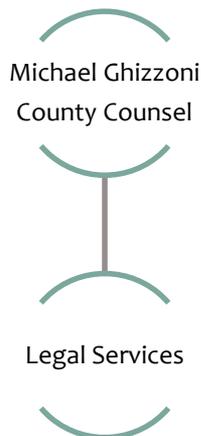


2016-2018 BUDGET WORKSHOP

County Counsel



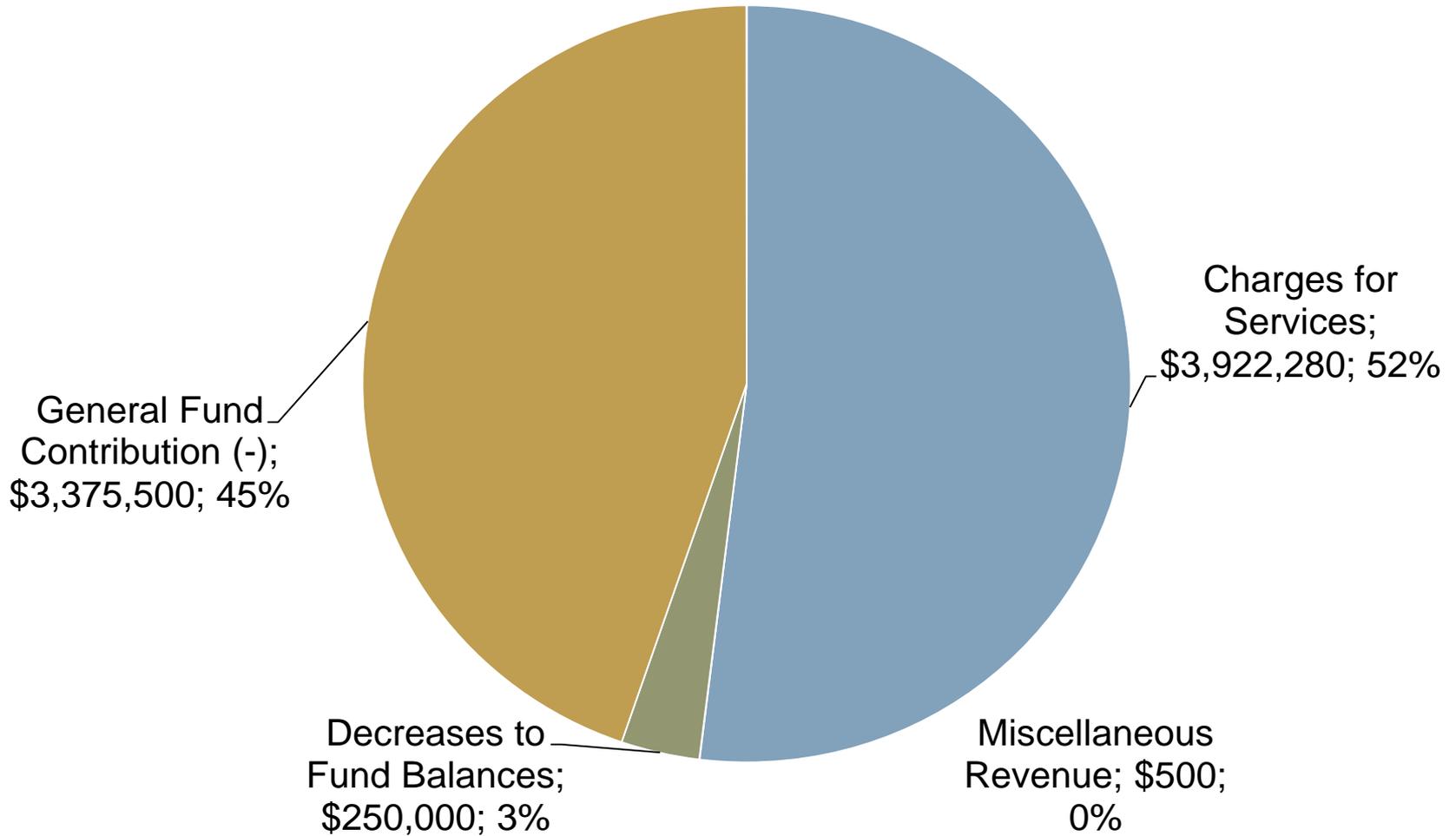
Overarching Business Trends

- More legal advice for major projects, all at the same time:
 - ▲ \$ 96 million Northern Branch Jail;
 - ▲ \$125 million Tajiguas Project; &
 - ▲ Multiple “water” and “land use” issues
- Plus, more high-value litigation, also all at the same time:
 - ▲ United Launch Alliance appeals; &
 - ▲ Chumash fee-to-trust appeals
- Means unsustainable 6-day workweeks for many attorneys

