

# 2019 Budget Presentation

# Legal Department

August 8, 2018



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# CITY OF SOUTH BEND

EXCELLENCE | ACCOUNTABILITY | INNOVATION | INCLUSION | EMPOWERMENT



## LEGAL DEPARTMENT

August 8, 2018

### Legal Department Vision



The Legal Department provides quality legal representation to the City of South Bend's Mayor, departments, commissions and agencies with a dedicated and professionally-skilled staff, efficiently and cost effectively, in furtherance of the City's strategic goals, and preserving the legal and ethical integrity of the City.

**Integrity**  
**Competency**  
**Professionalism**  
**Civility**

*The Legal Department is composed of diverse and talented attorneys and staff members in an environment in which equality with regards to gender, race, and age are indicative of a strong commitment to the City's core values of Inclusion and Excellence.*

# 2018 Legal Department Objectives Reached

## Teamwork



*Fostering a spirit of collegiate and helpful behavior, energizing the workplace and supporting a culture of respect and trust.*

## Professional Development



*Facilitating opportunities for new learning and growth, contributing to job satisfaction and competence.*

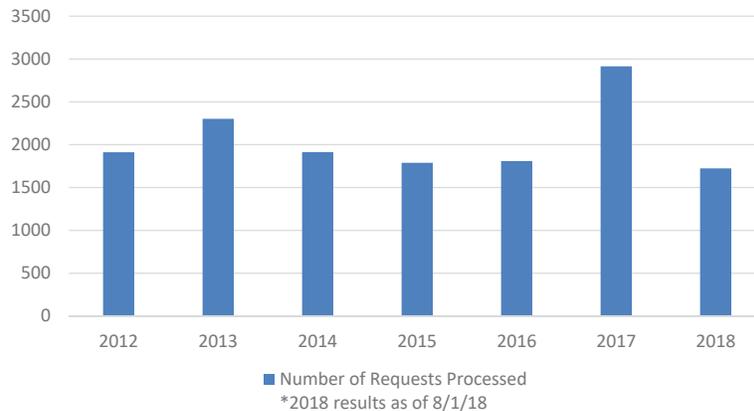
## Cross-Training



*Supporting colleagues through back-up support and assistance with both challenging projects and day-to-day tasks.*

