

OFFICE OF LAW FY2022 BUDGET REQUEST

D. Michael Lyles, City Attorney

April 22, 2021



OFFICE OF LAW

- ▶ **Vision** – The City of Annapolis Office of Law will strive to be a premier municipal office of law in the State of Maryland. The Office will be a well-respected and reliably-focused source for top-notch lawyering and City Clerk services, including (1) vigorous legal defense of the City’s interests and prosecution of Municipal Infractions, (2) careful preparation and custody of official legislative, legal and legacy documents and records for the benefit of the public, (3) legislative counsel and drafting.
- ▶ **Mission** – To protect and advocate for the legal interests of the City by providing City officials and agencies with timely, responsive, and well-reasoned legal and legislative advice, representation before judicial and quasi-judicial tribunals and, through the City Clerk, to professionally serve as administrator and custodian of the City’s legislative, legal and legacy records and documents, including management of City elections. The Office also provides legal and executive staff support to the standing committees of the City Council and the City’s various boards and commissions.
- ▶ **Core Values** –
 - ▶ Professionalism & Courtesy
 - ▶ Fairness & Equity
 - ▶ Firmness & Decisiveness
 - ▶ Honesty & Integrity
 - ▶ Reason & Truth



OFFICE OF LAW

▶ Legal

- ▶ Litigation and Legal Defense
- ▶ Prosecution of Municipal Infractions
- ▶ Legal Advice and Counsel
- ▶ Corporate/Commercial Transactions
 - ▶ Contracts
 - ▶ Labor Negotiations
 - ▶ Collections
- ▶ Ethics Commission Administration

▶ Legislative Services

- ▶ Legislative Drafting, Research and Advisory Services
- ▶ City Council Legislative Scheduling and Publication
- ▶ City Charter and Code Digital Updates and Legislation Maintenance

▶ City Clerk

- ▶ Council Support Services
- ▶ Records Custody and Publishing
- ▶ City Code Maintenance
- ▶ City Council + Standing Committees Meetings, Logistics and Executive Support
- ▶ Alcohol Beverage Control Board Administration
- ▶ Elections Administration
- ▶ Charter Revision Commission



OFFICE OF LAW

- ▶ *Goal 1 – Provide practical, timely and vigorous legal representation of City Officials, departments, and agencies (including Boards & Commissions)*
 - ▶ Objective 1: Successfully respond to or resolve legal matters and transactions implicating the City's interests
 - ▶ Objective 2: Produce successful results in all litigation affecting the City and its employees, including claims initiated by the City
 - ▶ Objective 3: Provide timely and well-researched legal advice
- ▶ *Goal 2 – Update the City Code*
 - ▶ Objective 1: Work with interested Departments to produce a rewrite and major update of City Code Sections 17, 21 and 22
 - ▶ Objective 2: Prepare new legislation consistent with the Charter, comports with legal requirements and eliminates internal code conflicts and inconsistencies
- ▶ *Goal 3 – Maintain safe custody of all legal, legislative and legacy documents and records for the benefit of the public*
 - ▶ Objective 1: Produce and secure legislative records
 - ▶ Objective 2: Collect and maintain legal and legacy documents



OFFICE OF LAW

- ▶ *Goal 3 (cont.)*

- ▶ Objective 3: Provide hard copy and cloud based access by the public to records and documents produced, maintained and secured by the City Clerk.

- ▶ *Goal 4 – Increase Voter Participation in 2021 Election Cycle*

- ▶ Objective 1: Recruit and train full complement of election judges and related staff
- ▶ Objective 2: Secure necessary quantity of facilities within which to conduct elections
- ▶ Objective 3: Reduce wait times to vote
- ▶ Objective 4: Eliminate errors in election results and tabulations
- ▶ Objective 5: Publish timely and clear rules and instructions for the public to properly exercise their voting rights

- ▶ *Goal 5 – Provide Legal and Executive Support to City Boards and Commissions*



OFFICE OF LAW

BUDGET SUMMARY					
OFFICE OF LAW	FY2020 ACTUAL	FY2021 ORIGINAL	FY2021 ADJUSTED	FY2021 PROJECTED	FY2022 PROPOSED
Salaries & Benefits	\$1,055,176	\$1,250,400	\$1,250,400	\$1,215,800	\$1,352,100
Contractual Services	\$167,585	\$148,200	\$150,200	\$149,700	\$148,200
Supplies & Other	\$42,553	\$54,600	\$52,600	\$39,400	\$54,600
Total Expenditures	\$1,265,315	\$1,453,200	\$1,453,200	\$1,404,900	\$1,554,900



OFFICE OF LAW

	DESCRIPTION	2020 Actual	FY 2021 Original Budget	FY2021 Adjusted Budget	FY2021 Projection	FY22 Mayor's Proposed
Salaries & Benefits	LEGAL - SALARIES	\$ 778,357	\$ 925,000	\$ 925,300	\$ 871,900	\$ 1,012,100
	LEGAL - BENEFITS	255,738	325,100	325,100	309,800	340,000
	OTHER POST EMPLOYEE BENEFITS	5,672	0	0	6,100	0
	VEBA (VOL EMPLOYEE BENEFITS)	15,409	0	0	28,000	0
Contractual Services	LEGAL - LEGAL SERVICES	165,497	144,800	144,800	144,800	144,800
	LEGAL - POSTAGE	416	700	700	400	700
	LEGAL - TELEPHONE	1,672	2,700	4,700	4,500	2,700
Supplies & Other	LEGAL - SUPPLIES	5,950	8,600	8,600	7,200	8,600
	LEGAL - COPIER	1,780	2,500	2,500	1,700	2,500
	LEGAL - TRAINING & EDUCATION	4,402	9,000	6,000	2,600	9,000
	LEGAL - DUES & MEMBERSHIPS	2,586	2,500	3,500	3,400	2,500
	LEGAL - CHARGE & SERVICES	27,835	32,000	32,000	24,500	32,000
	TOTAL	\$ 1,265,315	\$ 1,453,200	\$ 1,453,200	\$ 1,404,900	\$ 1,554,900



