

A PITTSBURGH THAT WORKS FOR WORKING PEOPLE



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ABOUT COWS

COWS is a nonprofit think-and-do tank, based at the University of Wisconsin-Madison, that promotes “high road” solutions to social problems. These treat shared growth and opportunity, environmental sustainability, and resilient democratic institutions as necessary and achievable complements in human development. Through our various projects, we work with cities around the country to promote innovation and the implementation of high road policy. COWS is nonpartisan but values-based. We seek a world of equal opportunity and security for all.

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EXECUTIVE SUMMARY

MAY 2016

During the 20th Century, Pittsburgh was known for the steel industry and the broad middle class prosperity that was shared by many residents. Today, Pittsburgh is in the process of rebuilding its economy around new sectors, such as tech start-ups. The city has found some success in this economic transition, and the population has stabilized as highly educated tech workers move into trendy neighborhoods, but too many working people are being left behind. Residents worry about displacement from their homes and high housing costs, median income has stagnated, and racial disparities persist.

The good news is that there are meaningful steps the Mayor and City Council can take to lead the city into an era of fair, inclusive, democratic and economically sustainable growth. Once again, Pittsburgh can become known for a broad middle class prosperity that is shared by many. This report provides recommendations and best practices models for how to take those steps.

The vision presented in this report is one in which Pittsburgh is known as the city that rebuilt its economy into one of broadly shared prosperity and strong labor standards; with a housing market that meets the needs of long-term residents while also welcoming newcomers; that offers equitable, accessible and safe transportation choices that connect all residents to employment and other critical destinations; and that prioritizes strong community-police relations with historically marginalized communities of color and new immigrants to ensure Pittsburgh is a most livable city for all residents.

KEY RECOMMENDATIONS

JOBS & ECONOMIC DEVELOPMENT

- Leverage strong wage and benefit standards for direct City employees as an example to private employers.
- Raise job quality for contracted workers through best practices in procurement, strong monitoring and enforcement of prevailing wage rules and implementation of the living wage ordinance, for services not covered by the service worker prevailing wage ordinance.
- Monitor and enforce compliance with good jobs requirements associated with economic development subsidies.
- Insert high job quality standards as requirements in voluntarily negotiated arrangements with anchor institutions.
- Ensure access to good jobs for local residents on all contracted or subsidized City projects.

AFFORDABLE HOUSING

- Strengthen tenant protections and educate tenants and landlords.
- Take steps to preserve existing affordable housing, and provide programs and resources to improve its quality.
- Identify revenue streams to dedicate to affordable housing through an affordable housing trust fund.
- Use publicly owned buildings and land to create affordable housing, especially near transit.
- Pass a strong inclusionary zoning policy.
- Strengthen and stabilize neighborhoods to prevent displacement.

TRANSPORTATION

- Develop a partnership with the Port Authority to coordinate transit service planning, TOD, and other initiatives.
- Coordinate with adjacent municipalities to identify a stable, shared contribution to the Port Authority's operating and capital budgets.
- Work with employers and developers to establish a robust Transportation Demand Management program.
- Adopt policies increasing access and affordability of a multi-modal transportation system.
- Pay particular attention to the transportation needs of residents without access to a vehicle.

CIVIL RIGHTS

- Issue an executive order to limit local law enforcement's participation in federal immigration enforcement.
- Collect age, race, gender, and national origin data on police interactions with Pittsburgh residents for analysis and development of City specific policies to improve community-police relations.
- Ensure that communities of color and new immigrants can live safe, healthy, and productive lives in the City by expanding access to critical services.

INTRODUCTION

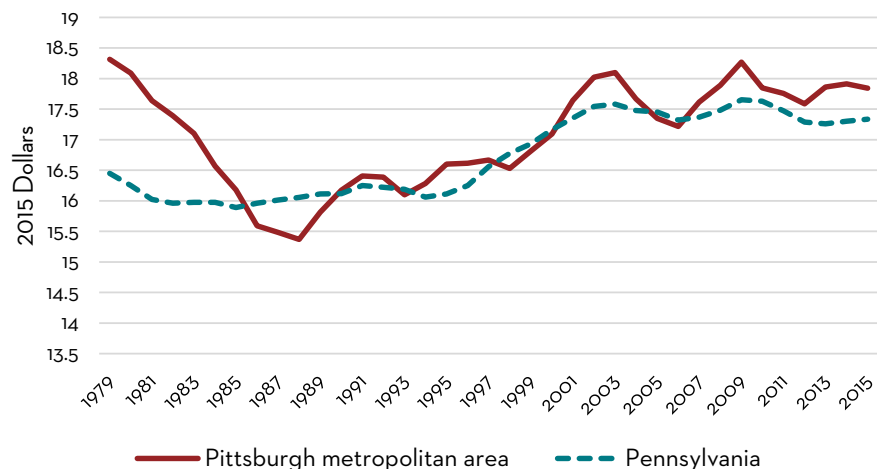
Pittsburgh is forging a new, post-steel economy, and finding some success as it does. Even so the City's poverty levels remain high, racial disparities are pervasive, and job quality remains a problem. While new tech workers move into trendy neighborhoods downtown, Pittsburgh's working people are being left out of the recovery. In this pivotal moment for the city, some are enjoying more prosperity, but Pittsburgh's success will be hollow if new opportunities do not expand to include working families as a whole and residents of color in particular.

At this point, mid-way through Mayor Peduto's first term, there is an opportunity to take stock of the state of the City, and, specifically, the state of working people in it. The Mayor and other City leaders have signaled their intention to move Pittsburgh onto the high road of fair, inclusive, environmentally sustainable, and democratic growth. This report offers concrete steps towards realizing the vision of a Pittsburgh that works for working people. We focus on opportunities to improve job standards, economic development, affordable housing, access to transportation, and civil rights. Before these concrete steps, we provide a brief overview of where Pittsburgh is today and where the challenges of opportunity and quality of life need greater attention.

THE END OF PITTSBURGH'S SHARED MANUFACTURING PROSPERITY

For most of the 20th century, Pittsburgh, its economy, and its working people were defined by the steel industry and the shared middle class prosperity that it built. But as the industry declined, so did the prospects of workers. In the 1970s and 80s, Pittsburgh's middle class was decimated by the collapse of manufacturing and steel. The median wage in 1979 was considerably higher than that for the rest of the state, buoyed up by a solid pool of middle-class industrial jobs. Area wages dropped rapidly in the early 1980s, and even now, the region has not seen a return to 1979 wage levels (Figure 1).

Figure 1
REAL MEDIAN WAGES, PITTSBURGH METRO AREA
1979-2015 (2015 Dollars)



Source: Keystone Research Center Analysis of Economic Policy Institute Data

PITTSBURGH IN TRANSITION

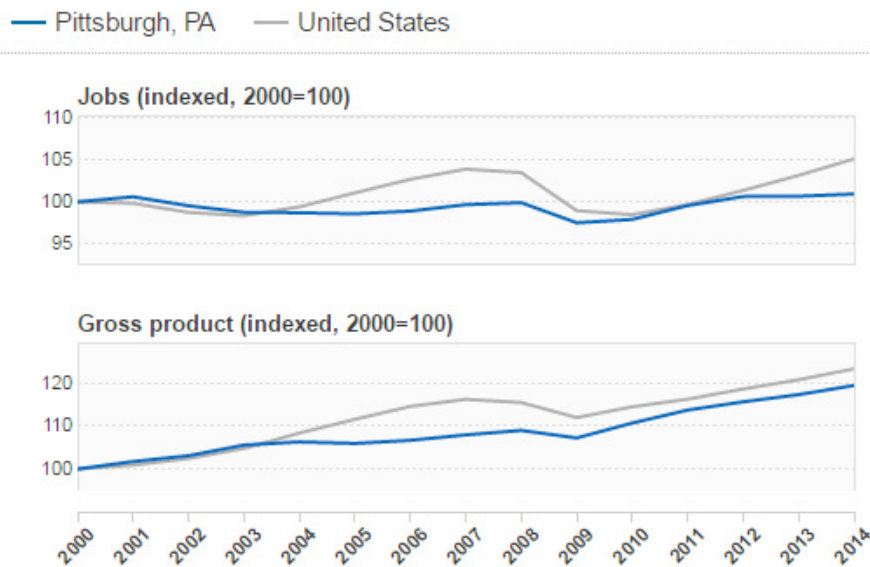
With the collapse of steel now long past, Pittsburgh continues to face the challenge of a complete economic transition, seeking and embracing new opportunities presented by an altered economy. There are, to be sure, bright spots and indicators of real strength. Even so, very serious challenges remain. And meeting these challenges – rising inequality, racial disparities, and poor job quality – will require fostering and harnessing truly inclusive economic growth in the region. While opportunity is growing for the few, the fruits of growth must be shared more broadly to make sure that Pittsburgh works for working people again.

SLOW, STEADY, UNEQUAL GROWTH

In contrast to the decline that defined the last decades of the 20th century, the 21st century has brought slow but steady economic growth to the metropolitan region and Pittsburgh roughly tracks with national growth rates. Figure 2 shows the growth of gross product and jobs in the Pittsburgh Metro Area over 2000-14. The gross product and aggregate wage trends track national growth rates very closely, with both measures up nearly 20 percent over the past 15 years, both in the nation and Pittsburgh. Population is holding steady, a welcome reversal after years of population decline (Figure 3).

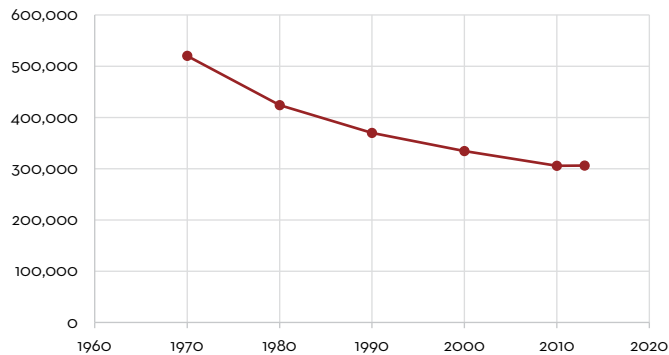
Both reflecting and helping to fuel this change, tech giants and startups alike have come to the city in the past decade. The prevailing story is that the lower cost of living and the improving quality of life are driving these relocations.² Indeed, the City itself proclaims from its website that it is a “most livable city.” To be sure, some segments of the population do

Figure 2
COMPARATIVE ECONOMIC INDICATORS ON GROSS
PRODUCT AND JOBS
2000-2014, Pittsburgh Metro Area and United States



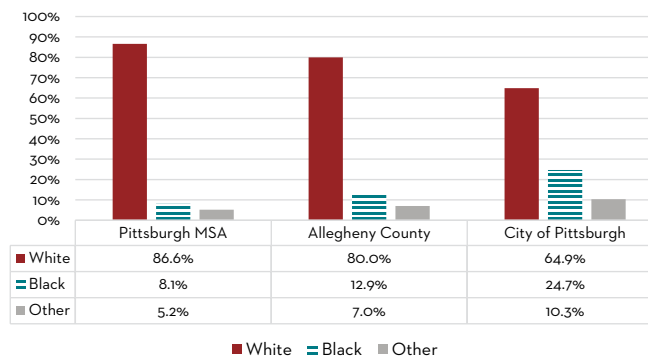
Source: Brookings Metro Monitor January 2016

Figure 3
POPULATION
City of Pittsburgh, 1970-2013



Source: Decennial Census 1970 through 2010 and American Community Survey 3-Year Estimates 2011-2013 table B01003.

Figure 4
POPULATION SHARE BY RACE
2013



Source: American Community Survey 3-Year Estimates 2011-2013 Table DP05⁶

experience a high quality of life, and are drawn to the opportunity they can access – the city has become younger and more educated with recent waves of transplants drawn by the universities, hospitals, and technology sector.³ If the recent trend continues, soon the tide of people moving into the city may outweigh population loss from outmigration and deaths.

For some, this good economic news is enough. But digging just a little deeper in these stories and statistics reveals an uncontestable truth: this recovery extends opportunity to few. The working people of Pittsburgh need a recovery that includes more, lifts opportunity, erases disparities, and reduces poverty.

REMAINING CHALLENGES: STAGNANT INCOME, RACIAL DISPARITY, JOBS AND JOB QUALITY

The Pittsburgh Metropolitan Statistical Area (MSA) – a large swath of seven counties home to many smaller towns as well as commuters – has the highest share of White residents of any large metro in the nation (87 percent of residents).⁴ At the center of the MSA, the City of Pittsburgh is substantially more diverse – 65 percent of the population is White -- and is even becoming more so (Figure 4). Within the City limits, one in four residents are Black, and another 10 percent are of color. The future will be even more diverse, with growth over the last decade driven by increases in the Asian and Latino populations.⁵

INCOME GROWTH/INCOME INEQUALITY

An essential problem for Pittsburgh residents is the stagnation of median household income. Between 2007 and 2013, the inflation-adjusted median income for the Pittsburgh metro area rose by less than \$1000 (Figure 5). In fact, incomes are stagnant nationally, and yet median income

in the Pittsburgh metro area is still lower than both Pennsylvania and the U.S. So if it is clear to some that the Pittsburgh economy is growing, it is equally clear to the median worker that such growth is having no impact on their income.

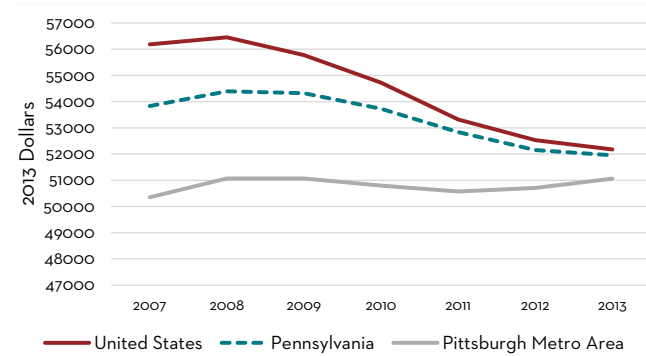
How can it be that growth is not showing up for the median household in the City? The rewards of growth are concentrated on Pittsburgh's richest households and that means the already substantial gap between Pittsburgh's rich and poor is growing as well. The top 1 percent of earners in Allegheny County saw their average income increase by nearly 150 percent while the average income of the remaining 99 percent fell slightly (down 2 percent) from 1978 to 2011.⁷

As income stagnated, Pittsburgh's poverty rate rose, climbing 6 percentage points between 1980 and 2013 (Figure 6). In 2013, more than one in five in Pittsburgh lived in poverty – a serious challenge for the City.

SEVERE DISPARITY IN ECONOMIC OUTCOMES BY RACE AND ETHNICITY

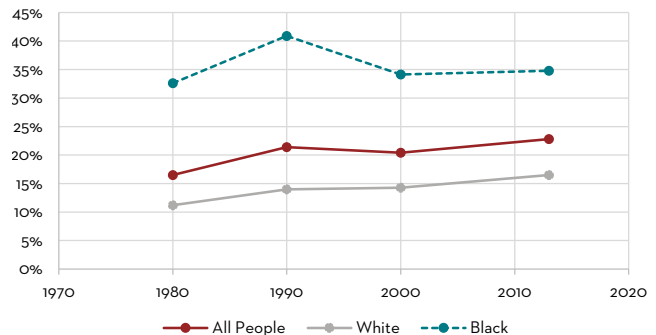
On the most important measures – poverty rates, income, or unemployment – Pittsburgh shows substantial and disturbing inequality that separates people of color from Whites. In 2013, for example, the poverty rate for Black and Asian residents was around 35 percent, double the poverty rate for White residents (16.5 percent) as shown in Figure 6. In fact, Pittsburgh's Black/White poverty gap stands among the worst in the nation. With a rate of poverty twice as high among Blacks as Whites, the City of Pittsburgh has a more substantial racial gap than Cleveland, Ohio; Indianapolis, Indiana; and Boston, Massachusetts.⁸ The poverty rate for Latinos in the City, just over 25 percent, exceeds that for Whites as well.⁹ The wide and serious racial gap in poverty has been reduced slightly in recent years, but this “progress” owes solely to increases in the poverty rate among Whites.