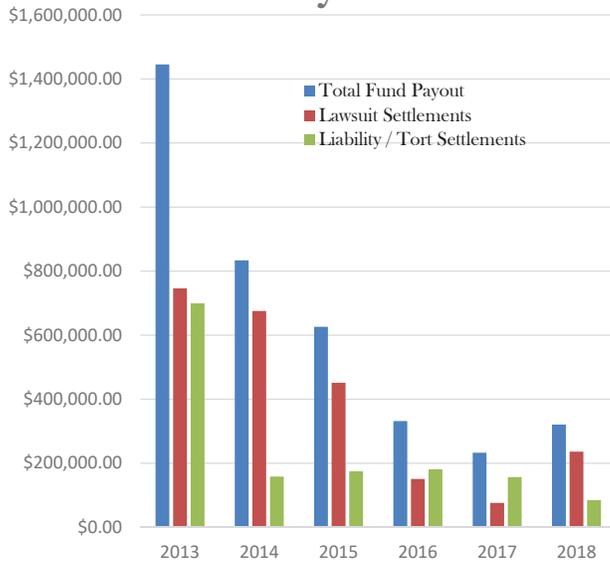
# 2018 Legal Department Accomplishments

## APRA



## 2018 Legal Department Accomplishments

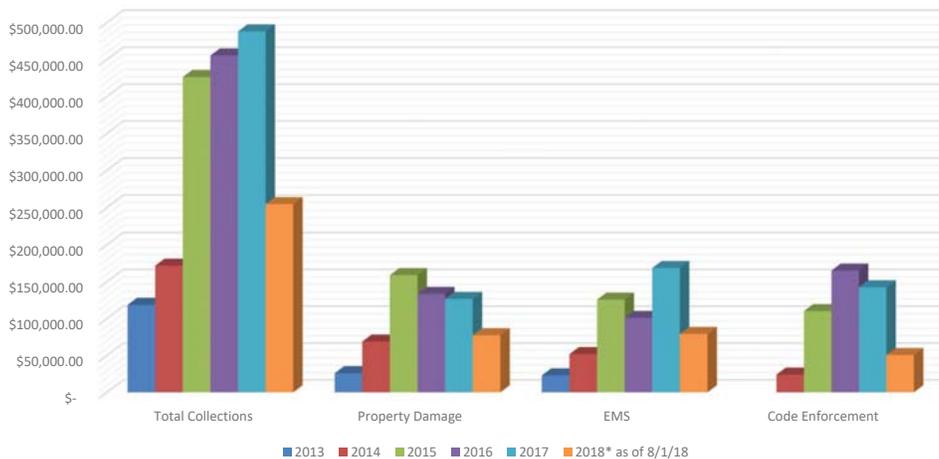
### Liability Fund 226



- Successful resolution of eight (8) lawsuits in 2018 alone.
- 70% decrease in pending litigation in the course of one (1) year.
- Proactive, friendly risk management strategy that is increasingly hands-on.

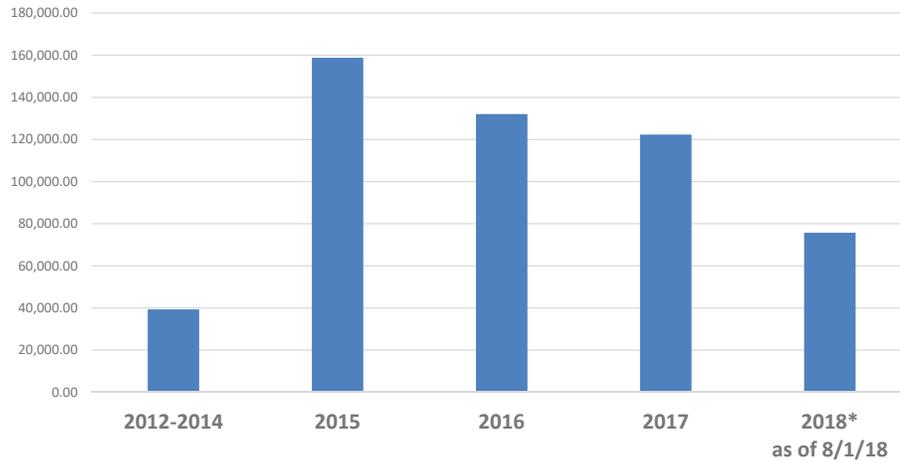
## 2018 Legal Department Accomplishments

### City of South Bend Collections



# 2018 Legal Department Accomplishments

## Subrogation



# 2018 Legal Department Contributions and Collaborations



- Lexipol
- Interlocal Agreement btw. the Prosecutor and SBPD
- Body Cameras
- Virtual Academy
- CARFAX



- Sexual Harassment Training Ordinance
- Responsible Bidding Practices and Submission Requirements Ordinance
- Disparity Study

## 2018 Legal Department Contributions and Collaborations



- 2019 Potawatomi Zoological Society Lease and Management Agreement
- Improved Animal Care and Control hearing process and implementation of Hearing Officer to guide and manage hearings
- Agreement to sell College Football Hall of Fame to JSK
- Revision of Century Center's contract with SMG Management Co.

## 2019 Legal Budget Changes

- We request an additional \$30,000 to cover the cost of four (4) full-time legal summer interns.
- A 1,080% increase in insurance allocations will cause our budget to grow.
- An increase in the salaries budget is due to an administrative change in the handling of salaries split by departments, but will be reimbursed via an allocation and is visible as a revenue to the department.
- Our subscriptions budget will increase slightly due to year over year contract increases. These are due for renegotiation in 2019.

