------------------|------------------------------------|--------------------------------|
| <input checked="" type="checkbox"/> City-wide/Regional | <input type="checkbox"/> Northeast | <input type="checkbox"/> Northwest | <input type="checkbox"/> North |
| <input type="checkbox"/> Central Northeast | <input type="checkbox"/> Southeast | <input type="checkbox"/> Southwest | <input type="checkbox"/> East |
| <input type="checkbox"/> Central City | | | |
| <input type="checkbox"/> Internal City Government Services | | | |

FINANCIAL IMPACT

4) Revenue: Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If so, please identify the source.

No, the proposed legislation has no impact on current or future revenues.

5) Expense: What are the costs to the City related to this legislation? What is the source of funding for the expense? *(Please include costs in the current fiscal year as well as costs in future years. If the action is related to a grant or contract please include the local contribution or match required. If there is a project estimate, please identify the **level of confidence**.)*

This legislation will not increase expenditures in the current or future years. Initial work on the Title VI Civil Rights Program will involve coordinating with bureaus to determine if implementation will be City-wide or bureau specific. This work will be conducted by the Title VI Program Manager in the Office of Management and Finance. The Program Manager position is already fully funded through a charge to all City bureaus. This work may reduce the amount of time the Program Manager has available for other projects, such as the ADA Title II Transition Plan, but should not result in additional expenditures. After the plan is developed, and we begin implementation, there may be additional costs to individual bureaus or the City as a whole. However, the scope and scale of these additional costs cannot be determined at this time and would be weighted against loss of funds for non compliance or potential litigation.

6) Staffing Requirements:

- **Will any positions be created, eliminated or re-classified in the current year as a result of this legislation?** *(If new positions are created please include whether they will be part-time, full-time, limited term, or permanent positions. If the position is limited term please indicate the end of the term.)*

No positions are being created, eliminated or re-classified in the current year as a result of this legislation.

- **Will positions be created or eliminated in *future years* as a result of this legislation?**

No future positions are being created or eliminated as a result of this legislation.

(Complete the following section only if an amendment to the budget is proposed.)

7) Change in Appropriations *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Fund Center column if new center needs to be created. Use additional space if needed.)*

N/A – no change in appropriation is necessary

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Sponsored Program	Amount

[Proceed to Public Involvement Section — REQUIRED as of July 1, 2011]

PUBLIC INVOLVEMENT

8) Was public involvement included in the development of this Council item (e.g. ordinance, resolution, or report)? Please check the appropriate box below:

☒ **YES:** Please proceed to Question #9.

☐ **NO:** Please, explain why below; and proceed to Question #10.

9) If "YES," please answer the following questions:

a) What impacts are anticipated in the community from this proposed Council item?

This council item will adopt a plan to advance the equity agenda and advance the city's policy 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, religion, color, national origin, English proficiency, sex, age, disability, religion, sexual orientation, gender identity or economic status.

A compliant complaint procedure, a system of monitoring and resolving complaints will be established. Annual reporting will provide a level of transparency.

b) Which community and business groups, under-represented groups, organizations, external government entities, and other interested parties were involved in this effort, and when and how were they involved?

The following is a list of organizations that were engaged in the review, development or advancement of this the Title VI Civil Right Plan. The list is not intended to imply endorsement.

- Latino Network
- Urban League
- OPAL
- Asian American Chamber of Commerce
- ARC
- APANO
- Diverse Civic Leaders
- Portland African American Leadership Forum
- Coalition for a Livable Future
- Connecting Communities
- IRCO
- Coalition of Communities of Color
- Center for Intercultural Organizing
- Verde
- Human rights Commission
- Commission on Disabilities
- Public Involvement Advisory Council
- Citywide Equity Committee
- Catholic Charities and El Programa

c) How did public involvement shape the outcome of this Council item?

The need for an analysis tool for the environmental justice section was identified. The Environmental Justice Appendix was drafted provide staff an analysis tool that illustrates decision making from an environmental justice perspective. The public involvement plan and public information effort post adoption were shaped with the input of the Public Involvement Advisory Council (PIAC). The high level of accountability identified in the plan reflects the concerns of the public for accountability and transparency. The feedback improved the translation and interpretation policy, by highlighting the differences in the two services and the limitations. Additionally, the community asked to be engaged in reviewing the baseline populations. The public input improved the plan significantly.

d) Who designed and implemented the public involvement related to this Council item?

Shoshanah Oppenheim, Title VI Program Manager

e) Primary contact for more information on this public involvement process (name, title, phone, email):

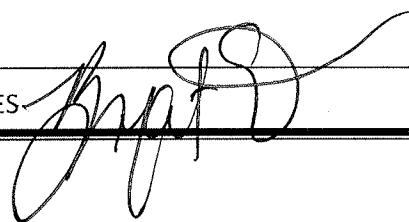
Shoshanah Oppenheim, Title VI Program Manager 503-823-2559,
shoshanah.oppenheim@portlandoregon.gov

10) Is any future public involvement anticipated or necessary for this Council item? Please describe why or why not.

The Program Manager will be implementing a public Information effort to make sure that the public knows about their legal rights under Title VI and related statutes. After adoption the community will be engaged on implementation.

