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OFFICE OF THE CITY CLERK
OAKLAND
2015 OCT 29 PM 2:07

AGENDA REPORT

TO: Sabrina B. Landreth
City Administrator

FROM: Stephanie Hom
Deputy City Administrator

SUBJECT: Loaned Equity Director for
Department of Race and Equity

DATE: October 19, 2015

City Administrator Approval

Date:

10/28/15

RECOMMENDATION

Staff recommends that the City Council Adopt A Resolution Authorizing the City Administrator to Enter Into A Memorandum of Understanding (MOU) With the City of Portland, Oregon, For The Loan of An Equity Director to the City of Oakland for up to three months during the Fiscal Year 2015-16 In An Amount Not-To-Exceed Sixty-Seven Thousand Dollars (\$67,000).

EXECUTIVE SUMMARY

The City Council is being asked to approve a resolution that will authorize the City Administrator to enter into an MOU with the City of Portland, Oregon for the loan of an equity professional to provide technical assistance to the City of Oakland in establishing a foundational structure for the new Department of Race and Equity, recruiting and selecting the City's first Director of Race and Equity, and working towards advancing the objectives of the new department. The equity professional would be loaned to the City of Oakland for up to three months.

BACKGROUND / LEGISLATIVE HISTORY

As part of the Fiscal Year (FY) 2015-17 budget development process, the City Council approved the creation of the Department of Race and Equity. The FY 2015-16 appropriation for the department includes 1.0 FTE director position and 1.0 FTE Program Analyst II, funded for 6 months, and \$150,000 in Operations and Maintenance (O&M) funding.

On June 30, 2015, the City Council approved Ordinance No. 13319 C.M.S. creating the Department of Race and Equity by December 2015, and establishing definitions and implementation steps related to a citywide strategy of a fair and just city. On September 8, 2015, the City Council approved Ordinance No. 13326 C.M.S. amending the prior ordinance to reformat the ordinance and provide clarifying language consistent with the intent and to avoid unintended legal consequences.

Item: _____
Finance Committee
November 10, 2015

ANALYSIS AND POLICY ALTERNATIVES

The FY 2015-16 Adopted Budget includes funding for two positions for the Department of Race and Equity. Through separate actions, the position for the director of the department needs to be established in the City's Classification Plan and Salary Schedule. Toward this end, the Director of Race and Equity job description has been finalized and will be presented to the Civil Service Board at its meeting of November 19, 2015. Also, the addition of the director position to the Salary Schedule through an ordinance amendment is scheduled for discussion at this same meeting of the Finance Committee, and will require two readings at the City Council for final passage.

Simultaneously, the City Administration has engaged an executive recruiting firm to initiate the national recruitment for the Director of Race and Equity. Assuming the approval of the job description and salary schedule is completed in due time, a new director may be appointed in the February/March of 2016 timeframe.

In the meantime, work to advance the principle of "fairness and justice" embedded throughout the delivery of city services is in its infancy stages within the organization. For example, the City has launched and is undergoing a training class for all City employees that is a comprehensive and constructive introduction to the terms and concepts of social equity and restorative justice. As of October 19, 2015, 1,208 full-time and permanent part-time city employees have participated in the Diversity in Action, Inclusion, Equity and Privilege in the Workplace training conducted by CircleUp Education in partnership with the City's Human Resources Department. It is expected that all 3,300 full-time and permanent part-time employees will complete the training by March 2016.

To further advance the work of the Department of Race and Equity, while the recruitment for a permanent director is in progress, the City Administration proposes to take advantage of an offer from the City of Portland, Oregon to loan the Director of Portland's Office of Equity and Human Rights, to the City of Oakland for up to three months to provide technical assistance to the City in setting a foundational structure for the new Department of Race and Equity. Specifically, the loaned equity director will, at minimum, complete the following deliverables:

- Develop draft vision and mission statements appropriate for the organization.
- Participate in meetings with the community to facilitate expectations and community engagement in application of equity tools and objectives within local government.
- Provide equity training to senior staff within the organization.
- Engage in one-on-one discussions to develop in depth understanding of equity tools and objectives.
- Provide sample equity training curricula that are appropriate for the organization.
- Provide sample equity tools that are appropriate to the organization.
- Establish, coordinate and conduct training on the use of equity tools throughout different function areas of the organization.
- Further recruitment efforts through outreach to other equity professionals and organizations.
- Facilitate introduction of the new director to other equity professionals around the country.