## 2019 Legal Budget Summary

- The Legal Department appreciates its 2018 budget and is grateful for the opportunity to continue to amplify our value to the City in 2019.
- Our staff remains our top priority and we continue to serve the mission of being a Great Employer with Great Employees by investing in our diverse and competent team.



THANK YOU!



## LEGAL DEPARTMENT

August 8, 2018

## Fund 101 - General Fund Department 0501 - Legal Department

Expenditures by Type	2018				2019 Proposed Budget	Forecast				Budget Variance 2018-2019	%
	2016	2017	Amended	06/30/18		2020	2021	2022	2023		
	Actual	Actual	Budget	Actual							
<b>Personnel</b>											
Salaries & Wages	689,144	650,785	760,139	335,361	866,473	883,202	900,266	917,671	935,424	106,334	14%
Fringe Benefits	248,712	245,188	321,864	126,402	351,642	362,316	369,463	376,754	384,189	29,778	9%
<b>Total Personnel</b>	<b>937,856</b>	<b>895,974</b>	<b>1,082,003</b>	<b>461,763</b>	<b>1,218,115</b>	<b>1,245,518</b>	<b>1,269,729</b>	<b>1,294,425</b>	<b>1,319,613</b>	<b>136,112</b>	<b>13%</b>
<b>Supplies</b>	<b>1,184</b>	<b>9,142</b>	<b>3,626</b>	<b>1,251</b>	<b>3,450</b>	<b>3,450</b>	<b>3,550</b>	<b>3,650</b>	<b>3,750</b>	<b>(176)</b>	<b>-5%</b>
<b>Services &amp; Charges</b>											
Professional Services	172	45,552	2,550	270	2,550	2,550	2,600	2,650	2,700	-	0%
Printing & Advertising	-	-	-	-	-	-	-	-	-	-	-
Utilities	-	-	-	-	-	-	-	-	-	-	-
Education & Training	4,173	6,251	10,000	2,913	10,000	10,000	10,000	10,000	10,000	-	0%
Travel	47	226	3,450	33	3,450	3,450	3,450	3,450	3,450	-	0%
Repairs & Maintenance	1,633	1,620	3,320	-	-	-	-	-	-	(3,320)	-100%
Other Interfund Allocations	8,707	101,952	75,858	37,926	69,887	72,220	73,836	75,480	77,153	(5,971)	-8%
Debt Service											
Principal	1,163	1,226	1,232	-	-	-	-	-	-	(1,232)	-100%
Interest & Fees	108	45	40	-	-	-	-	-	-	(40)	-100%
Grants & Subsidies	-	-	-	-	-	-	-	-	-	-	-
Insurance	2,988	2,244	2,294	1,146	26,832	27,369	27,916	2,350	2,400	24,538	1070%
Other Services & Charges	18,426	16,001	16,600	8,619	18,100	18,630	19,180	19,750	20,337	1,500	9%
Transfers Out	-	-	-	-	-	-	-	-	-	-	-
<b>Total Services &amp; Charges</b>	<b>37,417</b>	<b>175,117</b>	<b>115,344</b>	<b>50,907</b>	<b>130,819</b>	<b>134,219</b>	<b>136,982</b>	<b>113,680</b>	<b>116,040</b>	<b>15,475</b>	<b>13%</b>
<b>Capital</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>
<b>Total Expenditures</b>	<b>976,457</b>	<b>1,080,233</b>	<b>1,200,973</b>	<b>513,920</b>	<b>1,352,384</b>	<b>1,383,187</b>	<b>1,410,261</b>	<b>1,411,755</b>	<b>1,439,403</b>	<b>151,411</b>	<b>13%</b>
<b>Revenue</b>											
Charges for Services	-	-	-	-	-	-	-	-	-	-	-
Interest Earnings	-	-	-	-	-	-	-	-	-	-	-
Donations	-	-	-	-	-	-	-	-	-	-	-
Interfund Allocation Reimb	-	-	-	-	57,389	58,537	59,708	60,902	62,120	57,389	-
Other Income	76,486	75,984	76,885	38,128	78,423	79,991	81,591	83,223	84,887	1,538	2%
<b>Total Revenue</b>	<b>76,486</b>	<b>75,984</b>	<b>76,885</b>	<b>38,128</b>	<b>135,812</b>	<b>138,528</b>	<b>141,299</b>	<b>144,125</b>	<b>147,007</b>	<b>58,927</b>	<b>77%</b>