Figure 5
REAL MEDIAN HOUSEHOLD INCOME
2007-2013 (2013 Dollars)



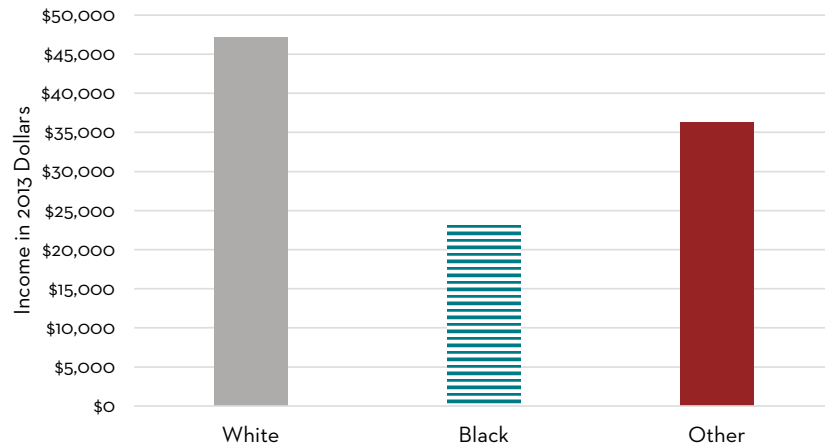
Source: COWS Inflation Adjustment of 2005-2007 through 2011-2013 American Community Survey 3-Year Estimates Table B19013

Figure 6
POVERTY STATUS FOR ALL PEOPLE BY RACE
1980-2013



Source: Decennial Census 1980 through 2010 and 2011-2013 American Community Survey 3-Year Estimates table S1701

Figure 7
MEDIAN HOUSEHOLD INCOME BY RACE IN INFLATION-ADJUSTED 2013 DOLLARS
City of Pittsburgh, 2011-2013 Estimates



Source: American Community Survey 3-Year Estimates 2011-2013 Table S1903¹⁵

Black/White disparity in income is striking as well. The median income for Black households is barely half that of White households (Figure 7).¹⁰ The median household income for other people of color is also lower than that of White households. As with the disparities in poverty rates, Pittsburgh's income gap between Black and White households is larger than its Rust Belt peers of Indianapolis, Indiana and Cleveland, Ohio, or Boston, Massachusetts.¹¹

The disparity is evident in unemployment as well. For Pittsburgh's non-Latino White residents, the unemployment rate is a relatively low 6.8 percent (meaning that 6.8 percent of the workforce is actively seeking but cannot secure work). Latino residents are more likely to be unemployed, with 8.9 percent unable to find work. Unemployment rates are especially high for Pittsburgh's Black workforce, 18.7 percent of whom are searching for but cannot find work.¹² Overcoming racial gaps in opportunity will require consistent attention and focus.

CHALLENGES IN JOBS AND JOB QUALITY

For the working people of Pittsburgh, jobs – specifically the availability of jobs and their quality – are the foundation of a decent standard of living. Abundant and accessible jobs, especially jobs with good wages and benefits, provide widespread economic opportunity. The state of jobs in Pittsburgh shows some weakness in overall numbers of jobs and even more challenges concerning the quality of job opportunities.

Relative to the nation's job collapse, the Great Recession had a milder impact on Pittsburgh's overall jobs base. The regional economy lost jobs but did not hemorrhage them. Having avoided the worst of the downturn, however, it seems that Pittsburgh has experienced very little of the recovery as well. Metro Pittsburgh's jobs grew just 3.5 percent in the past five years, ranking the region 73rd out of the top 100 metro areas (consider

that Austin, Texas posted the nation's fastest job growth at 18.8 percent).¹⁴ Slow job growth means that workers see less opportunity.

But the greatest challenge, nationally and in Pittsburgh, is the quality of jobs. Nationally, our job base has shifted toward lower-wage, lower-benefit jobs and some of our most dynamic growth has been in low-wage sectors.¹⁵ Pittsburgh is not immune to this trend.

One way to shed further light on job quality in the City is to look at all work at the bottom of the labor market. For these analyses, we establish a threshold on job quality and look at the workers in the group of jobs that offer very low wages and low standards of living. Any benchmark is somewhat arbitrary, but the capacity to keep a family above the nation's meager poverty line with full-time, year-round work is one way to set a mark. The poverty line for a family of four, currently \$24,300, requires an hourly wage of at least \$11.68 if a worker has full-time work all year long.¹⁶ Given that some low-wage sectors are the very ones where just-in-time scheduling limits workers' hours and disrupts schedules on short notice, this benchmark should be understood to be quite minimal. But using this very minimal threshold on job quality, we still find that fully 45,000 workers in Pittsburgh work in poverty-wage jobs. That is roughly 30 percent, or one in every three workers in the labor force.¹⁷

Three sectors stand out for their contributions to the landscape of very low-wage jobs – retail, food service and long-term care. Just these three sectors account for about 37 percent of all poverty-wage jobs in Pittsburgh. In Table 1, we compare them with manufacturing. The following statistics provide a profile of life at very low wages in Pittsburgh:

- These very low-wage jobs are not just held by teen workers. The median age of a poverty-wage worker is 27.
- Racial inequality in opportunity is evident. Fewer than 30 percent of White workers are in poverty wage jobs compared to more than 40 percent of Black workers.
- Bad jobs come with weaker benefits. One in five workers in poverty-wage jobs has no health insurance coverage. Only one in ten workers in the better-paid labor force has no insurance coverage.¹⁸

Table 1
POVERTY WAGE JOBS
City of Pittsburgh, 2013

Food service	Retail	Long term care (both residential and home health)	Manufacturing
Median wage: \$9.91	Median wage: \$11.66	Median wage: \$11.32	Median wage: \$22.29
8,500 poverty workers	6,000 poverty workers	2,000 poverty workers	1,500 poverty workers
Almost 60% of workers in this sector	About 50% of workers in this sector	About 50% of workers in this sector	Less than 20% of workers in this sector

Source: 2011-2013 American Community Survey 3-Year Estimates from Microdata

JOBS AND ECONOMIC DEVELOPMENT

KEY RECOMMENDATIONS

- » *Leverage strong wage and benefit standards for direct City employees as an example to private employers.*
- » *Raise job quality for contracted workers through best practices in procurement, strong monitoring and enforcement of prevailing wage rules, and implementation of the living wage ordinance, for services not covered by the service worker prevailing wage ordinance.*
- » *Monitor and enforce compliance with high job quality requirements associated with economic development subsidies.*
- » *Insert high job quality standards as requirements in voluntarily negotiated arrangements with anchor institutions.*
- » *Ensure access to good jobs for local residents on all contracted or subsidized City projects.*

A Pittsburgh that works for working people is possible. That vision will be rooted in good jobs, high labor standards, and strong community access to economic opportunity. Achieving this vision will require a relentless focus by City leaders on identifying and using every possible lever to raise job quality and secure broad and equitable access to those jobs. The foundation for a Pittsburgh that works is job quality and equitable access to decent jobs because standards of living in the U.S. are so relentlessly tethered to that job quality. In the US, not only the wage, but also the hours of work, and the quality (or even existence) of benefits as basic as paid sick leave and as necessary as health insurance or retirement income, are determined and defined by the job. Higher standards of living in Pittsburgh are therefore inexorably linked to stronger job quality. Surely the City will need to attend to a broad number of issues – from transit to housing to neighborhood vitality – but the centrality of job quality to determining standards of living implies that strong City systems to support job quality and community access to good jobs demands a primary focus.

Pursuing this vision, especially through city-level policy, will require the City to continue its efforts to maximize local control. Some recent attempts by the City Council and Mayor Peduto's administration to raise job quality in the private sector have been met with legal challenges. In December 2015, two ordinances pertaining to job quality were challenged by industry organizations and struck down at the lower court level. One would have required employers to provide paid training to workers hired as security guards.¹⁹ The other would have required all employers to provide one hour paid sick leave for every 35 hours worked by their employees.²⁰ These decisions are being appealed and it is possible that the state Supreme Court will ultimately uphold the ordinances, as well as overturn a 2009 ruling by the Pennsylvania Supreme Court that narrowly interpreted the City's power to regulate businesses. Nonetheless, the City has made progress in the area. The City adopted a prevailing wage ordinance in 2010 that requires City contractors and any private project awarded incentives from the City to pay the area's prevailing wage to their service employees.²¹ In an executive order from 2015, noting the injustice of full-time workers living in poverty, Mayor Peduto raised the minimum wage for all City employees to \$15 per hour.²² As discussed below, the City also has living wage law that has been on the books since 2002, but steps need to be taken for it to go into effect. This living wage could provide an important floor for contracted services that do not fall into the categories covered by the service worker prevailing wage ordinance.

There are tools uncontested within the City's power and sphere of influence that can be more fully utilized to improve job quality. The strongest levers are public spending arrangements, whether the City is hiring employees directly, contracting out, granting subsidies or other supports to private firms, or procuring goods or services. In each of these situations, the City has a clear and defensible ability to use the power of its purse to define standards and terms for receipt of those dollars. In particular, those standards can focus on strengthening job quality and job access to the employment created when the City buys goods and services or otherwise supports private sector development.

Even if direct public spending is not involved, the City may be able to insert job quality issues into transactional or voluntary agreements being made between the City and the private sector. Application of these standards helps create a stronger consensus on what should be expected from the private sector. Pursuing strong job quality and equitable access to opportunity can become a way of working among City leaders, both elected as well as in other key private and public roles. In this manner, the City sets a standard and works to infuse the concern with standards throughout the community. Part leading by example, part bully pulpit, part community organizing, this vision can spread to the City's anchor institutions who should embrace labor standards, job quality, and job access in their strategies for growth.

Every transaction where it is possible to influence job quality should be pursued. Whether direct or indirect, voluntary or regulatory, considerations of jobs created, their quality, and community access to them should remain on the table throughout the process. Every large public project, every large private project, and every institution in the community offers ways to move toward better economic inclusion of Pittsburgh's working people. Starting with City government and its spheres of influence, the vision for good, accessible jobs can spread from that strong foundation.

Vision: Pittsburgh becomes known as the city that extended strong labor standards to the jobs of today and into the future, just as it did for steel workers in the past.

RAISING JOB QUALITY THROUGH PUBLIC SPENDING

RAISE THE JOB FLOOR FOR DIRECT EMPLOYEES

The City of Pittsburgh has already made commendable progress in improving job quality for direct employees, which provides an influential benchmark for the region. Raising the minimum wage for City workers to \$15.00 by 2021 will prove valuable as leverage to urge other employers to follow suit. To establish a good benchmark for benefits as well, City leaders can take care to make sure that even while paid sick leave as a labor market standard is held up in court, the City's own policies about paid sick leave set a high bar.

Additionally, the City should begin to highlight the importance of paid family leave by considering its own employees. Creating paid leave insurance schemes for the private sector is challenging at the city level, but demonstrating the importance of a strong City employee paid family leave program will not be subject to court challenge and can provide fodder for the bully pulpit role. The City of Pittsburgh's six week paid leave of absence for new parents is a solid foundation.²³ Expanding this paid leave opportunity to cover family emergencies as well as personal short-term disability, while pushing the available leave time up to twelve paid weeks, would further strengthen this labor standard.

RAISE THE JOB FLOOR FOR CONTRACTED WORKERS

The City also has power to affect the job standards for workers employed by firms contracting with the City. The service worker prevailing wage ordinance provides a good foundation for wages, ensuring that City contractors and City subsidy recipients do not undercut standards attained in the private sector. The City also passed a living wage ordinance that would apply to both contractors and sub-contractors working with the City, which was set at \$9.12 with benefits or \$10.62 without benefits and provided for Consumer Price Index Based Adjustments.²⁴ However, actual implementation of this requirement has been delayed since 2002, due to a subsequent ordinance, which provided, "The implementation of Section 161.33 [161.35] Title I Administrative, Chapter 161 is delayed until such time that Allegheny County implements a legally enforceable Living Wage Ordinance."²⁵ City leaders could strengthen job quality for contracted employees by

eliminating the requirement that the City continue to wait for Allegheny County to implement a Living Wage Ordinance. They should also clarify that the Living Wage Ordinance provides a floor for services where there is no prevailing wage requirement or where the prevailing wage falls below that floor. If regularly adjusted for inflation since 2001, the amount required under the Living Wage Ordinance without benefits would have approached \$15.00 an hour.

Pittsburgh could adopt additional best practices in procurement to strengthen job quality. First, the City should strive to keep services municipal-run in order to retain direct control over the quality of those jobs (and more control over the quality of those services). As a first step, Pittsburgh should follow the model of the City Council of Austin, Texas, which ordered a report to analyze whether outsourced services were really more effective than when overseen by the City.²⁶ The City should also adopt an ordinance like New York City's Outsourcing Accountability Act, which requires agencies to analyze the costs and benefits of outsourcing, especially whether City workers will be displaced.²⁷

"We moved from a one-bedroom shack to a 3-bedroom house. The bills are paid each month. There is always food in the refrigerator. Now, I eat potatoes because I want to, not because I have to eat them. The union has totally changed the way my wife and I live."



Steve Kelley remembers what life was like prior to the union. It wasn't good. For him and his wife, it was a struggle as they moved from one place to another. They simply couldn't afford a place to stay. Sometimes they would stay with family. Sometimes they would stay at a boarding house. Kelley was earning about \$8.00-\$9.00 an hour at the time. He remembers the couple's first place. It was a boarding house. He says it was a dirty, one bedroom that cost \$400 a month. Kelley says they struggled to pay the bills. He says they often had to make difficult decisions. Would they pay a bill or get something to eat? Kelley says they ate potatoes every way they could be cooked to survive. They were regulars at the area soup kitchens. They would short change the landlord so they could eat. Eventually, the landlord kicked them out.

Things turned around when Kelley got his first union job. His pay increased to \$12.50 an hour with raises every six months. He eventually got benefits. He says when he got his first check, he thought it was wrong. He went to the boss to make sure it was right. Kelley had never earned that much money.

Where services are contracted out, there are a number of best practices that can be adopted, within the framework of awarding to the lowest responsible bidder, as provided under the Pittsburgh Home Rule Charter, to ensure a level playing field and full compliance with the service worker prevailing wage ordinance. This includes clearly articulating the required wage and benefits rates as well as the bases for annual adjustments; including specific information relating to required number of hours per location; and use of an hourly price breakdown worksheet. The City of Cambridge Massachusetts amended its Living Wage Ordinance in December, 2015 to include these provisions.²⁸

DRIVE SUBSIDIES TOWARD GOOD JOBS

Pittsburgh can now afford to be, and indeed must be, more selective with the economic development subsidies it doles out, granting them only to the most stringently high-road employers since prioritizing a higher quality of life for workers is more successful than the old model for incentives. A study of local economic development programs found that offering traditional economic development tools like incentives in the past was correlated with worse financial health at the point of study, while public policy focused on crime reduction, education, and public services is related to an area's economic growth.²⁹ Quality of life drives economic development more and more, both in anecdotal understanding and quantitative outcomes, so increasing the quality of life for a large portion of the populace can have significant ripple effects.

Good wages for all residents form a core pillar of livable cities, and subsidies should only go to those employers prepared to offer even their lowest paid workers a fair wage and benefits; the prevailing wage ordinances previously discussed applies to subsidy recipients, though more could be done to raise wages through incentive arrangements. As all residents, including lower-wage workers, pay into the public funds that dole out these incentives and subsidies, it is important to exercise due diligence and ensure that awardees will contribute to prosperity for all of Pittsburgh. The City must improve its transparency and accountability for economic development subsidies to be able to monitor and take back money when this expectation is not met.

Where traditional economic development tools like subsidies continue to be used, the basic mandates of these arrangements can be strengthened, such as through the use of Community Benefit Agreements (CBAs). Pittsburgh's 2008 Hill District CBA has been touted as a stand-out example for its first-source hiring referral agreement paired with \$6 million for other community needs, including a much-needed grocery store and low-fee community center, while using priority hiring for neighborhood residents.³⁰ Other CBAs could allocate funding for job training and apprenticeship programs, affordable housing, transit stations, and other infrastructure or programmatic investments that support workers and the neighborhoods in which they live. For future arrangements, Pittsburgh should include ambitious numeric targets for local and priority hiring arrangements as in the Kingsbridge Armory CBA in New York City as well as specific requirements on the number and type of affordable housing units to be constructed like with the Gates Cherokee CBA in Denver, Colorado.³¹ City leaders' political capital can provide invaluable weight to community coalitions as they negotiate with developers, and given that CBAs are voluntary agreements rather than legal enforcement mechanisms, the City would not face litigation for involvement as a broker in these arrangements.

Pittsburgh has already made progress in applying more stringent criteria to projects awarded through tax increment financing (TIF) arrangements. A set of standards, adopted in 2011 and revised in 2014 with the Mayor's approval, applies to any TIF brokered through the Urban Redevelopment Authority: any residential development must "provide affordable housing opportunities," all projects must adhere to Pennsylvania's Prevailing Wage Act for construction of any needed public infrastructure, include a certain percentage (not defined) of minority-owned and women-owned firms in the project, attain a LEED Silver rating or higher for sustainability practices, and (per a TIF-specific City code adopted in 1999) aim to hire at least 35 percent of its workforce from local residents.³² The City should consider extending similar requirements to other economic development subsidies. This would provide a more consistent regulatory mechanism to ensure job quality on publicly funded projects.

Since subsidies are taxpayer funded, Pittsburgh must ensure that it can act to hold businesses accountable if they fail to deliver ...

