



CITY OF
PORTLAND, OREGON
OFFICE OF THE CITY ATTORNEY

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March 17, 2022

INTEROFFICE MEMORANDUM

TO: Jessica Kinard, Director
City Budget Office

FROM: Robert Taylor
City Attorney

SUBJECT: FY2021-22 Spring BMP

Enclosed is the FY202-22 Spring Budget Monitoring Report for the Office of the City Attorney. The office is expected to spend 99% of its budget.

The office requests Compensation Set-Aside and Contingency funds in the amount of \$217,593 to pay for COLA and merit expenses that could not be covered through vacancy savings.

The office requests a technical adjustment transfer of \$70,000 from External Materials and Services to Internal Materials and Services to cover expenses for Technology services related to computer replacements, and \$50,000 in unspent External Services law clerk funds to Personnel Services to cover remaining merit increases.

The office requests a program carryover of \$300,000 for legal software upgrades. The office completed the needs-assessment portion of the project, is realigning resources to hire additional technical support staff, and is prepared to draft an RFP for replacement software this year. The office has been saving funds for several years to pay for software improvements that cannot be funded in one year's budget. The office's current legal software is outdated and does not interface with Office 365. New software will increase the office's resiliency and its ability to continue providing core services in a timely manner. This software upgrade project was paused during the pandemic due to staffing issues and a desire to postpone additional significant change for the well-being of personnel.

March 17, 2022

Page 2 of 2

The office is working with the OM Facilities Division to make safety and security improvements to the office's reception area. OMF-Facilities has contracts in place and materials have been ordered. Work is expected to commence when materials arrive. Funds to complete the project will be requested via the encumbrance carryover process in the Fall BMP. In addition, the office has several outside counsel and expert contracts budgeted this year. Funds have been encumbered and carryovers will be requested in the Fall BMP.

Finally, the office incurred expenses related to PPA Bargaining but expects to have enough funds to cover those costs and will not need funds from the set aside account at this time.

Thank you for your consideration.

RT/ccj

c: Crystine Jividen
Tony García

AT - Office of the City Attorney

DP Type

Technical Adjustments

Request Name: 13433 -Technical Adjustments

Package Description

The office requests a technical adjustment transfer of \$70,000 from External Materials and Services to Internal Materials and Services to cover expenses for technology services related to computer replacements, and \$50,000 to Personnel Services to cover a portion of merit increases. The office did not hire law clerks this year due to challenges resulting from the pandemic and can transfer those funds to cover some merit expenses.

Service Impacts

This request is necessary to avoid overspending the office's Personnel Services and Internal Services budgets.

Equity Impacts

We do not see any negative equity impacts.

Account Name		2021-22 SPRING Requested Adj
Expense	External Materials and Services	-120,000
	Internal Materials and Services	70,000
	Personnel	50,000
Expense	Sum:	0

AT - Office of the City Attorney

DP Type

Compensation Set-Aside

Request Name: 13434 -Compensation Set Aside

Package Description

Request Compensation Set Aside funds in the amount of \$117,593. The office did not have vacancy savings to cover COLA and is at risk of overspending its personnel services budget without these funds.

Service Impacts

This request is necessary to avoid overspending the office's personnel services budget due to COLA.

Equity Impacts

We do not see any negative equity impacts.

Account Name		2021-22 SPRING Requested Adj
Expense	Personnel	117,593
Expense	Sum:	117,593

Account Name		2021-22 SPRING Requested Adj
Revenue	General Fund Discretionary	117,593
Revenue	Sum:	117,593

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DP Type

GF Program Carryover

Request Name: 13437 -Program Carryovers

Package Description

The office requests a program carryover of \$300,000 for legal software upgrades. The office completed the needs assessment portion of the project, is realigning resources to hire additional technical support staff, and is prepared to draft an RFP for replacement software this year. The office has been saving funds for several years to pay for software improvements that cannot be funded in one year's budget. The office's current legal software is outdated and does not interface with Office 365. New software will increase the office's resiliency and its ability to continue providing core services in a timely manner. This software upgrade project was paused during the pandemic due to workload issues and a desire to postpone additional significant change for the well-being of personnel.

Service Impacts

New software is necessary to increase the office's resiliency and ability to continue providing core services in a timely manner. Having more efficient tools should help with the significant workload increases the office has experienced over the last several years.

Equity Impacts

The office works to help the City ensure that all Portlanders have access to City services, benefits and programs free from discrimination, and that the civil rights of all Portlanders are legally recognized and protected by the City and its contractors and grantees. Office attorneys are trained to incorporate an equity lens into legal advice to help ensure compliance with equity related laws and policies. Having quick and easy access to office records is necessary for attorneys to provide timely legal advice to the City including advice on equity impacts.

Account Name		2021-22 SPRING Requested Adj
Expense	External Materials and Services	-300,000
	Internal Materials and Services	0
Expense	Sum:	-300,000

Account Name		2021-22 SPRING Requested Adj
Revenue	General Fund Discretionary	-300,000
Revenue	Sum:	-300,000

AT - Office of the City Attorney

DP Type

Contingency

Request Name: 13484 -Contingency Set Aside

Package Description

The office will transfer \$50,000 in unspent law clerk funds to cover some merit costs. The office requests an additional \$100,000 in Contingency Set Aside funds to cover the remaining merit costs.

Service Impacts

This request is necessary to avoid overspending the office's Personnel Services budget due to merit increases.

Equity Impacts

We do not see any negative equity impacts.

Account Name		2021-22 SPRING Requested Adj
Expense	Personnel	100,000
Expense	Sum:	100,000

Account Name		2021-22 SPRING Requested Adj
Revenue	General Fund Discretionary	100,000
Revenue	Sum:	100,000

Business Area Projection Report

Office of the City Attorney - Fund 100

Major Object	2021-22 SPRING Requested Total	2021-22 February Actuals YTD	2021-22 SPRING Projection	% Projected Actuals to Requested Total
External Materials and Services	\$961,484	\$310,744	\$860,000	89%
Internal Materials and Services	\$1,673,150	\$1,018,302	\$1,630,000	97%
Personnel	\$14,588,619	\$9,328,952	\$14,500,000	99%
Sum:	\$17,223,253	\$10,657,999	\$16,990,000	99%

Major Object	2021-22 SPRING Requested Total	2021-22 February Actuals YTD	2021-22 SPRING Projection	% Projected Actuals to Requested Total
Charges for Services	\$20,000	\$15,813	\$17,000	85%
General Fund Discretionary	\$4,188,858	\$0	\$3,958,605	95%
General Fund Overhead	\$4,623,666	\$0	\$4,623,666	100%
Interagency Revenue	\$8,390,729	\$5,593,819	\$8,390,729	100%
Sum:	\$17,223,253	\$5,609,632	\$16,990,000	99%

Revenue Discussion

The office projects it will collect General Fund Overhead, Interagency, and Charges for Services revenue as budgeted. The Charges for Services category, which includes public records fees, legal services for civil forfeiture work, and other miscellaneous revenues are inconsistent and difficult to predict so some variance is expected. The office projects it will underspend General Fund Discretionary resources by about 5%.

Revenue Risks

There are no known risks to the collection of revenue this year.

Expenditure Discussion

The General Fund Discretionary underspending is attributed in part to the reductions in costs such as nonessential travel, fewer copies, office supplies, deliveries and maintenance fees, and not hiring law clerks this year due to pandemic concerns.

Expenditure Risks

The office is not at risk of overspending its budget if Spring BMP requests are provided.

Other Notes