The City of Portland, Office of Equity and Human Rights was created in 2011 and established as a working office in March 2012 when Mr. Dante J. James, the current director, started in the

position of its Director. There will be differences between the City of Oakland's Department of Race and Equity and the City of Portland's Office of Equity and Human Rights. For instance, the government structures and demographics of each city are very different, and the organizational structures and operational practices will vary accordingly. But, significantly, the two departments share a common core goal: to achieve the "fair and just" principle, or equity strategy, embedded throughout the delivery of city services. As an example, Portland recently adopted Citywide Racial Equity Goals and Strategies (**Attachment B**) as a means to providing a guidepost for city employees and leadership to follow and to achieve the racial equity goals. The conversation, understanding and work in Portland has begun to be institutionalized and embedded in the city organization, and the Citywide Racial Equity Goals and Strategies were specifically adopted as binding city policy.

City Council approval is required to authorize the City Administrator to enter into a MOU with the City of Portland in order to enable the City to have the Director from the City of Portland, Office of Equity and Human Rights loaned to Oakland for up to three months to provide technical assistance to the City in setting a foundational structure for the new Department of Race and Equity.

FISCAL IMPACT

The not-to-exceed amount of \$67,000 is identified to cover the cost of a loaned equity director from the City of Portland, including reimbursement of wages and benefits, temporary housing while in Oakland and travel expenses. The breakdown of estimated expenditures is as follows:

| Description | Amount |
|---|----------|
| Wages and benefits (reimbursement to City of Portland) | \$50,500 |
| Temporary Housing | 14,000 |
| Travel Expenses (includes mileage reimbursement for one roundtrip to/from Oakland/Portland and two flights to/from Oakland/Portland during the 3-month period) | 2,500 |
| Total Not-to-Exceed | \$67,000 |

General Purpose funds to support the \$67,000 are available in the FY 2015-16 Adopted Budget for the Department of Race and Equity (Fund 1010 – General Purpose Fund; Organization 64111 – Race and Equity; Accounts 54919 – Contracts; 55112 – Transportation; 55114 – Lodging).

PUBLIC OUTREACH / INTEREST

At this time, no outreach was deemed necessary for the proposed policy action beyond the standard City Council agenda noticing procedures.

COORDINATION

This subject and report has been reviewed by the Office of the City Attorney.

SUSTAINABLE OPPORTUNITIES

Economic: There are no direct economic opportunities associated with this report.

Environmental: There are no direct environmental opportunities associated with this report.

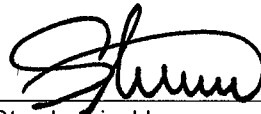
Social Equity: The approval of the resolution enables the City Administrator to immediately advance the work of the Department of Race and Equity, and the principle of "fairness and justice" embedded throughout the delivery of city services, while the recruitment for a permanent director is in progress.

ACTION REQUESTED OF THE CITY COUNCIL

It is recommended that the City Council approve the Resolution Authorizing the City Administrator to Enter Into An MOU With the City of Portland, Oregon, For The Loan of an Equity Director In An Amount Not-To-Exceed Sixty-Seven Thousand Dollars (\$67,000) During The Fiscal Year 2015-16.

For questions regarding this report, please contact Stephanie Hom, Deputy City Administrator at (510) 238-7542.

Respectfully submitted,



Stephanie Hom
Deputy City Administrator
City Administrator's Office

Attachments (2):

- A. Resolution Authorizing the City Administrator to Enter Into A Memorandum of Understanding With the City of Portland, Oregon, For The Loan of An Equity Director In An Amount Not-To-Exceed Sixty-Seven Thousand Dollars (\$67,000) During The Fiscal Year 2015-16
- B. City of Portland, Office of Equity and Human Rights, Citywide Racial Equity Goals and Strategies

CITYWIDE RACIAL EQUITY GOALS & STRATEGIES



**OFFICE of EQUITY
and HUMAN RIGHTS**
CITY OF PORTLAND

EQUITY GOAL #1

We will end racial disparities within city government, so there is fairness in hiring and promotions, greater opportunities in contracting, and equitable services to all residents.

EQUITY GOAL #2

We will strengthen outreach, public engagement, and access to City services for communities of color and immigrant and refugee communities, and support or change existing services using racial equity best practices.

EQUITY GOAL #3

We will collaborate with communities and institutions to eliminate racial inequity in all areas of government, including education, criminal justice, environmental justice, health, housing, transportation, and economic success.


