

FINANCE & PERSONNEL COMMITTEE
CONTINGENT FUND REQUEST INFORMATION FORM

DEPT.: City Attorney CONTACT PERSON & PHONE NO.: Richard L. Withers ext 8822

A. REASON FOR REQUEST (Refer to File 921360 for definitions)

OBLIGATORY CIRCUMSTANCES

B. SUPPORTING INFORMATION

1. State the action requested, including the dollar amount and specific departmental accounts(s) to which the Contingent Fund appropriation would be made.

Transfer of \$1,325,000 from the 2015 Contingent Fund as follows:

\$850,000 to the Outside Counsel/Expert Witness Fund (0001 1490 S157 006300)

\$400,000 to the Damages and Claims Fund (0001 1490 S118 006300)

\$ 75,000 to Operations-Professional Services (0001 1490 R999 634000)

2. State the purpose of the action requested which includes the program, service or activity to be supported by the funding, as well as the objective(s) to be accomplished.

Necessary expenditures to meet the costs of litigation in the defense of claims against the City alleging Constitutional violations in the conduct of law enforcement activities.

3. Describe the circumstances which prompt the request.

Continuing expenditures for Outside Counsel exceeding \$100,000 per month in addition to regularly anticipated expenditures for Outside Counsel.

Settlement of claims against the City in excess of anticipated amounts.

Costs of court reporter services and for other pretrial discovery and trial preparation at levels exceeding \$75,000 more than regularly anticipated and budgeted amounts.

4. What are the consequences of not providing the program, service, or activity which is funded by this request?

Increased risk of exposure to judgments against the City.

5. Explain why funds authorized in the Budget are insufficient to provide for the program, service, or activity in question.

5a. Are there any unexpended funds in the departmental control account for which this appropriation is requested, that could be used to fund this request?

none

5b. What are the consequences of using budgeted operating funds for this request?

6. State why funding was not included in the Budget.

Costs related to litigation are largely speculative, are outside the control of the City, and may fluctuate from year to year.

7. Will the conditions prompting the request be limited to the current year, or will they continue into the following year?

Some level of increased costs will continue into 2016 and will be reflected in Departmental Budget Requests.

8. Has your department made a similar Contingent Fund request in previous years? ☐ YES ☐ NO

*If yes, what is the most recent year the request was made?

9. Will this funding be used to implement provisions of a collective bargaining agreement? ☐ YES ☐ NO

10. Will the funding being requested provide a level of service authorized by the Budget? ☐ YES

*If yes, why can't your department accomplish the authorized service level with the authorized funding level?

11. Will the requested funding provide a level of service higher than that authorized by the Budget? ☐ YES ☐ NO

*If yes, why is a higher service level necessary?

*What is the estimated amount of additional service units to be provided if the entire Contingent Fund request is approved?

12. What performance measures and sub-measures are affected by this request, and what are the anticipated changes if the entire Contingent Fund request is approved?

13. What reductions to performance measures are expected if the request is not approved?

14. Is any grant funding associated with the program service, or activity pertaining to the request? ☐ NO

*If yes, name the grant and current year amount.

15. Will the program, service, or activity affect any electronic data processing system? ☐ NO

**If you have any questions about the completion of this form, you may call the
Director of the Legislative Reference Bureau (x2267)**

**C. THANK YOU FOR YOUR COOPERATION. PLEASE SEND A COPY OF YOUR RESPONSE
TO:**

Staff Assistant, Finance & Personnel Committee, Room 205, City Hall
Manager, Legislative Reference Bureau, Room 307, City Hall
Budget & Management Director, DOA, Room 603, City Hall