**Department Purpose:**

The Legal Department provides quality legal representation to the City of South Bend's Mayor, departments, commissions and agencies with a dedicated and professionally-skilled staff, efficiently and cost effectively, in furtherance of the City's strategic goals, and preserving the legal and ethical integrity of the City.

**Explanation of Revenue Sources:**

This department is funded by property tax revenue collected in the General Fund. This department also collects a reimbursement for legal services to other city departments.

**Explanation of Expenditures, Staffing, and Significant Changes/Variations:**

The largest percentage change in the Legal Department's budget is an increase of over 1,000% for insurance allocations. Also, an administrative change in how Admin and Finance is handling salaries shared by separate funds has resulted in a perceived percentage increase in the Salaries budget, but this is offset by the 77% increase in the Revenues budget. The increase in subscriptions is due to an annual increase incorporated into some of our standing contracts, for which low market rates were negotiated and are considered very cost-effective. There are no other major changes in the department's budget.

Staffing (Full-Time Employees only)	2018				2019 Proposed Budget	Forecast				
	2017	Amended	06/30/18	2020		2021	2022	2023		
	Actual	Budget	Actual							
<b>Non-Bargaining</b>										
Full-Time Attorney	6	6	6	6	6	6	6	6	6	6
Executive Assistant	1	1	1	1	1	1	1	1	1	1
Administrative Assistant	2	2	2	2	2	2	2	2	2	2
Corporate Counsel	1	1	1	1	1	1	1	1	1	1
<b>Total Non-Bargaining</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>	<b>10</b>

## Department 101-0501 - Legal Department

### Accomplishments, Goals, KPI's

#### 2018 Accomplishments & Outcomes

- Finalized Lexipol, Interlocal Agreement between Prosecutor and SBPD, Body Cameras, Virtual Academy, CARFAX, and other Police contracts.
- Finalized Responsible Bidding Practices and Submission Requirements Ordinance to foster quality workmanship, efficient processes, and safety.
- Revised Sexual Harassment Training Ordinance to streamline processes and enhance effectiveness, while eliminating employee privacy concerns.
- Completed 2019 City of South Bend and Potawatomi Zoological Society Ease and Management Agreement to continue the City's support of the Zoo.
- Improved Animal Care and Control Hearing process to be efficient and fair; implemented hearing officer to guide and manage hearings.
- Successful resolution of eight (8) litigation matters to date in 2018. The total remaining number of City-Defendant cases has reduced from thirty to nine.
- Drafted agreement to sell College Football Hall of Fame to JSK, promoting new development in Downtown South Bend
- Over \$75,000 in subrogation recovered by the Legal Department in 2018 thus far.
- Over \$238,000 in collections received to date, tracking ahead of last year's results.
- Over 1,500 APRA Requests handled in 2018 with no violations. The administration's total is over 14,000 mid-year.

#### 2019 Department Goals & Objectives and Linkage to City Results

##### Well-Governed and Administered City

- Priority Based Budgeting Result: Ensures reliable compliance with regulations and well-managed risk*
- **Develop and lead interdepartmental trainings in employment law basics, property damage, and other identified legal risk areas.**
- Priority Based Budgeting Result: Models our values of excellence, accountability, innovation, transparency, inclusion and empowerment*
- **Successful resolution of contract breach litigation, demonstrating the City's commitment to fair practices.**
- Priority Based Budgeting Result: Offers excellent services and efficient processes supported by timely and accurate analysis*
- **Implement new vendor and project management structures for larger environmental matters.**
- Priority Based Budgeting Result: Maintains, protects, and invests in its robust physical, financial, human and technological assets*
- **Register paralegals with local bar association and support dues and memberships.**
- Priority Based Budgeting Result: Fosters enduring financial strength and fiscal sustainability*
- **Work with departments to re-evaluate long-standing contracts for potential renegotiation opportunities to reduce costs and enhance value.**
- Priority Based Budgeting Result: Is a great employer attracting, developing, equipping and retaining great employees*
- **Create and maintain training and growth opportunities to aid in internal development and retention.**

