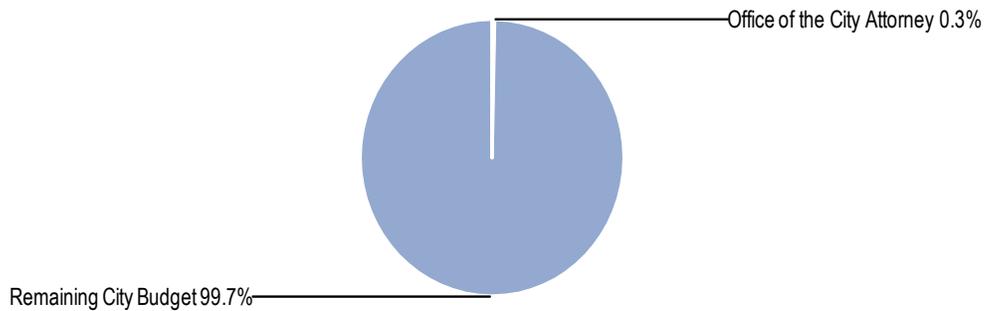


Office of the City Attorney

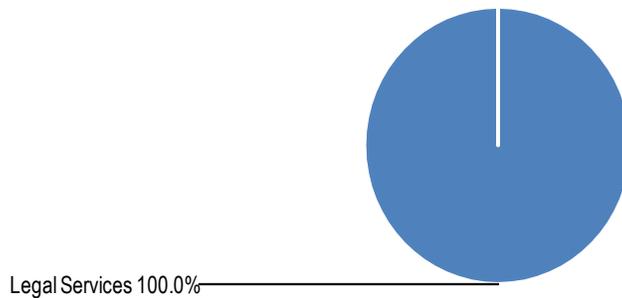
City Support Services Service Area

Mayor Charlie Hales, Commissioner-in-Charge
Tracy Reeve, City Attorney

Percent of City Budget



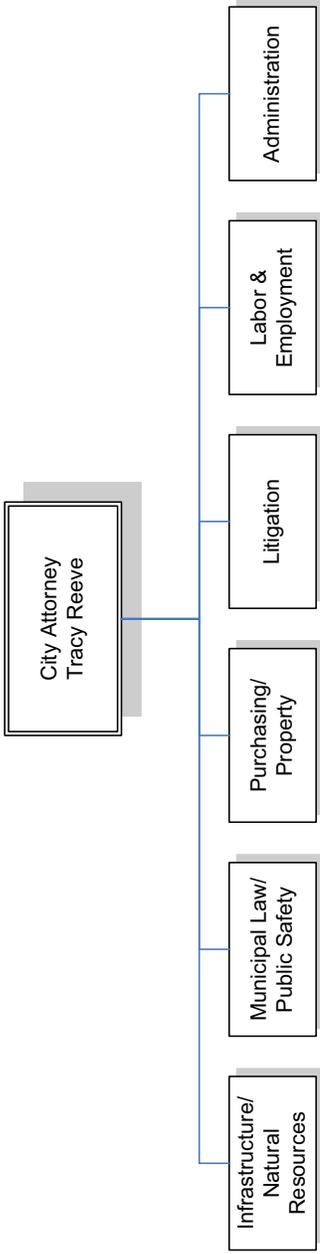
Bureau Programs



Bureau Overview

Requirements	Revised FY 2015-16	Adopted FY 2016-17	Change from Prior Year	Percent Change
Operating	11,386,767	12,328,400	941,633	8.27
Capital	0	0	0	0.00
Total Requirements	11,386,767	12,328,400	941,633	8.27
Authorized Positions	64.30	66.30	2.00	3.11

Office of the City Attorney



Bureau Summary

Bureau Mission

To provide excellent, objective, timely and cost-effective legal advice and advocacy in support of the City's policy goals and to ensure that the official actions of the City, its elected officials and employees comply with the law.

Bureau Overview

The Portland City Attorney's Office is responsible for all of the legal affairs of the City. The Office represents the City, the Mayor, other elected officials and the City's bureaus and offices in all affirmative and defensive civil litigation, and administrative and quasi-judicial proceedings. Office attorneys draft and review local legislation, procurement contracts, real estate leases, intergovernmental agreements and other documents and legal instruments. The City Attorney's Office provides legal counsel to City officials on a wide range of issues including: environmental law; constitutional law; civil rights; employee benefits; proposed legislation; public records requests and legal records management; personnel and labor law issues; tort claims; workers' compensation; construction contracts and claims; land use planning; equity; diversity and affirmative action; revenue and taxation; policing, fire, rescue and emergency services; code enforcement; housing; telecommunications; franchises and utilities; and collection of revenues owed to the City. Office attorneys advise on policy development and program implementation, advocate and negotiate on behalf of the City, and provide training to elected officials, City boards and commissions and City employees in a wide variety of areas.

