

City Attorney

Program Outcome Statement

The mission of the City Attorney's Office is to protect lives and property and to preserve and enhance the quality of life of the public by delivering effective and high quality advice, litigation, prosecution, and risk management services that further the City's policies and programs.

Services and Accomplishments

The City Attorney's Office consists of the following divisions: Legal Advice, Litigation, Prosecution, Public Defense and Risk Management. The goals of this department are to: 1) Provide high-quality, cost-effective legal advice and services to the City Council, boards and commissions and City departments; 2) Protect the interests of the City and its residents by defending the City against damage claims and legal proceedings challenging City actions, and by initiating legal proceedings on behalf of the City when necessary to protect the City's interests; 3) Seek justice and enhance public safety through effective enforcement of laws; and 4) Safeguard City property, assets, and employees from loss or damage.

The following are the major 2007-2008 accomplishments of the City Attorney's Office:

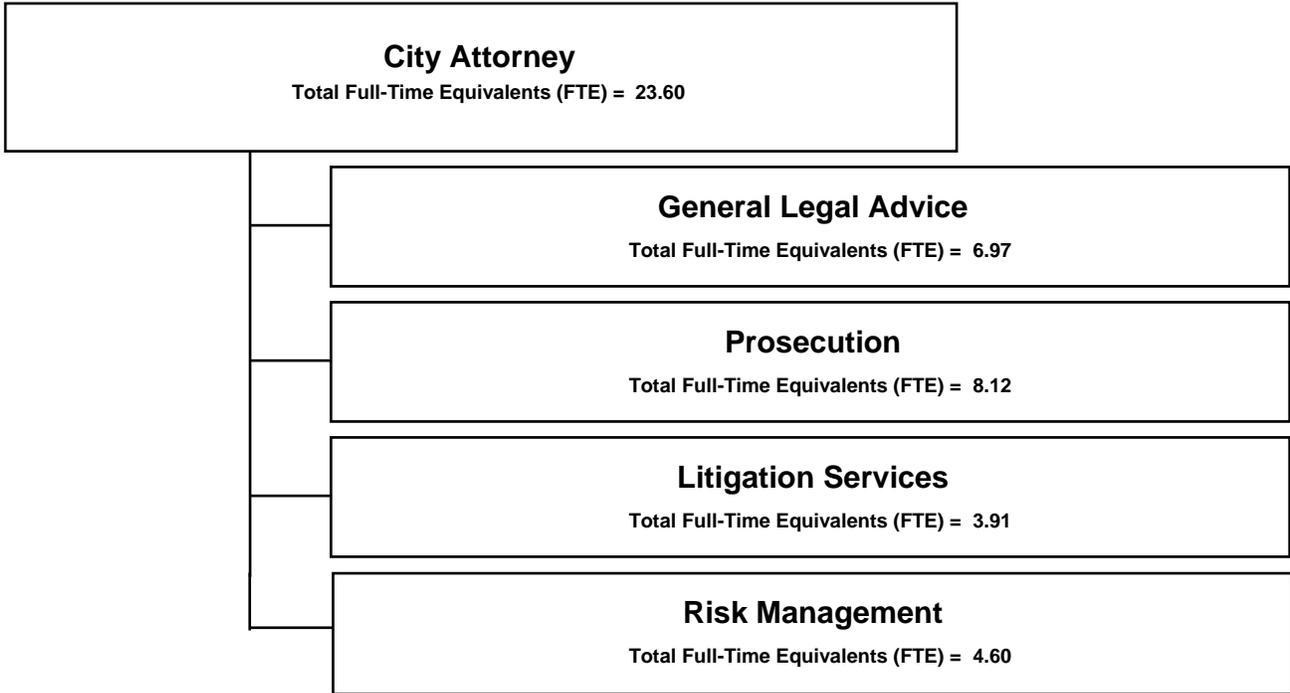
- Successfully recovered damages from City's former insurance broker for failing to obtain requested insurance coverage on a major project.
- Spearheading multi-jurisdiction effort to clarify and challenge provisions of the NPDES permit for Phase II jurisdictions with some preliminary success in administrative appeals.
- Obtained favorable outcomes for various city departments in employment related claims, including discrimination cases and claims of wrongful termination.
- Closed on the purchase of Bayvue Apartments in the Meydenbauer Bay neighborhood, expanding the City's park opportunities in that area and assisting with the overall planning effort to refine the land use vision for this key waterfront neighborhood.
- Closed on the purchase of Lincoln Center, a key property across I-405 from Downtown.
- Negotiated an agreement for the sale of property on behalf of several King County jurisdictions, the proceeds of which will support the efforts of those jurisdictions to cooperatively respond to the need to provide jail services.
- Disposed of property on NE 2nd Downtown while retaining rights to develop the surface as a park, maximizing City assets and achieving a long-stated goal of additional green space in this area of Downtown.
- Assisted in the creation of NORCOM, an intergovernmental entity responsible for fire and police dispatch for a number of eastside emergency responders.
- Spearheaded the efforts of a group of King County jurisdictions in resolving concerns about jail services provided by Yakima County.
- Provided significant support for successful national accreditation efforts of the Utilities and Transportation Departments. Risk also continues to be indirectly accredited by other nationally recognized accrediting bodies defining best practices standards for Police; Emergency Communications; Fire; and Parks.
- Completed a number of improvements to our on-line safety training activities:
 - Implementation of an on-line First Aid/CPR/AED training course, followed by hands-on testing by a certified trainer that meets American Heart Association standards;
 - Implementation of an on-line defensive driving course, allowing employees to renew certification at work site.
- Completed extensive review of the City's loss control and Risk Management activity in our effort to improve our program and to measure our effectiveness, including:
 - Analysis of extensive reports for each City department identifying loss history, employee injury and subrogation activity to identify trends and recommendations for improvement;
 - Altman Weil reviewed the City's Liability and Subrogation functions from both a cost effective and efficiency basis and concluded that the City had one of the best public risk management programs in the nation;
 - FM Global, the City's Property insurer, completed on-site and analytical reviews of the City's major facilities and noted the improvements made to address property loss issues. Their reviews resulted in an overall decrease in