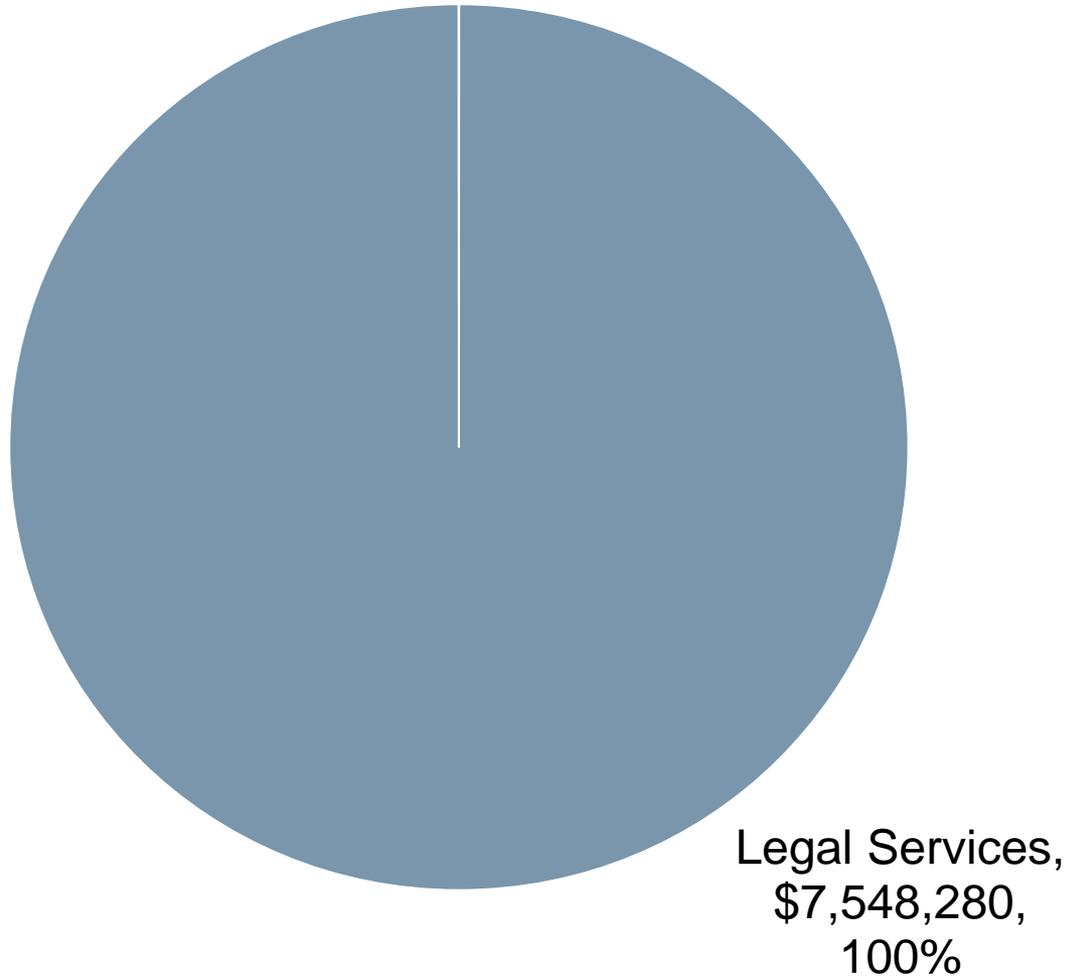
Summary

- Operating \$ 7,548,280
- General Fund \$ 3,375,500
- FTE's 37.5: 1 less attorney than 2015
- Use of One Time for Ongoing Ops \$0
- Service Level Reductions \$ 257,415
- Expansion Requests \$ 439,523