The City Attorney's Office consists of five legal practice groups, staffed with 38 lawyers and 27 support professionals. The Office is led by the City Attorney who is appointed by, and serves at the pleasure of, the City Council. Interagency agreements with other bureaus and offices for specialized legal work in specific areas represent 49% of the total operating resources of the City Attorney's Office. The remainder of the budget is supported by General Fund discretionary revenue and General Fund overhead recovery revenue. The FY 2016-17 Adopted Budget includes 66.3 FTE. The personnel services category represents 84.3% of the office's expenditures.

Strategic Direction

The City Attorney's Office has four main goals:

- 1) To provide the highest level of customer service to clients through preventative legal advice that is timely, accurate and easy to access.
- 2) To effectively and vigorously advocate for the City's interests in state and federal courts and otherwise.
- 3) To support and advance the City's objective of achieving equity in all of its programs, services and activities.
- 4) To ensure accountability for the office's professional performance and effective stewardship of public resources.

Customer Service	The City Attorney's Office actively seeks to impart helpful, accurate, and timely preventative legal advice. Clients are encouraged to involve the City Attorney's Office at early levels of decision making, even if a significant legal issue has not yet been identified. City attorneys work with clients to provide solutions-oriented legal services to help achieve City policy objectives. The City Attorney's Office commits to an initial response time goal of one business day on any client inquiry. Clients are regularly surveyed, both formally and informally, to solicit feedback on the quality of legal services provided and how the City Attorney's Office can improve.
Effective Advocacy	The City Attorney's Office handles cases in state and federal courts and in other proceedings, such as the Employment Relations Board and the Land Use Board of Appeals. Attorneys evaluate cases to determine how best to protect the City's interests, including through early alternative dispute resolution where the City faces some legal risk, the strategic use of offers of judgment to minimize the risk of adverse outcomes in cases taken to trial, and the vigorous defense or prosecution of cases through pretrial motions, trial and on appeal. Because almost all litigation is handled in-house, the Office is able to try cases in a cost-effective manner. The Office is achieving this goal effectively, with 90% of its cases resolved favorably to the City.
Achieving Equity	As the City's legal counsel, office attorneys work with internal clients to ensure that all Portlanders have access to all of the services, benefits, and programs of the City free from discrimination, and that the civil rights of all Portlanders are legally recognized and protected by the City, its contractors, and grantees. The City Attorney's Office does this by advising in programmatic areas such as the ADA and Title VI, fair contracting, hiring practices, and implementation of the City's civil rights ordinance, as well as by providing anti-discrimination training on civil rights and related issues to City employees. The Office has a Community Justice and Civil Rights Work Group that shares information and collaborates on legal strategies to advance equity, justice and civil rights Citywide. The Office works to foster a professional atmosphere where diversity is appreciated and valued, and equity is the norm. This is accomplished by seeking to uncover and eliminate individual conscious and unconscious biases through training, education, discussion, honest self-appraisal, and through other cultural and diversity activities.
Ensuring Accountability and Effective Stewardship of Public Resources	The City Attorney evaluates office policies and procedures and makes improvements as needed so systems are clear, accurate and transparent. The City Attorney evaluates timekeeping methods and ensures that work schedules fit clients' needs for access to accurate, prompt and reliable preventative legal advice. The City Attorney actively seeks to minimize costs for outside legal counsel as well as overhead and administration expenses. City legal services are fully centralized in the City Attorney's Office, with the exception of the Portland Development Commission and outside counsel. The City Attorney's Office's rates are significantly lower than outside counsel, and the City Attorney has greater familiarity with and expertise on the vast majority of the legal issues arising from City operations than outside counsel. The cost of service per City Attorney hour for FY 2016-17 is \$144. The average outside counsel rate is \$364 and can range as high as \$500 per hour. A goal of the City Attorney's Office is to minimize the number of occasions when outside counsel is hired by having sufficient in-house staff available.

Summary of Budget Decisions

Adds

Superfund Communications Consultant

The FY 2015-16 Adopted Budget included \$75,000 in one-time General Fund resources for a Superfund Communications Consultant. The FY 2016-17 Adopted Budget authorizes continuation of that contract on a one-time basis for an additional \$75,000.