#### Key Performance Indicators (KPI's)

Measure	Type	2017 Actual	2018 Estimated	2019 Target	Long Term Goal
- <b>Annual Total Collections</b>	Outcome	\$494,898	\$460,000	\$500,000	
- (All collections results are dependent upon the volume of accounts referred, the collectability of accounts, and data reliability).					
- <b>Average of Total Dollars Collected Over Accounts Referred per Year</b>	Efficiency	3,324 referred (\$110.81 per account)	2,749 referred through 7/1/18 (\$59.25 per account)	Increased # of referred and increased \$'s per account	
- (Many new referrals received in June 2018. Efficiency number will increase when we have had time to collect on these accounts.)					
-					
-					
-					
-					

Types: output, efficiency, effectiveness, quality, outcome, technology

#### 2019 Significant Changes/Challenges/Opportunities

- The Department would like to explore strategic opportunities to handle more cases in-house to save in professional services budgets City-wide.
- The Department has adopted a more hands-on, proactive approach to the handling of ongoing Environmental matters and seeks timely resolution.
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		2016	2017	2018	2018	2018	6/30/18	2019
		Actual	Actual	Original	Amended	YTD	YTD	Proposed
ACCOUNT NUMBER	ACCOUNT DESCRIPTION			Budget	Budget	Actual	Actual	Expenditures
101-0501-415.10-01	REGULAR WAGES	688,144	644,785	760,139	755,532	358,841	330,754	836,473
LEVEL	TEXT		TEXT AMT					
BUDG	6 ASST FULL TIME ATTORNEY (6 X 89,284)		535,704					
	1 EXECUTIVE ASSISTANT		55,740					
	2 ADMINISTRATIVE ASSISTANTS (2 X 41,336)		82,672					
	1 CORPORATE COUNSEL		127,126					
	TOTAL FTE'S = 10							
	1 PART TIME CITY ATTORNEY		67,708					
	LESS SALARY CAP TO ACTUAL ADJUSTMENT		32,477-					
			836,473					
101-0501-415.10-03	SEASONAL & INTERNS	0	0	0	0	0	0	30,000
LEVEL	TEXT		TEXT AMT					
BUDG	4 INTERNS @ \$15/HR FOR 10 WEEKS		30,000					
			30,000					
101-0501-415.10-05	TEMPORARY SERVICES	0	0	0	2,607	2,607	2,607	0
101-0501-415.10-10	HIRING BONUS	1,000	6,000	0	2,000	2,000	2,000	0
101-0501-415.11-01	FICA - REGULAR	50,902	48,269	58,151	58,151	27,114	24,808	63,990
LEVEL	TEXT		TEXT AMT					
BUDG	REGULAR SALARIES \$836,473 X 7.65%		63,990					
			63,990					
101-0501-415.11-04	PERF - REGULAR	77,086	72,104	85,136	85,136	40,778	37,263	93,685
LEVEL	TEXT		TEXT AMT					
BUDG	REGULAR SALARIES \$836,473 X 11.20%		93,685					
			93,685					
101-0501-415.11-07	UNEMPLOYMENT COMP	980	0	0	0	0	0	0
101-0501-415.11-08	HEALTH INSURANCE	114,408	121,022	171,156	171,156	68,870	62,972	186,956
LEVEL	TEXT		TEXT AMT					
BUDG	LONG-TERM DISABILITY:							
	11 EMP X \$96		1,056					
	HEALTH INSURANCE COVERAGE:							
	11 EMP X \$16,900		185,900					
			186,956					
101-0501-415.11-09	LIFE INSURANCE	1,160	994	1,260	1,260	553	505	1,320
LEVEL	TEXT		TEXT AMT					
BUDG	11 EMP X \$120		1,320					
			1,320					