OVERALL STRATEGIES

- 1 Use a racial equity framework:**
Use a racial equity framework that clearly articulates racial equity; implicit and explicit bias; and individual, institutional, and structural racism.
- 2 Build organizational capacity:**
Commit to the breadth and depth of institutional transformation so that impacts are sustainable. While the leadership of electeds and officials is critical, changes take place on the ground, through building infrastructure that creates racial equity experts and teams throughout the city government.
- 3 Implement a racial equity lens:**
Racial inequities are not random; they have been created and sustained over time. Inequities will not disappear on their own. It is essential to use a racial equity lens when changing the policies, programs, and practices that perpetuate inequities, and when developing new policies and programs.
- 4 Be data driven:**
Measurement must take place at two levels—first, to measure the success of specific programmatic and policy changes; and second, to develop baselines, set goals, and measure progress. Using data in this manner is necessary for accountability.
- 5 Partner with other institutions and communities:**
Government work on racial equity is necessary, but insufficient. To achieve racial equity in the community, government needs to work in partnership with communities and institutions to achieve meaningful results.
- 6 Operate with urgency and accountability:**
When change is a priority, urgency is felt and change is embraced. Building in institutional accountability mechanisms using a clear plan of action will allow accountability. Collectively, we must create greater urgency and public commitment to achieve racial equity.

ATTACHMENT B

FILED
OFFICE OF THE CITY CLERK
OAKLAND

OAKLAND CITY COUNCIL


City Attorney

2015 OCT 29 PM 2:07

RESOLUTION No. _____ C.M.S.

RESOLUTION AUTHORIZING THE CITY ADMINISTRATOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF PORTLAND, OREGON, FOR THE LOAN OF AN EQUITY DIRECTOR TO THE CITY OF OAKLAND FOR UP TO THREE MONTHS DURING THE FISCAL YEAR 2015-16 IN AN AMOUNT NOT-TO-EXCEED SIXTY-SEVEN THOUSAND DOLLARS (\$67,000)

WHEREAS, as part of the Fiscal Year (FY) 2015-17 budget development process, the City Council approved the creation of the Department of Race and Equity; and

WHEREAS, the FY 2015-16 appropriation for the department includes 1.0 FTE director position and 1.0 FTE Program Analyst II, funded for 6 months, and \$150,000 in Operations and Maintenance (O&M) funding; and

WHEREAS, on June 30, 2015, the City Council approved Ordinance No. 13319 C.M.S. creating the Department of Race and Equity by December 2015, and establishing definitions and implementation steps related to a citywide strategy to create a fair and just city; and

WHEREAS, on September 8, 2015, the City Council approved Ordinance No. 13326 C.M.S. amending the prior ordinance to reformat the ordinance and provide clarifying language consistent with the intent and to avoid unintended legal consequences; and

WHEREAS, the City of Portland, Oregon has offered to loan its Director of Equity and Human Rights to the City of Oakland for up to three months to provide technical advice and consultation to the City in establishing a foundational structure for the new Department of Race and Equity, recruiting and selecting the City's first Director of Race and Equity, and working towards advancing the objectives of the new department, and;

WHEREAS, Portland's Director of Equity and Human Rights has considerable experience and expertise in establishing and managing a department with goals and functions similar to those of the City of Oakland's Department of Race and Equity; and

WHEREAS, the City of Oakland does not possess such capabilities in-house; and

WHEREAS, it is in the interest of the City of Oakland to utilize the services of Portland's Director of Equity and Human Rights; and

WHEREAS, the funding to cover the estimated \$67,000 cost of a loaned Equity Director from the City of Portland, including reimbursement of wages and benefits, temporary housing while in Oakland and travel expenses for the three-month period is available in the FY 2015-16 Adopted Budget for the Department of Race and Equity; now, therefore be it

RESOLVED, that the City Council of the City of Oakland authorizes the City Administrator to enter into a Memorandum of Understanding with the City of Portland, Oregon, for the loan of its Director of the Portland Office of Equity and Human Rights to the City of Oakland for up to three months during the Fiscal Year 2015-16 in an amount not-to-exceed sixty-seven thousand dollars (\$67,000); and be it

FURTHER RESOLVED, that based on information provided by the City Administrator, the Council finds that this contract is of a professional and temporary nature and shall not result in the loss of employment or salary by any person having permanent status in the competitive civil service; and be it

FURTHER RESOLVED, that the City Attorney's Office will approve the Memorandum of Understanding as to form and legality and a copy will be on file in the Office of the City Clerk.

IN COUNCIL, OAKLAND, CALIFORNIA, _____

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, GALLO, GIBSON MCELHANEY, KALB, KAPLAN, REID, SCHAAF and PRESIDENT KERNIGHAN

NOES -

ABSENT -

ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California