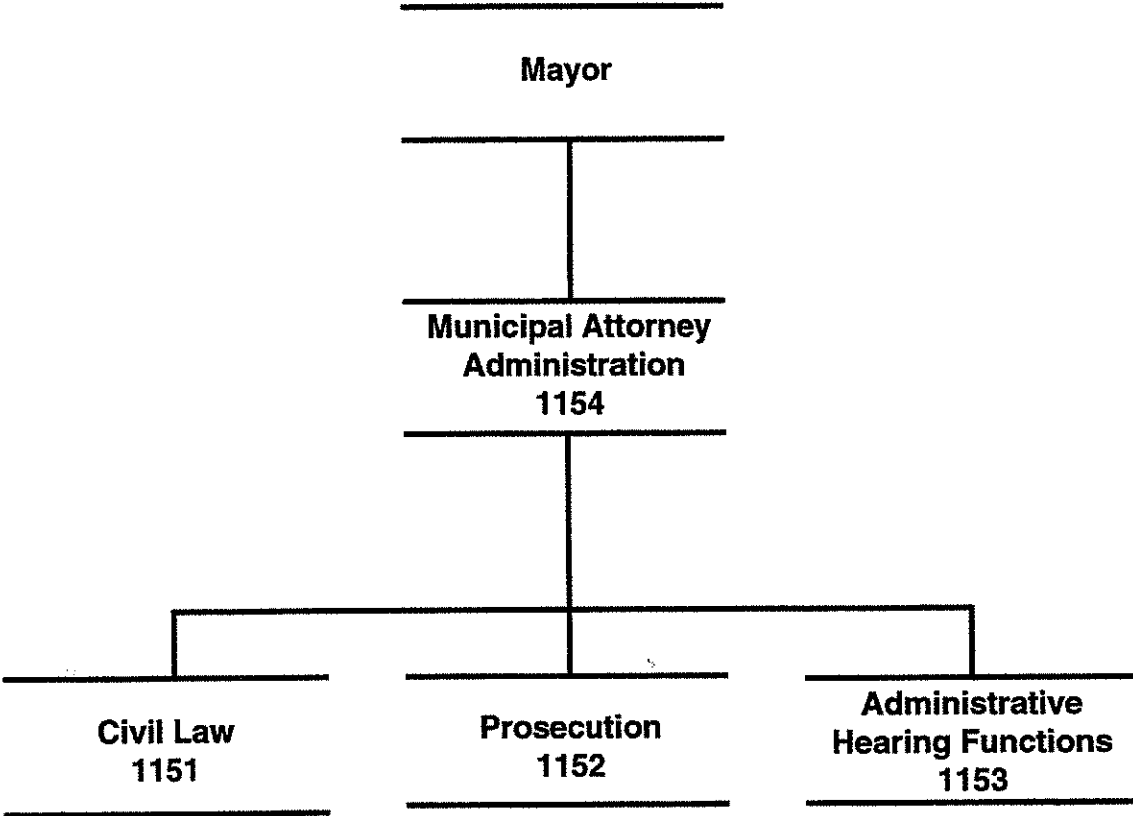


MUNICIPAL ATTORNEY

MUNICIPAL ATTORNEY



DEPARTMENT SUMMARY

Department

MUNICIPAL ATTORNEY

Mission

To provide for the delivery of legal services to all phases of Municipal government operations; management of all civil litigation to which the Municipality is a party; the judicial prosecution of misdemeanor criminal offenses in direct support of enforcement activities carried out by the Anchorage Police Department; and the resolution of certain civil and criminal code violations through the use of an Administrative Hearing Officer.

Major Program Highlights

- Perform mandated executive support functions and serve as principal legal advisor to the Mayor and Municipal Assembly.
- Expand pretrial diversion alternative for minor property crimes.
- Identify and initiate within Prosecution the procedural and operating changes necessary to fully realize the operating benefits associated with the installation of the Police departments new Tiburon Information Management System.
- Improve traffic law enforcement at the prosecution level.
- Continue aggressive policies and procedures relative to the prosecution of DWI and Domestic Violence Assault.
- Assist in formulating the CY 1998 legislative package.
- Assume additional administrative hearing functions as directed by the Administration; required by new enabling legislation; or in direct response to requests for assistance from enforcement agencies.
- Continue representation of municipality in civil litigation including construction, commercial, employment, real estate and tort matters.