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insurance premium for 2008, even with the City recovering over \$1 million for property losses experienced largely as a result of the 2006 windstorm;

- The City's Excess Workers' Compensation insurer completed an analysis of five years of loss history and concluded that the City had 12% fewer claims, 24% less average cost and over \$2 million less in total losses than the composite benchmark of our peers, resulting in a decrease in the 2008 premium.
- Worked with Departments on a number of risk management and safety issues including:
 - Mobile Data Computer placements in Police vehicles;
 - Fire training opportunities at private residences;
 - Insect Repellent/West Nile Virus prevention for Utilities workers;
 - MRSA issues and concerns for City employees;
 - Segway use for sidewalk monitoring (staff safety issues and clarifying the contract with the FHWA);
 - Automatic External Defibrillator Unit upgrades in City Hall and in Parks Department facilities, assuring training was assumed by appropriate staff.
- Successfully defended two criminal convictions in the Court of Appeals (one upheld a City Ordinance and the other addressed vacation of guilty plea).
- Continued to successfully prosecute DUI cases, despite not being able to use breath test results, largely through the use of search warrants for blood to strengthen our DUI prosecutions.
- Continued to provide support services to the court to more efficiently calendar prosecution matters and to assist in providing required discovery to defendants.
- Started, and are continuing, a program with DWLS (Driving While License Suspended 3rd Degree) cases. The cases are set together for Arraignment and a prosecutor appears in an effort to resolve as many as possible. We've successfully reduced the number of such cases proceeding to pretrial hearings and/or trial, as well as reducing appointments of the Public Defender.
- Enhanced employee leadership skills through use of outside training resources, including sending staff to a Mgmt/Supervisor Academy and the other to the Rocky Mountain National Leadership conference.
- Entered into an agreement with the Public Defender's office which avoided the high cost of defending against threatened appeals of all of their DWLS cases while legal issues are pending in front of the state Supreme Court.
- Provided legal training locally, state-wide and nationally, including presentations to state prosecutor and municipal attorney organizations, judging law school competitions and courtroom training for new officers.
- City Attorney and a Senior Attorney from the office both successfully attained Fellowship status with the International Municipal Lawyers' Association, recognizing excellence in the field of municipal law.

