



County Attorney

The Office of the County Attorney has several functions: to advise County boards, commissions, agencies, officials, and the Economic Development Authority; to represent the County in judicial proceedings and before administrative agencies; and to provide legal services in transactional matters involving the County, such as contracts, financings, real estate transactions, and bonds and dedications associated with land development applications. The Office also provides services to the County involving inter-jurisdictional and inter-agency agreements and prepares and reviews ordinances and regulations.

County Attorney's Programs

Legal Services

Advises the County boards, commissions, agencies, and officials; represents the County in judicial proceedings and before administrative agencies; and provides legal services in transactional matters involving the County.



Budget Analysis

Department Financial and FTE Summary¹

	FY 2018 Actuals	FY 2019 Actuals	FY 2020 Adopted	FY 2021 Proposed	FY 2022 Estimated
Expenditures					
Personnel	\$2,993,300	\$3,248,048	\$3,343,265	\$3,655,102	\$3,764,755
Operating and Maintenance	462,878	649,616	174,764	191,168	193,080
Total – Expenditures	\$3,456,178	\$3,897,664	\$3,518,029	\$3,846,270	\$3,957,835
Revenues					
Permits, Fees, and Licenses	\$203,524	\$185,653	\$300,856	\$204,954	\$204,954
Fines and Forfeitures	4,364	2,496	3,313	2,225	2,225
Charges for Services	276	5,387	0	0	0
Miscellaneous Revenue	5,827	8,385	10,000	10,000	10,000
Other Financing Sources	263,317	274,647	0	0	0
Total – Revenues	\$477,308	\$476,568	\$314,169	\$217,179	\$217,179
Local Tax Funding	\$2,978,870	\$3,421,096	\$3,203,860	\$3,629,091	\$3,740,656
FTE	22.00	23.00	23.00	24.00	24.00

Department Financial and FTE Summary – Capital Projects Fund¹

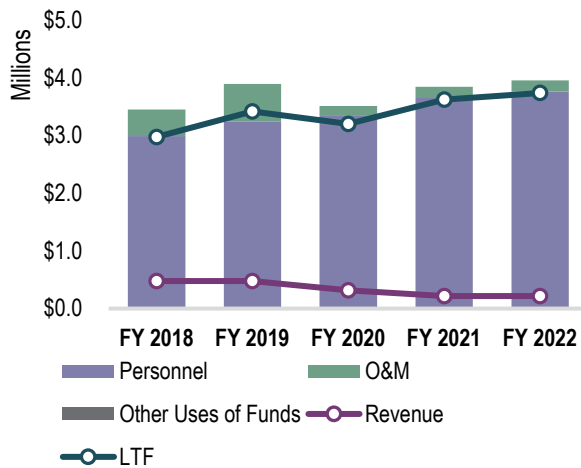
	FY 2018 Actual	FY 2019 Actual	FY 2020 Adopted	FY 2021 Adopted	FY 2022 Projected
Expenditures					
Personnel	\$0	\$0	\$166,694	\$170,684	\$175,805
Total – Expenditures	\$0	\$0	\$166,694	\$170,684	\$175,805
Revenue					
Revenue	\$0	\$0	\$166,694	\$170,684	\$175,805
Total – Revenue	\$0	\$0	\$166,694	\$170,684	\$175,805
Local Tax Funding	\$0	\$0	\$0	\$0	\$0
FTE	0.00	0.00	1.00	1.00	1.00

¹ Sums may not equal due to rounding.



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Revenue and Expenditure History



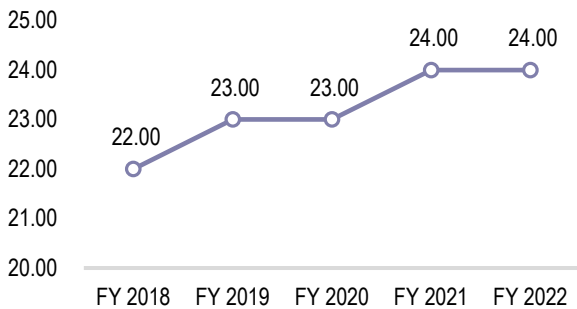
Revenue/Local Tax Funding

As shown, the Office of County Attorney is primarily funded by local tax funding (over 94 percent). Program-generated revenue consists of permits and fees generated from a portion of land development applications. Between FY 2019 and FY 2020, the transfer from the Capital Improvement Program ended, reducing revenues.

Expenditure

The majority of the Office’s expenditure budget is dedicated to personnel costs. Increases in personnel costs have been driven by additional staffing as outlined in the Staffing/FTE History section, a 3 percent market-based salary adjustment and a 3.5 percent merit-based increase in FY 2019, a 2 percent market-based salary adjustment and a 3 percent merit-based increase in FY 2020, adjustments in FY 2020 reflect a new classification and compensation system approved by the Board in November 2019, and 1.00 FTE in the FY 2021 Proposed Budget.