Unless transparency in subsidy disclosure is improved, officials and residents have little way of monitoring whether this significant investment of public money is granted only to employers that pay fair wages and hire local residents. The clearest step to improve this transparency and subsequent accountability would be to clarify and expand the subsidy disclosure available through Open Book Pittsburgh, a mandate required of the City Controller to track City contracts, lobbyists, and campaign contributions. Examples include Michigan's state economic development agency, which has created an online interactive map that provides users with a basic overview of each project along with a link to its full documentation and allows users to easily filter projects by geography and year.³³ Perhaps the most important feature is that the information provided remains up to date. In New York City, the Council passed a bill to allow the City's Industrial Development Agency to publish active and historical subsidy deals; the Annual Investment Projects Report details actual and promised employment levels (with information about benefits and whether employees are local residents), and the amounts and types of subsidies received.³⁴ Working off the best parts of these two formats – using a more visual display, and including slightly more information (especially about returns on investment) in a clearer format for each incentive awarded – would enhance the usability of Open Book and thus improve transparency about subsidies. Pittsburgh should also consider creating an office charged specifically with upholding labor standards, as San Francisco, California and Seattle, Washington have done.³⁵

Finally, since subsidies are taxpayer funded, Pittsburgh must ensure that it can act to hold businesses accountable if they fail to deliver on the expected outcomes of a subsidy agreement, whether by leaving the area after receiving incentives or by failing to fairly compensate workers as stipulated. In order to ensure full compliance, job standards requirements should be clearly articulated in subsidy agreements and recipients of subsidies should be required to include similar language in their own subcontracts and leases. The City should monitor recipients of subsidies for compliance and ensure legal and contractual requirements are actually being met. It would be useful to follow the example of New York City's similar prevailing wage law, which requires the City to maintain and publish a list of covered developers and locations.³⁶

When a violation is identified, the first priority should be to ensure that workers receive the backpay or other remedies they are due. However, it is also important to send a strong message that there are consequences for undercutting standards. In addition to making use of fines and sanctions that are already in place under City law, such as those available under section VI of § 161.38 of the Pittsburgh Code of Ordinances, the City should make use of other available tools to ensure that tax dollars are not used to fund companies that do not deliver on promises to create good jobs. Clawback provisions are included in the state Department of Community and Economic Development Keystone Opportunity Zone legislation and program guidelines, allowing the state to recapture funds if a business moves out of the designated zone within the first five years.³⁷ Pittsburgh should adopt its own clawback guidelines for City-funded economic development subsidies. Some key strategies for clawback provisions include strong, transparent reporting by the business and independent verification of those reports. If the business does not meet the terms of the agreement, penalties should be consequential, credible, and transparent.³⁸ Albuquerque, New Mexico successfully clawed back a major subsidy. After Philips Semiconductor closed its plant (funded in part with subsidies from the City) just two years after completion, the City won back \$13 million in tax exemptions granted as part of an industrial revenue bond because the City had passed a more stringent ordinance than the state had stipulated.³⁹ Pittsburgh could learn from cities leading on accountability to ensure its public money will be used to benefit all of the City's residents.

Since Pittsburgh can increasingly afford to be more selective, economic development subsidies should be geared toward creating quality jobs that employ local residents. Job quality and hiring expectations are critical to ensuring that the benefits of Pittsburgh's growing economic prosperity and quality of life are not concentrated among high-earning workers at new firms but rather shared equitably with all workers.

LEVERAGE OTHER EMPLOYERS TO RAISE THE JOB FLOOR

Aside from direct regulation, the City can also lead by example. Mayor Peduto and City Council have significant extralegal political influence and should continue to be outspoken in their support of workers' rights to good jobs. Special focus on moving the City's anchor institutions to high job quality standards, as well as engaging the philanthropic sector to share the same vision for good jobs, can spur other regional employers to raise wages accordingly. Private employers can look to the same leverage points as used by the City to support their workers. Pittsburgh has an outsize concentration of anchor institutions, particularly "eds and meds" (hospitals and universities). According to their own estimates, ten major colleges and universities in the City generated an economic impact of \$9 billion in FY 2013, including over 70,000 jobs.⁴⁰ Hospitals in the eight-county region including Pittsburgh generated \$15.6 billion as of 2013.⁴¹ Rounding out the non-profit sector, the top regional foundations – many of which are headquartered within the City limits – granted nearly \$500 million in the area in 2012.⁴² Lastly, in the private sector, the area's several long-term sports teams bring in enormous sums from local fans and visitors alike, with the Pittsburgh Pirates and Steelers generating \$229 million and \$334 million in revenue, respectively.⁴³ These institutions have strong local ties and generate considerable sums from the region, making them unlikely to pick up and leave should the City expect more financial contribution toward making shared goods like public works and K-12 education possible. Moreover, they often benefit from a range of City supports, including infrastructure improvements, bond financing and other financial assistance.

Requirements or even just regional agreements regarding procurement and supply chains can magnify the job quality impacts of voluntary agreements with anchor institutions. Pittsburgh can first examine its own procurement policies to drive its annual \$5 million or more in spending toward employers that hire local residents, pay good wages, and offer benefits.⁴⁴ But the City can also lead a discussion among anchors about their own purchasing. Milwaukee, Wisconsin had success in adopting a sweat-free ordinance and then working with a local technical college anchor to follow suit.⁴⁵ Shifting both private and public procurement to local businesses can magnify the institutions' economic impact for area workers rather than sending money away from the City; small or local businesses aren't automatically high-quality employers, however, so this should be paired with wage standards when procurement is locally sourced.

Even small steps toward local procurement can have outsized effects due to the high purchasing volume of anchor institutions. In another “eds and meds”-dense city, the University of Pennsylvania contributed \$94.8 million to West Philadelphia’s economy by shifting a modest 10 percent of its purchasing to local vendors.⁴⁶ Pittsburgh could also emulate successful attempts to develop local supply chains that provide necessary services to anchor institutions while employing area residents. The Evergreen Cooperatives Corporation grew out of a partnership with several anchor institutions in Cleveland, Ohio’s Greater University Circle neighborhood, a low-income and under-employed area, and seeks to develop worker-owned and sustainable businesses serving key institutional needs like laundry services.⁴⁷ Keeping more of anchor institutions’ money local – especially in the low-income neighborhoods that often border but rarely benefit from anchors – and directed toward job creation for those communities drives Evergreen Cooperatives mission. University Hospitals, also in Cleveland, recently spent 92 percent of its \$1.2 billion construction budget in the area’s economy.⁴⁸

The relationship between the City and anchor institutions is inherently complex, especially those that are granted non-profit status and thus exempted from paying property taxes. These institutions are perceived as driving a large part of Pittsburgh’s economic renewal, with hospitals alone employing about 5 percent of the region’s residents.⁴⁹ But nearly half of the City of Pittsburgh’s land is occupied by property tax exempt buildings, and Mayor Peduto has identified that expecting City residents to pay for the shared services like public roads that these institutions also rely on is untenable.⁵⁰

Mayor Peduto has been in negotiations with anchor institutions in the region to reach a voluntary payment-in-lieu-of-taxes (PILOT) agreement since early 2014 with no agreement reached as of publication.⁵¹ There are few examples of PILOT agreements that incorporate voluntarily negotiated good job quality expectations, but a model agreement of this type would include paying prevailing wages, providing benefits, and using regular scheduling practices. Most fundamentally, City leaders can encourage anchor institutions to see their mission as supporting the communities in which they are able to generate such economic activity, making expectations regarding wage standards not an imposition but rather an essential element of a shared vision.

In another major sector of anchor institutions, foundations in Pittsburgh have access to substantial wealth and can use this power to invest in the same vision as the City for high-quality jobs, particularly as part of development projects. Whenever foundations are involved in real estate projects, they should work to arrange community benefits agreements as well as to ensure strong labor standards for workers building and eventually working on the site, and good community access (through training and hiring preferences) to the opportunities. Sharing the same vision for what constitutes a good job as that articulated by the City will enable foundations to harmonize the work they are doing and increase positive outcomes for Pittsburgh’s working people. An example of a partnership between the City and the philanthropic community is the P4 Initiative, which is spearheaded by the City together with the Heinz endowment, and which could develop and provide a template for strong investment principles that will ensure that philanthropic dollars support good jobs and sustainable communities.⁵²

KEY RECOMMENDATIONS

- » *Strengthen tenant protections and educate tenants and landlords.*
- » *Take steps to preserve existing affordable housing, and provide programs and resources to improve its quality.*
- » *Identify revenue streams to dedicate to affordable housing through an affordable housing trust fund.*
- » *Use publicly owned buildings and land to create affordable housing, especially near transit.*
- » *Pass a strong inclusionary zoning policy.*
- » *Strengthen and stabilize neighborhoods to prevent displacement.*

Housing is one of the most fundamental human needs, and thus the quality, accessibility and affordability of housing must be one of the fundamental concerns of local government. Affordable housing should take into account the combined costs of the energy use and transportation needs that come with housing. Cities are not, of course, starting from zero: they are already dealing with a crazy quilt of different types and qualities of housing, interspersed with opportunities to create more. But each city – including Pittsburgh – must understand their housing market, identify specific needs (e.g. rehab of existing buildings, production of affordable apartments, supportive housing for homeless, etc.) and craft a plan to meet those needs, via policy, public funding, partnerships or whatever other tools are available. They also need to recognize the increasing income inequality in our society. Because the private housing market will generally provide adequate market rate and luxury housing, government should emphasize the creation of affordable housing, particularly for households at the lowest end of the income scale.

Vision: A housing market that provides quality affordable housing and that meets the needs of long-term residents without displacement while also welcoming newcomers.

Pittsburgh is in the somewhat enviable position of having skipped the extremes of both the housing bubble and the subsequent crash (see Figure 8). While home values dropped in the late 2000s, they never fell below 90 percent of their 2005 value. In some ways, Pittsburgh's housing market is still recovering from the City's earlier economic downturn. As a result, Pittsburgh is still in a place where affordable housing policy has a chance to really work – development, while active, is not yet spread across the entire city, and (compared to many other cities) housing is relatively affordable for people earning above the median income. On the other hand, Pittsburgh is an increasingly desirable place to be, so there is a real need to make sure that current and future development benefits the community, and that, as the market heats up, affordability is preserved.

AFFORDABLE HOUSING is generally defined as costing no more than 30 percent of a household's income. The affordability of housing is generally talked about with respect to the area median income, or AMI. Depending on the housing market, moderate income is considered to be 81 percent to 120 percent of AMI; low income between 51 percent and 80 percent of AMI, very low income 50 percent or less of AMI, and extremely low income below 30 percent of AMI. In Pittsburgh's case, the AMI (\$51,366) is significantly higher than the city median income (\$39,195), so affordability should be calculated with respect to the median household income for the city.

Figure 8
PITTSBURGH METRO AREA HOUSE PRICE INDEX
2005-2015⁵³

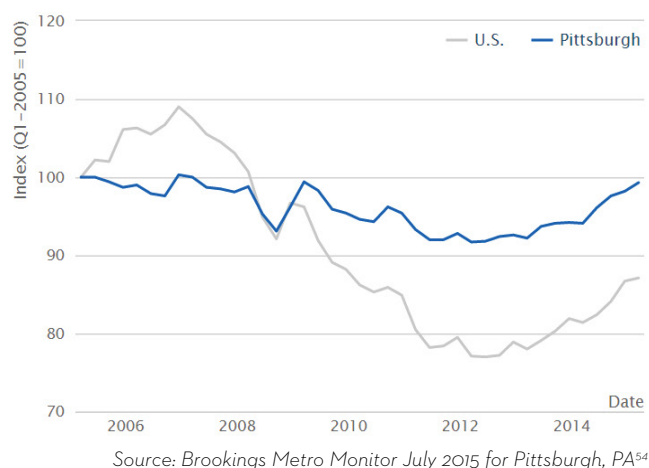


Figure 9
MEDIAN HOME VALUE
2000-2015

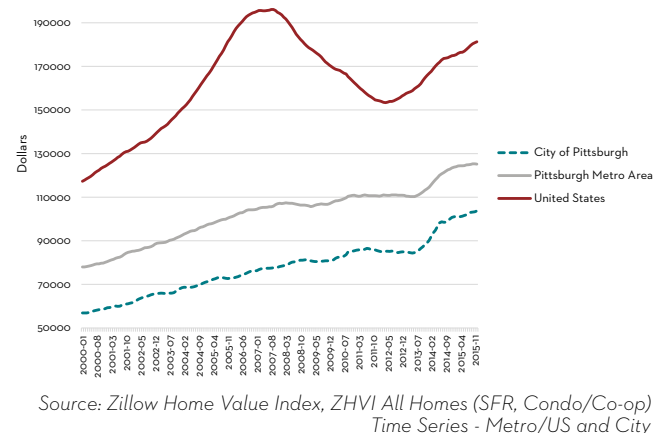
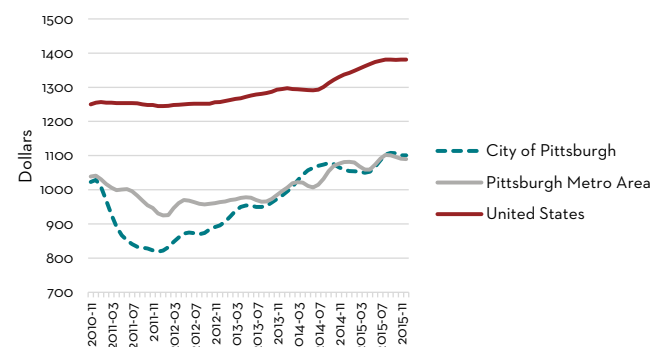


Figure 10
RENT COST ESTIMATES INDEX
City of Pittsburgh, 2010-2015



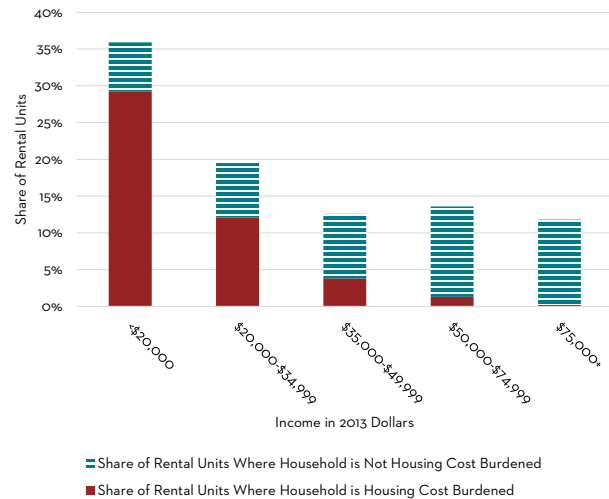
While Pittsburgh's housing market may seem affordable on a national scale, it's important to remember that incomes in the City are low as well, and that while affordable housing is important, improving wages and job quality is critical as well. In addition, both home values and rental costs are steadily increasing, as evidenced by Zillow's indices,⁵⁵ shown in Figures 9 and 10. The majority of people living in Pittsburgh are renters,⁵⁶ and about half of these renters are housing cost burdened,⁵⁷ that is, they pay more than 30 percent of their income in rent. Unsurprisingly, the lower your household income, the more likely you are to suffer from housing cost burden, with the highest percentage of households suffering making less than \$20,000 a year (see Figure 11). Almost a quarter of homeowners in Pittsburgh are cost burdened as well.⁵⁸

Pittsburgh has a surprisingly high number of long term homeowners compared to the country as a whole (see Figure 12). The percentage of people in Pittsburgh who have lived in their homes since 1969 or earlier is nearly three times the national average.

While this kind of longevity can stabilize neighborhoods, the trend means that the City needs to pay particular attention to this demographic, which may be more likely to be on a fixed income and thus unable to afford housing costs like rising maintenance costs and property taxes.

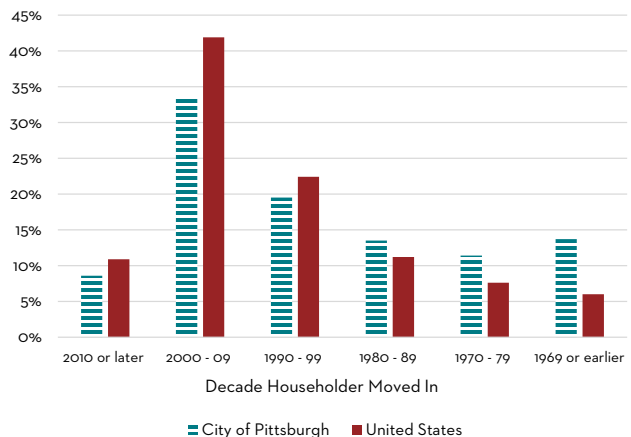
Pittsburgh (and the region's) housing market is also very patchy (see Figure 13). This has roots in the hilly geography of the region, its industrial past, and a historical redlining of the real estate market.⁶⁰ The trend is exacerbated by the shrinking of the transit system and the patchiness of current real estate development. Add to this patchiness the reality of income inequality, and you have a situation where some perceive housing to be inexpensive, others pay more than half their income for housing, and yet others are afraid of losing their homes because of high costs. This also highlights the importance of considering transportation when thinking about affordable housing. Figure 13 maps the cost of housing alone alongside a map of the costs of both housing and transportation. As housing costs rise in the City, low-income households gravitate to the lower costs in the suburbs, but there face high transportation costs, and little or no transit access (an issue discussed in the next section).