City Attorney
Organizational Chart



**City of Bellevue
2009-2010 Biennial Budget**

City Attorney

Budgeted Cost Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General Legal Advice	908,185	975,288	1,059,077	1,102,119
Prosecution	1,111,637	1,183,779	1,242,667	1,293,155
Litigation Services	515,753	553,559	594,117	618,262
Public Defender	359,765	382,119	392,054	401,855
Risk Management	4,450,373	4,406,031	4,377,164	4,547,086
Base Budget	7,345,713	7,500,776	7,665,079	7,962,477
Reserves	6,221,628	5,940,596	7,720,836	7,548,747
Total Budget	13,567,341	13,441,372	15,385,915	15,511,224
Expenditure Category Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
Personnel	2,502,227	2,634,814	2,823,308	2,945,350
Interfund	778,133	636,621	704,923	726,353
M & O	4,065,353	4,229,341	4,136,848	4,290,774
Total Expenditures	7,345,713	7,500,776	7,665,079	7,962,477
Total Reserves	6,221,628	5,940,596	7,720,836	7,548,747
Total Budget	13,567,341	13,441,372	15,385,915	15,511,224
Funding Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General Fund	2,895,340	3,094,745	3,287,915	3,415,391
Workers' Compensation Fund	2,581,000	2,828,000	3,071,000	3,264,000
Unemployment Compensation Fund	489,000	313,000	377,000	351,000
General Self-Insurance Fund	7,602,001	7,205,627	8,650,000	8,480,833
Total Resources	13,567,341	13,441,372	15,385,915	15,511,224
FTE Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General Legal Advice	6.97	6.97	6.97	6.97
Prosecution	8.12	8.12	8.12	8.12
Litigation Services	3.91	3.91	3.91	3.91
Risk Management	4.60	4.60	4.60	4.60
Total FTE	23.60	23.60	23.60	23.60

**City of Bellevue
2009-2010 Biennial Budget**

City Attorney

Key Departmental Metrics	Unit of Measure	Type of Indicator	FY 2007 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target
General Legal Advice						
Cost per hour as a % of outside counsel cost per hour	%	Efficiency	47.30	55.00	55.00	55.00
Customer satisfaction response of good or better	%	Effectiveness	96	95	95	95
Litigation Services						
Cost per hour as a % of outside counsel cost per hour	%	Efficiency	53.80	60.00	60.00	60.00
Prosecution						
Avg time to decide to file/decline a criminal case in days	#	Efficiency	6.80	9.00	9.00	9.00
% of Convictions Upheld On Appeal	%	Effectiveness	75	90	75	75
Cases Per Prosecutor (criminal cases only)	#	Workload	562	500	580	580
Public Defender						
Recoupment as a % of total program costs	%	Effectiveness	19	18	15	15
Risk Management						
% of liability claims adjusted within timeliness standard	%	Effectiveness	98	94	95	95
% of Risk losses recovered	%	Effectiveness	64	68	68	68

City Attorney

2009-2010 Work Initiatives

- Coordinate noise regulation enforcement across City departments.
- Review and update Sign Code for consistency with constitutional constraints on sign regulation.
- Assist Finance Department in enforcement of new provisions of model Business and Occupation tax ordinance.
- Partner with Human Resources Department to offer supervisory and other trainings for managers in order to decrease exposure for personnel issues.
- Continue work on electronic records management, including possible implementation of a prosecution case management module allowing better coordination with Police and courts.
- Multiple divisions of the CAO are involved in discussions on moving the courthouse.
- Work with outside technicians to improve the reliability and credibility of certain blood testing evidence used in DUI cases.
- Continue with periodic review of prosecution forms used in cases involving competency evaluations, competency restoration and/or dismiss & detain orders to ensure compliance with all legal requirements.
- Work with the IT Department and other affected departments in the City in the selection, testing and implementation of a new Employee Training System application.
- Continue to enhance the information and reporting capacity of the Risk Management Information System, working with the IT Department to determine if a new application is warranted and needed.
- Explore obtaining a Cyber Risk insurance policy for the City that addresses liability for security breaches and identity theft.
- Provide risk management assistance to the various City Departments regarding development issues and transitions.
- Provide significant legal support for Bel-Red planning and infrastructure development efforts, supporting significant public investment in this area of the City and anticipate to respond to impacts of continued growth city-wide.
- Support Utilities Department in the implementation of the final terms of the Phase II NPDES permit.
- Support the transition of 911 call center services from the City to NORCOM.
- Participate in efforts to better coordinate real property acquisition, disposition and management activities through a centralized property management team.
- Assist in implementing proposed red-light traffic infraction program.
- Work with Police on the launch of e-tickets/SECTOR and how to make sure we can successfully prosecute these citations.

