

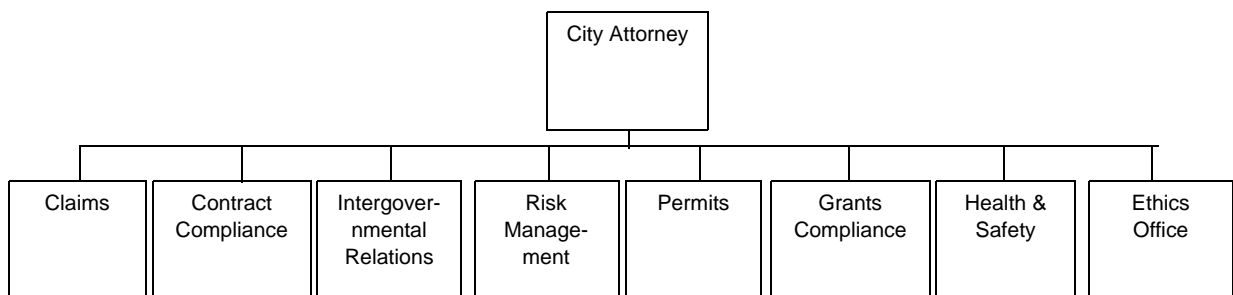
Operating Budget

Category	FY 2010 Actual	FY 2011 Adopted	FY 2011 Forecast	FY 2012 Adopted
Personnel Services	4,689,027	5,136,655	5,286,290	4,837,159
Materials & Supplies	9,816,954	8,844,422	9,418,353	8,292,239
Total Expenditures	14,505,981	13,981,077	14,704,643	13,129,398
Program Revenue	(432,889)	0	(50,000)	0
Net Expenditures	14,073,092	13,981,077	14,654,643	13,129,398
<i>Funded Staffing Level</i>	68.00	68.00	68.00	65.00
Authorized Complement				65

Mission

The Law Division and the Office of the City Attorney mission is to provide legal advice in all matters, opinions, claims service, contract review and compliance support and legal representation on behalf of the City of Memphis various divisions, agencies, boards and commissions.

Structure



Services

The City Attorney's Office defends and prosecutes litigation on behalf of the City in all lawsuits filed in State and Federal Courts and before the Civil Service Commission. It provides oversight of municipal processes to ensure compliance with the City Charter, State and Federal laws. It provides legal research, opinions, and advice to all divisions of the City government regarding ordinances, resolutions, agreements, contracts and other legal documents. The Claims Office investigates, processes and resolves third-party claims filed against the City of Memphis and

tracks and monitors lawsuits filed against the City in cases in which the City is an additional insured. The Office of Health and Safety represents the City in defending on-the-job injury claims. The Risk Management Department's function is to preserve and protect City property and personnel. The Office of Contract Compliance provides information and assistance to Minority & Women Business Enterprises (M/WBE) to increase their ability to compete for City contracts, monitors M/WBE goals, facilitates the Diversity Developer Incubator which stimulates M/WBE participation in real estate development. The Intergovernmental Relations Office serves as a liaison between the City Administration, Federal and State lobbyists and legislators as well as Federal and State administrations. The Office of Grants Compliance provides comprehensive oversight of all City grants to ensure compliance and the proper administration of federal, state and private grant funds including earmark dollars and stimulus funding, while also identifying grant opportunities and providing assistance to all city divisions with the processing of grant applications. The Permits Department bills, collects and promptly issues permits as mandated by controlling ordinances and monitors permit holder compliance with city ordinances and state law. The Permits Office also serves as the administrative office for the Alcohol Commission. The City prosecutor represents the City in City Court proceedings and prosecutes misdemeanors, traffic tickets and citations issued for violation of the City Code of Ordinances.

Issues & Trends

The City Attorney's Office continues to monitor relevant legislative changes that could have an impact on the City of Memphis. This past year a number of measures had a potential to dramatically affect the City of Memphis including the state amendment of school charter laws, allocation of money for the Electrolux Plant, and regulation of Red Light Cameras. Protect state share of revenue during these economically challenging times, and create opportunities for economic development and job creation through projects that could be supported by state and federal investment in our community continues as we work to get our fair share of major grants. The Office has dramatically increased its presence and communications within the various divisions concerning issues ranging from the City's On-The-Job-Injury Program, proactive approaches to lessen employee injury, employment litigation, grants compliance and the grant application process. The Permits Office provides compliance for several existing permit classifications which have shown growth in the number of applications processed annually while also managing the tire reclamation program in its first years.