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2016 Actual	2017 Actual	2018 Original Budget	2018 Amended Budget	2018 YTD Actual	6/30/18 YTD Actual	2019 Proposed Expenditures
101-0501-415.11-12	AUTO ALLOWANCE	3,600	2,400	3,600	3,600	3,300	0	3,600
LEVEL	TEXT		TEXT AMT					
BUDG	\$300.00 X 12 MONTHS		3,600					
			3,600					
101-0501-415.11-22	PARKING ALLOWANCE	84-	42-	0	0	0	0	0
101-0501-415.11-24	CELL PHONE ALLOWANCE	660	440	660	660	0	0	0
101-0501-415.11-29	PARENTAL LEAVE	0	0	1,901	1,901	919	854	2,091
LEVEL	TEXT		TEXT AMT					
BUDG	REGULAR SALARIES \$836,473 X 0.25%		2,091					
			2,091					
* PERSONNEL SERVICES		937,856	895,972	1,082,003	1,082,003	504,982	461,763	1,218,115
101-0501-415.21-02	PRINT SHOP	0	0	250	250	0	0	250
101-0501-415.21-03	C.S. OFFICE SUPPLIES	335	551	700	700	317	317	700
101-0501-415.21-04	OFFICE SUPPLIES	849	988	1,500	1,676	526	526	2,500
101-0501-415.21-05	SMALL OFFICE EQUIPMENT	0	7,603	1,000	1,000	408	408	0
11*	SUPPLIES	1,184	9,142	3,450	3,626	1,251	1,251	3,450
101-0501-415.31-06	OTHER PROFESSIONAL SVCS	172	45,552	2,550	2,550	270	270	2,550
LEVEL	TEXT		TEXT AMT					
BUDG	IN.GOV/CIVICNET		400					
	PACER - DISTRICT COURT ON-LINE SERVICES		150					
	COURT FILINGS		2,000					
			2,550					
101-0501-415.31-71	CENTRAL STORES ALLOCATION	612	588	1,035	1,035	516	516	1,255
LEVEL	TEXT		TEXT AMT					
BUDG	2019 FIXED COST ALLOCATION - CENTRAL STORES		1,255					
			1,255					
101-0501-415.31-72	GIS ALLOCATION	1,135	0	0	0	0	0	0
101-0501-415.31-73	PRINT SHOP ALLOCATION	1,956	2,028	1,008	1,008	504	504	516
LEVEL	TEXT		TEXT AMT					
BUDG	2019 FIXED COST ALLOCATION - PRINT SHOP		516					
			516					
101-0501-415.31-76	IT ALLOCATION	0	0	73,815	73,815	36,906	36,906	68,116
LEVEL	TEXT		TEXT AMT					