Major Challenges for the Biennium

Aligning the City Attorney's Office, as well as the City in general, to better respond to the challenges of managing and producing public documents with the increasing shift of focus to electronic formats will be a major challenge in coming years. Risk Management will be involved in helping to identify best practices for managing cyber risk, and negotiating with insurers for this new kind of insured risk.

As other jurisdictions in the region struggle with budget concerns, we anticipate direct impacts to public safety programs, particularly the prosecution and public defender programs. King County's treatment of criminal matters may change in ways that increase misdemeanor prosecutions, impacting this office and the courts.

The City continues to grow, and is experiencing significant increased residential and job growth, particularly downtown. As operating departments respond to this growth with increased programs and services, and increased FTEs necessary to support those services, the City Attorney's Office is challenged to provide existing levels of service without additional resources. Major future policy decisions include a potential increased reliance on outside counsel for certain legal issues, and program options for responding to ever increasing criminal citations.

**City of Bellevue
2009-2010 Biennial Budget**

**City Attorney
General Legal Advice**

Program Statement

Provide accurate, ethical, and timely legal advice to the City Council and city departments to support the provision of services to Bellevue citizens while at the same time reducing risk to the City and promoting fiscal responsibility.

Summary of Services Provided

To provide legal advice to the City Council, City Boards and Commissions, City Manager, City departments, and Community Council on a full range of municipal legal matters as well as the drafting and reviewing of ordinances, resolutions, contracts, and other documents relating to City business.

Budgeted Cost Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General / Admin	908,185	975,288	1,059,077	1,102,119
Base Budget	908,185	975,288	1,059,077	1,102,119
Total Budget	908,185	975,288	1,059,077	1,102,119

Expenditure Category Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
Personnel	745,562	793,551	850,641	887,080
Interfund	125,520	133,740	148,035	152,536
M & O	37,103	47,997	60,401	62,503
Total Expenditures	908,185	975,288	1,059,077	1,102,119

Funding Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General Fund	908,185	975,288	1,059,077	1,102,119
Total Resources	908,185	975,288	1,059,077	1,102,119

FTE Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General / Admin	6.97	6.97	6.97	6.97
Total FTE	6.97	6.97	6.97	6.97

Key Departmental Metrics	Unit of Measure	Type of Indicator	FY 2007 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target
Control costs of outside legal services						
Cost per hour as a % of outside counsel cost per hour	%	Efficiency	47.30	55.00	55.00	55.00
Cost per hour	\$	Efficiency	121	125	125	125
Legislative Support						
All Ordinances prepared	#	Workload	80	75	75	75
All Resolutions prepared	#	Workload	183	180	180	180
Overall Customer Satisfaction						
Customer satisfaction response of good or better	%	Effectiveness	96	95	95	95

City Attorney General Legal Advice

Issues related to Department Performance

The office's general legal advice function met or exceeded its performance targets in 2007 in all the key departmental metrics. Achieving these standards has been a significant focus for the last several years. We anticipate a challenge in repeating this performance in 2008, where the legal advice function of the office experienced vacancies and turnover in several key positions, including 2 attorney staff, a paralegal and a senior office assistant.

Cost per hour as a percentage of outside counsel cost per hour in 2007 was virtually identical to 2006. The measure continues to show the significant efficiency that is gained by handling both advice and litigation matters in-house. The City Attorney's Office converted one LTE to an FTE in 2007, which will allow the City to continue to provide litigation and advice services through the use of in-house attorneys, keeping outside counsel costs lower.

This performance measure overall is significantly influenced by hourly billing rates for outside counsel. As the market drives those rates higher, we expect to see that legal services performed by City staff attorneys remain considerably more cost effective than using outside counsel.