Figure 11
HOUSING COST BURDENED RENTAL HOUSEHOLDS BY INCOME BRACKET
*City of Pittsburgh, 2013*⁵⁹



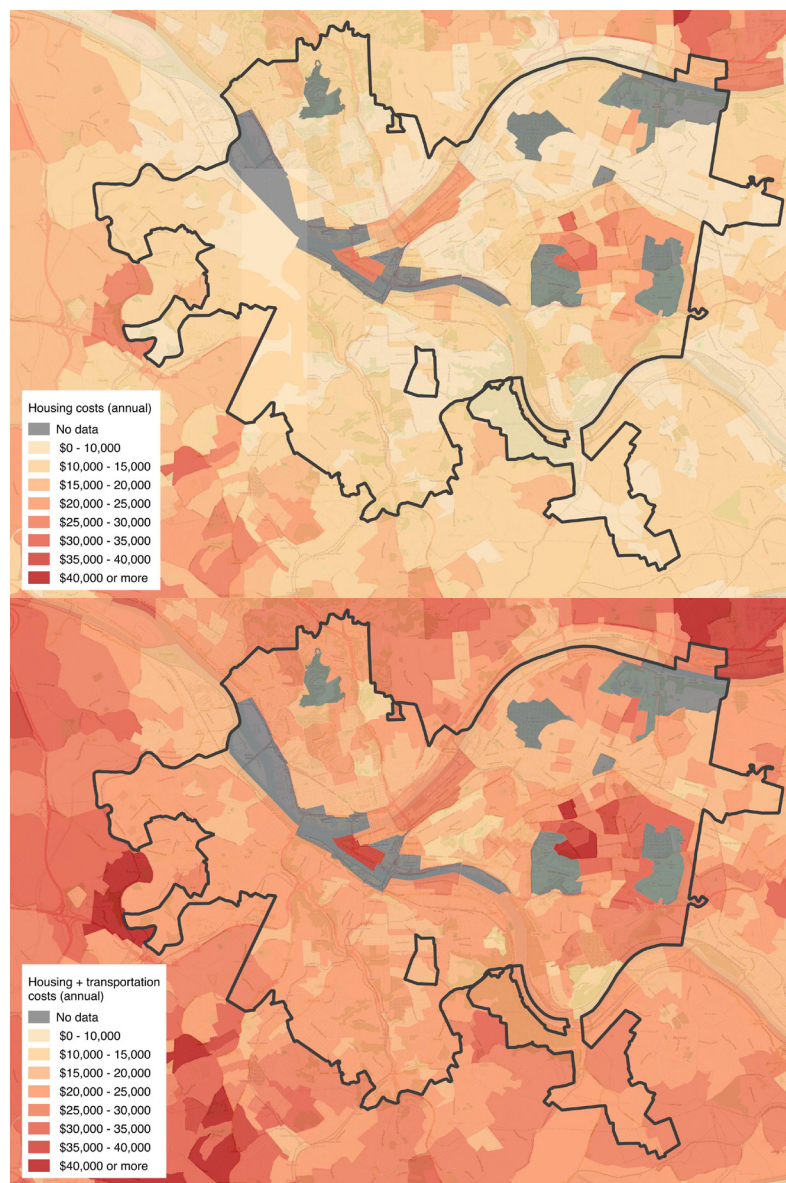
Source: American Community Survey 3-Year Estimates 2011-2013 Table S2503

Figure 12
LENGTH OF TENURE FOR HOMEOWNERS
City of Pittsburgh, 2013



Source: American Community Survey 3-Year Estimates 2011-2013 Table S2502

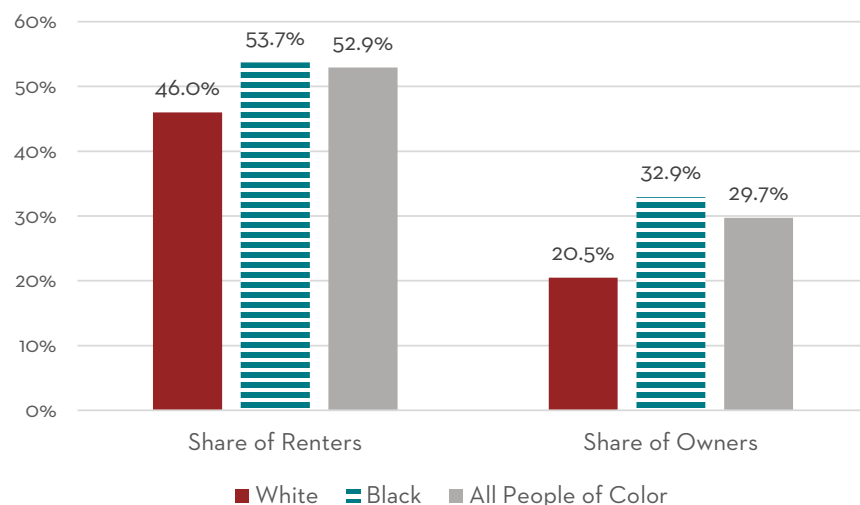
Figure 13
COMBINED HOUSING AND TRANSPORTATION COSTS
BY CENSUS BLOCK GROUP
City of Pittsburgh, 2013



Source: Center for Neighborhood Technology H+T Index and 2009-2013 American Community Survey 5-Year Estimates Microdata

Unsurprisingly, people of color are more likely to be on the losing end of these trends. Blacks are more likely to be housing cost burdened, whether they rent or own (see Figure 14). White households in the Pittsburgh region are twice as likely as Black households to own their homes.⁶² Black men are more than twice as likely to be denied a home purchase loan as White men, and the mortgage loan denial rate in census tracts with a substantial minority population was twice as high as majority White census tracts.⁶³

Figure 14
SHARE OF POPULATION BY RACE THAT IS HOUSING COST
BURDENED
City of Pittsburgh, 2012



Source: National Equity Atlas⁶¹

It's been estimated that Pittsburgh needs about 20,000 new affordable units, with the need being greatest at the lowest levels of income.⁶⁴ There is much the City of Pittsburgh can do to produce these units, to balance the city's housing market and ensure safe, affordable housing for all. Pittsburgh is currently investigating options for affordable housing via a task force,⁶⁵ which has done much of the work of gathering data to accurately describe the scope of need. This kind of data is critical to identifying the gaps in the current market, and the places it is most important to apply public policy and funding. Below we suggest a range of actions that could improve the affordable housing picture in Pittsburgh.

STRENGTHEN TENANT PROTECTIONS

As Pittsburgh's housing market heats up, one of the most important things City policy makers can do is to protect tenants. Strong tenant protections will slow displacement and help preserve affordability.

EXPAND FAIR HOUSING

Residential segregation still exists in the United States,⁶⁶ and housing discrimination, on the basis of race or other factors, is a sad fact of life for many Americans. As a result, communities across the United States have taken innovative steps to expand upon the federal government's commitment to fair housing. Pittsburgh recently passed an ordinance prohibiting discrimination by landlords against Section 8 voucher holders.⁶⁷ That ordinance has been challenged in court. Pending the outcome of that suit, the City could further expand fair housing protection to include arrest and conviction record, previous housing status, and citizenship status.

HUD has also placed an increasingly strong emphasis on the responsibility of communities to affirmatively further fair housing, starting with regularly analyzing impediments to fair housing. Pittsburgh recently did this analysis, and identified seven clear impediments.⁶⁸ One of those is the lack of knowledge among residents about fair housing law and tenants' rights, especially those in vulnerable communities. These tenants are less likely to understand or be proactive about code violations and their own rights, and are more likely to be subject to harassment, pressure to move, and illegal eviction. To make local residents aware of their legal rights and obligations, Seattle, Washington co-sponsors bimonthly fair-housing training sessions for landlords and property managers, and conducts education and outreach campaigns in Seattle's immigrant and refugee communities.⁶⁹ Phoenix, Arizona runs a state-certified landlord-tenant counseling program that educates tenants and landlords, provides mediation, and offers workshops.⁷⁰ Pittsburgh should consider similar programs, and should carefully track all the impediments to fair housing that were identified, in order to fulfill its obligations to HUD.

IMPROVE HOUSING QUALITY

The quality of housing can dramatically affect tenants. From accident to illness, poor-quality housing can have severe, negative effects. High-quality building and maintenance standards, along with robust enforcement of them, help to ensure that families have healthy and safe places to live. Because there are always more properties than there are building inspectors, building-code violations tend to be driven by complaints. All too often, however, tenants may not know if their home is up to code or the process for having a code violation addressed by their municipality. Code violations can make a property ineligible for housing subsidies as well, exacerbating the problem. In the worst cases, low property values and other factors can keep owners, particularly absentee landlords, from investing in their properties.

To address this shortcoming, many municipalities have established a targeted proactive building-code inspection process. This targeting is usually on the basis of geography (e.g., neighborhoods where there is an active revitalization effort), or type of building (e.g., rental properties), or both (e.g., neighborhoods with high densities of student rental properties or absentee landlords). Pittsburgh should continue to invest in its capacity to inspect high-risk buildings in a regular and timely fashion. Boston, Massachusetts inspects all rental properties on a 5 year rotation, and has recently obtained data from local colleges and universities so it can inspect student apartments for overcrowding.⁷¹ Boston also works with local health care providers to inspect the homes of people with an asthma diagnosis for environmental triggers.⁷²

While cities and landlords often take adversarial roles in building-code violations, educational programs administered by cities can help to improve that relationship and stop problems before they begin, saving cities money in inspection and administrative costs. Pittsburgh should provide free training and information for landlords on maintenance codes, fair housing law, best practices, and more. Milwaukee, Wisconsin holds regular free training sessions for landlords to discuss housing maintenance, along with other issues.⁷³ Many cities, such as Portland, Oregon, also provide free training manuals to landlords to ensure that they are familiar with the city's maintenance code and other relevant laws.⁷⁴ And Cleveland, Ohio's Housing Court provides housing specialists that run educational clinics and offer direct technical assistance to landlords.⁷⁵

Tracking rental properties can be a valuable tool in maintaining the quality of housing in a city. Charlotte, North Carolina,⁷⁶ and Madison, Wisconsin,⁷⁷ are examples of cities with registration systems, where owners of rental property are required to provide one or more emergency contacts. Both cities experienced increasing problems with poorly maintained properties, absentee landlords, and increases in crime related to particular properties. In trying to deal with these issues, city staff were unable to locate a responsible party, particularly given the increase in properties owned by limited liability corporations. A registration system ensures that the cities have the contact information for several individuals with the authority to respond to emergencies or health and safety issues. Pittsburgh recently passed an ordinance requiring registration of rental properties, which is currently being challenged in court. The ordinance imposes a fee that would fund increased inspections, and allow Pittsburgh to address housing quality issues.

Cities can also improve the economic equation for property owners, but should only do so in return for improved conditions for tenants and neighbors, and a guarantee of continued affordability. Pittsburgh should consider establishing grant and loan programs to provide property owners with funds for rehabilitation or to refinance debt. Los Angeles, California uses information gathered from its rental-inspection program to identify owner-occupied two- and four-unit buildings that need financial assistance for repairs. The program provides deferred loans and grants to owners for specific improvements.⁷⁸ The Mayor and Council should consider a grant or loan program aimed at owners of affordable housing units, and should attach strong tenant protections and affordability requirements to any assistance given. The city should investigate the feasibility of requiring recipients to rent to Section 8 voucher holders. These programs could also emphasize energy and water efficiency, which will improve the comfort and affordability of the properties.

PRESERVE EXISTING AFFORDABLE HOUSING

In general, the cost of preserving affordable units is much lower than building new ones, even if the existing units require upgrading. Of course, preserving occupied units has the benefit of reducing displacement as well, and in areas that are developing, preservation can be an important tool to maintain mixed income neighborhoods. The City should place a high priority on preserving affordable housing, subsidized or not. Special attention should be paid to preserving existing affordable units that are near transit, which will keep the housing and transportation costs for households down. Pittsburgh should also prioritize improving the energy and water efficiency of affordable housing through building improvements and better maintenance to further lower costs for vulnerable families.

PREVENT TIMING OUT

Because many federal affordable-housing programs require affordability for a limited time—usually not longer than 20 years—many subsidized properties are “timing out” and are in danger of converting to market rate. Pittsburgh cannot afford to lose this affordable housing stock, and the tenants in these properties do not deserve to be displaced. The National Housing Preservation Database contains information on affordable properties by geography, type of subsidy, and subsidy end date.⁷⁹ The City of Pittsburgh’s Affordable Housing Task Force is conducting an inventory of income-restricted housing and is looking at when units are scheduled to time out of affordability requirements. This information will provide an important basis for the development of a plan to maintain them as affordable.

Some cities require that all affordable-housing owners provide notice to the city and to tenants in advance of potential displacement and or expiration or termination of rent restrictions.⁸⁰ The City of Pittsburgh should explore the tools it has available to ensure that tenants have sufficient advance notice - at least a year - of potential displacement and that the City has enough lead time to explore potential avenues to preserve affordability. Property owners and developers that fail to give this kind of notice should be ineligible for future city subsidies.

PREVENT UNNECESSARY DEMOLITION

The City should have a substantial interest in preserving existing affordable housing that is in good shape or can be easily rehabilitated. There are several policy tools Pittsburgh should consider to prevent unnecessary demolitions.

The City should consider a “no net-loss” housing policy, where developers would be encouraged or required to replace housing units before demolishing any. Minneapolis, Minnesota,⁸¹ Los Angeles, California⁸² and San Francisco, California⁸³ have implemented such policies focused specifically on single-room occupancy, or SRO, buildings and residential hotels, requiring one-to-one replacement of residential hotel units before conversion or demolition can take place. The newly-established Pittsburgh land bank could play a role here as well. If it is able to acquire at-risk properties, stabilize them, and return them to productive use, it may decrease the number of demolitions. The land bank should inventory its holdings and prioritize interventions that will most efficiently and cost-effectively result in additional available affordable units. In many cases, this would mean rehabilitating buildings rather than demolishing them.

Alternatively, government may partner with nonprofit affordable-housing providers and the philanthropic sector to help them finance the purchase of affordable housing at risk of demolition. The Community Preservation Corporation in New York City provides funding for affordable multifamily housing. While it is a nonprofit funded by financial institutions, it works closely with the City's Department of Housing and Preservation.⁸⁴ Portland, Oregon, in partnership with the state of Oregon and the MacArthur Foundation, is expanding a revolving loan fund dedicated to the purchase of at-risk properties.⁸⁵

If demolition cannot be prevented, landlords should be encouraged or required to assist low-income tenants in finding suitable, affordable housing. For some, this may require case management—for others, financial assistance. San Diego, California, for example, requires building owners that want to convert units to condominiums, which can have the same effect on tenants as demolition, to provide relocation assistance equal to three months' rent when the city's rental vacancy rate is below 7 percent.⁸⁶

INCREASE AFFORDABLE HOUSING PRODUCTION

While preserving affordable housing is almost always easier and cheaper than building it new, the creation of affordable units is important as well, particularly when the private market is unlikely to produce affordable housing due to a funding gap. In this section we discuss tools that can help the City create affordable housing.

USE PUBLIC RESOURCES TO CREATE AFFORDABLE HOUSING

The critical component in both preserving and creating affordable housing is funding. Projects need resources for site acquisition, pre-development work, construction, ongoing operations and maintenance, and sometimes supportive programming. In places where rents are low compared to the cost of construction, there is often a funding gap when producing affordable housing. Pittsburgh should ensure that it is maximizing its use of all available federal and state dollars available for affordable housing, including Section 8 housing choice funding, low income housing tax credits, HOME and CDBG. Pittsburgh should also consider how the City could reduce or contribute to the costs of producing affordable housing. In exchange for any public subsidy, the City should require that any housing created is permanently affordable. This will maximize the impact of public dollars.

Municipal property may be donated or leased to affordable projects if appropriate. The City should inventory all City-owned property and vacant structures, with an eye towards converting existing structures into affordable housing and making land available for affordable housing development. In addition to this, the City should strongly encourage other municipal entities (like the Port Authority) to do the same. Any underutilized public property should be considered for affordable housing development. King County, Washington, has had an ordinance since 1996 requiring surplus property to be considered for affordable housing.⁸⁷ Each year, the property-services division compiles a list of surplus properties and works with the Housing and Community Development Program to solicit proposals from housing developers. In 2014, the Washington, DC Council passed a bill⁸⁸ that requires any private multifamily residential development on land sold or leased by the District to contain between 20 and 30 percent affordable units, with the higher level required for parcels close to transit. The units will need to be affordable to households between 30 and 50 percent AMI if they are rental, and between 50 and 80 percent AMI if they are owned. The bill allows the City to sell or lease the land at a discount to subsidize the affordable housing, but this should only be done when necessary, and should be considered an economic development incentive. The Port Authority in particular should include affordable housing as the preferred use for its vacant or surplus properties, and when leasing or selling those should mandate the creation of affordable housing in the contract.

FUND AFFORDABLE HOUSING

Pittsburgh is looking at creation of an affordable housing trust fund. Used in many communities, trust funds require consistent funding streams to be effective. In general, the core funding sources for trust funds should be steady and reliable, not tied to the “hotness” of the housing market. Supplementary funds may be from sources more tied to the market, or used to nudge the market’s behavior. The use of a trust fund should be well-targeted, to focus on permanent affordability and the lower end of the income scale. In order to both be sustainable and make an impact, trust funds need to be adequately funded on the order of ten million dollars per year.

“New apartments are being built in Bakery Square. The problem is people can’t afford to live in them with the wages companies are paying. I was born and raised here. Now, I have to move further out of the city to find affordable housing and now that makes transportation an issue.”

Angela Kemper is a food service employee at the University of Pittsburgh. She is among the more than 200 employees to recently negotiate a fair contract with Sodexo, the food service provider at the school.