Vacant/Abandoned Homes Attorney Support

The Adopted Budget includes \$152,346 in one-time General Fund resources to fund a 1.0 FTE limited term Deputy City Attorney to support efforts addressing vacant and abandoned homes in Portland.

Interagency Balancing

The Adopted Budget includes an additional \$244,879 in one-time and ongoing General Fund resources for the bureau's share of costs associated with City Hall security and major maintenance, moving the Bureau of Technology Services data center, and relocating the daycare center.

FY 2015-16 Carryover: Superfund

\$210,020 of the funds allocated for the Portland Harbor Natural Resources Trustees Participation Agreement is carried forward for expenses anticipated in FY 2016-17.

FY 2015-16 Carryover: Ban-the-Box

\$90,000 is carried forward from FY 2015-16 for implementation of "Ban-the-Box" legislation passed by City Council to remove barriers to employment, including public education and outreach, contracting with agencies providing services to returning citizens, and contracting with the Bureau of Labor and Industries for enforcement.

FY 2015-16 Carryover: Honors Attorney

The FY 2016-17 Adopted Budget includes \$120,000 in prior year vacancy savings to extend the contract of an Honors Attorney for one year.

Reductions

Materials & Services Reduction

The FY 2016-17 Adopted Budget reduces external materials and services by \$42,666 for office supplies, legal publications, and education. This reduction is not anticipated to have a significant impact on service delivery, at least in the near term, due to increased use of online publications and group/in-house trainings.

Technology Support Staff Reduction

The FY 2016-17 Adopted Budget eliminates a 1.0 FTE Applications Analyst funded through an interagency agreement with the Bureau of Technology Services (BTS). This results in a reduction of \$150,348.

Realignments

Paralegal Support

The Adopted Budget authorizes creation of a 1.0 FTE Paralegal position, funded by realigning interagency revenue from the Civil Asset Forfeiture Program (\$100,098). This position will provide support across service areas and is anticipated to help maintain positive performance trends by keeping the cost of outside counsel and cost per attorney hour low, as well as supporting the Office's ability to continue to increase training hours provided to City staff.

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, Auditor and City bureau staff, as well as City boards and commissions. 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 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 City Attorney's Office achieved excellent results in the past year, with 90% of contested cases resolved on terms favorable to the City. The office continues to experience an upward trend in the number of Citywide training hours provided, and the total cost for legal services in the City Attorney's Office remains significantly lower than for outside legal services; the costs for FY 2015-16 include a \$1.6 million contingency fee in a case that yielded increased tax revenue totaling \$5.3 million. Excluding the contingency fee, total estimated outside counsel costs for FY 2015-16 are \$335,000 - roughly equivalent to expenditures in FY 2014-15. Additionally, the Office increased the diversity of its lawyer and non-lawyer professional staff in its hiring over the past year, and was honored with an award from Oregon Women Lawyers for its work to advance equity and diversity in the legal profession.

Changes to Services and Activities The Adopted Budget includes realignment of new interagency revenue to fund a paralegal position, one-time resources for a Superfund Communications Consultant, and a limited-term Deputy City Attorney to support efforts addressing vacant and abandoned homes. The Adopted Budget includes reductions to external materials and services and eliminates a technology support position.

FTE & Financials	Actual FY 2013-14	Actual FY 2014-15	Revised FY 2015-16	Proposed FY 2016-17	Adopted FY 2016-17
FTE	59.35	62.05	64.30	66.30	66.30
Expenditures					
Legal Services	9,599,607	10,852,593	11,386,767	12,320,655	12,328,400
Total Expenditures	9,599,607	10,852,593	11,386,767	12,320,655	12,328,400

Performance	Actual FY 2013-14	Actual FY 2014-15	Yr End Est. FY 2015-16	Base FY 2016-17	Target FY 2016-17
Key Performance Measure					
Number of training hours provided by City Attorney staff to other City staff	254	388	400	420	420
Annual costs of outside counsel	\$595,525	\$331,624	\$2,032,000	\$390,000	\$460,000
Cost of service per attorney hour	\$133	\$133	\$140	\$146	\$146
Percentage of cases favorably resolved	NA	89%	90%	85%	85%