Program Notes

None

**City of Bellevue
2009-2010 Biennial Budget**

**City Attorney
Litigation Services**

Program Statement

The mission of this section is to provide, manage, and coordinate quality legal counsel and representation for the City of Bellevue in litigation matters and administrative/regulatory hearings in an efficient, expeditious, and professional manner.

Summary of Services Provided

Represent the City, its elected and appointed officials, and employees in civil litigation, including representation before administrative agencies, trial courts, and appellate courts. Work with the Risk Management division to minimize risk associated with City services and related claims costs, reduce litigation exposure and ensure legal compliance.

Budgeted Cost Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General / Admin	509,470	547,113	594,117	618,262
Litigation Services	6,283	6,446	-	-
Base Budget	515,753	553,559	594,117	618,262
Total Budget	515,753	553,559	594,117	618,262
Expenditure Category Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
Personnel	418,242	445,163	477,189	497,630
Interfund	70,414	75,025	83,044	85,569
M & O	27,097	33,371	33,883	35,063
Total Expenditures	515,753	553,559	594,117	618,262
Funding Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General Fund	515,753	553,559	594,117	618,262
Total Resources	515,753	553,559	594,117	618,262
FTE Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General / Admin	3.91	3.91	3.91	3.91
Total FTE	3.91	3.91	3.91	3.91

Key Departmental Metrics	Unit of Measure	Type of Indicator	FY 2007 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target
Workload And Efficiency Standards						
Cases per Attorney	#	Workload	24	15	21	21
Cost per hour	\$	Efficiency	121	120	120	120
Cost per hour as a % of outside counsel cost per hour	%	Efficiency	53.80	60.00	60.00	60.00
Active cases against City	#	Workload	38	35	35	35
Active cases by City	#	Workload	11	7	7	7

Issues related to Department Performance

Litigation cost per hour at \$121 (compared to a target of \$120) and cost per hour as percentage of outside counsel costs of 53.8% (compared to a target of 60%) continue to reflect the efficiency and cost effectiveness of in-house representation. Particularly where workload was higher than projected (with 49 active cases by/against the City versus a target of 42), litigation staff successfully worked on cases and managed outside counsel to remain within targets identified for outside counsel costs.

**City Attorney
Litigation Services**

Program Notes

The department is changing the way it calculates cases per attorney for the 2009 and 2010 targets, to reflect the general staffing of 2.0 FTEs dedicated to litigation. There is no change to the expected number of active cases by/against the City.

**City of Bellevue
2009-2010 Biennial Budget**

City Attorney Prosecution

Program Statement

To provide prosecution services for the City of Bellevue in a manner that reflects a commitment to excellence; to seek justice for crime victims; and to enhance public safety for the City of Bellevue by aggressively, fairly, ethically and efficiently prosecuting those who violate the law.

Summary of Services Provided

Enforce the criminal and traffic laws of the City by prosecuting violations of those laws in district court and, on appeal, in superior and appellate courts.

Provide assistance and support to victims of crime.

Budgeted Cost Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General / Admin	797,431	856,350	929,922	967,714
Prosecution	314,206	327,429	312,746	325,440
Base Budget	1,111,637	1,183,779	1,242,667	1,293,155
Total Budget	1,111,637	1,183,779	1,242,667	1,293,155

Expenditure Category Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
Personnel	866,794	919,400	982,155	1,024,907
Interfund	110,213	117,431	129,982	133,934
M & O	134,630	146,948	130,531	134,314
Total Expenditures	1,111,637	1,183,779	1,242,667	1,293,155

Funding Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General Fund	1,111,637	1,183,779	1,242,667	1,293,155
Total Resources	1,111,637	1,183,779	1,242,667	1,293,155

FTE Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General / Admin	6.12	6.12	6.12	6.12
Prosecution	2.00	2.00	2.00	2.00
Total FTE	8.12	8.12	8.12	8.12