FY 16-17 Source of Funds

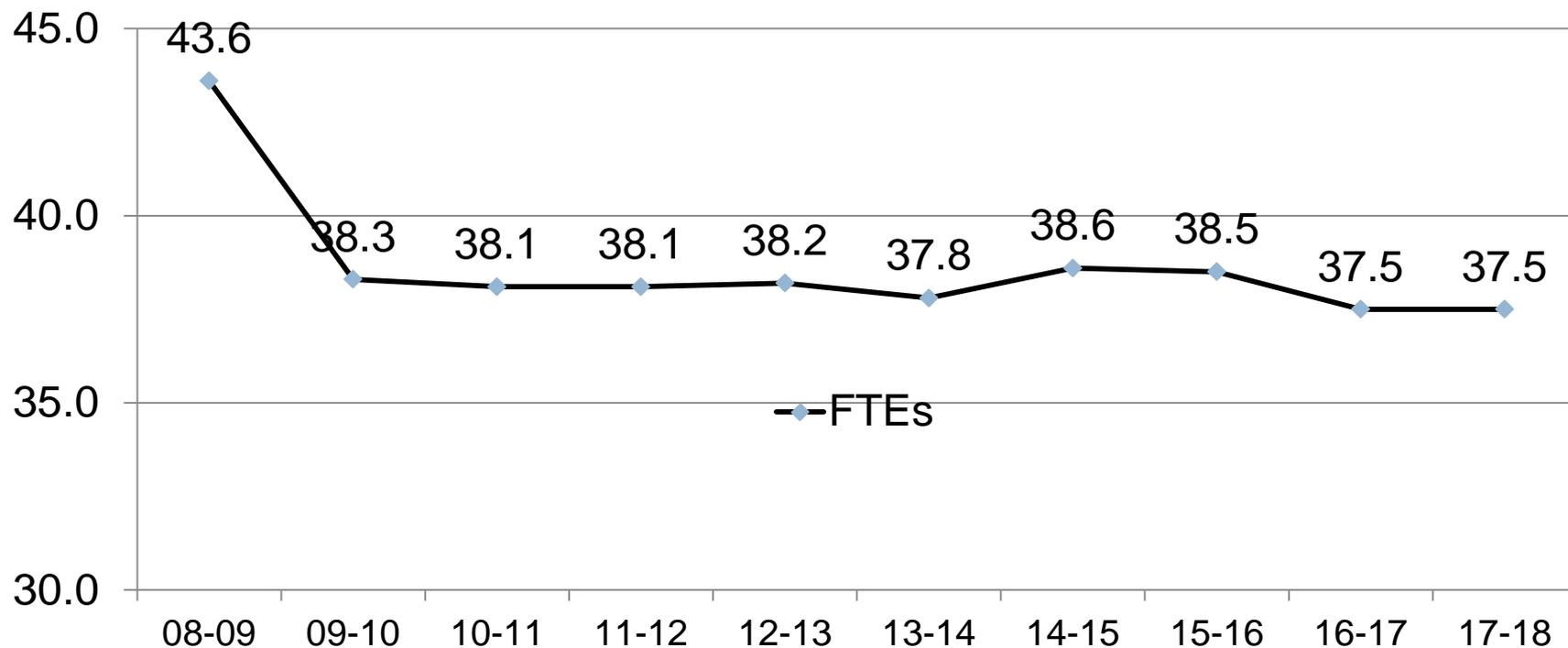


FY 16-17 Use of Operating Funds

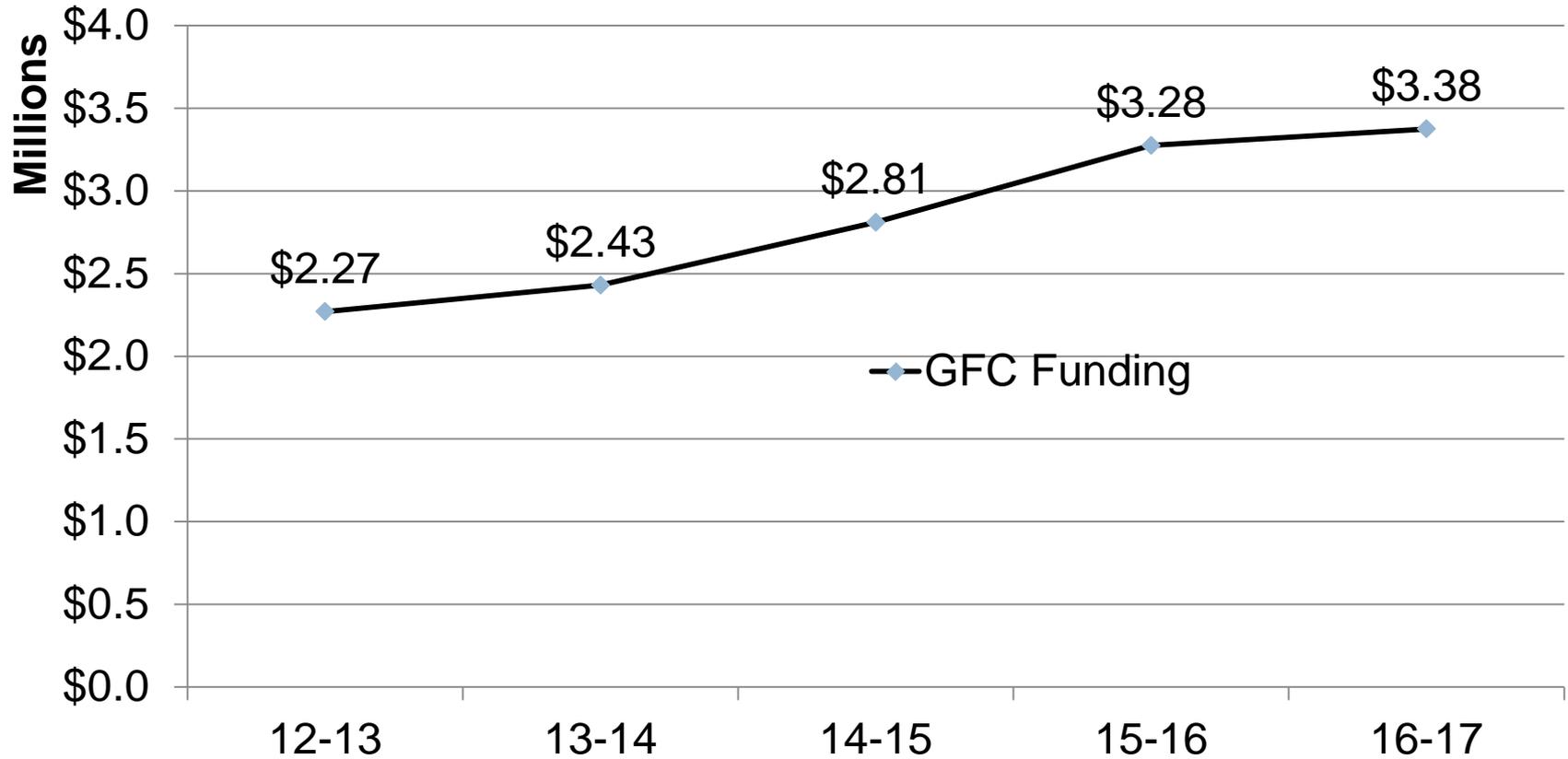


Staffing Summary

- # 38.5 FY 15-16 Adopted
- # 37.5 FY 16-17 Recommended; FY 17-18 Proposed



GFC 5 Year Summary



FY 2015-16 Anticipated Accomplishments

- May 2015 Refugio Oil Spill:
 - ▲ Protected County's land use permitting controls; &
 - ▲ Recovered 100% of \$1.7 million claimed to date
- United Launch Alliance: Enforcing \$3.56 billion property tax dispute
- Northern Branch Jail & Tajiguas projects: Continued progress
- Chumash: Fee-to-trust appeals, plus Board's ad hoc subcommittee
- May 2014 Isla Vista shooting cases: all four dismissed
- Public Guardian: protected discretion for conservator placement
- Court of Appeal of California: Prevailed in 10 of 11 cases
- Resolved 8 Workers' Comp "tail claims:" Freed up \$1.7 million of reserves

FY 2016-18 Objectives

- Legal support for concurrent, major construction projects:
 - ▲ \$96 million Northern Branch Jail Project; &
 - ▲ \$125 million Tajiguas Resource Recovery Project
- Enforce \$3.56 billion tax valuation dispute against U.L.A.
- Advise on “water” issues, including Sustainable Groundwater Management Act actions which have deadlines approaching:
 - ▲ 6 / 2017: Groundwater Sustainability Agency decisions; &
 - ▲ 1 / 2020: first Groundwater Sustainability Plan