OFFICE OF LAW

Accomplishments in FY2021:

- ▶ Negotiated lower hourly rates and significantly reduced use of contracted attorneys, thereby reducing outside counsel expenses in FY2021
 - ▶ To date FY2021, the Office of Law has paid \$54,544 in outside counsel fees, as compared to \$161,006 total paid in FY2020 (which is \$106,462 less)
- ▶ Successful resolution of major claims in significant litigation matters, including:
 - ▶ *White v. COA, et al.* (settled-alleged Federal discrimination lawsuit)
 - ▶ *Holland v. COA, et al.* (Defense Verdict-alleged APD unlawful seizure lawsuit)
 - ▶ *Thomas v. COA, et al.* (Defense Verdict-alleged racial discrimination litigation)
 - ▶ *Johnson v. COA* (Defense Verdict termination appeal)
- ▶ Drafted: 91 Ordinances, 74 Resolutions and 2 Charter Amendments (to date)
- ▶ Reduced the time between municipal citation issuance and processing to District Court to 30 days or less
- ▶ Began 2021 Municipal Primary and General Elections processes
- ▶ COVID-related activity, including drafting Executive Orders, City policies and agreements, supervisory training and providing enforcement guidance
- ▶ Undertook litigation against Fossil Fuel industry to recoup City's costs associated with climate change impacts
- ▶ Preparation of legal documents for Port Williams property acquisition and lease to C.R.A.B.



OFFICE OF LAW

Un-budgeted Office of Law Expenses for FY2022

- ▶ Requested enhancements not included in the Mayor's FY2022 Budget:
 - ▶ \$2,000 additional requested for Telephone Expenses, due to COVID 19 staff telework
 - ▶ \$1,000 additional requested for Dues & Memberships due to training new legal staff and reassignment of matters previously assigned to more expensive outside counsel
 - ▶ \$1,000 additional requested for Copier Expenses as a result of unforeseen copy needs
- ▶ During FY2021, funds needed to be transferred from Training & Education account to pay current expenses in these 3 categories



OFFICE OF LAW

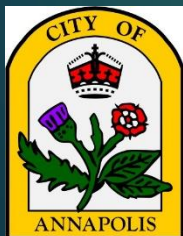
Cost Containment Strategy for Outside Counsel Expenses FY2022

- ▶ Office of Law will oversee all legal work and approve contracts and payments for all outside counsel previously hired by other departments.
- ▶ Continued request that other departments/City entities/Commissions cease practice of engaging outside counsel without advice of the Office of Law.
- ▶ Office of Law establish base municipal rate for contracted legal service and work to contain of hours billed by Conflict and Outside Counsel through proper management of legal work.
- ▶ Office of Law assumes responsibility for hiring (with approval of the Mayor) and management of all Conflict and Outside Counsel with appropriate budget adjustments to account for payment for these services.
- ▶ The Office of Law works to manage Board and Commission client expectations and educate clients on role and proper use of Conflict and Outside Counsels.



OFFICE OF LAW – ELECTIONS BUDGET

BUDGET SUMMARY					
ELECTIONS	FY2020 ACTUAL	FY2021 ORIGINAL	FY2021 ADJUSTED	FY2021 PROJECTED	FY2022 PROPOSED
Salaries & Benefits	\$146	\$0	\$34,000	\$19,700	\$43,300
Contractual Services	\$1,975	\$0	\$1,000	\$1,000	\$142,000
Supplies & Other	\$0	\$0	\$500	\$500	\$158,000
Total Expenditures	\$2,121	\$0	\$35,500	\$21,200	\$343,300



OFFICE OF LAW – 2021 ELECTIONS

12

- ▶ Separate FY2022 budget established for the Primary and General Elections (estimated at \$343,300 by the State Board of Elections)
- ▶ Election budget being managed by Office of Law-City Clerk Team
- ▶ Past Election Expenses:
 - ▶ \$222,061.31 in 2014 (General Election)
 - ▶ \$127,086.31 in 2017 (General Election, costs shared w/AACounty)
 - ▶ \$32,982.64 in 2019 (Special Election, costs shared w/AACounty)



OFFICE OF LAW: FY22-FY25 LONG TERM GOALS

13

- ▶ *Goal 1 – Hire one new attorney to assist in prosecuting municipal infractions, District Court matters, Collections Administration and Legislation Advisory Services*
- ▶ *Goal 2 – Assume responsibility for all Labor Contract Negotiation and Execution issues*
- ▶ *Goal 3 – Further reduce outside legal contracts to the minimum needed to handle certain legal conflicts, Bond Issuances and Worker's Comp matters*
- ▶ *Goal 4 – Expand office spaces*
- ▶ *Goal 5 – Complete City Code updates for Sections 17, 21, and 22*
- ▶ *Goal 6 – Continue to Implement new document retention policies and archive or destroy non-historical papers records and documents as much as appropriate*
- ▶ *Goal 7 – Establish an overtime budget for Civil Service staff members*



QUESTIONS