**City of Bellevue
2009-2010 Biennial Budget**

**City Attorney
Prosecution**

Key Departmental Metrics	Unit of Measure	Type of Indicator	FY 2007 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target
Ensure safety of citizens						
Criminal cases reviewed	#	Workload	2,788	2,600	2,800	2,800
Infraction cases w/prosecutor present*	#	Workload	444	500	525	525
Cost per criminal case	\$	Efficiency	465	400	460	460
Criminal cases prosecuted	#	Effectiveness	2,530	2,250	2,600	2,600
Cost per capita (City residents)	\$	Efficiency	9.97	8.00	10.00	10.00
Maintain A High Affirmance Rate Percentage On Appeals						
% of Convictions Upheld On Appeal	%	Effectiveness	75	90	75	75
Appeals	#	Workload	26	25	28	28
Maintain Low Percentage Of Jury Trials						
% of cases set for jury trial resolved without jury trial	%	Effectiveness	99	99	99	99
Jury Trials Held	#	Workload	38	40	40	40
Reduce Average Review Time Of Criminal Case Requests						
Avg time to decide to file/decline a criminal case in days	#	Efficiency	6.80	9.00	9.00	9.00
Workload Standards						
Bench Trials Held**	#	Workload	281	280	280	280
Cases Per Prosecutor (criminal cases only)	#	Workload	562	500	580	580
Readiness hearings	#	Workload	5,591	4,300	5,600	5,600
Motions	#	Workload	1,169	1,200	1,250	1,250

Issues related to Department Performance

The City's success rate on appeal fell below target in 2007 (75% versus a target of 99%). It is important to note that some outside factors will affect the City's success rate on appeal, including quality of evidence gathered during the investigation stage, police procedures, and the constitutionality of the state statutes being prosecuted. The 75% success rate in 2007 is based on just 4 appeals being decided in that year; another 21 appeals were still pending by the end of 2007. Of the 4 appeals decided, the City's conviction was upheld in 3 of those cases. The target for this measure will be modified for 2008 and future years. Given the relatively low number of appeals filed on an annual basis (between 20 and 40 per year), a 99% success rate target is unrealistic.

The average time to decide whether or not to file on a criminal case was well below the target of 9 days (actual time is 6.8 days for 2007). This is based on the time it took the office to review 2,788 cases for possible prosecution. While average review time per case dropped in 2007 by 2 days compared to 2006, both the total number of cases reviewed and the number of cases per prosecutor rose over that same period. Total number of cases reviewed in 2006 was 2,680 compared to 2,788 in 2007. In addition, total cases per prosecutor rose from 496 in 2006 to 562 in 2007. Therefore, it's clear that the average review time per case did not decrease because of a lighter workload.

This continued ability to timely decide on cases while work load levels and number of cases reviewed are rising is explained in part by the extraordinary efforts of prosecutors to stay on top of this work item. Prosecutors routinely take this kind of review work home in the evenings in order to meet this benchmark. In addition, in 2007 the office handled a substantially higher number of cases involving "driving while license suspended 3rd degree" (DWLS) charges. These cases are relatively straightforward to review, and take less time than other types of cases. Because the proportion of DWLS cases was high in 2007 (1,120 cases out of 2,788), this further helps explain the drop in review time despite rising workload levels.

City Attorney Prosecution

Program Notes

*Infraction cases prosecuted was added as a workload measure this year. Generally, the office categorizes its workload as criminal (misdemeanor prosecutions) or infractions. Prosecutors appear in infraction cases generally where the infraction involves a contested accident, or where the defense has subpoenaed the Radar Technician. Past workload indicators did not fully capture the workload generated by infraction cases, so these reported measures tended to understate work handled by the prosecutors. Considering infraction cases and criminal cases prosecuted includes the full number of matters pursued by prosecutors in the office.

**Bench Trials Held in previous years have included some of our infraction cases. Because we are adding infraction cases as a separate measure, we have taken them out of this measure, resulting in a dramatic change in numbers for this measure. Please note the workload for these infractions is being counted under the new measure, so we see no decrease in workload for our prosecutors.

The King County Prosecutors Office and many other portions of the County's criminal justice system are exploring options to deal with the County's estimated \$90 million budget shortfall for 2009 and beyond. The decisions of the King County Prosecutor may well impact Bellevue prosecutors workload, particularly if the County declines to file on criminal matters over which the City also has jurisdiction.

