

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

(Deliver original to City Budget Office. Retain copy.)

1. Name of Initiator Danielle Brooks		2. Telephone No. 503-823-2559	3. Bureau/Office/Dept. Office of Equity and Human Rights
4a. To be filed (hearing date):	4b. Calendar (Check One) Regular Consent 4/5ths <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/>		5. Date Submitted to Commissioner's office and CBO Budget Analyst: November 6 th , 2014
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: *Delegate rulemaking authority to the Director of the Office of Equity and Human Rights and add administrative rulemaking procedures (Ordinance; amend Code Section 3.128.030 and add section 3.128.040)

2) Purpose of the Proposed Legislation: The Civil Rights and ADA programs were initially housed in OMF, where the CAO has rulemaking authority, necessary to compliance and implementation activities of these two programs. The City Council FY 2014/15 budget authorized transferring the Civil Rights Title VI Program and ADA Title II Program to OEHR from OMF. City Code Subsection 3.128.30 B. Director's Powers and Duties state the OEHR's authorities to include implementing the policy directives of the City Council and the Commissioner in Charge, and proposing policies and practices to achieve the purpose of the Office. It is necessary that code outlining the Director's authorities include the authorization to develop and adopt administrative rules to administer the programs assigned to OEHR. To ensure a standard level of practice, this ordinance additionally amends code 3.128 to include a new section on administrative rulemaking procedures as it relates to the proposed amendment of rulemaking authority.

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 | | | |

***** & 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 additional revenue will be generated from passage of this ordinance.

5) **Expense:** What are the costs to the City as a result of 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 year, including Operations & Maintenance (O&M) costs, if known, and estimates, if not known. 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.)*

The ordinance to amend code 3.128 will not result in any direct costs or immediate fiscal impact, however there is potential that future implementation of an administrative rule developed as a result of the amendment could result in an expense to the bureau or city. It is not possible to provide any cost estimate for an unknown action. However, the added section to the code provides a minimal, baseline process for administrative rule development and notice that gives ample opportunity for notification and involvement of potentially impacted stakeholders – fiscal impacts and source of funding for expense would be considered and vetted at that time.

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 staffing changes are anticipated in the current year.

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

No staffing changes are anticipated in future years, however should any action result from this rule making authority that would impact staffing, the bureau will re-evaluated during the budget development process to determine if existing staff can implement throughout all phases or if staffing can be appropriately developed with bureau budget allocation.

(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

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.

The code amendment is primarily related to a change in internal process. The Civil Rights and ADA programs were developed and housed in OMF (which has administrative rulemaking authority). As rulemaking authority is related to implementation and operations of these programs, the proposed ordinance is a result of a program transition. The addition to code and resulting activities are primarily limited to internal City government process, has a low cost associated, a low potential for controversy, and a low impact on community. Internal stakeholders from OMF and the City Attorney's Office were involved in the drafting and given opportunity to comment. Commissioners were debriefed on the Ordinance.

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

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

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?

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

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

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

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

None for this specific council item. The proposed addition of Section 3.128.040 provides a

minimum process for stakeholder identification, involvement, input, review, modification, and notification of all stakeholders. Should indirect actions as a result of this decision impact the public, potentially impacted parties shall have opportunity to be involved at various levels, potentially including research and drafting, information sharing, review and comment options and consideration in decision making. However, the administrative rules developed as a result of this ordinance are anticipated to primarily impact internal City and bureau procedures and operations.

Dante James, Director Office of Equity & Human Rights.



APPROPRIATION UNIT HEAD (Typed name and signature)