Staffing/FTE History



FY 2019: 1.00 FTE housing attorney

FY 2020: 1.00 FTE paralegal, 1.00 FTE attorney moved to the Capital Projects Fund

The Office of the County Attorney’s expenditures have increased primarily due to personnel costs, which make up most of the Department’s expenditures. The increase in personnel in FY 2019 reflects the addition of a housing attorney (1.00 FTE) and higher compensation. The net increase in personnel in FY 2020 reflects the removal of 1.00 FTE to the Capital Projects Fund, the addition of a paralegal, and higher compensation. Operating and maintenance expenditures have increased as the need for outside counsel has increased with litigation work. The FY 2021 Proposed Budget includes a base adjustment total \$6,000 for staff development.

Revenue has slightly decreased year-over-year. Starting in FY 2020, positions related to the execution and support of the Capital Improvement Program are fully funded within the Capital Projects Fund, rather than the General Fund (those positions were previously offset with a transfer from the Capital Projects Fund). In prior years, the transfer from the Capital Projects Fund fully funded one position and partially funded two others. The two half positions have remained within the General Fund and are funded by local tax funding, and the full position is now fully funded within the Capital Projects Fund. The decrease in revenues in FY 2020 is caused by this transfer ending; however, the corresponding expenditures for the full position also were removed from the Office’s budget. The Office receives most of its revenues due to its work with other



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departments on land use and development work and enforcement. FY 2021 revenues reflect anticipated revenues related to development activities.

For FY 2020, the Board approved resources for 1.00 FTE for a paralegal. The position is filled and supports the Department of Building and Development's bonds management work and provides backup support to the paralegal reviewing land development documents and to attorneys in the land use section.

The County Attorney's Office continues to face new and complex challenges in its legal services. The need for land development review services has and may continue to increase over the next two to three fiscal years due to the County's evolving development patterns and work on the Zoning Ordinance update. To meet this need, the Office moved one deputy county attorney from the litigation and transactions section to the land use section in FY 2020. Moving one deputy county attorney to the land use section created a need for an additional attorney in the litigation and transactions section.

For FY 2021, the Department's budget request focuses on the thematic area of internal support.

Internal Support

The FY 2021 Proposed Budget includes an assistant county attorney (1.00 FTE) to maintain service levels for departments it supports countywide. In FY 2020, to address an immediate need in the land use section, the Office of County Attorney moved one deputy county attorney from the litigation and transactions section to oversee the land use section. As a result, the litigation and transaction workload previously distributed among five county attorneys is currently distributed among four attorneys. For FY 2020, this is expected to increase the number of transactional matters (leases, contracts, and property acquisition) from 560 to 700 per attorney. The assistant county attorney position will return the workload to a more manageable level of less than 600 transactional matters per attorney.

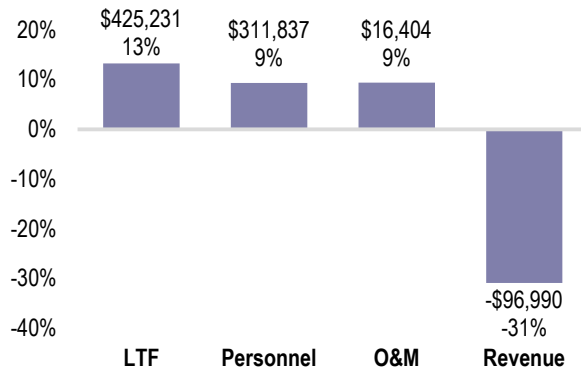
The litigation and transactions section provides legal support for real estate transactions, contracts and procurement, and matters pertaining to taxes, budget, and finance, as well as legal advice and services to County agencies, including litigation support to the Department of Mental Health, Substance Abuse, and Developmental Services (MHSADS) for Emergency Services hearings. In addition, MHSADS consults with the County Attorney's Office on Temporary Detention Orders and Emergency Custody Orders. With added capacity, the litigation and transactions section will be able to provide MHSADS with litigation support for guardianship cases. MHSADS currently contracts with outside counsel for guardianship cases.

The assistant county attorney position primarily will provide review of contractual documents for the Procurement Office and departments of Transportation and Capital Infrastructure, General Services, Information Technology, Parks and Recreation, and other County departments. In addition, this position will provide additional oversight of contracts for construction projects. Without this resource, the Office expects an increased use of outside counsel, delays of required support to our clients, and longer turnaround times for tax collection enforcement and review of contracts, leases, and property acquisition.