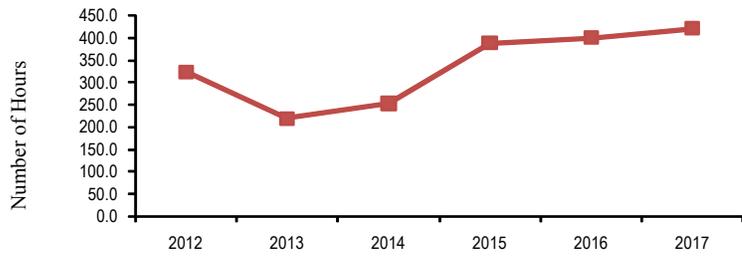
Office of the City Attorney
City Support Services Service Area

Performance	Actual FY 2013-14	Actual FY 2014-15	Yr End Est. FY 2015-16	Base FY 2016-17	Target FY 2016-17
Workload					
Number of litigation cases	1,328	1,474	1,870	1,850	1,850
Number of contracts reviewed and approved	8,491	8,892	8,400	8,500	8,500

Performance Measures

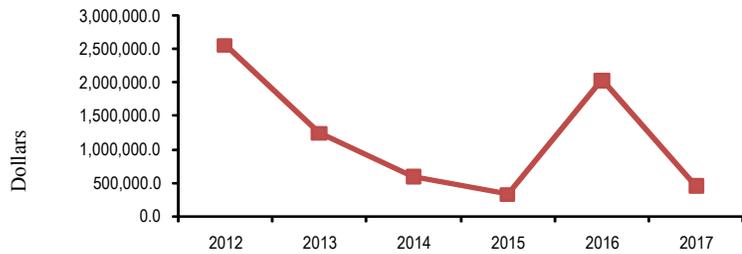
Training Hours

City Attorney staff provide Citywide training to assure consistent and coordinated City services and to minimize risks. The reduction in 2013 was due to the loss of one attorney position. The increase in 2015 is due to the addition of an attorney to work on Citywide public records issues.



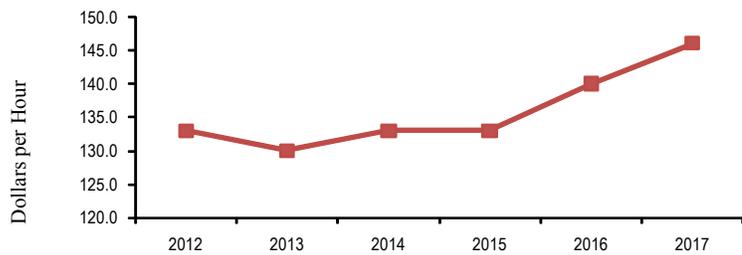
Annual Costs of Outside Counsel

Some outside counsel costs are unavoidable but the office strives to minimize these costs by having sufficient in-house staffing. (The FY 2015-16 spike in costs is due to a \$1.6 million contingency fee in a case that brought in \$5.3 million in added tax revenue. Excluding that fee paid exclusively from the settlement proceeds, outside counsel costs are expected to be about \$335,000 for FY 2015-16.)



Cost of Service per Attorney Hour

The cost of service per City Attorney hour is significantly lower than outside counsel costs. The average rate for outside counsel is \$364 per hour. At \$144 an hour, the City Attorney cost of service is only 40% of outside counsel costs.



	Actual FY 2013-14	Actual FY 2014-15	Revised FY 2015-16	Proposed FY 2016-17	Adopted FY 2016-17
Resources					
External Revenues					
Charges for Services	6,203	22,507	78,049	106,000	106,000
Miscellaneous	0	1,979	0	0	0
Total External Revenues	6,203	24,486	78,049	106,000	106,000
Internal Revenues					
General Fund Discretionary	1,293,580	2,762,205	2,508,328	3,033,655	3,037,182
General Fund Overhead	3,095,418	2,892,929	3,174,964	3,520,061	3,524,279
Interagency Revenue	5,204,406	5,172,877	5,625,426	5,660,939	5,660,939
Total Internal Revenues	9,593,404	10,828,011	11,308,718	12,214,655	12,222,400
Beginning Fund Balance	0	0	0	0	0
Total Resources	\$9,599,607	\$10,852,497	\$11,386,767	\$12,320,655	\$12,328,400
Requirements					
Bureau Expenditures					
Personnel Services	8,390,345	9,194,166	9,839,964	10,396,979	10,396,979
External Materials and Services	354,998	775,265	549,652	848,205	848,205
Internal Materials and Services	854,264	883,066	997,151	1,075,471	1,083,216
Total Bureau Expenditures	9,599,607	10,852,497	11,386,767	12,320,655	12,328,400
Fund Expenditures					
Total Fund Expenditures	0	0	0	0	0
Ending Fund Balance	0	0	0	0	0
Total Requirements	\$9,599,607	\$10,852,497	\$11,386,767	\$12,320,655	\$12,328,400
Programs					
Administration & Support	0	(100)	0	0	0
Facilities Services	0	4	0	0	0
Legal Services	9,599,607	10,852,593	11,386,767	12,320,655	12,328,400
Total Programs	9,599,607	\$10,852,497	\$11,386,767	\$12,320,655	\$12,328,400