FY2011 Budget Highlights

- Mediated settlements for backlog of appeals (due to lawsuit) regarding OJI claims for a total of \$566,471
- Reduced liability claims settlements cost by 21%
- Insurance premiums were reduced by 8%
- Reduce outside spending for legal services in routine litigation

New lawsuits filed against the City Annually	302
New claims filed against the City Annually	1,364
New Claims closed by the City Annually	1,253
Number Lawsuits closed annually City Court	773

New Lawsuits filed/City Court	310,293
Dollars collected City Court	\$8,178,890
Dollars uncollected City Court	\$8,901,603
New of OJI claims	1,266
New drug tests conducted annually	4,337
Subrogation Recovery Annually	\$262,115
Opinions Annually	39
Contracts Reviewed Annually	1,822
Open Records requests processed Annually	492
Compliance Reviews Annually	28
Grants Awarded Annually	75
Grants Processed	90
Permits Requested/Issued	5,087
Dollars collected for Permits Issued	\$690,686

FY 2011 Performance Highlights

- Acquired Legal Files as the new Litigation Tracking System and transferred all data which allows for better comprehensive data analysis, case tracking, claims processing, financial analysis and reporting.
- Developed and implemented a conservation manual for facility managers to assist in reducing the City's loss exposure.
- Maintained the average time for opinion request/ ordinance drafting to 7-10 days.
- Reduced the amount of time to investigate and resolve claims to 25 days.
- Acquired a new bill payment system to expedite the processing of law firm bills
- Increased the number of MWBEs certified to do business with the City of Memphis
- Completed the second season of the Diversity Developer Incubator to increase the number of M/WBE participating in real estate development awarded a total of 7 properties for development of projects with an approximate developed value of \$23,309,705 to be placed back on the tax rolls.
- Completed the Disparity Study and implementation plan for MWBE program.
- Managed the City's Renewal Community designation including development of the Tax Incentive Utilization Plan and allocation of \$12 million in Commercial Revitalization Deductions for economic development efforts.
- Developed mechanism to monitor and track the status of permit holders and the violations of ordinances.
- Developed mechanism to reduce costs for customers for permits and identification cards.
- Secured \$2.054 million in federal funds for Fiscal Year
- Operation Safe Community - Alexander, Cohen
 - U.S. Highway 51/Elvis Presley Boulevard Improvements - Cohen
 - University Place Revitalization - Cohen
 - Wolf River Harbor Dredging - Cohen, President
- Secured state legislative passage of TCA 55-16-112 Written authorization required for towing or storage of motor vehicle, continued expansion of State Funding through BEP 2.0, working with Tennessee Municipal League Increased Recording Fees for Business Licenses and the state collection of business taxes.
- Office of Intergovernmental Relations successfully worked to amend the fuel blending legislation that would have negatively impacted Valero and could have resulted in the loss of jobs in the Memphis
- Restructured the OJI program to utilize new TPA
- Implemented an OJI and Pension appeal process in accordance with the Uniform Administrative Procedures Act and resolved 100% backlog of claims.
- Office of Grants Compliance received above satisfactory or satisfactory compliance rating for 100% scheduled site visits by grantor agencies.
- Office of Grants Compliance conducted training sessions with various grants division liaisons regarding reporting requirements under the American Reinvestment Recovery Act (ARRA).
- Office of Grants Compliance joined alliances with the City of Choice/Memphis Fast Forward ARRA-Compliance subcommittee to assist with the monitoring of all stimulus funds received by recipients throughout Shelby County.
- Assisted in setting up the Ethics Board and the selection and hiring of Chief Ethics Counsel

FY2012 Strategic Goals

- Average of 28-day resolution on under claims
- Average of 30-day response time to all Title VI matters
- Average of 14 day compensability of all OJI Claims
- Increase subrogation recoveries by 10%
- Reduce the City's liability claim settlements by 10% (on average)
- Minimize the number and severity of on-the-job injuries
- Increase the amount of City of Memphis dollars being spent with M/WBE's
- Increase the number of M/WBEs certified to do business with the City of Memphis
- Increase Attorney proactive presence with Divisions
- Increase in-house lawyer and support staff competence
- Reduce reliance on outside contract counsel
- Increase the number of facility inspections by Health & Safety
- Improve ordinance compliance by permit holders by better record management by using technology
- Improve payment processing system for better customer service
- Review, revise and present seminar on City's Public Procurement Policies and Practices
- Maintain internal controls implemented within each division to ensure grants compliance
- Streamline grants application and funding process
- Conduct quarterly grants compliance and grants administration workshops
- Transfer responsibility for claims payments to responsible Division
- Utilize technology to automate processes and move toward a paperless office, to improve efficiency and lower costs
- Improve tracking of progress by metrics and measurements and increase in-house communication and emphasis on same