In mid-2007, the City Council approved 6 new police officers, 5 of whom are slated to be patrol officers. These new officers are estimated to generate 435 new citations each year. This additional volume of cases is anticipated to impact key departmental metrics in significant ways, including longer average review times. While we have adjusted our targets for future years in some respects in anticipation of this increased work, additional adjustments to the targets may be needed in coming years to better reflect workload expectations.

**City of Bellevue
2009-2010 Biennial Budget**

City Attorney Public Defender

Program Statement

To provide quality defense services for indigents charged with violating criminal laws within the City of Bellevue, as required by state law.

Summary of Services Provided

The Public Defense Program provides indigent defendants with qualified attorneys, who are on contract with the City, to represent them through their criminal proceedings.

Recoupment for these costs is sought from those who are deemed eligible to pay back the City over time.

<u>Budgeted Cost Summary</u>	<u>FY 2007 Budget</u>	<u>FY 2008 Budget</u>	<u>FY 2009 Budget</u>	<u>FY 2010 Budget</u>
Public Defender	359,765	382,119	392,054	401,855
Base Budget	359,765	382,119	392,054	401,855
Total Budget	359,765	382,119	392,054	401,855

<u>Expenditure Category Summary</u>	<u>FY 2007 Budget</u>	<u>FY 2008 Budget</u>	<u>FY 2009 Budget</u>	<u>FY 2010 Budget</u>
M & O	359,765	382,119	392,054	401,855
Total Expenditures	359,765	382,119	392,054	401,855

<u>Funding Summary</u>	<u>FY 2007 Budget</u>	<u>FY 2008 Budget</u>	<u>FY 2009 Budget</u>	<u>FY 2010 Budget</u>
General Fund	359,765	382,119	392,054	401,855
Total Resources	359,765	382,119	392,054	401,855

<u>FTE Summary</u>	<u>FY 2007 Budget</u>	<u>FY 2008 Budget</u>	<u>FY 2009 Budget</u>	<u>FY 2010 Budget</u>
No Staff				

<u>Key Departmental Metrics</u>	<u>Unit of Measure</u>	<u>Type of Indicator</u>	<u>FY 2007 Actual</u>	<u>FY 2008 Target</u>	<u>FY 2009 Target</u>	<u>FY 2010 Target</u>
Continue To Increase Recoupment						
Recoupment per case assigned	\$	Efficiency	36	45	36	37
Recoupment as a % of total program costs	%	Effectiveness	19	18	15	15
Reduce Cases Assigned To A Public Defender						
Total cases assigned	#	Workload	1,597	1,250	1,600	1,600

Issues related to Department Performance

Provision of public defender services in the criminal context is a constitutional requirement. While the city funds this program, it has little control over the appointment of defenders to indigent defendants, the appointments are either made by the court, or after a defendant has been screened for income eligibility. As a result, the key department metrics are more a way to monitor trends and try to adjust budget expectations than a way to measure the City Attorney's Office performance. While 2007 was an above average and above target year for recoupment, we anticipate that these levels will decline with the declining economy.

Program Notes

**City Attorney
Public Defender**

Targets for the amount of recoupment per case are being modified for 2009 and 2010 to reflect the amount that we expect to recoup per case based on the 2009 and 2010 budgets, the recoupment target of 15%, and the anticipated number of cases assigned. The recoupment per case is calculated by dividing 15% of the total program budget by the number of cases targeted to be assigned to the defender.

City Attorney Risk Management

Program Statement

Safeguard the City's property, financial assets and human resources from the adverse impact of loss.

Summary of Services Provided

Manage and administer the City's General Self-Insurance, Workers' Compensation, Safety and Unemployment Programs, including fund management and addressing all tort, worker compensation and unemployment claims filed against the City; reimbursing City departments for property damage claims incurred, and proceeding via subrogation to recover costs from responsible third parties who have damaged City property.

Advise all City departments regarding the risks of proposed or on-going activities, providing loss control assistance to help reduce risk exposures and potential liabilities.

Provide general employee safety training classes, develop safety programs and ensure City safety compliance with State and Federal regulations.

