



CITY OF
PORTLAND, OREGON
OFFICE OF THE CITY ATTORNEY

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INTEROFFICE MEMORANDUM

TO: City Budget Office

FROM: Tracy Reeve
City Attorney

SUBJECT: Office of the City Attorney FY 2014-15 Fall Budget Monitoring Report

Attached is the City Attorney's Office's Fall Budget Monitoring Report for FY2014-15. This report provides details about the office's prior year expenditures and includes updates on prior year performance measures and decision packages.

In summary, the office's prior year expenditures were 6% under budget. The office is requesting one technical adjustment to change two paralegal positions from 0.8 FTE to 1.0 FTE using existing budgeted funds. This small increase in FTE will help provide some support for the legal records management project at minimal cost.

The second request is to hire, on a temporary basis, an attorney with relevant national and international human and civil rights experience to assist the with a key legislative project intended to further equity in employment.

The Mayor's office supports this request. Thank you for your consideration.

TPR/ccj
c: Crystine Jividen

**Supplemental Budget Request
FY 2014-15 Fall Supplemental Budget**

Bureau: Office of the City Attorney

Type: Technical Adjustment

Request: AT_001 - Technical Adjustment

	Fall BMP Requested Adjustments	Fall BMP CBO/Council Changes	Fall BMP Total Adjustments
EXPENDITURES			
Personnel Services	33,888	0	33,888
External Materials and Services	(33,888)	0	(33,888)
TOTAL EXPENDITURES	0	0	0
FTE			
Full-Time Positions	2.00	0.00	2.00
Part-Time Positions	-1.60	0.00	-1.60
TOTAL FTE	0.40	0.00	0.40

Bureau Description:

In the FY14-15 budget development process, the office requested a paralegal position to support the Citywide legal records issues project attorney. The request was not approved. The paralegal position is necessary to coordinate multi-bureau public records requests, implement and manage Citywide public records and legal hold software systems, work with records managers to help ensure legal compliance and help develop best practices and training. The office has identified a realignment package that will provide an opportunity to accomplish some of this work. This request is to increase two current part time paralegal positions (0.8 FTE) to full time (1.0 FTE). The office will make reductions in its legal publications and operating supplies budgets to ensure ongoing funds are available for this small increase in FTE.

By increasing two part time paralegal positions to full time, the office will have the capacity for additional work with minimal budget impact. The 0.4 FTE total increase, although not enough to fully support the citywide legal records issues project, will help this important project move forward.

CBO Discussion and Recommendation

**Supplemental Budget Request
FY 2014-15 Fall Supplemental Budget**

Bureau: Office of the City Attorney

Type: New Request

Request: AT_002 - Legal Equity Project

	Fall BMP Requested Adjustments	Fall BMP CBO/Council Changes	Fall BMP Total Adjustments
EXPENDITURES			
Personnel Services	40,000	0	40,000
TOTAL EXPENDITURES	40,000	0	40,000
REVENUES			
General Fund Discretionary	40,000	0	40,000
TOTAL REVENUES	40,000	0	40,000

Bureau Description:

The office is requesting to hire, on a temporary basis, an attorney with relevant national and international human and civil rights experience to assist the City Attorney in performing legal work for a key legislative project intended to further equity in employment. The project will involve undertaking legal research, evaluating national best practices and drafting legislation as to acceptable and non-acceptable uses of criminal history and background information in hiring and employment. The project attorney will report directly to the City Attorney and will work closely with the Mayor's office, other City officials, stakeholders and community partners.

The project is intended to further equity in employment in the City of Portland, reduce disparate impacts in hiring for people of color, reduce recidivism and increase opportunities for those with past involvement with the criminal justice system.

CBO Discussion and Recommendation

Prior Year Business Area Reconciliation Report

	FY 2013-14 Revised Budget	FY 2013-14 Year-End Actuals	Percent of Actuals to Revised
Office of the City Attorney			
EXPENDITURES			
Personnel Services	\$8,676,132	\$8,390,344	97%
External Materials and Services	\$720,448	\$354,996	49%
Internal Materials and Services	\$861,512	\$854,264	99%
TOTAL EXPENDITURES	\$10,258,092	\$9,599,605	94%
REVENUES			
Charges for Services	\$0	\$6,203	0%
Interagency Revenue	\$5,204,406	\$5,204,406	100%
General Fund Discretionary	\$1,958,268	\$0	0%
General Fund Overhead	\$3,095,418	\$0	0%
TOTAL REVENUES	\$10,258,092	\$5,210,609	51%

Bureau Reconciliation Narrative

Overall expenditures were 6% under budget. Personal Services expenditures were 3% under budget. Internal Materials and Services expenditures were 1% under budget. External Materials and Services: \$240,000 was designated for the DOJ settlement COCL contract. The contract is still in the negotiation stage and no expenses were incurred in FY13-14. The EMS budget without DOJ contract expenses was \$480,448. Expenditures were 17% under budget.

CITY ATTORNEY'S OFFICE
F13-14 DECISION PACKAGE UPDATE

The office reclassified one Senior Deputy City Attorney position into two Honors Attorney positions. This realignment was made to help the office meet additional workload demands in the litigation, land use and labor and employment areas. It was also developed as a tool to recruit and train highly talented recent law school graduates from diverse backgrounds with a demonstrated interest in public service. The office has developed a comprehensive training program and has already filled one Honors Attorney position. The new lawyer in this position is doing excellent work in the litigation section. Applications for the second position will be accepted through November for recent law school graduates who have been admitted to the Oregon State Bar.

Office of the City Attorney

Performance Measures

Performance Measure	Type	FY 2012-13 Year-End Actuals	FY 2013-14 Adopted Budget	FY 2013-14 Revised Budget	FY 2013-14 Year-End Actuals	
AT_0001 - Number of litigation cases	WORKLOAD	1,402	1,450	1,450	1,328	0
AT_0003 - Hourly rate	EFFICIENCY	\$141	\$160	\$160	\$151	\$0
AT_0004 - Number of contracts reviewed and approved	WORKLOAD	8,610	7,400	7,400	8,491	0
AT_0006 - Number of training hours provided by City Attorney staff to other City staff	WORKLOAD	220	200	200	254	0

Performance Measure Variance Descriptions

The number of litigation cases handled has remained steady for several years with a few small exceptions. Bankruptcy matters have been decreasing over the last few years and some non-tort litigation has been increasing, including lien foreclosures and collections.

The actual hourly rate was lower than anticipated due to expenses coming in slightly under budget and attorneys working additional hours over and above average.

The number of contracts reviewed continues to rise. Although the City Attorney's Office has no control over the number of contracts that come through the office for review, the office has been able to handle the increase with available resources.

The number of training hours provided to City staff was higher than target. The training target was lowered a few years ago due to budget reductions that eliminated one attorney position. The office continues to make legal training a priority which lowers risk and cost to the City. Training hours are expected to increase over the next few years as the office progresses on the legal records management project and coordinated Citywide training.