RESOURCES

| | 1997 | 1998 |
|------------------|-------------|-------------|
| Direct Costs | \$4,006,240 | \$4,007,530 |
| Program Revenues | \$ 418,400 | \$ 406,400 |
| Personnel | 62FT | 60FT |

1998 RESOURCE PLAN

DEPARTMENT: MUNICIPAL ATTORNEY

| DIVISION | FINANCIAL SUMMARY | | PERSONNEL SUMMARY | | | | | | | |
|---|-------------------|-------------|-------------------|----|-------------|-------|----|----|---|-------|
| | 1997 REVISED | 1998 BUDGET | 1997 REVISED | | 1998 BUDGET | | | | | |
| | | | FT | PT | T | TOTAL | FT | PT | T | TOTAL |
| CIVIL | 1,503,230 | 1,557,660 | 22 | | | 22 | 20 | | | 20 |
| PROSECUTION | 1,903,830 | 2,008,010 | 35 | | | 35 | 35 | | | 35 |
| HEARING OFFICER | 320,800 | 140,230 | 2 | | | 2 | 2 | | | 2 |
| LAW ADMIN | 270,540 | 293,790 | 3 | | | 3 | 3 | | | 3 |
| OPERATING COST | 3,998,400 | 3,999,690 | 62 | | | 62 | 60 | | | 60 |
| ADD DEBT SERVICE | 7,840 | 7,840 | | | | | | | | |
| DIRECT ORGANIZATION COST | 4,006,240 | 4,007,530 | | | | | | | | |
| ADD INTRAGOVERNMENTAL CHARGES FROM OTHERS | 1,882,220 | 2,026,000 | | | | | | | | |
| TOTAL DEPARTMENT COST | 5,888,460 | 6,033,530 | | | | | | | | |
| LESS INTRAGOVERNMENTAL CHARGES TO OTHERS | 5,124,260 | 5,378,490 | | | | | | | | |
| FUNCTION COST | 764,200 | 655,040 | | | | | | | | |
| LESS PROGRAM REVENUES | 418,400 | 406,400 | | | | | | | | |
| NET PROGRAM COST | 345,800 | 248,640 | | | | | | | | |

1998 RESOURCES BY CATEGORY OF EXPENSE

| DIVISION | PERSONAL SERVICES | SUPPLIES | OTHER SERVICES | CAPITAL OUTLAY | TOTAL DIRECT COST |
|----------------------------------|-------------------|----------|----------------|----------------|-------------------|
| CIVIL | 1,272,390 | 17,900 | 225,880 | 50,100 | 1,566,270 |
| PROSECUTION | 1,926,650 | 14,130 | 71,080 | 12,350 | 2,024,210 |
| HEARING OFFICER | 128,330 | 2,330 | 7,420 | 2,150 | 140,230 |
| LAW ADMIN | 265,140 | 400 | 26,550 | 1,700 | 293,790 |
| DEPT. TOTAL WITHOUT DEBT SERVICE | 3,592,510 | 34,760 | 330,930 | 66,300 | 4,024,500 |
| LESS VACANCY FACTOR | 24,810 | | | | 24,810 |
| ADD DEBT SERVICE | | | | | 7,840 |
| TOTAL DIRECT ORGANIZATION COST | 3,567,700 | 34,760 | 330,930 | 66,300 | 4,007,530 |