BRYANT ENGE, DIRECTOR, BUREAU OF INTERNAL BUSINESS SERVICES

BUREAU DIRECTOR (Typed name and signature)





CITY OF PORTLAND
OFFICE OF MANAGEMENT AND FINANCE

Charlie Hales, Mayor
Jack D. Graham, Chief Administrative Officer
Bryant Enge, Director, Bureau of Internal Business Services

Robert F. Kieta, Manager
Facilities Services

1120 S.W. Fifth Avenue, Rm. 1204
Portland, Oregon 97204-1912
(503) 823-5288
FAX (503) 823-6924
TTY (503) 823-6868

DATE: May 23, 2013

TO: Mayor Charlie Hales

VIA: Bryant Enge, Director of Internal Business Services
Bob Kieta, Facilities Services Manager *BE*

FROM: Shoshanah Oppenheim, Program Manager

RE: Adopt the City of Portland's Civil Rights Title VI Plan (Ordinance)

**FOR MAYOR'S OFFICE USE
ONLY**

Reviewed by Bureau Liaison

186101

1. **INTENDED THURSDAY FILING DATE:** May 30, 2013
2. **REQUESTED COUNCIL AGENDA DATE:** June 12, 2013
3. **CONTACT NAME & NUMBER:** Shoshanah Oppenheim, 3-2559
4. **PLACE ON:** **CONSENT** X **REGULAR**
5. **BUDGET IMPACT STATEMENT ATTACHED:** X **Y** **N** **N/A**
6. **(2) ORIGINAL COPIES OF CONTRACTS APPROVED AS TO FORM BY CITY ATTORNEY ATTACHED:** **Yes** **No** X **N/A**

7. BACKGROUND/ANALYSIS

Attached is an ordinance to authorize City Council to adopt the City of Portland Civil Rights Title VI Plan. The Civil Rights Title VI Plan will ensure that the City's programs, services and activities are accessible to all persons; that all persons are able to participate in public processes and decision making, including persons with limited English proficiency; and that negative impacts do not disproportionately fall on persons of color or low income communities.

The Civil Rights Title VI Plan will enable the City to identify and work to remove barriers to full access, to track the necessary data to ensure that benefits and burdens are equitably distributed and to promptly investigate complaints. The Civil Rights Title VI Plan will also enable the City to meet the needs of LEP persons, through the development as appropriate of City wide or bureau specific LEP plan(s).

The City is a leader in adopting principles of public involvement that strive to engage interested and affected persons in the decision making of the City. In 2010, by Resolution 36807, Council adopted City of Portland Public Involvement Guidance and Principles. These Principles are an important part of insuring public involvement and engagement.

Title VI of the 1964 Civil Rights Act provided ground breaking protection from discrimination in federally funded programs, services and activities based on a person's race, color or national origin. Over time Title VI and related statutes have been expanded to address discrimination based on age, sex, disability and limited English proficiency.

By Executive Order, President Clinton in 1994 extended Title VI to include the obligation to identify and address disproportionately high and adverse human health or environmental effects of government programs, policies and activities on minority populations and low-income populations. This component of Title VI is known as "Environmental Justice".

The City of Portland, as a recipient of federal funding, is subject to Title VI of the 1964 Act.

Portland City Code section 23.01.010 expressly provides that it is the policy of the City of Portland to eliminate discrimination based on race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity or source of income. Such discrimination poses a threat to the health, safety and general welfare of the citizens of Portland and menaces the institutions and foundations of our community.

On May 6, 2009, Council by Ordinance 182745 adopted and implemented the City of Portland Bureau of Transportation Title VI Civil Rights Program and directed the Office of Management and Finance to complete a Title VI Civil Rights Program citywide.

On September 14, 2011, The City of Portland created the Office of Equity to ensure that everyone has access to opportunities necessary to satisfy essential needs, advance their well being, and achieve their full potential.

On April 25, 2012 by Resolution 36918 the City of Portland adopted the Portland Plan as a strategic plan to guide future City decisions. In that Resolution, Council recognized that not all of Portland's diverse individuals and communities have equitable access to opportunities to advance their well-being and achieve their full potential. The Portland Plan has an understanding that advancing equity must be at the core of our plans for the future. The Portland Plan includes A Framework for Equity to guide plan implementation and improve City operational and business practices, support actions that promote accountability, close disparity gaps and increase community engagement in civic activities.

The Portland Plan's Framework for Equity calls for implementation of a citywide Title VI Civil Rights Program as a key tool to ensure that all Portlanders can meaningfully access City programs, services and activities.

8. FINANCIAL IMPACT

No, the proposed legislation has no impact on current or future revenues.

This legislation will not increase expenditures in the current or future years. Initial work on the Title VI Civil Rights Program will involve coordinating with bureaus to determine if implementation will be City-wide or bureau specific. This work will be conducted by the Title VI Program Manager in the Office of Management and Finance. The Program Manager position is already fully funded through a charge to all City bureaus. This work may reduce the amount of time the Program Manager has available for other projects, such as the ADA Title II Transition Plan, but should not result in additional expenditures. After the plan is developed, and we begin implementation, there may be additional costs to individual bureaus or the City as a whole. However, the scope and scale of these additional costs cannot be determined at this time and would be weighted against loss of funds for non compliance or potential litigation.

9. RECOMMENDATION/ACTION REQUESTED

Adopt the City of Portland's Civil Rights Title VI Plan (Ordinance)