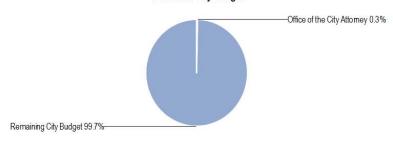
Office of the City Attorney

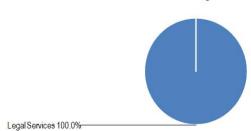
City Support Services Service Area

Mayor Charlie Hales, Commissioner-in-Charge James H. Van Dyke, City Attorney

Percent of City Budget

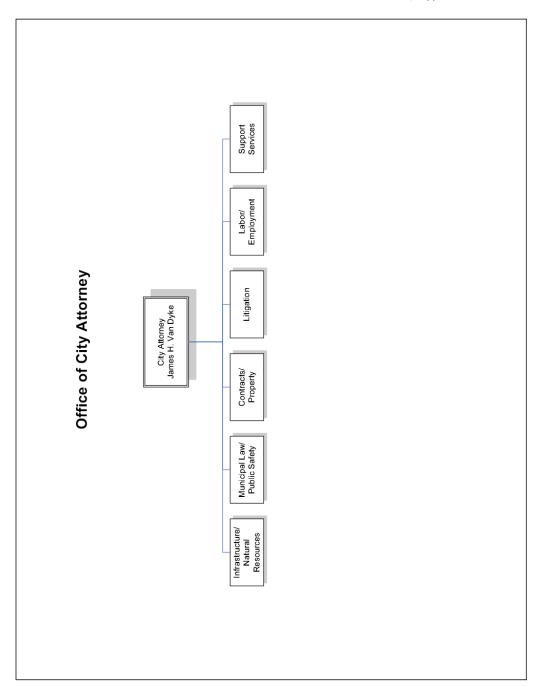


Bureau Programs



Bureau Overview

Requirements	Revised FY 2012-13	Adopted FY 2013-14	Change from Prior Year	Percent Change
Operating	9,450,947	10,258,092	807,145	8.54
Capital	0	0	0	0.00
Total Requirements	9,450,947	10,258,092	807,145	8.54
Authorized Positions	58.50	59.50	1.00	1.71



Bureau Summary

Bureau Mission

To help the City achieve its policy goals in the public interest by providing excellent, objective, timely, and economical legal advice and advocacy, unaffected by politics, personalities, or self-interest.

Bureau Overview

The City Attorney is appointed by the City Council. The City Attorney provides legal services and programs for the City of Portland. Attorneys and paralegals work with City Council members and their staff to find legally acceptable ways to achieve public objectives.

The office handles work generated by the City Council, City bureaus, employees, and individuals or organizations that bring claims or actions against the City. This work includes defending the City in court, initiating legal actions when appropriate in the public interest, handling other judicial and quasi-judicial matters, negotiating and reviewing contracts, reviewing policies and programs, providing legal advice and counsel, producing formal opinions, and performing any other legal services needed.

Legal obligations are created by the City Code and Charter, state statutes, regulations, administrative requirements, and federal law. In addition, the Oregon State Bar establishes ethical professional requirements that govern lawyers and the work performed for the City and City officials.

The office works on a wide range of subjects, such as constitutional aspects of municipal legislation, personnel and labor law issues, tort claims, workers' compensation, construction contracts and claims, land use litigation and planning, environmental issues, and code enforcement. The office also works on police and public records issues, fire and safety requirements, telecommunications, utilities and license fees, collection of revenues owed to the City, and franchises and contracts. Additional work includes advising, advocating, analyzing, reviewing activities and materials, negotiating agreements, drafting documents and legal instruments, and assisting in policy development and program implementation as requested and needed.

Legal services are affected by decisions made by City government, other governments, and private parties. Legal issues usually originate outside of the direct control of the City Attorney's Office. The office works with Council members and bureau managers to review the legal issues that may be associated with City projects and to assist in the successful completion of these projects.

Funding Sources and Uses

Interagency agreements with other bureaus and offices for specialized legal work in specific areas represent about 52% of the total operating budget of the City Attorney's Office. The remainder of the budget is supported by General Fund discretionary revenue (17%) and General Fund overhead recovery revenue (31%). Over 86% of the City Attorney's costs are for personnel services. The Adopted Budget includes 59.5 FTE.