RECONCILIATION FROM 1997 REVISED BUDGET TO 1998 BUDGET

DEPARTMENT: MUNICIPAL ATTORNEY

| | DIRECT COSTS | POSITIONS | | |
|--|---------------------|------------------|-----------|----------|
| | | FT | PT | T |
| 1997 REVISED BUDGET: | \$ 4,006,240 | 62 | | |
| 1997 ONE-TIME REQUIREMENTS: | | | | |
| - Computer, Equipment and Furniture | (40,700) | | | |
| AMOUNT REQUIRED TO CONTINUE EXISTING PROGRAMS IN 1998: | | | | |
| - Salaries and Benefits Adjustment | (31,020) | | | |
| - Non-Personal Services Inflation Adjustment | 9,000 | | | |
| - Full Year Additional Cost of Expanded Police | 135,020 | | | |
| - Full Year Additional Cost of Prop. 3 for the DWI Vehicle Impound Program to be Handled Through the Court System Rather than Hearing Office | 44,330 | | | |
| TRANSFERS TO/FROM OTHER DEPARTMENTS: | | | | |
| - Lease Cost for Prosecution Transferred to P&FM | (6,250) | | | |
| MISCELLANEOUS INCREASES (DECREASES): | | | | |
| - None | | | | |
| 1997 CONTINUATION LEVEL: | \$ 4,116,620 | 62 | 0 | 0 |
| FUNDED NEW/EXPANDED SERVICE LEVELS: | | | | |
| - None | | | | |
| UNFUNDED CURRENT SERVICE LEVELS: | | | | |
| - Support Staff in Civil Law (Taken in Lieu of a Reduction in Budgeted Costs of Programs and Services) | (34,090) | (1) | | |
| - Reduction due to loss of ATU non-bankruptcy collections contract (\$75,000 reduction in IGC's). Net effect is a reduction of 1 position. | (75,000) | (1) | | |
| 1998 BUDGET: | \$ 4,007,530 | 60 FT | 0 PT | 0 T |

1998 PROGRAM PLAN

DEPARTMENT: MUNICIPAL ATTORNEY
PROGRAM: Administration

DIVISION: LAW ADMIN

PURPOSE:

Oversee all departmental activities; provide policy guidance; and perform centralized financial management, procurement, client billing, and clerical support functions. Provide direct case management assistance, consultation and clerical support pursuant to execution of all civil law functions.

1997 PERFORMANCES:

- Performed mandated executive support functions and served as principal legal advisor to the Mayor and Municipal Assembly.
- Initiated system-wide upgrade of the department's local area network.
- Assisted in the implementation of Proposition 3 approved in April, 1997.
- Administered code update services contract.
- Performed centralized financial management, procurement, client billing, and other department-wide administrative support functions.
- Monitored all legal service contracts.
- Assisted client agencies in preparation and processing of requests for Assembly action.
- Provided support for 1997 legislative efforts and assisted in formulating 1998 legislative package.
- Reduced administrative expenses.
- Instituted monitoring of all Assembly requests for legal assistance to ensure prompt response.

1998 PERFORMANCE OBJECTIVES:

- Perform mandated executive support functions and serve as principal legal advisor to the Mayor and Municipal Assembly.
- Complete system-wide upgrade of the department's current local area network to achieve Municipal operating standards.
- Administer code update services contract.
- Perform centralized financial management, procurement, client billing, and other department-wide administrative support functions.
- Monitor all legal service contracts.
- Assist client agencies in preparation and processing of requests for Assembly action.
- Provide support for 1998 legislative efforts and assist in formulating 1999 legislative package.

1998 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
 PROGRAM: Administration
 RESOURCES:

DIVISION: LAW ADMIN

| | 1996 REVISED | | | 1997 REVISED | | | 1998 BUDGET | | |
|--|--------------|---------|-------|--------------|---------|-------|-------------|---------|-------|
| | FT | PT | T | FT | PT | T | FT | PT | T |
| PERSONNEL: | 3 | 0 | 0 | 3 | 0 | 0 | 3 | 0 | 0 |
| PERSONAL SERVICES | \$ | 243,800 | | \$ | 248,270 | | \$ | 265,140 | |
| SUPPLIES | | 600 | | | 400 | | | 400 | |
| OTHER SERVICES | | 18,060 | | | 20,670 | | | 26,550 | |
| CAPITAL OUTLAY | | 1,120 | | | 1,200 | | | 1,700 | |
| TOTAL DIRECT COST: | \$ | 263,580 | | \$ | 270,540 | | \$ | 293,790 | |
| PROGRAM REVENUES: | \$ | 14,200 | | \$ | 14,200 | | \$ | 8,200 | |
| WORK MEASURES: | | | | | | | | | |
| - No. of MOA code subscriptions | | | 135 | | | 135 | | | 135 |
| - Client agencies served | | | 96 | | | 104 | | | 104 |
| - Contract counsel files maintained | | | 55 | | | 55 | | | 50 |
| - Procurement/contract actions processed | | | 1,500 | | | 1,600 | | | 1,600 |
| - Client billings processed | | | 460 | | | 580 | | | 700 |

17 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:
 1, 5

1998 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
PROGRAM: Prosecution

DIVISION: PROSECUTION

PURPOSE:

Prosecute criminal misdemeanors under the Anchorage Municipal Code. Effective prosecution includes aiding the police investigation; evaluating and filing charges; conducting criminal trials; enforcing conditions of probation; writing motions and appeals; and assisting victims.

1997 PERFORMANCES:

- Provided for the prosecution of all misdemeanor offenses committed within the New Anchorage Police Service Area.
- Amended the Anchorage Penal Code, Chapter 8.
- Implemented cooperative procedures to assist State District Attorney's Office in the prosecution of felony DWI cases.
- Developed greater awareness among D. A. offices statewide for the prosecution of probation revocations.
- Implemented more aggressive community outreach program.
- Completed upgrade of local area network facility to current Municipal operating standards, including the adoption APD's "Tiburon" facility.
- Promulgated 1998 legislative crime package.
- Successfully lobbied for passage of automated victim notification in domestic violence cases.
- Committed substantial resources to the appellate prosecution of cases filed under the photo radar program.

1998 PERFORMANCE OBJECTIVES:

- Provide for the prosecution of misdemeanor offenses committed within the Anchorage Metropolitan Police Service Area.
- Continue aggressive community outreach program.
- Improve traffic law enforcement at the prosecution level.
- Expand pretrial diversion alternative for minor property crimes.
- Promulgate 1999 legislative crime package.
- Continue aggressive policies and procedures relative to the prosecution of DWI and domestic violence assault.
- Identify and initiate the procedural and operating changes necessary to fully realize the operating benefits associated with installation of APD's new "Tiburon" automated record keeping facility.

1998 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
 PROGRAM: Prosecution
 RESOURCES:

DIVISION: PROSECUTION

| | 1996 REVISED | | | 1997 REVISED | | | 1998 BUDGET | | |
|--|--------------|----|---|--------------|----|---|--------------|----|---|
| | FT | PT | T | FT | PT | T | FT | PT | T |
| PERSONNEL: | 32 | 0 | 0 | 35 | 0 | 0 | 35 | 0 | 0 |
| PERSONAL SERVICES | \$ 1,672,410 | | | \$ 1,780,880 | | | \$ 1,910,450 | | |
| SUPPLIES | 12,070 | | | 13,690 | | | 14,130 | | |
| OTHER SERVICES | 69,130 | | | 72,040 | | | 71,080 | | |
| DEBT SERVICE | 7,840 | | | 7,840 | | | 7,840 | | |
| CAPITAL OUTLAY | 38,290 | | | 37,220 | | | 12,350 | | |
| TOTAL DIRECT COST: | \$ 1,799,740 | | | \$ 1,911,670 | | | \$ 2,015,850 | | |
| PROGRAM REVENUES: | \$ 54,500 | | | \$ 54,500 | | | \$ 54,500 | | |
| WORK MEASURES: | | | | | | | | | |
| - Counts screened | 10,555 | | | 13,200 | | | 15,410 | | |
| - Counts filed | 9,075 | | | 11,750 | | | 13,710 | | |
| - Trial appearances | 427 | | | 500 | | | 600 | | |
| - Documents prepared/ processed | 7,556 | | | 9,010 | | | 10,550 | | |
| - Pretrial Diversion Prog. # of participants | 179 | | | 200 | | | 230 | | |
| - Pretrial Diversion hrs. of public work service performed | 4,756 | | | 4,760 | | | 5,240 | | |

