

**LRB-FISCAL REVIEW SECTION ANALYSIS**

**FINANCE AND PERSONNEL COMMITTEE**

**ITEM 13, FILE # 030083**

**MAY 7, 2003**

**MARK A. RAMION**

File # 030083 is a resolution amending File Number 020586 as relates to authorizing city departments to expend moneys appropriated in the 2003 budget for Special Purpose Accounts, Debt Service Fund, Provision for Employee's Retirement Fund, Delinquent Tax Fund, Common Council Contingent Fund, Grant and Aid Fund and Special Capital Projects or Purposes.

**Background**

1. This resolution amends File Number 020586 as relates to authorizing city departments to expend moneys appropriated in the 2003 budget for Special Purpose Accounts, Debt Service Fund, Provision for Employee's Retirement Fund, Delinquent Tax Fund, Common Council Contingent Fund, Grant and Aid Fund and Special Capital Projects or Purposes.
2. The expenditure authority for the Special Purpose Account Outside Counsel/Expert Witness Fund is the specific subject of this resolution.

**Discussion**

1. The Outside Counsel/Expert Witness Fund Special Purpose Account supports outside legal services in specific major court cases.
2. Funds are approved case-by-case and appropriated to a sub-account under City Attorney expenditure authority; the City Attorney's Office tracks costs for each case and can transfer unspent funds among cases with Common Council approval. The purpose of the fund is to minimize Contingent Fund exposure and large unspent balances in closed cases.
3. The City Attorney is requesting that the expenditure authority for the Outside Counsel/Expert Witness SPA be amended from Common Council resolution to the City Attorney's Office.
4. The City Attorney cites the current process for spending authority as cumbersome, time-consuming and costly and contributing to delays in hiring outside counsels and expert witnesses.
5. The City Attorney is also concerned that that the current process for expenditure authority causes the city to prematurely disclose witnesses and litigation strategy.

6. The Judiciary and Legislation Committee, most routinely but with some exceptions, generally reviews the City Attorney's request for expenditures from this SPA.

**Fiscal Impact**

1. There is no fiscal impact associated with this resolution.
2. The 2003 Outside Counsel/Expert Witness Fund is budgeted for \$225,000.

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LRB-Fiscal Review Section  
May 6, 2003

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