Strategic Direction

The City Attorney's Office has four main goals: 1) Providing preventive legal advice, which can help City bureaus and officials avoid unnecessary costs at a later date; 2) Effectively representing the City in state and federal courts and other proceedings; 3) Cross-training attorneys; and 4) Reducing costs by minimizing the use of outside counsel.

Preventive Legal Advice

The City encourages preventive legal advice. The City Attorney's Office does not use a billable rate scheme so clients are encouraged to call the office even if they are not sure if they have a significant legal issue.

The City Attorney's Office provides some of its preventive legal advice in the form of Citywide and bureau-specific training. However, the day-to-day workload of litigation and other matters has made it impossible to do all the preventive work that is warranted.

Effectively Representing the City in State and Federal Courts

The City Attorney's Office represents the City when claims are made against it in state and federal courts as well as administrative proceedings. Effective representation means the City does not settle claims on a nuisance basis. Lessons learned from these proceedings are then used as feedback for preventive legal advice.

Cross Training

Several years ago, the office was restructured into practice groups to enhance communication among attorneys handling similar projects and to ensure consistent legal advice. In essence, the office attempted to break down any silos that might arise when attorneys perform work for a single bureau. In addition, the practice group approach permits additional oversight over office activities because each group is assigned to a supervisor.

Minimizing Costs of Outside Counsel

City legal services are already fully centralized in the City Attorney's Office, with the exception of the Portland Development Commission and outside counsel.

The City Attorney's Offices rates are significantly lower than outside counsel for many reasons. The City Attorney's Office hourly rate for FY 2013-14 is \$160 compared to average outside counsel rates of \$284. (Oregon State Bar 2012 Economic Survey).

Outside counsel costs may be grouped into three different categories:

- Legal Rules and Ethics
- Specialization
- Workload

The goal of the City Attorney's Office is to reduce the number of occasions when outside counsel is hired by having sufficient in-house staff available. In summary, it is economically advantageous to use in-house counsel whenever possible.

Minimize Overhead and Administration

The City Attorney's Office has not incurred costs that have grown disproportionately compared to direct service delivery. For example, the office has a small support staff ratio compared to private firms. Additionally, private firms have other overhead costs the City Attorneys office does not have, such as marketing costs, high partner and associate salaries, bonuses and partner profits.

There are no purely supervisory persons in the City Attorneys office. Except for the City Attorney, all attorneys in the office, including those who supervise others, have full caseloads.

Office of the City Attorney

City Support Services Service Area

In recent years the office has reduced expenses by eliminating much of its hard copy library and transitioning almost exclusively to online resources. In addition, the office has a robust in-house educational program to obtain many of the mandatory educational credits needed to preserve attorney bar licenses at a reduced cost. The office intends to keep moving in this direction to minimize overhead and administration.

Preserve Core Services

This office seeks to work with Council to prioritize legal services to ensure that the most important legal services are preserved.

Manage with Performance Metrics

The City Attorney's Office supports the goals of the Portland Plan by providing legal advice to bureaus and City employees striving to meet those goals. Office attorneys advise on many topics, from enforcing Title VI, to mitigating disparities, training, implementing a disabilities transition plan, Civil Rights Act compliance, and equity plans. In short, the City's goals are the City Attorney's Office's goals.

Summary of Budget Decisions

Reductions

The office reduced its budget for office supplies, education, repairs/maintenance, law clerks, and other external materials & services line items, totaling \$141,507, to comply with directions to reduce its General Fund discretionary allocation by 10%.

PERS Savings

The package includes a decrease of \$207,017 in PERS savings to reflect expected reforms implemented by the state legislature.

OMF Interagency Adjustments

The package reflects a decrease of \$42,184 in interagency costs resulting from decision packages in the Office of Management and Finance. An adjustment to the bureau's ongoing General Fund discretionary target was made to balance the decreased costs.

Budget Notes

Legal/Risk/Human Resources Task Force

A cross-bureau task force will be formed under the direction of a Council subcommittee to develop a strategy to streamline the current process of settling claims and preventing loss. The task force will include Risk Management, the Bureau of Human Resources, and the City Attorney's Office, and shall report back to Council in the FY 2013-14 Winter Budget Monitoring Process.