17 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:
 3, 6, 9, 11, 13, 15, 17

1998 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
PROGRAM: Civil Law

DIVISION: CIVIL

PURPOSE:

Provide for the delivery of legal services to all Municipal agencies, utilities, and the Municipal Assembly; and manage the litigation of all civil actions to which the Municipality of Anchorage is party as either defendant or plaintiff.

1997 PERFORMANCES:

- Retained in-house litigation expertise in the areas of risk management, public safety civil liability, construction litigation, employment law, real estate, and business law.
- Continued prosecution of DWI vehicle impound/forfeiture cases in District Court.
- Performed non-bankruptcy and bankruptcy judicial collection services for the Anchorage Telephone Utility under contract through December 31, 1997.
- Provided multi-agency support for implementation of Proposition 3.
- Continued to reduce costs of outside litigation.
- Performed a wide variety of general advisory and consultation services in direct support of all Municipal agencies and utilities.
- Participated in substantial revisions to several Municipal code titles.
- Implemented contracting out of paralegal services.
- Provided support for 1997 legislative efforts and assisted in formulating 1998 legislative package.

1998 PERFORMANCE OBJECTIVES:

- Retain in-house litigation expertise in the areas of risk management, public safety civil liability, construction litigation, employment law, real estate, and business law.
- Continue aggressive adjudication efforts with regard to enforcement of the DWI vehicle impound/forfeiture ordinance.
- Complete all aspects associated with upgrading the division's local area network facility to current Municipal operating standards.
- Perform a wide variety of general advisory and consultation services in direct support of all Municipal agencies and utility functions.
- Continue ongoing efforts to reduce costs of outside litigation.
- Provide support for 1998 legislative efforts and assist in formulating 1999 legislative package.

1998 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY
 PROGRAM: Civil Law
 RESOURCES:

DIVISION: CIVIL

| | 1996 REVISED | | | 1997 REVISED | | | 1998 BUDGET | | |
|---|--------------|----|---|--------------|----|---|--------------|----|---|
| | FT | PT | T | FT | PT | T | FT | PT | T |
| PERSONNEL: | 19 | 0 | 0 | 22 | 0 | 0 | 20 | 0 | 0 |
| PERSONAL SERVICES | \$ 1,183,490 | | | \$ 1,342,540 | | | \$ 1,263,780 | | |
| SUPPLIES | 13,300 | | | 14,140 | | | 17,900 | | |
| OTHER SERVICES | 105,700 | | | 186,170 | | | 225,880 | | |
| CAPITAL OUTLAY | 42,820 | | | 43,650 | | | 50,100 | | |
| TOTAL DIRECT COST: | \$ 1,345,310 | | | \$ 1,586,500 | | | \$ 1,557,660 | | |
| PROGRAM REVENUES: | \$ 345,000 | | | \$ 349,700 | | | \$ 343,700 | | |
| WORK MEASURES: | | | | | | | | | |
| - Total bankruptcy & non- bankruptcy collections | 1,350,000 | | | 1,100,000 | | | 950,000 | | |
| - Billable hours posted to clients & areawide | 17,500 | | | 21,000 | | | 21,000 | | |
| - Open litigation/matters files (avg./month) | 1,850 | | | 1,890 | | | 1,900 | | |
| - Contract and Assembly documents processed | 846 | | | 970 | | | 980 | | |
| - Docketed attorney assignments | 452 | | | 520 | | | 520 | | |
| - DWI impound/forfeiture: vehicles impounded | 1,648 | | | 1,700 | | | 1,700 | | |
| - DWI impound/forfeiture: vehicles auctioned | 221 | | | 250 | | | 270 | | |
| - DWI impound/forfeiture: of vehicles towed | 1,953 | | | 1,920 | | | 1,950 | | |

17 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:
 2, 8, 10, 12, 14, 16

1998 PROGRAM PLAN

DEPARTMENT: MUNICIPAL ATTORNEY DIVISION: HEARING OFFICER
PROGRAM: Administrative Hearing Functions

PURPOSE:

Provide for the initial adjudication of Municipal code violations utilizing an administrative hearing officer in lieu of securing redress through state court proceedings.