FY 2016-18 Objectives

- Defend against 4 civil rights and tort cases already set for trial
- Resolve 17 remaining Workers' Compensation "tail claims"
- Prevail in other litigation: 1) *Zoom Properties*; 2) *Mosby*; 3) fee-to-trust appeals; & 4) recover \$8.2 million of disallowed Medi-Cal costs
- Refugio Oil Spill:
 - ▲ Support Natural Resource Damage Assessment process;
 - ▲ Work closely with PHMSA, for good information; &
 - ▲ Prepare to litigate against Plains for any unpaid damages;
- Advise on significant "land use" projects

Performance Measures

Description	2013-14 Actual	2014-15 Actual	2015-16 Est.Act	2016-17 Rec.	2017-18 Prop
Legal Services Program					
The percentage of litigated cases which resolve at 85% or less than the amount reserved by Risk: Target = 90%	95% 18/19	86% 6/7	96% 22/23	91% 21/23	91% 21/23
The percentage of litigated cases resolved without payment to plaintiff: Target = 60%	70% 14/20	68% 13/19	61% 14/23	65% 11/17	65% 11/17
Percent of departmental Employee Performance Reviews (EPRs) completed by the due date	N/A	N/A	84% 31/37	100% 37/37	100% 37/37

FY 16-17 Efficiencies

- Contract Improvement Workgroup: Continue work to improve efficiency & enforceability of the County's contracting process
- Personnel Actions: Litigation avoidance
 - ▲ Preventative training for Department Heads; &
 - ▲ Advice in person to Departments considering terminations
- Litigated Workers' Comp "tail claims:" Economically resolve 17 remaining cases:
 - ▲ Will end County's future liability for these cases;
 - ▲ Will reduce County's Workers' Comp premiums

FY 16-17 Service Level Reductions

Service Level Reductions:		
Program – Description of Reduction	FTEs	\$ Amount
1. Legal Services: Unfunding Senior Deputy County Counsel, vacant since January 31, 2016, to meet budget target	(1.0)	\$257,400
2.		
3.		
4.		
5.		
6.		

Key Challenges & Emerging Issues

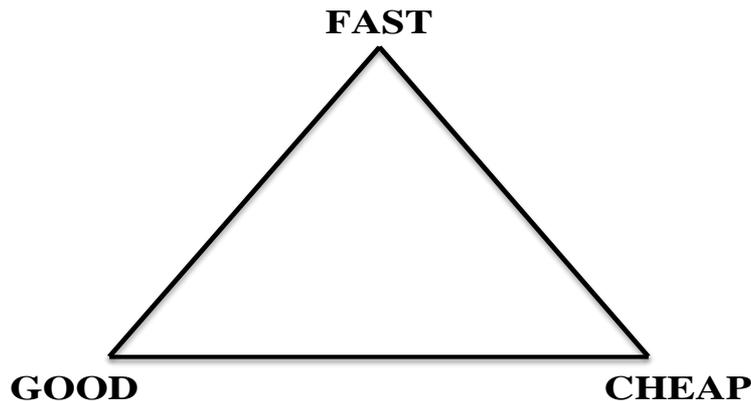
- Challenge #1: Growing volume of simultaneous, high-value items
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- Challenge #2: Meeting demands only via unsustainable overtime
 - ▲ 1/3 of our attorneys regularly work 6-day workweeks
- Emerging Issue #1: Workforce planning in a “2% at 57” system:
 - ▲ 1/3 of our current employees ≥ 57 years old
 - ▲ Orderly knowledge transfer is essential, but takes time

Budget Enhancement Requests

- *Priority #1: Restore 1.0 FTE Senior Deputy County Counsel*
 - ▲ General Fund ongoing funding source: \$257,415
 - ▲ Avoid cuts of legal support to General Fund departments
 - ▲ Reduce unsustainable “overtime exempt” attorney overtime
- *Priority #2: Add 1.0 FTE Deputy County Counsel III*
 - ▲ General Fund ongoing funding source: \$154,108
 - ▲ Improve ability to simultaneously litigate multiple GF cases
 - ▲ Reduce unsustainable “overtime exempt” attorney overtime
- *Priority #3: Add \$28,000 of General Fund for “flex promotions”*

Summary

- Not staffed for growing volume of simultaneous high-value items
- Using unsustainable overtime will not defy the “Iron Triangle:”



- “An ounce of prevention is worth a pound of cure.”

Benjamin Franklin