Legal Services

Description

Legal Services is the sole budget program in the City Attorney's Office. All personnel provide legal work directly to the City Council and City bureau staff. The Legal Services program allows the City Attorney's Office to represent the City in court litigation, administrative proceedings, appeals, and other judicial processes. This program also provides advice, consultation, and research on issues and questions regarding municipal operations and programs, contract negotiations, and training.

Goals

The Legal Services program supports the City's goal of delivering efficient, effective, and accountable municipal services.

Performance

The cost for legal services in the City Attorney's Office remains significantly lower than outside legal services. The total number of cases in which the City Attorney's Office has represented the City remains high and the complexity of those cases continues to increase.

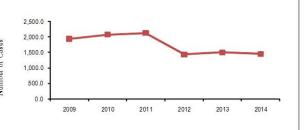
Changes to Services and Activities

Although the complexity and number of legal issues continues to increase, there is not an overall change to the activities of the City Attorney's Office.

FTE & Financials	Actual FY 2010-11	Actual FY 2011-12	Revised FY 2012-13	Proposed FY 2013-14	Adopted FY 2013-14
FTE	59.60	58.25	58.50	59.50	59.50
Expenditures					
Legal Services	8,426,608	9,127,953	9,450,947	10,298,470	10,258,092
Total Expenditures	8,426,608	9,127,953	9,450,947	10,298,470	10,258,092
Performance	Actual FY 2010-11	Actual FY 2011-12	Yr End Est. FY 2012-13	Base FY 2013-14	Target FY 2013-14
Efficiency					
Hourly Rate	\$144	\$ 150	\$160	\$161	\$1 60
Workload					
Litigation Cases	2,121	1,433	1,500	1,450	1,450
Contracts Review and Approval	6,668	8,187	7,200	7,400	7,400
Training hours provided by City Attorney staff to other City staff	350	323	200	200	200

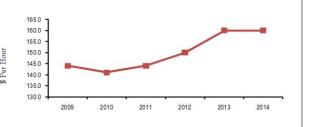
Performance Measures

Litigation cases handled include pending cases and new cases filed. While there is fluctuation in total numbers of cases, the complexity of cases is consistently increasing. The drop in numbers of collection matters are handled.



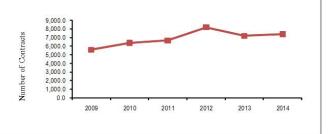
Hourly Rates

The fully loaded hourly rate includes expenses for staff and materials, and is significantly lower than outside counsel rates. For comparison, the average rate for Oregon attorneys according to the most recent Bar survey is \$284 per hour. (Oregon State Bar 2012 Economic Survey)



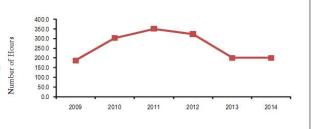
Contracts Reviewed and Approved

Contracts and agreements are reviewed for accuracy, completeness, and legal sufficiency.



Training Hours

City Attorney staff provide Citywide training to assure consistent and coordinated City services and to minimize risks. The recent reduction in training hours was due primarily to the loss of one attorney position.



	Actual FY 2010-11	Actual FY 2011-12	Revised FY 2012-13	Proposed FY 2013-14	Adopted FY 2013-14
Resources					
External Revenues					
Charges for Services	2,377	4,451	0	0	0
Miscellaneous	0	6,365	0	0	0
Total External Revenues	2,377	10,816	0	0	0
Internal Revenues					
General Fund Discretionary	1,361,207	1,260,833	1,555,918	1,998,646	1,958,268
General Fund Overhead	2,539,320	2,806,711	2,823,060	3,095,418	3,095,418
Interagency Revenue	4,523,704	5,049,593	5,071,969	5,204,406	5,204,406
Total Internal Revenues	8,424,231	9,117,137	9,450,947	10,298,470	10,258,092
Beginning Fund Balance	0	0	0	0	0
Total Resources	\$8,426,608	\$9,127,953	\$9,450,947	\$10,298,470	\$10,258,092
Requirements					
Bureau Expenditures					
Personnel Services	7,320,411	8,003,606	8,141,620	8,676,258	8,676,258
External Materials and Services	386,043	384,180	441,801	717,973	717,973
Internal Materials and Services	720,154	740,167	867,526	904,239	863,861
Total Bureau Expenditures	8,426,608	9,127,953	9,450,947	10,298,470	10,258,092
Fund Expenditures					
Total Fund Expenditures	0	0	0	0	0
Ending Fund Balance	0	0	0	0	0
Total Requirements	\$8,426,608	\$9,127,953	\$9,450,947	\$10,298,470	\$10,258,092
Programs					
Legal Services	8,426,608	9,127,953	9,450,947	10,298,470	10,258,092
Total Programs	8,426,608	\$9,127,953	\$9,450,947	\$10,298,470	\$10,258,092