As a lifelong Pittsburgher, Kemper is disheartened about the affordable housing situation in the city. Prior to moving to Verona, she lived in Penn Plaza. Kemper appreciates Mayor Bill Peduto helping residents stay in Penn Plaza as long as possible. With the rapid growth of the city, she feels that longtime residents are getting pushed out of their homes as was the case with her. She’d like to see affordable housing for everyone.



Other cities around the country have used a variety of mechanisms to fund affordable housing.⁸⁹ One-time funding sources include air rights and proceeds from sales of municipal property. Real-estate transfer taxes, a percentage of the purchase price paid by the seller of property, can be convincingly tied to the need for affordable housing. They are not regressive and can be modified to exempt sales of homes below a set affordable price. In addition, realty transfer taxes are a small portion of any development deal, and an increase is not likely to have a negative impact on development. Transfer taxes also have the advantage of discouraging the “flipping” of properties, and while they are cyclical, they are also likely to produce more revenue when affordability is more of a problem because of a strong housing market. Currently the aggregate realty transfer tax collected in Pittsburgh is 4 percent (1 percent state, 1 percent school district, 2 percent City). State law provides explicit authority to municipalities to impose a transfer tax.⁹⁰ And while State law sets a cap of 1 percent,⁹¹ because Pittsburgh is a home rule municipality, that cap is likely not applicable.⁹² Pittsburgh currently imposes two transfer taxes — the home rule realty transfer tax⁹³ and the realty transfer tax⁹⁴ — for a combined tax of 2 percent. The City could create a dedicated revenue stream to support the an affordable housing trust fund by increasing the City real estate transfer tax by an additional amount for properties that are sold two or more times over a 24 month period.

Tax-increment financing, or TIF,⁹⁵ can also be used to support affordable housing. In addition to requiring supported projects to include affordability when they include housing, municipalities can set aside a portion of the increment generated in TIF districts to fund affordable housing. These funds can be used for city-led projects, but are more often distributed as grants or loans to nonprofit housing providers. Salt Lake City, Utah uses TIF proceeds to fund its housing trust fund.⁹⁶ And San Francisco, California has a Citywide Tax Increment Housing Program, run by the mayor’s Office of Housing.⁹⁷ At least 20 percent of the increment generated by TIF districts must be used for affordable-housing projects, in the form of grants and loans to housing developers. Importantly, funds do not need to be used within the district that generates them. From 1990 to 2008 more than \$428 million was used to create housing for low- and moderate-income families.⁹⁸ Portland, Oregon, sets aside 30 percent of the TIF proceeds from all districts for affordable housing.⁹⁹ Pittsburgh may want to explore including affordable housing as an allowed use of funds or in the definition of public infrastructure for the purposes of TIF districts, or look at extending the lifetime of tax increment districts to support affordable housing.

A number of jurisdictions use special levies or bond issuances to fund affordable housing. Austin, Texas, has successfully used general obligation bonding to support affordable housing.¹⁰⁰ In Florida, Miami-Dade County voters authorized the Building Better Communities general obligation bonds in 2004.¹⁰¹ Seattle has had a housing levy since 1981. Voters have approved it four times, and the program has funded more than 10,000 affordable apartments, provided down payment loans to more than 600 first-time buyers, and given rental assistance to more than 4,000 households.¹⁰² Of course, bonds must be paid back, which has an impact on the larger budget picture. Pittsburgh may want to consider this option in the future, when debt service is less of an issue.

USE ZONING TO CREATE AFFORDABILITY

There are many zoning tools available to cities that can support affordable housing. In general, Pittsburgh should align zoning with what is planned or desired for an area, and then offer incentives if needed to spur development. In short, the City should make it easy (by-right or low levels of review) to build what it wants and hard (rezoning required) to build what it doesn’t. If the City wants affordable housing, allowing the densities required to make the financial picture work is important, as is allowing multifamily or mixed use housing as an approved use. A comprehensive review of the zoning code, or transitioning to form based zoning, may be helpful in getting to this.

Providing context-sensitive density is also important. Many existing neighborhoods can support increased density and affordability if it is well designed and managed. Portland, Oregon, has identified pre-approved building designs of multiunit buildings for certain infill sites to further their housing goals. Accessory

dwelling units, or ADUs, sometimes called “granny flats” or backyard cottages,¹⁰³ is another way to increase density in existing neighborhoods. Several cities, including Seattle, Washington¹⁰⁴ and Portland, Oregon,¹⁰⁵ have changed their zoning codes to allow these units. Seattle has even identified a pre-approved floor plan to make the creation of these units easier. The City should examine its zoning code for creative ways to encourage affordable housing production.

SUPPORT AND INCENTIVIZE TRANSIT ORIENTED DEVELOPMENT

Transit Oriented Development, or TOD, is an important tool for developing transit supportive neighborhoods centered on a built environment characterized by mixed use, active transportation, and transit use. TOD also increases demand for transit by as much as 10 percent or 90,000 riders per day in the Washington, D.C., area.¹⁰⁶ TOD can also be part of an affordable housing plan.

The City should work with the Port Authority to utilize land near transit for affordable TOD districts. As the number of TOD projects across the country increases, best practice examples are emerging. Minneapolis, Minnesota¹⁰⁷ and Denver, Colorado¹⁰⁸ have completed TOD projects that illustrate how TOD fosters the type of compact development that increases livability and equity by providing access to jobs and services to non-drivers and drivers alike.

INCLUSIONARY ZONING

Inclusionary zoning, or IZ, policies require developers of market-rate housing to reserve a portion of the units they create for affordable housing.¹⁰⁹ IZ links the production of affordable housing to market-rate housing, expanding the supply of affordable units at no monetary cost to government and creates mixed-income housing throughout the jurisdiction. But the policies must take into account the market realities of housing development. If they are too onerous, they will discourage development, fewer units of all types will be created, and the policy will not contribute to the City’s overall housing goals. A critical component of making an IZ policy work with development is ensuring that the rules are simple, not subject to development-by-development negotiation, and city-wide in scope to prevent developers from limiting their efforts to certain geographies.

Pittsburgh should adopt an IZ policy based on the specifics of the local housing market, and should consider the following elements of an effective policy:¹¹⁰

- The policy should be mandatory. Voluntary policies have not been successful in creating significant numbers of affordable units. This does not preclude offering some incentive in return for affordability, or for specific types of affordability.
- Units that are owned and rented should both be covered, as should different ownership models. San Diego’s ordinance applies to condominium conversions, as well as new construction.¹¹¹
- Developments of all sizes should be covered, even buildings with few units. The Chapel Hill, North Carolina, policy requires all projects that will create five or more units to comply.¹¹²
- The percentage of affordable units required should be high in order to generate sufficient affordable housing production and create genuinely mixed income developments. The Boulder, Colorado, program begun in 1980 requires 20 percent of units to be affordable.¹¹³
- The affordability required should be calibrated to what the city needs. For example, the affordability of rental units could be set to meet the rent standard for housing choice vouchers, so as to maximize the effectiveness of that program, whereas the affordability of owned units might be set higher. Additional incentives may be needed to produce housing that is affordable at the lower tiers of city median income (0-50 percent).
- The units should remain affordable for the longest possible time, preferably in perpetuity. Alternatively, the “affordability clock” could reset each time the unit is sold.

- Affordable units should be produced before, or at the same time as, market-rate units, preferably on the same site as the market-rate units. The Cambridge, Massachusetts, ordinance focuses on developing units on the same site as market-rate units and requires all units to be comparable in their finishes.¹¹⁴ San Francisco, California requires 8 percent more affordable units if they are produced offsite.¹¹⁵
- There should be some meaningful, nonmonetary incentive for developers who participate. This might be any of the incentives discussed in the section below. It must, however, be tied to the realization of concrete policy goals. For example, density bonuses (defined below) might be given to developers for the creation of very-low-income units, but not units targeted at 80 percent of area median income. The Montgomery County, Maryland, ordinance, one of the earliest adopted, includes density bonuses. It has produced at least 12,000 units of affordable housing over its 25-year lifespan.¹¹⁶

Finally, there should be a clear path to compliance with an IZ policy, the policy should be applied equally to all covered projects, and the local government should have a system for monitoring compliance and tracking success. For a deeper analysis of how Pittsburgh could implement IZ, see the report *Building Inclusive Communities* from the Housing Alliance of Pennsylvania.¹¹⁷

INCENTIVES FOR DEVELOPERS

In addition to requiring the development of affordable units, local governments can use a variety of incentives to encourage the development of affordable housing. These are generally related to the development process, fees associated with it, the property tax, or the provision of municipal infrastructure. They should all require permanent or at least long-term affordability in return for the incentive. Pittsburgh should consider a range of incentives carefully crafted to produce the types of housing that the market will not provide on its own. It should not offer or should discontinue incentives for types of housing the market is producing. Of course, any incentive offered should be in line with the transparency, job standards and community benefits recommendations discussed above. In addition to levels of affordability, incentives can reward proximity to transit and employment, or provision of onsite services.

Local governments usually have the ability to reduce or waive development or permit fees and requirements such as parkland dedication—or fees in lieu of—for affordable housing developments. These revenues are generally easier to forgo since they are one-time fees. This waiver can be leveraged to require long-term affordability by treating it as a deferment, with the fees due in full if the property transitions out of affordable housing. Flagstaff, Arizona, has a comprehensive incentive policy, which includes waivers for building permit, planning, and development-impact fees that are tied to the level of affordability produced.¹¹⁸

Pittsburgh could also offer regulatory flexibility for affordable-housing projects. These projects, for instance, may receive expedited permitting or presumptive approval within a certain timeframe. Costly requirements such as parking minimums may also be waived, or regulations about lot sizes and setbacks may be reduced. The Flagstaff, Arizona, program mentioned above provides expedited review and flexibility on parking requirements for projects that are at least 20 percent affordable. Bellingham, Washington, offers a number of different types of flexibility, including waivers of minimum lot size, street frontage, setbacks, parking requirements, usable open space, and maximum lot coverage regulations.¹¹⁹

Another option is the density bonus. Projects that would be limited by zoning codes to a certain floor-area ratio or number of stories can be granted additional area or height in exchange for the inclusion of affordable units. Los Angeles, California offers a by-right density bonus of 20 percent to affordable-housing projects. The bonus can be increased to 35 percent by increasing the percentage of affordable units or making them more affordable, providing on-site child care, or locating near employment or transportation centers.¹²⁰

Another possible way to reduce costs is reduced property taxes. One way to reduce property taxes on affordable housing is to adjust the way they are assessed to account for the lower increases in rent, higher expense ratios, and lower resale values of affordable properties.¹²¹ Pittsburgh could work with Allegheny County to ensure that properties subject to an IZ law are properly assessed, taking into account the restriction of some units for low-income use.

PROTECT RESIDENTS FROM DISPLACEMENT

Pittsburgh City government needs to support and preserve existing neighborhoods – not to keep them from changing or improving, but to make sure that current residents are not forced out by lack of affordable housing, or lack of living wage jobs. Everyone should benefit from developing neighborhoods, not just the newcomers. The most straightforward form of support is to make sure that public investments are made equitably – not equally – across neighborhoods. Low-income neighborhoods and neighborhoods of color that may have been neglected in the past likely need more investment now.

One important anti-displacement tool that Pittsburgh could use is a requirement that property owners offer either the City or tenants the first right of refusal when they wish to sell the property. There are a range of ways such a program could be implemented. On the completely voluntary side, the City could assist tenants, tenant groups and non-profit housing providers in identifying, financing, purchasing and renovating properties for affordable housing as they become available for sale. For properties where there is an existing public subsidy, the City may be able to require that the owner give it, or the tenants, first right of refusal. In some cities, this is required for all multifamily properties.

Washington, DC's Tenant Opportunity To Purchase Program requires landlords to offer the first right of purchase to tenants if they want to sell or demolish a building. This program also provides low-interest loans to groups of tenants that want to take advantage of that right. Most of the buildings that receive this funding remain affordable for 40 years.¹²² It also provides an opportunity for home ownership to many tenants for whom that would not otherwise be available. The program helped to preserve close to 1,400 units between 2000 and 2010.¹²³ If Pittsburgh pursues such a program, it should ensure adequate funding to meet the need, and should make it accessible to tenant groups pursuing a purchase by shortening loan turnaround times, offering bridge loans, offering funds for rehabilitation, and providing technical assistance to tenant groups.¹²⁴

Another potential tool is to use zoning to protect certain types of housing. Above we argued for allowing

*“Everyone
should benefit
from developing
neighborhoods, not
just the newcomers”*

higher densities to make it easier to build affordable housing. Here we caution that all things must be in context – if you are trying to prevent large scale redevelopment and subsequent displacement, downzoning can be one tool to do so. Depending on the scale of the problem, zoning (which is a fairly blunt instrument) may be the right tool, or it may be more appropriate to require the kinds of tenant protections we discussed above.

Another way to prevent displacement is to support existing homeowners and help them stay in their homes. Even something as basic as getting a clear title may help – the City should consider working with local law schools and attorneys to provide free legal assistance to low-income homeowners on basic property law issues. Long term homeowners, of which Pittsburgh has many, may have trouble affording property taxes as their neighborhoods improve, especially if they are on fixed incomes. Pittsburgh should explore establishing a long term resident tax abatement program, like the Philadelphia, Pennsylvania Longtime Owner Occupants Program (LOOP).¹²⁵ Homeowners may also need help with home repair or renovation in order to maintain their properties in livable condition. Programs that offer low or no interest loans to low-income homeowners are an important tool to stabilize neighborhoods. These programs would also benefit from a focus on water and energy efficiency. Pittsburgh has a range of such programs, but should consider targeting them to the neighborhoods where they are most needed, or at least doing targeted outreach to those neighborhoods.

Similar to Pittsburgh, Milwaukee, Wisconsin offers a number of no-interest loan programs, some of which are forgivable, to homeowners and owners of small rental buildings.¹²⁶ Of particular interest is their small-cap Tax Increment Financing (TIF) program, which functions much like regular TIF but on a smaller scale. Within a tax increment district, homeowners can get no-interest, forgivable loans of up to \$10,000 for work that brings their property up to code and improves the exterior façade or yard. There is no income eligibility test.¹²⁷ Chicago, Illinois offers grants funded by tax-increment financing to owners of buildings with one to four units for exterior repairs, or interior repairs that improve health, safety or energy efficiency.¹²⁸ Austin, Texas uses Homestead Preservation Districts combined with tax increment financing to reinvest in neighborhoods where there is a threat of displacement.¹²⁹ These districts can only be established in neighborhoods where the poverty rate is at least double the city rate, and median income of the district must be less than 80 percent AMI.¹³⁰ Established under state law, these districts allow the City to use tax increment financing to invest in affordable housing and other measures to prevent displacement and improve the neighborhood. These two approaches both represent a shift from the “reducing blight via big development” to a more asset-based, neighborhood-strengthening model that is less likely to produce displacement and more likely to empower current residents. Pittsburgh should consider a similar approach to reinvest in neighborhoods.

The City can also help prevent displacement by empowering neighborhoods and building community capacity, especially in historically disenfranchised neighborhoods, which tend to be low-income and of color, and with historically disenfranchised populations, including youth, formerly incarcerated individuals and the homeless. Empowering people and neighborhoods to be their own advocates can help decrease displacement. Seattle, Washington runs a program called the People’s Academy for Community Engagement, a leadership development program that focuses on “community organizing, community building, neighborhood planning, leadership, and outreach specifically to underrepresented communities” in a participatory, multi-cultural learning environment.¹³¹ Knoxville, Tennessee runs the Building Strong Neighborhood Organizations program, designed to help citizens participate in and improve their neighborhood groups.¹³² Oak Park, Illinois, runs a Diversity Assurance Program. The program offers matching grants and low-interest loans for the rehabilitation of small multiunit buildings, in exchange for agreement to list vacancies with the Oak Park Regional Housing Center, which focuses on maintaining a racially diverse tenant population.¹³³ This program has successfully kept Oak Park much more racially integrated than surround cities. Pittsburgh should consider a similar program to both protect the diversity currently found in some neighborhoods and to increase it in others.

PROMOTING HOMEOWNERSHIP

While the lowest-income families are likely to be served by rental housing, Pittsburgh should still pay attention to the availability of affordable homeownership opportunities. That is because ownership provides a potential way to build equity for low- and moderate-income families, and the availability of workforce housing close to jobs is important for both employees and employers. Pittsburgh can employ a number of strategies to increase affordable homeownership opportunities.

One option is housing cooperatives, which are likely to maintain a level of affordability since there is no profit motive—the building is owned by a cooperative corporation controlled by residents, who own shares or stock, and decisions are made democratically. Cooperatives generally have lower entry costs than other types of ownership.¹³⁴ Many housing cooperatives target or limit membership to a particular group, such as artists, students, or seniors, for example. Others have an open membership. Residents may occupy a room, an apartment, or a whole house, depending on the cooperative. The Madison Community Cooperative in Madison, Wisconsin, began as a student cooperative but now owns and operates several properties open to all.¹³⁵ A local government's role in promoting market-rate cooperative housing is generally limited to ensuring that it is allowed in residential areas under the zoning code, but could include technical assistance to groups wanting to form a co-op, and financial assistance to purchase property.

