

Date: 6-25-02

Submitted by: Chair Traini

Prepared by: Department of Assembly

For reading: June 25, 2002

ANCHORAGE, ALASKA
AR NO. 2002-216

A RESOLUTION OF THE ANCHORAGE MUNICIPAL ASSEMBLY REVISING THE 2002 GENERAL GOVERNMENT OPERATING BUDGET BY TRANSFERRING EIGHTY-TWO THOUSAND DOLLARS (\$82,000) FROM THE MUNICIPAL ATTORNEY TO THE DEPARTMENT OF ASSEMBLY TO PROVIDE FUNDING FOR ASSEMBLY COUNSEL AND STAFF

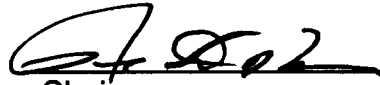
THE ANCHORAGE ASSEMBLY RESOLVES:

Section 1: That the following departmental appropriations are revised as follows:

<u>DEPARTMENT</u>	<u>AMOUNT</u>	<u>REVISED APPROPRIATION</u>
Municipal Attorney	(\$82,000)	\$3,858,980
Assembly	\$82,000	\$2,205,710

Section 2: That this resolution shall take effect immediately upon passage and approval.

PASSED AND APPROVED by the Anchorage Assembly this 25th day of June, 2002.


Chair

ATTEST:


Municipal Clerk

Departmental Appropriations:

Assembly - \$82,000

Municipal Attorney - (\$82,000)

EGJ/2002/RESOLUTIONS/AR54



MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

NO. 586-2002

Meeting Date: June 25, 2002

From: Chair Traini

Subject: REVISING THE 2002 GENERAL GOVERNMENT OPERATING BUDGET BY TRANSFERRING \$82,000 FROM THE MUNICIPAL ATTORNEY TO THE DEPARTMENT OF ASSEMBLY TO PROVIDE FUNDING FOR ASSEMBLY COUNSEL AND STAFF

The 2002 Intergovernmental charges from the Municipal Attorney to the Department of Assembly total \$161,690. In addition to these charges, the Assembly has also spent a substantial amount this year, and prior years, on outside counsel in an attempt to achieve an independent legal review on specific issues. With this in mind, the Assembly has determined that it would be prudent, and in the best interest of public expenditures, to hire its own counsel (effective July 2, 2002) to provide the independent services needed and, in a timely and efficient manner. The appropriate revenue and expenditure information follows:

<u>REVENUE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
101-1151-7073	IGC to Assembly	(\$82,000)

<u>EXPENDITURE</u>	<u>ACCOUNT NAME</u>	<u>AMOUNT</u>
101-1010-6073	IGC from Municipal Attorney	(82,000)
101-1010-1101	Salaries and Wages	\$82,000
101-1151-1101	Salaries and Wages	(82,000)

Your approval of this transfer of funds and revised appropriation is recommended

Respectfully submitted,

Prepared by:

Dick Traini
Assemblymember

Elvi Gray-Jackson, Manager
Budget and Legislative Services

Reviewed by:

FUND CERTIFICATION:

101-1151-1101 - \$82,000
(2002 General Government Operating Budget)

Greg Moyer, Director
Department of Assembly/Municipal Clerk

Kate Giard 6/24/02
Chief Fiscal Officer

File AR 21 2 216

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 614 -2002

Meeting Date: June 25, 2002

From: Municipal Attorney

Subject: AR 2002-216; a resolution of the Anchorage Municipal Assembly revising the 2002 General Government Operating Budget by transferring \$82,000 from the Municipal Attorney to the Department of Assembly to provide funding for Assembly counsel and staff.


The Municipal Assembly has proposed AR 2002-216, which transfers operating budget funding away from the Municipal Attorneys office to the Assembly office for the purpose of employing legal counsel.

As a consequence of the proposed action in AR 2002-216, the Civil Law Division may need to reduce its civil litigation professional staff from 11 to 10 attorneys.

A reduction of this magnitude in the Civil Law's professional staffing will result in a reduced ability to represent the Municipality in civil disputes, over emphasizing settlements which may not be in the public interest or using outside legal counsel to represent the Municipality at a much great cost to the taxpayer.

The attached fact sheet provides historical data illustrating the benefits received by taxpayers resulting from the use of in-house counsel.

I strongly urge the Assembly not pass AR 2002-216.