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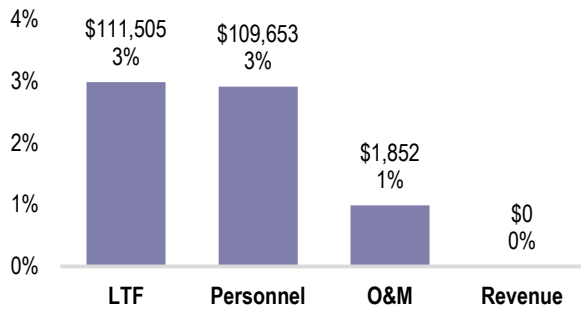
Percent Change from Adopted FY 2020 to Proposed FY 2021



Reasons for Change:

Personnel: ↑ 1.00 FTE, general pay changes ||
O&M: ↑ base adjustments for staff development ||
Revenue: ↓ reflect anticipated revenues related to development activities

Percent Change from Proposed FY 2021 to Projected FY 2022



Reasons for Change:

Personnel: ↑ 3 percent || **O&M:** ↑ 1 percent
Revenue: ↔



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FY 2021 Proposed Resource Requests¹

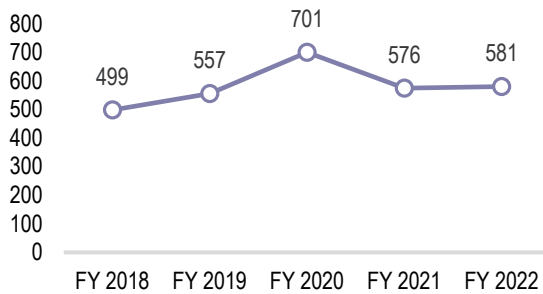
Priority 1: Assistant County Attorney						
Personnel:	O&M:	Capital:	Reallocation:	Revenue:	LTF:	FTE:
\$140,653	\$11,455	\$0	\$0	\$0	\$152,108	1.00
Details			Overview			
Service Level:	Current Service Level Request		<ul style="list-style-type: none"> • In August of FY 2020, the Office moved one deputy county attorney from the litigation and transactions section to land use section, increasing the number of transactional matters per attorney. The requested position maintains the FY 2019 service level of less than 600 transactional matters per attorney. • Position maintains processing time in tax collection enforcement and transactional work in the review of leases or contracts and property acquisition. • Position maintains the Office's ability to respond to internal clients in a timely manner. 			
Mandates:	Federal/State Mandate					
PM Highlight:	Number of transactional matters per attorney; Number of Emergency Services hearings					
Program:	Litigation and Transactions					
Positions:	1 Assistant County Attorney					
Theme:	Internal Support					
One-time Costs:	\$5,290					
Recurring Costs:	\$144,818					
Department Total						
Personnel:	O&M:	Capital:	Reallocation:	Revenue:	LTF:	FTE:
\$140,653	\$9,455	\$0	\$0	\$0	\$150,108	1.00

¹ The requests presented display total cost, including the acquisition of vehicles, technology, and office furniture (as applicable). Funds for these items are shown in the Non-Departmental section, page 6-2.



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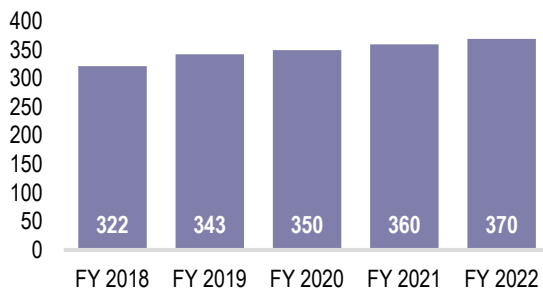
Key Measures¹



Objective: Provide legal services for real estate, contracts and procurement, and tax, budget, and finance matters.

Measure: Number of transactional matters (tax collection, leases, contracts, and property acquisition) per attorney.

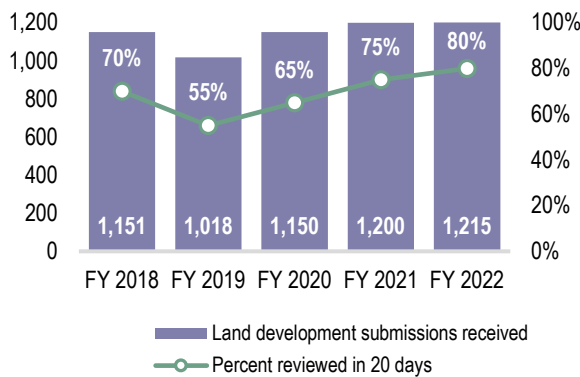
The requested assistant county attorney will maintain the FY 2019 service level of less than 600 transactional matters per attorney.



Objective: Provide legal services in support of the County departments, including MHSADS.

Measure: Number of Emergency Services hearings.

The requested assistant county attorney will help the Office of the County Attorney to continue to provide MHSADS with litigation support for Emergency Services and consultation for Temporary Detention Orders and Emergency Custody Orders.



Objective: Review 85 percent of land development submissions within 20 days.

Measure: Number of land development submissions received; percent of land development submissions reviewed in 20 days.

The paralegal position added in the FY 2020 Adopted Budget helps the Office get closer to their goal of reviewing 85 percent of land development submissions within 20 days.

¹ For key measures that relate to resources included in the Proposed Budget, FY 2021 and FY 2022 data reflect the estimated impact of these resources.