		Salarv	Revised Salary Range FY 2012-13			Proposed FY 2013-14		Adopted FY 2013-14	
Class	Title	Minimum	Maximum	No.	Amount	No.	Amount	No.	Amount
30000597	Attorney, Chief Deputy City	102,648	146,952	4.90	710,724	4.90	735,006	4.90	735,006
30000418	Attorney, City	129,834	186,056	1.00	167,424	1.00	175,998	1.00	175,998
30000595	Attorney, Deputy City	86,840	117,686	15.60	1,662,996	16.60	1,862,258	16.60	1,862,258
30000596	Attorney, Sr Deputy City	93,288	130,291	11.70	1,492,716	11.70	1,546,774	11.70	1,546,774
30000440	Business Operations Supervisor	66,602	89,107	1.00	89,352	1.00	92,052	1.00	92,052
30000600	Law Office Administrator	75,109	100,048	1.00	100,332	1.00	103,344	1.00	103,344
30000591	Legal Assistant	45,074	69,451	7.00	460,920	7.00	481,044	7.00	481,044
30000829	Legal Assistant Supervisor	60,341	80,475	1.00	79,932	1.00	83,136	1.00	83,136
30000592	Legal Assistant, Sr	54,725	72,925	2.00	145,632	2.00	150,672	2.00	150,672
30000012	Office Support Specialist II	32,552	46,758	2.00	75,702	2.00	81,678	2.00	81,678
30000593	Paralegal	54,725	72,925	4.00	252,552	4.00	265,303	4.00	265,303
30000830	Paralegal Supervisor	63,378	84,635	0.90	76,380	0.90	78,684	0.90	78,684
30000594	Paralegal, Sr	60,341	80,475	2.00	135,576	2.00	141,019	2.00	141,019
30000462	Program Specialist, Assistant	45,074	69,451	1.00	49,224	1.00	52,269	1.00	52,269
TOTAL F	ULL-TIME POSITIONS			55.10	5,499,462	56.10	5,849,237	56.10	5,849,237
30000595	Attorney, Deputy City	86,840	117,686	0.80	94,416	0.80	97,260	0.80	97,260
30000593	Paralegal	54,725	72,925	0.80	51,300	0.80	54,827	08.0	54,827
30000594	Paralegal, Sr	60,341	80,475	1.80	145,260	1.80	149,640	1.80	149,640
TOTAL F	ART-TIME POSITIONS			3.40	290,976	3.40	301,727	3.40	301,727
TOTAL L	IMITED TERM POSITIONS			0.00	0	0.00	0	0.00	0
GRAND	TOTAL			58.50	5,790,438	59.50	6,150,964	59.50	6,150,964

This chart shows decisions and adjustments made during the budget process. The chart begins with an estimate of the bureau's Current Appropriations Level (CAL) requirements.

	Amount				
Action	Ongoing	One-Time	Total Package	FTE	Decision
FY 2013-14	10,077,504	0	10,077,504	58.50	FY 2013-14 Current Appropriation Level
CAL Adjustments					
	429,789	0	429,789	1.00	DOJ settlement costs
Mayor's Proposed Budget Decisions					
	(1,806)	0	(1,806)	0.00	OMF IA adjustments
	(207,017)	0	(207,017)	0.00	PERS savings
Approved Budget Additions and Reduction	ons				-
	(40,378)	0	(40,378)	0.00	OMF IA adjustments
Adopted Budget Additions and Reduction	ns				
	0	0	0	0.00	None
	180,588	0	180,588	1.00	Total FY 2013-14 Decision Packages
			10,258,092	59.50	Total Adopted Budget