CITY OF SOUTH BEND

EXPENDITURES

2019 BUDGET

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2016	2017	2018	2018	2018	6/30/18	2019
		Actual	Actual	Original Budget	Amended Budget	YTD Actual	YTD Actual	Proposed Expenditures
BUDG	2019 FIXED COST ALLOCATION - IT AND/OR 311		68,116					
			68,116					
	101-0501-415.32-02 POSTAGE	2,036	1,342	2,000	2,000	547	406	2,000
LEVEL	TEXT		TEXT AMT					
BUDG	POSTAGE CHARGED BY ADMINISTRATION & FINANCE AVERAGING ~\$125/MONTH		2,000					
			2,000					
	101-0501-415.32-03 TRAVEL	0	0	0	0	0	0	3,450
	101-0501-415.32-21 TRAVEL - MILEAGE	0	29	750	750	142	0	0
	101-0501-415.32-23 TRAVEL - HOTEL	0	197	2,000	2,000	1,001	0	0
	101-0501-415.32-24 TRAVEL - MEALS	0	0	500	500	91	0	0
	101-0501-415.32-25 TRAVEL - OTHER	47	0	200	200	59	33	0
	101-0501-415.34-02 LIABILITY INSURANCE	2,988	2,244	2,294	2,294	1,146	1,146	26,832
LEVEL	TEXT		TEXT AMT					
BUDG	2019 FIXED COST ALLOCATION - LIABILITY INSURANCE DEPOSIT IN 226-0000-340.01-00		26,832					
			26,832					
21	101-0501-415.36-02 OFFICE EQUIP R&M	1,633	1,620	1,820	1,820	0	0	0
	101-0501-415.36-04 COMPUTER EQUIP R&M	5,004	99,336	1,500	1,500	0	0	0
LEVEL	TEXT		TEXT AMT					
BUDG	PRACTICE MASTER							
	101-0501-415.37-11 CAPITAL LEASE PRINCIPAL	1,163	1,226	1,232	1,232	0	0	0
	101-0501-415.37-12 CAPITAL LEASE INTEREST	108	45	40	40	0	0	0
	101-0501-415.39-10 SUBSCRIPTIONS	15,690	13,260	13,100	13,100	8,856	7,713	14,100
LEVEL	TEXT		TEXT AMT					
BUDG	THOMSON WEST \$1,175/MONTH		14,100					
			14,100					
	101-0501-415.39-11 DUES & MEMBERSHIPS	700	1,400	1,500	1,500	500	500	2,000
LEVEL	TEXT		TEXT AMT					
BUDG	MUNICIPAL LAW TRAINING		2,000					
			2,000					
	101-0501-415.39-70 EDUCATION & TRAINING	4,173	6,251	10,000	10,000	6,917	2,913	10,000
LEVEL	TEXT		TEXT AMT					
BUDG	NBI TRAINING PACKAGE		4,000					
	OTHER TRAINING FOR 8 ATTORNEYS AND SUPPORT STAFF		6,000					
			10,000					

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2016 Actual	2017 Actual	2018 Original Budget	2018 Amended Budget	2018 YTD Actual	6/30/18 YTD Actual	2019 Proposed Expenditures
*	OTHER SERVICES & CHARGES	37,417	175,118	115,344	115,344	57,455	50,907	130,819
**	LEGAL DEPARTMENT	976,457	1,080,232	1,200,797	1,200,973	563,688	513,920	1,352,384

ACCOUNT NUMBER	ACCOUNT DESCRIPTION	2016 Actual	2017 Actual	2018 Original Budget	2018 Amended Budget	2018 YTD Actual	6/30/18 YTD Actual	2019 Estimated Revenue
101-0501-360.90-00	SETTLEMENT FEES	1,733	874	0	0	0	0	0
*		1,733	874	0	0	0	0	0
101-0501-380.10-87	PAYROLL COST ALLOCATION	0	0	0	0	0	0	57,389
LEVEL	TEXT		TEXT AMT					
BUDG	2019 FIXED COST ALLOCATION - PAYROLL COST ALLOC.							
	226-0412-672.31-77 LIABILITY INSURANCE		57,389					
	REIMB FROM LIAB INSUR FOR 50% OF PERSONNEL COSTS							
	FOR ASSISTANT CITY ATTORNEY		57,389					
101-0501-380.10-99	MISC. REIMBURSEMENTS	74,753	75,110	76,885	76,885	38,128	38,128	78,423
LEVEL	TEXT		TEXT AMT					
BUDG	REIMBURSEMENT FOR LEGAL SERVICES - TIF DOLLARS		78,423					
			78,423					
*		74,753	75,110	76,885	76,885	38,128	38,128	135,812
**	LEGAL DEPARTMENT	76,486	75,984	76,885	76,885	38,128	38,128	135,812