Shared equity is another approach to affordable homeownership. These programs help income-eligible families purchase homes at below-market prices. In return, restrictions are placed on the resale of the property, including the need to sell to another income-eligible buyer and a limit on the amount of accumulated equity the seller can retain; the equity is shared with the program that provided the initial subsidy. Such programs create a supply of homes that will continue to sell at an affordable price, while still allowing first-time buyers to become homeowners and accumulate some equity.¹³⁶ These programs may be structured as shared-equity cooperatives or as “silent” second mortgages,¹³⁷ where no payments are due until the sale of the property.¹³⁸ San Francisco offers a program where both the initial purchase and subsequent resale prices are tied to the income level of the buyer, not to the market value of the home. The program is targeted to households earning 55 percent to 120 percent of area median income, who would likely otherwise be unable to purchase a home in the city.¹³⁹

Another approach is a community land trust.¹⁴⁰ In this case, the trust, a nonprofit corporation, owns the land, and individuals own the homes, which are substantially less expensive without land costs. The Burlington Community Land Trust in Vermont was seeded by a \$200,000 grant from the City, and given access to a \$1 million line of credit by the City employees' pension fund to develop and preserve affordable ownership options in neighborhoods where home prices were rising.¹⁴¹ The Madison Area Community Land Trust in Wisconsin developed and manages the Troy Gardens project, an award winning mixed-income co-housing and urban agriculture community.¹⁴² There are efforts underway in Pittsburgh to establish an affordable housing land trust; a noteworthy component is connecting rehabilitation grants for long-time homeowners with an agreement that when the homeowner is ready to move, the property automatically is put into the land trust. The City should support these efforts and consider how it might make low-cost land and financing available.

Other ways to make homeownership affordable include lease-to-purchase, employer-assisted housing, down payment grants or loans, and first-time-buyer education programs. Cities can provide funding to match employer-assisted housing programs or can provide them for their own employees. The Chicago Area Metropolitan Planning Council started the Regional Employer-Assisted Collaboration for Housing, which assists private companies in establishing programs to educate employees about homeownership and provide them with down-payment assistance.¹⁴³ San Francisco, California¹⁴⁴ offers comprehensive education and assistance to first-time homebuyers, as does the New Opportunities for Homeownership program in Milwaukee, Wisconsin. A partnership of 46 financial institutions, homebuyer-counseling agencies, and the City of Milwaukee, the program provides education to individuals via the counseling agencies, providing the financial institutions with a pool of educated potential buyers. In return, the institutions offer standardized

eligibility requirements, minimal loan-origination fees, prompt servicing, and referrals if a client is denied. The program also educates real-estate professionals about neighborhoods and programs available to their clients.¹⁴⁵

Mayor Peduto recently proposed using the Section 8 program help eligible families purchase homes instead of renting. Section 8 traditionally provides eligible families with a rent subsidy – the household pays 30 percent of their income towards rent, and the subsidy covers the rest of the cost. The Mayor is proposing instead to work with community based developers to acquire and rehabilitate vacant homes, and then sell them to eligible households with monthly mortgage payments set at 30 percent of their income.¹⁴⁶ This is an interesting and innovative idea that should be pursued. If Section 8 funding proves too complex, the City should consider a shared equity or land trust structure.

“People are coming to Pittsburgh for business and the cost of rent seems like we are living in New York, but the income doesn’t match. People literally have to leave the city for affordable housing. It’s great we have these businesses, but new expensive housing is taking over communities where people have lived all their lives. That’s not fair.”

Marla Blunt is a food service employee at Duquesne University. She had the opportunity to serve as a member on the City’s wage review board examining income disparities of those making less than minimum wage. Blunt says she heard countless stories of people not able to make ends meet and having to make hard decisions. She recalls one woman having cancer and having to choose whether to see the specialist or get food. Then there were the stories of people standing in pantry lines for hours for food. As a native Pittsburgher, Blunt knows the city can be better.

Right now she feels like the deck is stacked against working families. She sees people working extra hours or two jobs and struggling to make it. They are working, but they can’t get decent, affordable housing.



KEY RECOMMENDATIONS

- » *Develop a partnership with the Port Authority to coordinate transit service planning, TOD, and other initiatives.*
- » *Coordinate with adjacent municipalities to identify a stable, shared contribution to the Port Authority's operating and capital budgets.*
- » *Work with employers and developers to establish a robust Transportation Demand Management program.*
- » *Adopt policies increasing access and affordability of a multi-modal transportation system.*
- » *Pay particular attention to the transportation needs of residents without access to a vehicle.*

Like many other cities, during the years following World War II transportation investments in Pittsburgh focused on improving automobile speed and efficiency. The resulting sprawling land uses have limited access to non-automobile alternatives such as public transportation, biking and walking. These developments increased household costs, in no small part by transferring the transportation cost burden to working people who were forced to leave the city center in a search for lower-cost housing. Figure 15 indicates the combined transportation and housing cost by census block, and shows how increased transportation costs in locations outside of Pittsburgh have higher associated total costs due to the lack of transportation options.

Pittsburgh is the regional center of western Pennsylvania and transportation planning and infrastructure in Pittsburgh must consider how the transportation system operates both in the City and the metro region. City staff should take advantage of the existing partnership with the Port Authority of Allegheny County in this regard. Pittsburgh also recently partnered with twelve government and non-governmental stakeholders to conduct a survey of residents about transportation choices that will inform future system planning.¹⁴⁷

Within Pittsburgh, mean travel time to work is 23.2 minutes, and within the County, the average commute is 26.2 minutes; both close to the national average of 25.5 minutes. Almost a quarter of occupied housing units have no vehicle, while 43.5 percent of households in the City have just one vehicle available.¹⁴⁸ The number of households without a vehicle is quite high compared to the national average of 8 percent.¹⁴⁹ This emphasizes the need to give focused attention to all transportation modes to reach equity and sustainability goals. The results of the Make My Trip Count survey (Figure 16) clearly documents how multimodal transportation in the City is, further supporting multimodal planning for infrastructure.

The numerous municipal jurisdictions in the Pittsburgh/Allegheny County metropolitan region create a complex environment for planning, managing, and delivering transit services, challenging Pittsburgh to think beyond City boundaries when considering the transportation system (see system map in Figure 17). Low-wage workers are increasingly finding housing in and near downtown Pittsburgh unaffordable. As these workers leave the urban core, access to quality public transportation declines, creating a new set of issues. While the Port Authority system operates commuter routes outside of Pittsburgh proper, there is a need to plan for transit options from outlying neighborhoods to the various park and rides connecting to the regional mass-transit system.

Although the City has been working on a multimodal transportation plan, MOVEPGH, for several years, there is currently no City or metro region transportation plan that would allow for multi-jurisdictional decision making or formalize a coordination process. The City should seize the opportunity to complete MOVEPGH and use this effort to prioritize regional coordination for transit in addition to focusing on Pittsburgh proper.

PLAN LAND USE TO SUPPORT TRANSIT

Transit-supportive land uses are ones with a dynamic mix of employment, housing, and essential services that are planned in coordination with the City's transit agency. Getting land use right is the first step in creating an equitable and successful transit system. As noted in the housing section, neighborhoods with frequent transit service often become increasingly unaffordable to low- and middle-income residents. These groups are relocating to more remote locations with cheaper housing but reduced transportation options. This trend is challenging the regional transit agency to provide appropriate service to these riders.

Currently, Port Authority does not have an official seat at the table during land use and development discussions that impact transit services. One recommendation is for Pittsburgh to designate a seat for Port Authority on City committees with jurisdiction over land use and transportation decisions. By having the transit agency at the table during this review process, expectations for service can be made clear in advance and adjustments to a project made before too much time and money is spent.

The Port Authority should also be involved in TOD discussions both in Pittsburgh and the larger region it serves. The agency is working on a set of TOD guidelines that can help guide both Pittsburgh and the outer boroughs and townships that have transit service. Also, the Port Authority owns significant property in both Pittsburgh and the larger service area in Allegheny County that could be used for TOD projects. An example of good work on TOD development in Pittsburgh is the East Liberty Station, which utilizes Port Authority property and involves the City's Urban Redevelopment Authority. The project includes station upgrades, commercial redevelopment, and adjacent affordable housing.¹⁵¹ Pittsburgh should work with the Port Authority to identify other similar opportunities.

Outside of Pittsburgh, there are 11 communities with Port Authority stations for either light rail or Busway service (Table 2). These locations could be targeted for moving Transit Oriented Development projects forward, although zoning changes will likely be needed for this to happen. Much of this service brings workers into Pittsburgh and increasingly is serving low-wage workers who have been priced out of housing in the City. It is important for Pittsburgh to help these workers access transportation to get to jobs and the City should support these outer boroughs and townships to improve affordable housing opportunities near transit service.

Vision: Transportation in Pittsburgh offers multi-modal choices that are equitable, accessible, affordable, and safe, connecting all residents to employment and other critical destinations.

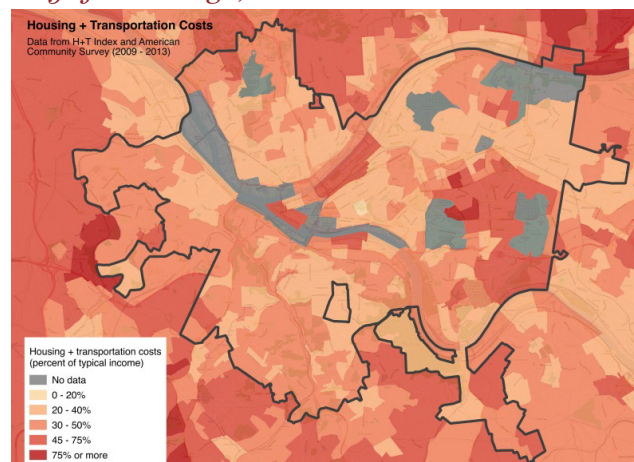
Paying attention to planning transit friendly neighborhoods will also help Pittsburgh achieve its goals of increasing the bicycle and pedestrian mode share. Since most people walk or bike to transit, streets designed with transit in mind tend to have better pedestrian and bicycle facilities. Pittsburgh can use zoning codes to ensure that new commercial, industrial, and residential developments provide accessibility for multiple modes just as they do for public roadways. A good example of revising code to spark redevelopment began in 2008 in Madison, Wisconsin. The City adopted the East Washington Avenue Capital Gateway Corridor Plan, calling for changes to development standards and land use to better support transit and economic development along the corridor.¹⁵² In the past few years that approach has proven successful, with significant mixed use redevelopment and record transit ridership.

GET PARKING RIGHT

Supporting TOD and other multimodal initiatives benefits greatly by establishing a policy to plan for and manage car parking. Parking is an important asset to many American cities and, as such, should be viewed as an integral piece of the City's transportation and land use system. However, like any piece of transportation infrastructure, it must be managed properly to ensure it works efficiently and adds value to the community. City officials can accomplish this by leveraging municipally owned parking—both on-street and off—and by regulating privately owned parking.

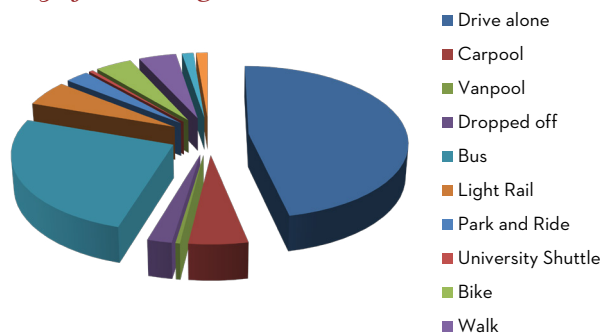
Pittsburgh has in many ways been at the forefront of adopting innovative parking programs. Pittsburgh has largely eliminated parking minimums and set maximums for all land uses in its downtown.¹⁵³ Bicycle parking is required for developments and developers can offset car parking minimums with bicycle parking spaces by up to 30 percent. Other options for managing parking include programs that price parking based on demand to help reduce cruising for a spot while increasing turnover in busy locations. Carnegie Mellon is piloting such a system in a small location in Pittsburgh.¹⁵⁴ San Francisco, through the SFPark program, has been dynamically pricing parking for several years and has seen good results. Drivers can use a smartphone app to see where parking is available and what it costs. Cities adopting these policies can better manage existing parking supplies, reduce traffic, cut pollution, lower housing costs, encourage sensible development, and improve urban vitality.¹⁵⁵

Figure 15
COMBINED HOUSING AND TRANSIT COSTS
BY CENSUS BLOCK GROUP
City of Pittsburgh, 2013



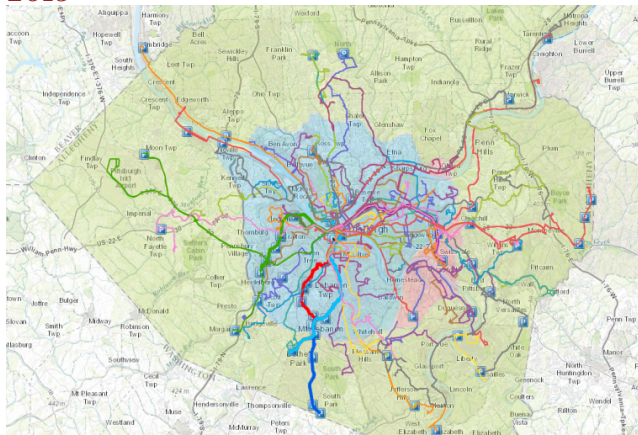
Source: Center for Neighborhood Technology H+T Index and 2009-2013 American Community Survey 5-Year Estimates

Figure 16
TRANSPORTATION MODE SPLIT
City of Pittsburgh, 2016



Source: Make My Trip Count¹⁵⁰

Figure 17
PORT AUTHORITY OF ALLEGHENY COUNTY
SYSTEM MAP WITH ROUTES AND PARK &
RIDES
2015



Source: Port Authority of Allegheny County

BUILD EFFECTIVE AND EQUITABLE TRANSIT

An effective and equitable transit system is one that is accessible and affordable to users across the socio-economic spectrum. Accessible transit provides access to critical needs such as work, health care, education, and food. Affordable transit gives all riders the opportunity to access these destinations without incurring excessive costs.

PUSH FOR A MORE ACCESSIBLE SYSTEM

Transit's geographic service area, frequency and span of service hours directly impact the usefulness of a transit system.¹⁵⁶ Geography refers to whether a transit system takes people where they need to go and frequency/service span relates to providing service when the rider needs transit to be there. Shift workers and people balancing work, child care, and school typically benefit the most from frequent service with extended hours. During Port Authority's prolonged budget crisis, the entire service area and the City experienced cuts in every category, resulting in a decline in transit service quality for the City, particularly impacting lower-income populations.

Table 2
PORT AUTHORITY OF ALLEGHENY COUNTY FIXED GUIDEWAY
STATIONS OUTSIDE
City of Pittsburgh, 2015

Baldwin Township	Light Rail
Bethel Park Municipality	Light Rail
Carnegie Borough	Busway
Castle Shannon Borough	Light Rail
Crafton Borough	Busway
Dormont Borough	Light Rail
Ingram Borough	Busway
Mt. Lebanon Municipality	Light Rail
South Park Township	Light Rail
Swissvale Borough	Busway
Wilkinsburg Borough	Busway

Source: Port Authority of Allegheny County

Port Authority's new Service Guidelines¹⁵⁷ developed after the recent budget crisis create a more transparent process, providing a mechanism for regular agency service reviews and for the public to request service improvements. In this document, the agency formalized three service goals – providing efficient, effective, and equitable transit service – to help frame transit-service decision making. The service guidelines open the door to improved service provisions in Pittsburgh.

Pittsburgh should take advantage of Port Authority's new service policies to coordinate improved service quality in neighborhoods that are low-income, or are characterized by low levels of auto ownership that are additionally burdened by low levels of transit access. These transportation challenged areas, or transit deserts, leave residents with very limited access to jobs and essential services. Discussions with Port Authority should consider both geography and service frequency and should focus on shift workers as well as transit outside the City that will serve workers needing to commute to downtown.