William A. Greene
Municipal Attorney

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ATTORNEY ACTUAL SALARIES/COSTS

Not Offset by Revenue

<u>Division</u>	<u>No. Attys</u>	<u>Aver. Years Exper.</u> (1 to-36 yrs)	<u>Mean. Years Exper.</u>		<u>Mean Salary</u>	<u>Total Budget Unit Cost Per Attorney¹</u>	<u>Direct Budget Unit Cost Per Attorney²</u>	<u>Standard Hrly Rate Private Attys</u>	<u>Annual Cost Private Atty // MOA Atty³</u>
Civil	11	14.64	11	\$70,710	\$70,000	\$96.45 ⁴ (IGC Bill Rate: \$95.	\$76.67	\$175+	\$323,750 // 178,431
<u>Average of all MOA employees in range</u>				\$76,641	\$76,960				

CIVIL REVENUE / MATTERS/LITIGATION HANDLED LAST 12 MONTHS

Civil Division Annual Revenue: **\$1,200,000 to \$1,500,000** from collections, bankruptcy recoveries, DUI auto impound fees
(Direct Budget: \$1,560,310) and attorneys fees recovered.
(Budget Total: \$1,962,750)

Total Budget Unit Cost (Less 50% of Revenue) -- Per Attorney:
\$123,886 or **\$66.97** per hour vs. (Over 60% less than) \$175 per hour, plus expenses in private sector.

TOTAL Non-Lit Matters Handled in last 12 months	1,025
Open Non-Litigation Matters:	409
Non-Litigation Matters Closed:	616

Total Litigation Hours Not Including Bankruptcy	6,223	Value @ IGC Rate of \$95 =	\$ 591,185
		Value @ \$175 Market Rate =	1,089,025

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1. **Total Budget** includes attorney salary and benefits plus all direct and indirect costs for staff support, space, equipment, supplies, training, travel and other costs of operation. Includes IGCs from other departments.
 2. **Direct Budget** is the Assembly approved amount appropriated to the Department.
 3. **Annual Cost** of MOA attorney is based on the **Total Budget**.
 4. **Billing Rates** are based on 1,850 hours of billable time per year per attorney which allows for vacation, holidays and non-billable administrative time. All attorneys invest more than 40 hours per week, so the actual rates are lower.

Municipality of Anchorage
MUNICIPAL CLERK'S OFFICE
Agenda Document Control Sheet

Ar 2002-216

(SEE REVERSE SIDE FOR FURTHER INFORMATION)

1	SUBJECT OF AGENDA DOCUMENT	DATE PREPARED	
	A Resolution Revising the 2002 General Government Operating Budget by Transferring \$82,000 from the Municipal Attorney to the Department of Assembly to Provide Funding for Assembly Counsel Staff	24-Jun-02	
		Indicate Documents Attached <input type="checkbox"/> AO <input checked="" type="checkbox"/> AR <input checked="" type="checkbox"/> AM <input type="checkbox"/> AIM	
2	DEPARTMENT NAME	DIRECTOR'S NAME	
	Assembly	Greg Moyer	
3	THE PERSON THE DOCUMENT WAS ACTUALLY PREPARED BY	HIS/HER PHONE NUMBER	
	Elvi Gray-Jackson	343-4751	
4	COORDINATED WITH AND REVIEWED BY	INITIALS	DATE
	Mayor		
	Heritage Land Bank		
	Merrill Field Airport		
	Municipal Light & Power		
	Port of Anchorage		
	Solid Waste Services		
	Water & Wastewater Utility		
	Municipal Manager		
	Cultural & Recreational Services		
	Employee Relations		
<i>X</i>	Finance, Chief Fiscal Officer	<i>TR/NP</i>	<i>6/25/02</i>
	Fire		
	Health & Human Services		
	Office of Management and Budget	<i>reviewed & corrections made by CF as requested</i>	<i>6/24/02</i>
	Management Information Services		
	Police		
	Planning, Development & Public Works		
	Development Services		
	Facility Management		
	Planning		
	Project Management & Engineering		
	Street Maintenance		
	Traffic		
	Public Transportation Department		
	Purchasing		
	Municipal Attorney		
	Municipal Clerk		
	Other		
5	Special Instructions/Comments		
	<i>9.68. Action</i>		
6	ASSEMBLY HEARING DATE REQUESTED	7	PUBLIC HEARING DATE REQUESTED
	<i>6/25/02</i>		

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 CLERKS OFFICE
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