

FROM	NAME & TITLE	Rudolph S. Chow, P.E., Director	CITY of BALTIMORE MEMO	
	AGENCY NAME & ADDRESS	Department of Public Works 600 Abel Wolman Municipal Building		
	SUBJECT	City Council Bill 18-0223		

DATE: June 7, 2018

TO

The Honorable President and Members
 of the Baltimore City Council
 c/o Natawna Austin
 Room 400 – City Hall

I am herein reporting on City Council Bill 18-0223 introduced by Council Members Scott, Sneed, Henry, President Young, Council Members Dorsey, Bullock, Burnett, Pinkett, Schleifer, Cohen, Middleton, Reisinger, Stokes, Clarke, and Costello.

The purpose of the Bill is, among other things, to provide for the implementation of an Equity Assessment Program for Baltimore City that would be developed and overseen by the Department of Planning; requiring City agencies to assess existing and proposed policies and practices for disparate outcomes based on race, gender, or income, and to proactively develop policies, practices, and investments to prevent and redress those disparate outcomes.

City Council Bill 18-0223 commits the Department of Planning and its Director (with approval from the Planning Commission) to developing, adopting and overseeing an Equity Assessment Program that will identify structural and institutional discrimination that may be present in existing policies, procedures and investment strategies; and to create an equity action plan that agencies will use to reverse the effects of disparity trends by applying equity principals and strategies to the agencies' operations, programs, services, and policies. The Director of Planning would be required to conduct an equity assessment and apply an equity scoring system to any proposed capital projects. The Planning Director would also be required to produce an annual equity report on or before June 30 of each year. City agencies would have to adhere to the Program, identify an equity coordinator to manage their participation, and implement their respective action plans. Agency bill reports would have to include an evaluation of the equity assessment impacts of proposed legislation on their operations.

On June 30, 2018 the Planning Commission received a briefing and held a public session on CCB 18-0223 as part of their meeting agenda. Planning staff prepared a report that recommended amending and approving the legislation. The Planning Commission took public testimony, all of which was supportive of the legislation and the amendments. The Planning Commission then voted to approve the staff report with an additional amendment that the Equity Assessment Program would have a net zero gain on budgets.

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The Department of Public Works finds the Planning Commission's amendments to be reasonable and thoughtful changes to the proposed legislation and offers the following comments:

- The Department believes that this ordinance could be improved by clarifying its legislative intent with the addition of an "Equity" definition and recitals that encapsulate the purpose and desired outcomes from an Equity Assessment Program to be established throughout city agencies.
- Public Works agrees that every agency must do its own equity assessment and action plan, but each agency plan would benefit from meeting a set of defined baseline requirements and objectives to assure quality outcomes. Developing the common requirements and objectives would benefit greatly from the guidance of organizations or persons with experience in developing equity assessments.
- Implementing individual equity assessment programs will take time to develop. In an admittedly limited research performed on this topic, it is clear that one of the first steps in any equity assessment is training internal staff to understand the breadth of equity issues within communities and how to objectively analyze existing and future policies, procedures, and investments for desired outcomes to combat historic or current disparities. By way of example, The Annie E. Casey Foundation has a "Race Matters" program that helps organizations conduct a racial equity impact analysis through a series of guiding questions, testing whether existing and proposed policies, procedures and practices are effectively addressing and closing disparity gaps. While City Council Bill 18-0223 requires a more granular examination of equity based not just on racial disparities, but gender and income disparities as well, programs such as those developed by The Annie E. Casey Foundation would lend themselves to a broader range of disparity issues analysis.

In 2014 the Department developed a draft Integrated Planning Framework (IPF) in response to a U.S. EPA initiative designed to help communities prioritize certain water infrastructure programs. The Department's draft IPF utilized a total of 21 criteria that fell under one of four categories: environmental, social, financial and project delivery. This weighted scoring process was intended to help balance capital investments equitably between mandated (consent decree, federal Clean Water and Safe Drinking Water Acts' requirements) and non-mandated projects so that the most environmentally productive projects were constructed first, while ensuring available funding for stabilizing aging water and wastewater infrastructure. This process has been revisited several times to review the scoring criteria and a modified process is now being used to inform and prioritize the Department's capital project selection process. Public Works capital projects are substantial, with investments that comprise 77% of the City's entire capital program (FY2019 CIP). This process model is one example of how expanded equity assessment criteria could be incorporated into internal Departmental decision processes.

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The Department's Bureau of Solid Waste is a full partner in the Mayor's Violence Reduction Initiative (VRI). The VRI model brings together key City agencies to focus on an identified problem in a defined area, in this case it is crime, and strategizes on how best to reduce crime by addressing contributing factors. The Solid Waste team is giving priority to the VRI areas by expediting sanitation issues such as cleaning and boarding of vacant and nuisance structures and street and alley cleaning, to support the work of the Police Department and other involved agencies. Collaborative, strategic efforts as exemplified by the VRI can leverage individual agency efforts and make visible and meaningful changes in struggling communities. This process model could provide a way to address severe disparity issues that may be beyond one agency's ability to ameliorate.

The Department of Public Works supports the intent of the legislation, and supports passage of City Council Bill 18-0223 as proposed to be amended by the Planning Commission. It is hoped that the City Council will be willing to consider a more reasonable timeframe within the legislation for agencies to develop meaningful and effective Equity Assessment Plans.



Rudolph S. Chow, P.E.
Director

RSC/MMC