FY 2012 Performance Measures and Metrics

Legal Level	Goals	Priority Number(s)	Performance Measures	Metric
240100	Improving response time to Divisions to no more than 3 days by 06-30-2012.	3	Response time to divisions within 3 days	85%
	Increasing positive feedback from Divisions by 4 points on survey by 06-30-2012.	3	Positive feedback increase of 4 points on survey.	85%
	Develop website detailing various legal matters by 06-30-2012	3,4	Legal website operational	95%
	Meeting with Directors at least once per year to survey needs and performance by 04-30-2012	4	Directors' Meeting	100%
	Provide quality legal service in timely/quality manner by reviewing contracts within 24 hours by 06-30-2012.	3	Contracts reviewed within 24 hours	85%
	Issuing Opinions within 5 days by 06-30-2012	4	Opinions issued	80%
	Establish, index and maintain a computerized pleadings bank by 12-31-2012	4	Computerized pleadings banked	5%
	Provide comprehensive oversight and legal counsel for all litigation matters, expenses and activities by monitoring legal expenses via billing practices while reducing the spending to outside counsel and monitoring/managing annual budget within 97% of the amount allocated by 06-30-2012.	4	Successful litigated matters within managing scope of allocated funds	92%
	Increase community involvement in the development of the City through increasing MWBE participation by 10% over prior year by 06-30-2012	3	MWBE participation increase	85%
	Getting legislation passed that helps the City increase revenues 10% over prior year by 06-30-2012	4	Revenue Increase	70%
	Eliminating threats and reduce risk exposure costs by 10% over prior year by 06-30-2012	4	Risk exposure cost reduction	85%
	Reduce costs to delinquent taxpayer and city by 10% from prior year by 06-30-2012	4	Cost reduction of 10% to taxpayer for delinquent payments	80%

■ charges for services

Category	FY 2010 Actual	FY 2011 Adopted	FY 2011 Forecast	FY 2012 Adopted
Misc Permits	50	0	0	0
Beer Application	630	0	0	0
Property Insurance Recoveries	(401,875)	0	(50,000)	0
Drug Testing & Retest Fees	(325)	0	0	0
Miscellaneous Income	(31,369)	0	0	0
Total Charges for Services	(432,889)	0	(50,000)	0

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Legal level consolidation of *City Attorney's Office, Claims, Contract Compliance, Intergovernmental Relations, Risk Management, Telecom Franchise, Collections, Permits, Grants Compliance, Health & Safety and Ethics Office.*

CITY ATTORNEY

AUTHORIZED COMPLEMENT

Service Center/Position Title	Authorized Positions	Service Center/Position Title	Authorized Positions
<u>City Attorney's Office</u>		ANALYST RISK MGMT	1
ADMR CONTRACT	1	SUPER RISK MGMT	1
ADMR LEGAL SR	1	Total Risk Management	3
ANALYST CLAIMS	1	<u>Permits</u>	
ASST ADMINISTRATIVE	1	ADMR PERMITS LICENSES	1
ATTORNEY ASST CITY A	3	ANALYST PERMITS LICENSES LD	1
ATTORNEY ASST CITY AA	2	CLERK GENERAL APP A	3
ATTORNEY ASST COMPLIANCE AA	1	Total Permits	5
ATTORNEY ASST HCD AA	1	<u>Grants Compliance</u>	
ATTORNEY CITY	1	COORD GRANTS	2
ATTORNEY CITY ASST SR	8	COORD GRANTS STIM DURATIONAL	2
ATTORNEY CITY DEPUTY	1	MGR GRANTS	1
ATTORNEY COLLECTIONS	1	SUPER GRANT COMPLIANCE	1
ATTORNEY PROSECUTOR AA	3	Total Grants Compliance	6
ATTORNEY PROSECUTOR CHIEF	1	<u>Health & Safety</u>	
ATTORNEY STAFF	3	ADMR HEALTH SAFETY	1
ATTORNEY STAFF SR	1	COORD DRUG/TESTING	1
COORD LEGAL ADMIN	1	COORD SAFETY	1
PARALEGAL	3	MGR HEALTH SAFETY CASE	1
SECRETARY A	2	Total Health & Safety	4
Total City Attorney's Office	36	<u>Ethics Office</u>	
<u>Claims</u>		OFFICER CHIEF ETHICS	1
AGENT CLAIMS	1	Total Ethics Office	1
ANALYST CLAIMS	3	<u>TOTAL CITY ATTORNEY</u>	
INVESTIGATOR LEGAL	1	<u>65</u>	
SECRETARY A	1		
Total Claims	6		
<u>Contract Compliance</u>			
ANALYST CONTRACT COMPLIANCE	2		
OFFICER CONTRACT COMPLIANCE	1		
Total Contract Compliance	3		
<u>Intergovernmental Relations</u>			
ADMR GOVERNMENTAL REL	1		
Total Intergovernmental Relations	1		
<u>Risk Management</u>			
ANALYST LOSS CONTROL	1		