1997 PERFORMANCES:

- Provided Administrative Hearing Officer for adjudication of the DWI vehicle impound/forfeiture ordinance through June 5, 1997.
- Relocated office to City Hall in October, 1997.
- Provided Administrative Hearing Officer for adjudication of complaints issued under AMC Title 14 with a continuing emphasis on the resolution of zoning and I/M vehicle inspection violations.
- Served as Administrative Hearing Officer for adjudication of Anchorage Transportation Commission appeals.
- Provided Administrative Hearing Officer to adjudicate Department of Finance appeals.
- Provided Administrative Hearing Officer for adjudication of citations issued under the curfew ordinance.
- Provided Administrative Hearing Officer for adjudication of pawnshop disputes pursuant to the enforcement of AMC 10.20.030 & 37.
- Provided Administrative Hearing Officer for adjudication for Municipal Clerk's Office.

1998 PERFORMANCE OBJECTIVES:

- Provide Administrative Hearing Officer for adjudication of complaints issued under AMC Title 14 with a continuing emphasis on the resolution of zoning and I/M vehicle inspection violations.
- Serve as Administrative Hearing Officer for adjudication of Anchorage Transportation Commission appeals.
- Provide Administrative Hearing Officer to adjudicate Department of Finance appeals.
- Provide Administrative Hearing Officer for adjudication of citations issued under the curfew ordinance.
- Provide Administrative Hearing Officer for adjudication of pawnshop disputes pursuant to the enforcement of AMC 10.20.030 & 37.
- Provide Administrative Hearing Officer for adjudication for Municipal Clerk's Office.
- Assume additional hearing functions as directed by the Administration, requested by enforcement agencies, or required by passage of legislation.

1998 P R O G R A M P L A N

DEPARTMENT: MUNICIPAL ATTORNEY DIVISION: HEARING OFFICER
 PROGRAM: Administrative Hearing Functions
 RESOURCES:

| | 1996 REVISED | | | 1997 REVISED | | | 1998 BUDGET | | |
|--|--------------|---------|---|--------------|---------|---|-------------|---------|---|
| | FT | PT | T | FT | PT | T | FT | PT | T |
| PERSONNEL: | 3 | 0 | 0 | 2 | 0 | 0 | 2 | 0 | 0 |
| PERSONAL SERVICES | \$ | 175,550 | | \$ | 200,420 | | \$ | 128,330 | |
| SUPPLIES | | 2,800 | | | 6,300 | | | 2,330 | |
| OTHER SERVICES | | 8,870 | | | 12,500 | | | 7,420 | |
| CAPITAL OUTLAY | | 2,300 | | | 18,310 | | | 2,150 | |
| TOTAL DIRECT COST: | \$ | 189,520 | | \$ | 237,530 | | \$ | 140,230 | |
| WORK MEASURES: | | | | | | | | | |
| - I/M complaints received | | 750 | | | 200 | | | 400 | |
| - DWI impound/forfeiture complaints received | | 1,240 | | | 460 | | | 0 | |
| - Case files maintained (avg./mo.) | | 500 | | | 500 | | | 500 | |
| - Zoning complaints received | | 215 | | | 200 | | | 200 | |
| - Hearings conducted | | 440 | | | 400 | | | 400 | |
| - Curfew complaints received | | 1,545 | | | 2,000 | | | 2,000 | |
| - Other complaints received | | 95 | | | 110 | | | 100 | |

17 SERVICE LEVELS ARE FUNDED FOR THE DEPARTMENT. THIS PROGRAM HAS LEVELS:
 4, 7