For exurban neighborhoods already facing this challenge, Port Authority should explore a shuttle service to get riders from outlying communities to transit stations on the commuter rail or busway system. Innovative partnerships addressing this challenge are emerging, notably a new partnership between the Kansas City Area Transportation Authority, Bridj, and the Ford Motor Company to provide on-demand micro-bus service to residents within the service area but not within walking distance to transit. Kansas City, Missouri, like Pittsburgh's outlying communities, is not exceptionally dense and providing cost-effective service is difficult. This model is important because the transit authority embedded the micro-bus service within the agency, and drivers are union employees of the transit authority.¹⁵⁸

MAKE TRANSIT AFFORDABLE

How transit fares are calculated and collected is an area where municipalities have an opportunity to improve the access, affordability, and equity of the transit system. Port Authority's proposed new fare policy hopes to reduce overall rider costs by eliminating the zoned fare system.¹⁵⁹ Systems around the country are piloting creative approaches and learning effective ways to break down barriers to affordability for low-income residents and the community more broadly. King County, Washington's low-income pass asks higher-income riders to pay higher fares to offset the reduced revenue coming from qualifying low-income riders.¹⁶⁰ Pass holders can access the bus, rail, and ferry systems. In addition to a low-income pass for adults, San Francisco, California offers a low-/moderate-income pass to youth. This pass provides mobility for students but also frees the parents, who may be working multiple jobs, from worrying about making sure their child gets to school, work, and other activities.¹⁶¹

Pittsburgh's new fare policy would charge multi-ride pass holders lower per-ride fares than riders paying a cash fare. Many low-income families and individuals might not have enough cash on hand to purchase a multi-ride pass, even if each ride is discounted. This scenario, if left unaddressed, creates a situation where those who can least afford to will pay more for needed transportation. Port Authority uses prepaid, reloadable fare cards that works on transit modes system wide. Port Authority should look to the way the Chicago Transit Authority's (CTA) Ventra program eases the burden of getting a Ventra card. CTA's transit card, the Ventra card, can be purchased at a wide array of outlets like pharmacies and groceries. The initial five dollar purchase is refundable to the card once it is activated. The transit card can also be loaded with more money, using cash, at the same locations where a card can be purchased.¹⁶²

Transportation Demand Management programs like the current U-PASS program, available to faculty, staff and students at University of Pittsburgh, Carnegie Mellon University and Chatham University provide pre-paid, unlimited ride passes. A prepaid pass helps encourage people to leave their cars at home. Working with the Port Authority, Pittsburgh should reach out to other anchor institutions, City and Allegheny County employees, small businesses or even neighborhood groups to expand this program. Madison, Wisconsin and Denver, Colorado run successful unlimited ride pass programs. Madison, Wisconsin's pass program includes passes for university and hospital employees, city and county workers, and small businesses.¹⁶³ The Regional Transportation District in Denver, Colorado runs a pass program for employers. RTD's program also includes a guaranteed ride home program so employees can grab a taxi home in case of an unplanned event.¹⁶⁴

FUND TRANSIT APPROPRIATELY

Pittsburgh and Allegheny County's regional transit system struggled during a decade-long, state-wide transportation funding crisis that ended with the signing of Pennsylvania Act 89 in 2013. During that time, no transit funding came through the Commonwealth. The reduced state funding forced a 30 percent cut in service in 2006 then another 15 percent service cut in 2011. Geographic coverage and service levels took hits, with the agency eliminating some routes entirely and cutting frequency on other routes. Unsurprisingly during this time ridership levels dropped (Figure 18).

“A city cannot remain viable or vibrant without a dynamic transportation system. We need transportation that services all parts of the city, connecting people to their schools, pharmacies, grocery stores, entertainment and most importantly their jobs. Good transportation is key to a world-class city like Pittsburgh.”



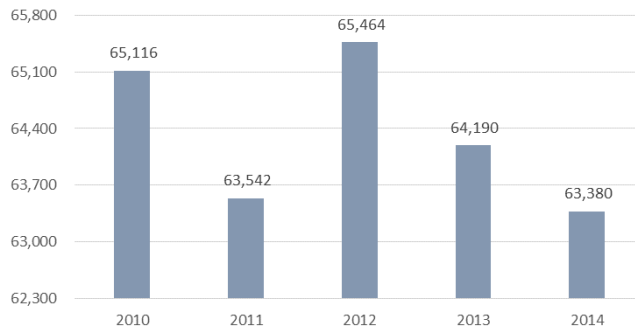
As a native Pittsburgher, Sherri Geyer knows first-hand how issues of affordable housing, transportation and good jobs impact her city. She's seen the changes over the years. In 2015, she was one of more than 1,000 security officers to make history organizing and joining their first union. Now, these hardworking men and women earn a living wage and benefits. Prior to the union, Geyer says she could express her opinion on the job, but she was never taken seriously. Now, she has a voice on the job.

Geyer's always lived in an apartment. With housing costs taking a large part of her budget, she spends a good portion of her check on rent. But, she doesn't have to worry about being homeless because she can afford her rent. The bus is Geyer's lifeline to her job. Working at night, she sees a lot of her co-workers coming in early because the buses don't run late at night.

Act 89 established a reliable state source of transit funding. The funding, while not enough to fully restore service, has created an opportunity for the Port Authority and Pittsburgh to explore how to organize service in a way that responds to today's economy and the changing nature of work - multiple shifts and access to employment beyond the city limits. Act 89 makes projects coordinating land use with transportation assets eligible for funding, suggesting an opportunity to fund analysis and action on better linking jobs to job seekers.

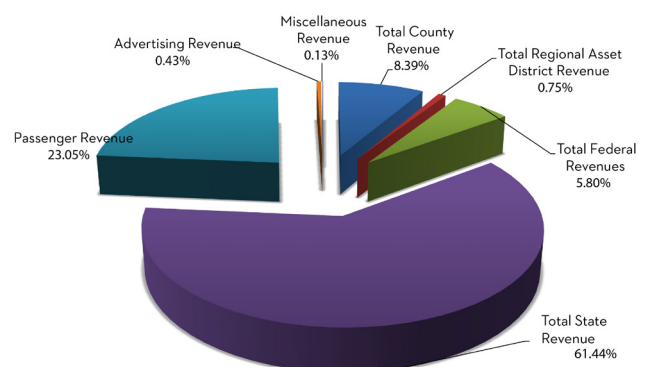
Transit service in the Pittsburgh region relies heavily on funding from the Commonwealth, accounting for approximately 60 percent of the system budget (Figure 19). While this level of support is appropriate and praiseworthy, the region's dependence on state funding leaves the system vulnerable to shifting political priorities. The remainder of the system budget comes from the county, money from licensing and other fees as well as farebox and advertising revenues. Regional funding, in addition to state and federal transit money, is not enough to cover the systems capital and operating expenses. To fill the gap the Port Authority relies on other funding sources, such as TIGER grants and grants for Complete Streets. To help address this challenge, Pittsburgh should work with the other municipalities served by Port Authority to develop a policy, working with the state if enabling legislation is needed, to provide an additional local funding source for the transit system. Local sales tax¹⁶⁶ or property taxes¹⁶⁷ are options cities like Austin, Texas or Madison, Wisconsin have use to fund transit.

Figure 18
PORT AUTHORITY OF ALLEGHENY COUNTY
TRANSIT RIDERSHIP
2010-2014



Source: Allegheny Institute for Public Policy⁶⁵

Figure 19
PRELIMINARY PORT AUTHORITY OF
ALLEGHENY COUNTY
FY2016 Budget by Source



Source: Port Authority of Allegheny County⁶⁸

CONNECT ALL MODES OF TRANSPORTATION

Transit riders need to get to and from transit, and need options to do so. Multi-modal connections to the transit system form an essential part of an equitable transportation network.

COMPLETE STREETS

Complete Streets improve transit accessibility by supporting multimodal access to transit stations. They support walking generally, increasing the distance riders are willing to walk to a transit stop. Improved pedestrian connectivity proposed at one Washington DC Metro station could expand the “walkshed” for that station by up to 1,200 additional households potentially generating sufficient fare revenue to fund the construction of the improvement.¹⁶⁹

In 2015 Mayor Peduto issued an Executive Order charging the City Planning Director to work with all relevant City departments, authorities and agencies to develop a complete streets policy.¹⁷⁰ Pittsburgh is currently working with the Complete Streets Coalition on a project to rethink how the City’s streets work for all users – bicyclist, transit riders, pedestrians and drivers. This effort will make recommendations for changes in infrastructure, operations, and policies that will improve safety and livability for all road users. By adopting a Complete Streets policy, Pittsburgh can ensure that new roadways and any substantial reconstructions will accommodate all modes of transportation. Smart Growth America recently released a report on the best complete streets policies which can be used as a guide for the City as it develops its policy.¹⁷¹ Recently the Federal Transit Administration recognized the importance of the bike and pedestrian infrastructure specifically, allowing use of federal transit funds to fund pedestrian facilities within one-half mile of a transit facility and bicycle connections within three miles of transit.¹⁷² Pittsburgh should take advantage of this to implement its policy once adopted.

EXPAND BIKE SHARE

Pittsburgh’s Bike Share, Healthy Ride, launched in 2015 with 50 stations and 500 bikes, is making meaningful connections with transit stations and stops. The organization’s mission is “to expand access to public transit through easy-to-use, affordable active transportation opportunities.”¹⁷³ Bike Share access for the poor or unbanked has been a problem as bike share systems roll out nationwide. Divvy Bike Share in Chicago has an innovative program, Divvy for Everyone (D4E), providing low-income and unbanked residents with access to bike share. A Chicagoland resident can get a membership by traveling to one of five designated service centers, providing proof of residence and low-income, and paying a \$5 cash membership fee. The program set a goal of signing up 750 members the first year but within three months 800 D4E members were signed up. Divvy for All clearly serves an unmet demand for transportation among low-income residents. Key to this program is subsidies provided by the Better Bike Share Partnership and Divvy’s sponsor, Blue Cross Blue Shield.¹⁷⁴ Pittsburgh should consider a similar program.

EXPAND ACCESS TO CAR SHARE

Pittsburgh has worked with Zipcar since 2009 to provide car sharing in the city. Many Zipcar stations are located convenient to transit stations, helping bridge the first and last mile challenges associated with a regional transit system.¹⁷⁵ The system, however, may not be accessible to low-income people. Car share for low-income residents in Buffalo, New York is a model. Late in 2015 Zipcar purchased Buffalo CarShare. Buffalo CarShare operated on a model focused on serving low-income customers and Zipcar decided to keep that pricing program for the existing members of Buffalo CarShare.¹⁷⁶ Pittsburgh should work with the company to develop a low-income option similar to what is in place in Buffalo.

Technological advances have increased multimodal accessibility significantly. Transit agencies like Houston Metro have partnered with GlobeSherpa to launch a mobile trip planning app that allows riders to buy fares, pay for multiple riders, and plan a trip from start to finish.¹⁷⁷ The Ventra card in Chicago recently added a smartphone app with the ability to pay fares on all CTA modes as well as the regional Metra and Pace

systems.¹⁷⁸ Having these additional transportation options will improve transit connectivity for lower-income individuals by bridging that first and last mile gap that so often forces people to use a car, even those who can least afford that option.

PUBLIC ENGAGEMENT

Pittsburgh and the region are anticipating significant growth. Redevelopment opportunities in the city bring possibilities of economic development and rejuvenation. This could come at a cost if public engagement efforts do not bring citizens to the table. This is true for transportation improvements, as access to transportation is key to economic development that is equitable and shared. Each of the elements discussed above benefits from robust stakeholder outreach efforts. Without higher-level public involvement, well-meaning changes to the City's transportation system risk missing the mark. The Port Authority is in the process of building back a system damaged by the recent funding crisis and resulting service cuts. During this time of rebuilding it is important to consider how improving public engagement with an eye towards equity through accessibility feeds into this effort. Improvements in the public engagement process aides in getting to equitable decisions with transit.

Port Authority has recently taken steps to improve transparency and public engagement with the system. Its recently drafted service guidelines adopt service goals of efficient, effective, and equitable transit service.¹⁷⁹ As part of this effort the Port Authority, in partnership with the City should:

- Build partnerships with citizens, advocates, labor, nonprofits, and business groups in addition to existing partners.
- Make sure the public is at the table during initial project development. Do not simply invite them in after the major development decisions have been made.
- Identify and include transportation disadvantaged populations impacted by a project or policy decision. These groups may include low-income and minority communities.
- Hold meetings that are accessible to these groups. This requires holding meetings that are accessible by transit, biking, or walking, often during hours that accommodate shift workers and other stakeholders working non-traditional schedules.

The City of Seattle, Washington hires Public Outreach and Engagement Liaisons to help with outreach around planning efforts. These independent professionals are “expert bridge-builders” who are part of their respective community's cultures, fluent in their respective languages, and are bi-cultural and bi-lingual. Equitable outreach and engagement is conducted in a culturally-specific manner allowing participants some comfort and familiarity while navigating the City's processes.¹⁸⁰ These liaisons reach a much broader and more diverse audience than the City could on its own.

Minneapolis, Minnesota's recent comprehensive plan update included public meetings, focus groups, a website, surveys, and public hearings to gather input from stakeholders. The plan sought input from the City's Community Engagement Coordinator, Multi-cultural Affairs staff, and the City's communications office to design effective community outreach.¹⁸¹

Portland, Oregon adopted the Portland Plan in 2012.¹⁸² The Plan is centered on equity and was developed using a remarkable public input process that was overseen by a Community Involvement Committee.¹⁸³ That committee's evaluation of the public input process contains a number of insights into how to get widespread public involvement, including the need to provide materials in multiple languages and formats, and to make them accessible to people unfamiliar with government and planning processes. Notably, the planning department built relationships with a number of community based organizations, and even provided them with modest funding to help conduct outreach for the planning process. This resulted in more, and more culturally-appropriate, outreach than staff could have done on their own.

KEY RECOMMENDATIONS

- » *Issue an executive order to limit local law enforcement's participation in federal immigration enforcement.*
- » *Collect age, race, gender, and national origin data on police interactions with Pittsburgh residents for analysis and development of City-specific policies to improve community-police relations.*
- » *Ensure that communities of color and new immigrants can live safe, healthy, and productive lives in the City by expanding access to critical services.*

Non-Hispanic Whites comprise the majority in the City of Pittsburgh.¹⁸⁴ However, as noted throughout the report, Pittsburghers of color are a significant minority and there are stark racial disparities that should make racial justice and civil rights a priority issue for the City.¹⁸⁵ Pittsburgh's population has stopped declining for the first time in decades.¹⁸⁶ The proportion of people of color in the City of Pittsburgh also continues to grow, with a declining White population, and with growing Asian and Latino populations.¹⁸⁷ But, despite growth, disparities in household median income¹⁸⁸ and poverty levels still persist.¹⁸⁹

Nationwide, people of color are overrepresented in the U.S. criminal justice system. Based on U.S. Census data, Black Americans comprise 14 percent of the general population, yet make up 28 percent of all arrests.¹⁹⁰ When it comes to contact with the police, where cities have the data, it demonstrates that there is racial disparity between Whites and Blacks in traffic and pedestrian stops. The ACLU of Pennsylvania recently released a report confirming that thousands of residents were stopped and frisked unlawfully between the years 2011 and 2015 and that there was a disproportionate impact on Black Philadelphians. The data were collected as part of a monitoring process resulting from a 2010 lawsuit that alleged that the Philadelphia Police Department (PPD) had a pattern of stopping and frisking pedestrians without reasonable suspicion, particularly Black Philadelphians. The data demonstrate that despite Black residents comprising 43.22 percent of the City's total population, 71.58 percent of stops made by PPD and 79.45 percent of the frisks made by PPD were of the City's Black residents.¹⁹¹ Data on police pedestrian stops do not exist in Pittsburgh. In order to create policing practices that are responsive and reflective of community needs and to ensure that residents of color are not disproportionately stopped or arrested, it is critical for Pittsburgh to collect and monitor police data. The section that follows outlines best practices for monitoring and making data accessible to all residents.

The enforcement of federal immigration law is often operated through local law enforcement and relies on police and prison infrastructure and resources. When local police facilitate the work of federal immigration enforcement it chills relationships between local law enforcement and immigrant communities. There are many mechanisms through which the Federal Immigration and Customs Enforcement Agency (ICE) can detain unauthorized immigrants using local law enforcement and local resources. Between the years of 2008 and 2014, ICE deported over 2.5 million immigrants.¹⁹² Fear of deportation and harassment creates fear and mistrust particularly between immigrant communities and police and first responders. Although localities may be unaware, local law enforcement can use discretion when it comes to participating in federal immigration deportation programs. Indeed, as of late 2015, 326 counties, 32 cities, and 4 states have limited local law enforcement's involvement in immigration enforcement and have created safer and more welcoming localities as a result.¹⁹³

The following sections highlight a selection of the best policy practices that cities have adopted to promote civil rights and racial justice and to curb racially disparate policing practices that disproportionately affect communities of color and immigrants.

COMMUNITY POLICE RELATIONS

Questions regarding police-community relations have been centered in the national discourse following the extra-judicial murders and the subsequent failure to hold police officers accountable in the deaths of Eric Garner, Mike Brown, and too many others. The use of force, implicit and explicit bias, structural racism, accountability, and transparency in policing practices have permeated the conversation and forced politicians and policy makers to contend with the role of law enforcement in communities. The movement for Black Lives, which began in response to the acquittal of George Zimmerman who murdered Trayvon Martin in 2013, has brought together communities and leaders that are fighting politically, socially, and culturally to create a more racially just country that values and uplifts Black lives, holds localities responsible for police actions, and calls for grounded solutions to the structural racism that distorts our criminal justice system. Communities of color are often over-policed yet underserved—residents in need of assistance from police or first responders are forced to face the possible threat of harm or violence to themselves or their families if they call the police. The Pittsburgh Police Department has been involved in two high profile cases of police brutality over the past several years that left two young Black Pittsburghers—Jordan Miles¹⁹⁴ and Leon Ford¹⁹⁵—severely harmed and traumatized.

Vision: To strengthen and build Pittsburgh's community-police relations with historically marginalized communities of color and new immigrants in order to create a more livable city for all residents.