City Support Services Service Area

Class	Title	Salary Range		Revised FY 2015-16		Proposed FY 2016-17		Adopted FY 2016-17	
		Minimum	Maximum	No.	Amount	No.	Amount	No.	Amount
30002134	Attorney, Assistant Deputy City	69,285	92,498	2.00	150,180	2.00	155,852	2.00	155,852
30000597	Attorney, Chief Deputy City	112,195	160,618	5.00	790,830	5.00	797,976	5.00	797,976
30000418	Attorney, City	141,898	203,341	1.00	183,396	1.00	190,914	1.00	190,914
30000595	Attorney, Deputy City	94,931	128,627	16.00	1,880,980	17.00	2,036,154	17.00	2,036,154
30000596	Attorney, Sr Deputy City	101,962	142,397	13.50	1,896,864	13.50	1,910,468	13.50	1,910,468
30000440	Business Operations Supervisor	72,800	97,386	1.00	97,380	1.00	97,380	1.00	97,380
30000600	Law Office Administrator	82,098	109,346	1.00	109,344	1.00	109,344	1.00	109,344
30000591	Legal Assistant	49,275	75,899	6.00	393,882	6.00	403,632	6.00	403,632
30000592	Legal Assistant, Sr	59,800	79,726	4.00	304,090	4.00	308,988	4.00	308,988
30000450	Management Assistant	49,275	75,899	1.00	54,084	1.00	55,924	1.00	55,924
30000012	Office Support Specialist II	34,445	49,462	2.00	83,196	2.00	88,704	2.00	88,704
30000593	Paralegal	59,800	79,726	5.00	356,299	6.00	438,553	6.00	438,553
30000830	Paralegal Supervisor	69,285	92,498	1.00	92,496	1.00	92,496	1.00	92,496
30000594	Paralegal, Sr	65,957	87,963	3.00	236,481	3.00	242,573	3.00	242,573
30000462	Program Specialist, Assistant	49,275	75,899	1.00	58,620	1.00	60,420	1.00	60,420
TOTAL FULL-TIME POSITIONS				62.50	6,688,122	64.50	6,989,378	64.50	6,989,378
30000596	Attorney, Sr Deputy City	101,962	142,397	0.80	111,540	0.80	113,124	0.80	113,124
30000591	Legal Assistant	49,275	75,899	1.00	60,000	1.00	60,000	1.00	60,000
TOTAL PART-TIME POSITIONS				1.80	171,540	1.80	173,124	1.80	173,124
TOTAL LIMITED TERM POSITIONS				0.00	0	0.00	0	0.00	0
GRAND TOTAL				64.30	6,859,662	66.30	7,162,502	66.30	7,162,502

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.

Action	Amount			FTE	Decision
	Ongoing	One-Time	Total Package		
FY 2016-17	11,629,169	0	11,629,169	64.30	FY 2016-17 Current Appropriation Level
CAL Adjustments					
	0	0	0	0.00	None
Mayor's Proposed Budget Decisions					
	0	0	0	1.00	Paralegal realignment
	(150,348)	0	(150,348)	0.00	Technology support staff reduction
	0	75,000	75,000	0.00	Superfund communications consultant
	0	152,346	152,346	1.00	Vacant/abandoned homes attorney
	189,146	47,988	237,134	0.00	OMF interagency balancing
	0	210,020	210,020	0.00	Carryover - Superfund
	0	90,000	90,000	0.00	Carryover - Ban-the-Box implementation
	0	120,000	120,000	0.00	Carryover - Honors Attorney
Approved Budget Additions and Reductions					
	0	0	0	0.00	None
Adopted Budget Additions and Reductions					
	0	7,745	7,745	0.00	Allocation bureau's share of daycare center relocation
	(3,868)	703,099	699,231	2.00	Total FY 2016-17 Decision Packages
			12,328,400	66.30	Total Adopted Budget