




Office of Mayor Sam Adams
City of Portland

September 30, 2010

INTEROFFICE MEMORANDUM

TO: Financial Planning

FROM: Mayor Sam Adams 

SUBJECT: Office of the City Attorney FY 2010-11 Fall Budget Monitoring Report

The City Attorney's office has one carryover request in the amount of \$175,512 resulting from unused Compensation Set Aside funds from FY10.

The office requested \$177,000 in Compensation Set Aside funds in the FY10 Spring BMP to cover expected cost of living expenses for General Fund positions. The office had no vacancies throughout the year and its personal services expenses were very close to budget. It was unclear exactly how much of the Compensation Set Aside funds would be required. The FY11 budget was reduced by this amount until it could be determined how much of those funds were used and how much would be returned to the General Fund. The office was able to absorb most of the costs associated with FY10 COLA and returned \$175,512 to the General Fund. The office is requesting restoration of that amount to the FY11 personal services budget.

BUDGET AMENDMENT REQUEST

Office of City Attorney

PERIOD Fall BuMP

FISCAL YEAR FY 2009-10

AT_001 - Comp Set Aside Surplus

In the FY10 Spring BuMP, the City Attorney's Office requested Compensation Set Aside funds in the amount of \$177,000 to cover expected cost of living increases for general fund positions. The FY11 budget was reduced by this amount until it could be determined how much of the \$177,000 was used and how much was returned to the General Fund. The office was able to absorb most of the costs associated with FY10 COLA and returned \$175,512 to the General Fund. This request is to restore that amount to the FY11 budget.

Dollar Amount: \$175,512

Type: Carryover Request

Resources: General Fund Discretionary

Prior Year Business Area Reconciliation Report

	FY 2009-10 Revised Budget	FY 2009-10 Year-End Actuals	Percent of Actuals to Revised
Office of City Attorney			
EXPENDITURES			
Personal Services	7,453,064	7,277,552	97.65
External Materials and Services	414,270	370,644	89.47
Internal Materials and Services	795,967	779,143	97.89
TOTAL EXPENDITURES	8,663,301	8,427,339	97.28
REVENUES			
Charges for Services	0	2,109	0.00
Interagency Revenue	4,384,706	4,374,506	99.77
Miscellaneous	0	151	0.00
General Fund Discretionary	2,069,565	0	0.00
General Fund Overhead	2,209,030	0	0.00
TOTAL REVENUES	8,663,301	4,376,766	50.52

Business Area Reconciliation Narrative

The City Attorney's office spent 97.3% of its revised budget for FY10. Interagency revenues were collected as expected. \$10,200 in interagency revenue was not collected due to a budgeted project that was delayed. There were no significant variances.

Office of the City Attorney

Performance Measures

<u>Program and Performance Measure</u>	<u>Type</u>	<u>FY 2009-10 Revised Budget</u>	<u>FY 2009-10 Year-End Actuals</u>			
Legal Services						
AT_0001 - Litigation Cases	WORKLOAD	2,110	2,072	0	0	0
AT_0003 - Hourly Rate	WORKLOAD	\$151	\$152	\$0	\$0	\$0
AT_0004 - Contracts Review and Approval	WORKLOAD	5,880	6,395	0	0	0
AT_0006 - Number of Trainings City Attorney Staff Provide to Other City Staff	WORKLOAD	199	303	0	0	0

Performance Measure Variance Descriptions

The number of contracts reviewed and the number of training hours provided had significant increases over targets. Although the City Attorney's office has no control over the number of contracts that come through the office for review, the office was able to handle the increase with available resources. Additionally, the office was able to significantly exceed its goal for providing training. The City Attorney's Office Service Improvement Plan includes a goal to provide additional training to bureaus and Council offices. The office has made training a high priority and plans to continue doing so. Training hours are expected to remain high but it should be noted that FY11 hours likely will be lower than FY10 due to a reduction in legal services to the Police Bureau. Because of budget reductions at the Police Bureau, it is expected that approximately 80 hours of legal training will not be provided to the Police Bureau in FY11, which is a 56% reduction from prior year for that bureau.

City Attorney's Office
Service Improvement Plan
FY 2009-2010 Update
September 2010

- **Improve upon current efforts to provide timely responses to inquiries**
The office has initiated a 24-hour goal for initial response to legal inquiries and will continue to work to achieve that goal on all matters. When immediate answers cannot be provided, attorneys will work with the client to agree on the timetable for response. The recent reorganization of the office into practice groups will assist attorneys in giving timely responses by providing additional back-up attorneys through information sharing and cross training. The Practice Management system currently being implemented will make it easier to retrieve information to provide timely responses.

Status: Underway

Est. Date of Completion: Ongoing.

Summary: The 24-hour response time goal for initial inquiries was implemented in 2008. The office conducts customer service surveys every two years and incorporated this goal into the survey to measure progress. In 2008 and 2010, over 80% of customers rated initial timeliness satisfaction at high or very high. Although 80% is commendable, the office plans to improve upon those numbers in the future. The respondents that rated timeliness at neutral or low have the option to comment and/or contact the City Attorney to discuss ideas for improvement. The City Attorney also meets with bureau directors to review the results for each bureau.

- **Provide consistent legal advice throughout bureaus and Council offices**
One of the purposes of reorganizing into practice groups is to take advantage of the expertise of attorneys in the office and provide opportunities for sharing that knowledge. As the practice groups get more experience in operating as groups, attorneys can share more information and improve the office's ability to provide consistent advice. The Practice Management system will provide a repository for advice so that attorneys can quickly access that information and use it for giving consistent advice.

Status: Underway

Est. Date of Completion: Ongoing.

Summary: The office is in its second year of the reorganization into practice groups. Chief Deputy City Attorneys hold monthly practice group meetings to discuss legal issues and City projects. Although difficult to measure, it is expected that this additional internal communication will provide for more consistent legal advice. In addition, the office purchased and configured Practice Manager software to provide a base of information for all attorneys and staff. The software was implemented in September 2009, and after one year, is beginning to

be embraced by staff members. With a comprehensive software implementation such as this, it is estimated that at least one additional year will be needed to get necessary information into the database and get staff accustomed to the change. The office's change management team is continuing to develop best practices and to train staff on how to use the system to its full potential.

- **Providing additional training to bureaus and Council offices**

The office will increase use of technology and easily accessible media to provide training to bureaus and Council offices on matters of general government. This includes public records, public meetings and ethics as well as specific advice on employment, construction, tort liability and other matters. The office will seek to develop training materials that can be shared in an efficient and effective way. This will include web page materials, FAQs and other shared media, as well as personal trainings. Training programs help the City meet its obligations and avoid risk.

Status: Underway

Est. Date of Completion: December 2011; with ongoing updates.

Summary: The office exceeded its training goal by providing over 300 hours of training in FY10. This is a 62% increase over FY09. The office is working on an improved training program for City bureaus and council offices and will continue to keep training a high priority. Additionally, the City Attorney's office website now contains basic training materials and information and is in the planning stages for future development. Once an updated training program is in place and materials are completed, materials will be placed on the City Attorney website for access by City employees.