Recently, Pittsburgh was chosen by Attorney General Eric Holder as a pilot site for a federal initiative to build trust between community and local law enforcement. The National Initiative for Building Community Trust and Justice (NIBCTT) aims to strengthen relationships between police and communities and will work with the six pilot cities—Stockton, California; Pittsburgh, Pennsylvania; Minneapolis, Minnesota; Gary, Indiana; Fort Worth, Texas; and Birmingham, Alabama—to create location-specific plans to reduce bias, support reconciliation, and enhance procedural justice.¹⁹⁶ With input from various community stakeholders, a City-specific program will be developed with the goal of rebuilding trust between communities and law enforcement. When speaking about the NIBCTT, recently appointed Pittsburgh Chief of Police, Cameron McLay, stated, “It connects so strongly to most of the things I need to accomplish here. There’s a lot of resources that have been brought to bear as a result of us being accepted. And what’s gratifying about it is it’s not something that was given. It’s something the community and we earned together. It was the recognition that we were making progress that garnered us the recognition.”¹⁹⁷ The program will give Pittsburgh the opportunity and resources to focus on improving community police relations and improve practices so that violence and bias can be eliminated. It will be critical for residents and impacted communities to participate in the planning, implementation, monitoring and evaluating of all programs and practices.

In February 2015, the Pennsylvania Interfaith Impact Network (PIIN) pushed the Pittsburgh Chief of Police to adopt a list of demands to strengthen community police relations. Developed in conjunction with parishioners and local criminal justice and civil liberties experts, McLay committed to each of the demands.¹⁹⁸ McLay agreed to work with PIIN leaders to organize and participate in a quarterly open community forum; committed the Bureau to participate in annual trainings on racial reconciliation, procedural justice, and implicit bias; pledged to onboard a more measurably diverse Pittsburgh Police Bureau that reflects the demographics of the City; pledged to collect and interpret data as a way to supervise the Bureau and improve policing and accountability; and finally, affirmed a commitment to draft a Pittsburgh Police Bureau policy on body worn cameras.

In response to national calls for police and criminal justice policy reform, the Center for Popular Democracy released a toolkit created in partnership and consultation with Black Lives Matter leaders, organizations, and the communities most directly impacted by unjust policing practices, entitled “Building Momentum from the Ground Up: A Toolkit for Promoting Justice in Policing.”¹⁹⁹ The toolkit outlines policies that aim to create safer police interactions and department practices, to establish community control along with independent oversight and transparency, and to decrease over-criminalization of communities of color.²⁰⁰

COMMUNITY CONTROL, INDEPENDENT OVERSIGHT, AND TRANSPARENCY

After local police officers killed Jerry Jackson and Jonny Gammage in 1995 and 1996, Pittsburgh residents created the Citizen Police Review Board. This independent board has the power to investigate claims against police misconduct, establish a mediation program where complaints can be heard, provide advice and recommendations to the Mayor and Chief of Police, hold public hearings where witnesses can be subpoenaed and make testimony under oath, and employ a solicitor as necessary.²⁰¹ Pittsburgh can build upon this foundation by continuing to ensure that the board reflects the communities that are most impacted by police

“Public transportation is a lifeline for our communities. As businesses consolidate and close locations, people need to be able to reach those places. Sometimes that involves crossing into another community or township. We need to make sure people have good transportation to get them where they need to go.”

Paul Griffin knows how vital transportation is to a thriving city like Pittsburgh. He got involved in the city’s transportation issues 15 years ago when cuts and service reductions started taking place. Instead of sitting back watching things happen, Griffin took action, and he started attending hearings and rallies to keep good transportation in the city.

Griffin uses public transportation to get back and forth to his job working in downtown Pittsburgh. The trip is about 17 miles and takes about 45 minutes on the bus. He’s fortunate he doesn’t have the experiences that some people have in Pittsburgh where buses don’t run late at night or on the weekends. Over the years, Griffin witnessed how the city’s workforce changed from working in the mills, Monday through Friday from 9-5 to becoming mainly public sector jobs where people work around the clock.



surveillance and abuse, require any policy affecting community trust be submitted for review by the board, give the board a say in the disciplining of officers and require that recommendation be public knowledge, and create the ability for the board to accept anonymous complaints.

As seen in Philadelphia, bias-based profiling, whether implicit or explicit, results in communities of color being over-policed and vulnerable to unlawful searches. Bans on bias-based policing prohibit police from targeting people based on religion, race, or national origin. When communities are more likely to be stopped by police simply because of their race or national origin, they face the risk of a possible confrontation with the police which erodes community-police trust and can lead to injury or death. The Pittsburgh Police Bureau should continue to create rules and training that eliminate possible bias. Additionally, the City should require officers to collect arrest data in order to monitor current policing practices and make adjustments to policies and procedures for the future.

Specifically, the data should capture the age, race, ethnicity and gender of the person who was stopped and the location, date, and time as well. In cases where law enforcement action is taken, detailed record should be kept. Where legally possible, data should also be made publicly available via an easy to access portal, like a City website, with privacy protections taken for those stopped or detained. Related to data collection, the use of body cameras to collect and record police interactions can be a useful tool for oversight as well,²⁰² however, thoughtful policy to promote the best use of body cameras must be implemented in conjunction.²⁰³

SAFER POLICE INTERACTIONS AND DEPARTMENT PRACTICES

Pittsburgh Police Department should continue to build practices and strengthen standards to curb use of force and improve training for all officers. The Las Vegas, Nevada police department implemented a “No Hands On” policy to prohibit a police officer who is pursuing a subject from being the person to apprehend that subject.²⁰⁴ These practices, in conjunction with other trainings on working with mentally ill civilians, training on treating people with respect and dignity, and “reality-based training” where real-world scenarios are role-played, has led to a decrease in use of force complaints. Additionally, New Orleans, Louisiana implemented rules regarding use of force such as prohibitions on chokeholds and strikes to the head, and tightened rules to limit the use of firearms.²⁰⁵ As part of the National Initiative for Building Community Trust and Justice program Pittsburgh should develop a clear and comprehensive use of force policy, improve training on how to interact with mentally ill, incapacitated, or otherwise vulnerable populations, require ongoing training on de-escalation techniques, and empower officers to intervene when other officers are using force that is not reasonable or proportional to the risk at hand. Additionally, procedures on reporting, investigation, discipline and accountability should be developed and updated.²⁰⁶ Training that emphasizes de-escalation, mediation, and skills that prevent violence should be prioritized. In order for these training to be truly reflective of community needs and concerns, they should be developed in consultation with impacted communities.²⁰⁷

DECREASE CRIMINALIZATION

Local law enforcement has broad discretion to enforce laws and makes arrests. Over the past 40 years, there has been a dramatic increase in local laws that have shifted priorities away from violent crimes to a focus on “quality of life crimes,” such as public consumption of alcohol or riding a bike on a sidewalk. Incarceration rates have increased 500 percent since the early 1980s, with over 2.2 million people incarcerated in jails and prisons.²⁰⁸ Additionally, law enforcement has increasingly filled the role of front-line responders for dealing with concerns like mental health crisis or drug and alcohol related issues. Behavior that is not criminal has become criminalized, which weakens community-police trust. Where possible, Pittsburgh should explore the possibility of administratively or legislatively reclassifying misdemeanors into civil infractions and ensure that the inability to pay fines for infractions is not a reason to incarcerate someone.²⁰⁹ Similarly, the City of Pittsburgh can work with the Pittsburgh Police to deprioritize the enforcement of low-level offenses and encourage local District Attorney’s offices to limit the prosecution of low-level offenses, similar to the Brooklyn District Attorney.²¹⁰

An outstanding warrant for a low-level offense or failure to pay fees and fines should never be a reason to incarcerate someone. In order to lessen the collateral consequences of failing to appear in court or failure to pay a ticket, Pittsburgh can encourage municipal courts and the City Council to explore the possibility of making reforms to get rid of warrants and eliminate fees. Similar to a proposed bill in the New York City Council,²¹¹ Brooklyn, New York's Begin Again program,²¹² and Jersey City, New Jersey's Fugitive Surrender Program,²¹³ Pittsburgh should create programs and infrastructure to expunge old warrants for low-level offenses and eliminate all outstanding fees.

Additionally, Pittsburgh should do what it can to divert residents with mental health and addiction issues out of the criminal justice system and into treatment and therapy programs. The Law Enforcement Assisted Diversion Program (LEAD) in King County, Washington has been successful at reducing recidivism by connecting people to resources such as addiction treatment and therapy prior to being booked.²¹⁴ Rather than using incarceration to house those facing mental illness or addiction, local law enforcement should be trained to use discretion to divert people into treatment programs and therapy. This will allow law enforcement to build community-police trust as they get to know the needs of their communities and help to keep Pittsburghers out of jail.²¹⁵

IMMIGRANT RIGHTS

Between 2010 and 2013, the foreign-born population grew from an estimated 6.8 percent to 7.9 percent of the City's total population.²¹⁶ As of 2009, a majority of immigrants in the larger Pittsburgh metro region were ranked as highly skilled.²¹⁷ While the population of low-income immigrants isn't as high as it is in other major metropolitan areas, it is important for Pittsburgh to be a place where all immigrants along the income spectrum can thrive, particularly lower-income and undocumented immigrant residents.

A 2009 report authored by the Fiscal Policy Institute, entitled, "Immigrants and the Economy" illustrates that in the 25 largest U.S. metropolitan areas immigration and economic growth have happened in tandem. The U.S. cities that have experienced the fastest economic growth are also the cities that experienced the greatest increase in the immigrant share of the labor force; however, cities like Pittsburgh, which experienced less economic growth, have the smallest increase in the immigrant population.²¹⁸ Immigrants are important to a healthy and thriving economy. In 2012, undocumented immigrants in the U.S. contributed nearly 12 billion dollars in state and local taxes.²¹⁹ Moreover, Mayor Peduto's office has identified that "for every 1,000 immigrants that settle in a community, 270 U.S.-born individuals follow, drawn to the region by the increased economic opportunity created by immigrants."²²⁰ Pittsburgh should use this moment to welcome new immigrants by creating family-sustaining jobs along the skill spectrum and commit to creating a community where immigrants can flourish.

In the absence of federal comprehensive immigration reform States have, in the past several years, expanded immigrants' access to driver's licenses, higher education and financial aid, professional licenses and health care. Cities and counties have passed legislation to allow undocumented immigrants to access municipal identification, legal counsel and health services, and have passed legislation to promote trust between immigrant communities and local law enforcement. Pittsburgh has created the "Welcoming Pittsburgh Plan: A Roadmap for Change" in order to become a more inclusive community for immigrants and their families.²²¹ Additionally, Pittsburgh has become a member of Cities for Citizenship,²²² a national collaboration chaired by the Mayors of New York, Los Angeles and Chicago to encourage cities to invest more resources in citizenship services in order to facilitate increased citizenship for eligible permanent residents. While Pittsburgh has taken steps to include immigrants the City, there are still disparities that exist and particular vulnerabilities that new immigrants experience, especially vis-à-vis law enforcement and the threat of deportation. Pittsburgh should continue to build upon the foundation laid in order to build a City infrastructure that encourages immigrant residents to come out of the shadows and engage in full civic and community life.

Recently, the presidential election as well as the Middle Eastern and Central American refugee crisis has enflamed the immigration debate. Differential treatment because of immigration status is a manifestation of racial inequity and bias. Part of creating welcoming communities for immigrants is ensuring that immigrants are not targets of racial profiling. It means creating communities where it is safe for immigrants to work, take their kids to school, and engage in civic life without fear of harassment, intimidation, or deportation.

LIMIT PARTICIPATION IN FEDERAL IMMIGRATION ENFORCEMENT

Despite the currently hostile climate, hundreds of cities, counties, and states across the country have demonstrated that they will do what is within their power to create communities that are safe and uphold the civil rights of undocumented immigrants.²²³ Mayor Kenney of Philadelphia, Pennsylvania reaffirmed the City's commitment to creating welcoming and safe communities for all of its residents by signing an executive order²²⁴ to reinstate Philadelphia's local "trust policy"—a law that prohibits any person in the custody of the City, who otherwise would be released, from being detained pursuant to an ICE civil immigration detainer request or notice of appeal of pending release, unless that person is being released after conviction of first- or second-degree felony involving violence and the detainer is supported by a judicial warrant. Recently, Allegheny County took similar steps to insure that local immigrants who are detained by the police do not face the threat of deportation. As of June 2015, the Allegheny County Jail no longer honors immigration detainer requests from federal immigration authorities, unless accompanied by a judicial warrant.²²⁵ Detainer requests have not only been found by courts to be at risk to Fourth Amendment challenges they are also a drain on local resources, both because of potential lawsuits and because of the cost of holding individuals beyond their normal release time.

The City of Pittsburgh should join Philadelphia and the hundreds of other cities, counties, and states across the Country that have passed policies to limit immigration detainers and local entanglement with federal immigration enforcement. Given the agreement at the County level, the City of Pittsburgh should ensure that all possible gaps are closed and that no local resources are used to do the work of the federal government. Mayor Peduto has the legal authority and should issue an executive order to limit City police from honoring federal immigration detainers or any similar requests to hold a person suspected of violating civil immigration law.²²⁶

Additionally, the Mayor should specifically prohibit any local resources from being expended on federal immigration enforcement and should prohibit local law enforcement from notifying federal immigration authorities of an individual's release. In 2011, the Mayor of Washington D.C. issued Order 2011-174 that clarified that law enforcement officials should not make arrests based on administrative warrants or removal orders entered by ICE into the National Crime Information Center database.²²⁷ Mayor Peduto should similarly prohibit Pittsburgh police from arresting an individual who has an administrative warrant for an outstanding removal, deportation, or exclusion order. Additionally, the executive order should follow national best practices and prohibit immigration authorities from interviewing or accessing any individual in police custody, for the purposes of investigating possible violations of immigration law. Finally, Mayor Peduto's executive order should mandate that a judicial warrant be required in order for local police to comply with the federal government's detainer request. New York, New York's law to limit the local police from participating in federal immigration enforcement includes some, but not all, of the above best practices.²²⁸

Additionally, the City should do what is within its power to ensure that no City employees are inquiring into or disclosing information about an individual's immigration status, unless it is relevant to the services they are providing or is otherwise required by state or federal law. One example of such type of legislation is Los Angeles' Special Order 40, which prohibits LAPD from questioning people for the purpose of uncovering their immigration status.²²⁹ Special Order 40 was passed to promote cooperation between local law enforcement and undocumented community members that could aid in the investigation of a crime, yet who feared the possibility of deportation. Relatedly, New York City's Executive Orders 34 & 41 prohibits police officers and City employees from inquiring into or disclosing an individual's immigration status, status as a

victim of domestic abuse, or sexual orientation when reaching out for assistance, unless the officers suspect illegal or criminal activity or it is required by law for the City employee to ask in order to determine eligibility for services or benefits.²³⁰

Promoting trust between immigrant communities and local law enforcement officials is good public policy and furthers Pittsburgh's goal of becoming a more welcoming city for immigrants. In order for Pittsburgh to be a city that attracts and supports immigrant communities, Mayor Peduto should do what is in his power to protect immigrants from risk of deportation. Moreover, in order for the City to protect even the most vulnerable of immigrants, the City should clarify the U-visa certification process by expanding the list of possible certifying entities and by ensuring that applications are signed by City officials in a timely manner in order for immigrant victims of crimes who are cooperating in an investigation to remain safely in the country without fear of deportation. Recently, the State of California passed such a law, Senate Bill No. 674.²³¹ The New York City Police Department has recently proposed rules to clarify the U-Visa process,²³² and the Phoenix, Arizona Police Department is exploring options for immigrants to be able to certify online.²³³

EXPAND IMMIGRANTS ACCESS TO CRUCIAL SERVICES

Another way for the City to encourage immigrants to come out of the shadows and to more fully integrate immigrants into City life is to grant all residents access to a municipal identification card. Since 2007, thirteen localities across the country have made local government-issued IDs available to their residents.²³⁴ Without identification, many Pittsburgh residents do not have access to the breadth of services that the City has to offer. Not only will Municipal IDs help Pittsburgh become a more welcoming city for undocumented immigrants, it will also be beneficial to the chronically under-documented—homeless, transgender, and formerly incarcerated people, amongst others. The Center for Popular Democracy has created a toolkit, “Building Identity” that outlines how to establish and administer the program.²³⁵ The toolkit outlines best legislative and administrative practices and includes, as an appendix, all of the passed laws. The best practices include allowing identity and residence to be proven and verified by an expansive list of documents that include a homeless or domestic violence shelter; allowing gender identity to be self-determined by the applicant as male, female, or gender non-designated or to not include a gender demarcation as a part of the identification card; and to have strong privacy protections by requiring that no documents used to verify identity or qualify residence are retained by the City for any purpose. Additionally, it is important for the card to be accessible to all through a no- to low-cost application fee and accessible enrollment centers that can be hubbed out of organizations that provide immigrant social services.

Lastly, Pittsburgh can increase access to legal counsel for undocumented immigrants. The New York Immigration Family Unity Project (NYIFUP) began in 2013 as a pilot program²³⁶ to create universal access to counsel for all detained non-citizens and has successfully spread throughout the State. Pittsburgh too should strive to ensure that all residents who are unable to pay for legal representation, immigrant or not, have universal access to counsel.

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