Budgeted Cost Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General Self-Insurance	2,973,373	3,073,031	2,889,164	3,016,086
Unemployment Compensation	331,000	160,000	200,000	184,000
Workers' Compensation	1,146,000	1,173,000	1,288,000	1,347,000
Base Budget	4,450,373	4,406,031	4,377,164	4,547,086
Reserves	6,221,628	5,940,596	7,720,836	7,548,747
Total Budget	10,672,001	10,346,627	12,098,000	12,095,833
Expenditure Category Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
Personnel	471,629	476,700	513,323	535,733
Interfund	471,986	310,425	343,862	354,314
M & O	3,506,758	3,618,906	3,519,979	3,657,039
Total Expenditures	4,450,373	4,406,031	4,377,164	4,547,086
Total Reserves	6,221,628	5,940,596	7,720,836	7,548,747
Total Budget	10,672,001	10,346,627	12,098,000	12,095,833
Funding Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
Workers' Compensation Fund	2,581,000	2,828,000	3,071,000	3,264,000
Unemployment Compensation Fund	489,000	313,000	377,000	351,000
General Self-Insurance Fund	7,602,001	7,205,627	8,650,000	8,480,833
Total Resources	10,672,001	10,346,627	12,098,000	12,095,833
FTE Summary	FY 2007 Budget	FY 2008 Budget	FY 2009 Budget	FY 2010 Budget
General Self-Insurance	4.60	4.60	4.60	4.60
Total FTE	4.60	4.60	4.60	4.60

**City of Bellevue
2009-2010 Biennial Budget**

**City Attorney
Risk Management**

Key Departmental Metrics	Unit of Measure	Type of Indicator	FY 2007 Actual	FY 2008 Target	FY 2009 Target	FY 2010 Target
Maximize loss recovery for damages incurred						
% of Risk losses recovered	%	Effectiveness	64	68	68	68
Customer Service ratings are good to excellent	%	Effectiveness	100	95	97	97
Minimization of Risk loss exposures						
% of liability claims adjusted within timeliness standard	%	Effectiveness	98	94	95	95
% of liability claims filed that proceeded to litigation	%	Effectiveness	5	7	7	7

Issues related to Department Performance

In 2007 the percent of Risk losses recovered were slightly below target (64% compared to 68%). This was largely the result of staff turnover in this area. With the position fully staffed in 2008, we project it will meet or exceed target in 2008.

Risk received customer service ratings of good to excellent from 100% of their clients in 2007, which exceeded target by 5%. Accordingly we have increased our targets for 2009 and 2010 and will continue to strive to provide excellent customer service.

In efforts to minimize the City's losses, Risk successfully adjusted liability claims in a timely manner (98% of claims filed were adjusted within the timeliness standard). The number of claims which proceeded to litigation in 2007 were lower than projected by 2% and will be at or below target for 2008. These results are due to diligent and timely adjustment of claims and excellent communication within the City Attorney's Office.

Program Notes

**City of Bellevue
2009-2010 Biennial Budget**

City Attorney

Biennial Budgeted Cost Summary	2007-2008 Budget	2009-2010 Budget	% Change
General Legal Advice	1,883,473	2,161,196	15 %
Prosecution	2,295,416	2,535,822	10 %
Litigation Services	1,069,312	1,212,378	13 %
Public Defender	741,884	793,910	7 %
Risk Management	8,856,404	8,924,250	1 %
Base Budget	14,846,489	15,627,556	5 %
Reserves	5,940,596	7,548,747	27 %
Total Budget	20,787,085	23,176,303	11 %
Biennial Expenditure Category Summary	2007-2008 Budget	2009-2010 Budget	% Change
Personnel	5,137,041	5,768,658	12 %
Interfund	1,414,754	1,431,276	1 %
M & O	8,294,694	8,427,622	2 %
Total Expenditures	14,846,489	15,627,556	5 %
Total Reserves	5,940,596	7,548,747	27 %
Total Budget	20,787,085	23,176,303	11 %
Biennial Funding Summary	2007-2008 Budget	2009-2010 Budget	% Change
General Fund	5,990,085	6,703,306	12 %
Workers' Compensation Fund	3,974,000	4,552,000	15 %
Unemployment Compensation Fund	644,000	551,000	(14)%
General Self-Insurance Fund	10,179,000	11,369,997	12 %
Total Resources	20,787,085	23,176,303	11 %