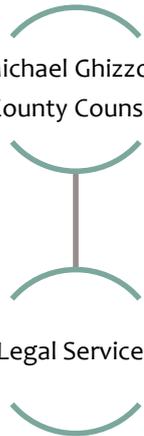


# 2015-2017 BUDGET WORKSHOP

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## County Counsel



Michael Ghizzoni  
County Counsel

Legal Services

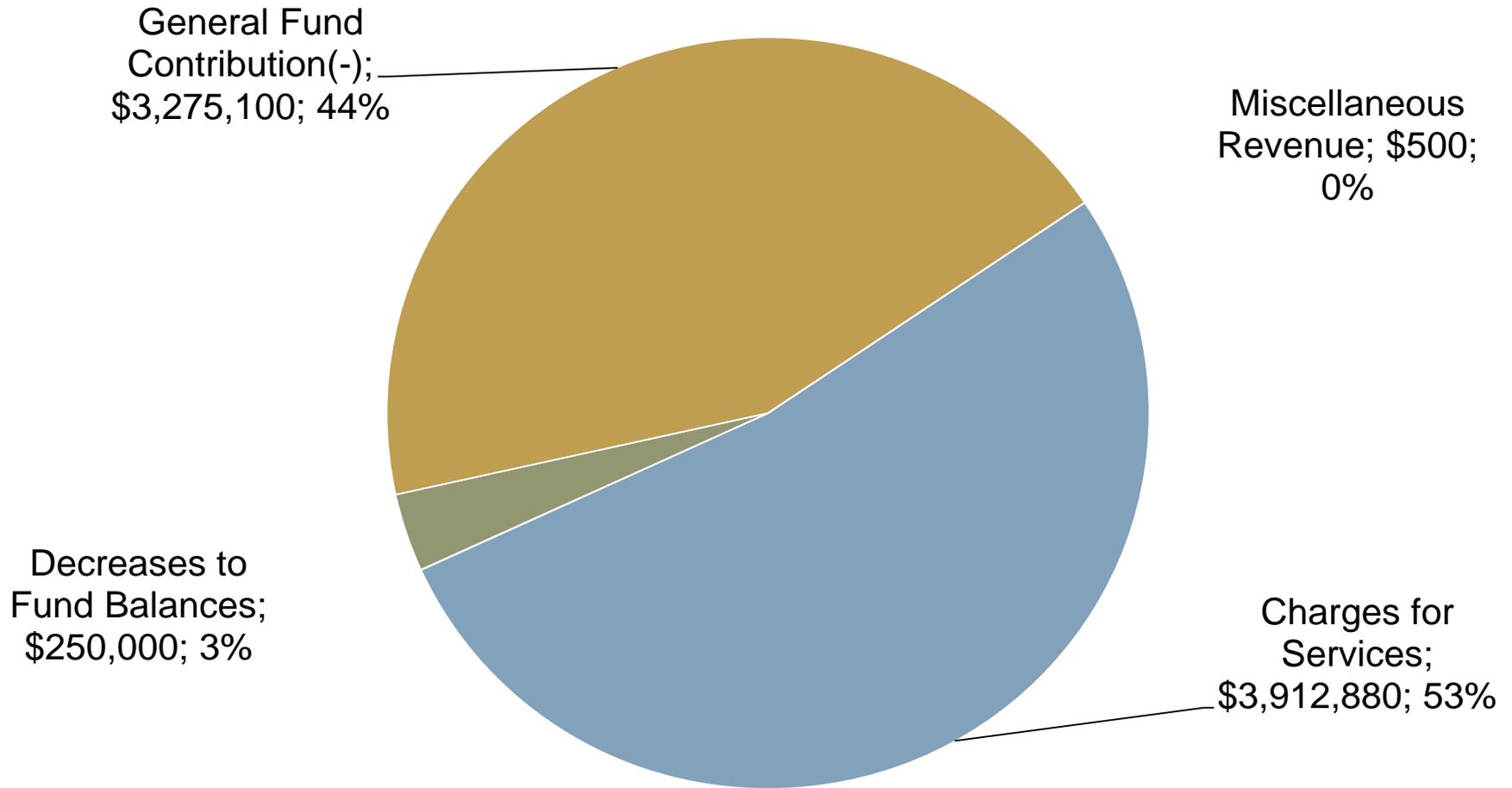
# Overarching Business Trends

- Multi-year \$140 million Northern Branch Jail Project
- Water issues, including 2014 Sustainable Groundwater Management Act
- Increased legal support to ADMHS:
  - ▲ “Problem prevention” for contracts
  - ▲ Litigation against State audits of Medi-Cal programs
  - ▲ Psychiatric Health Facility

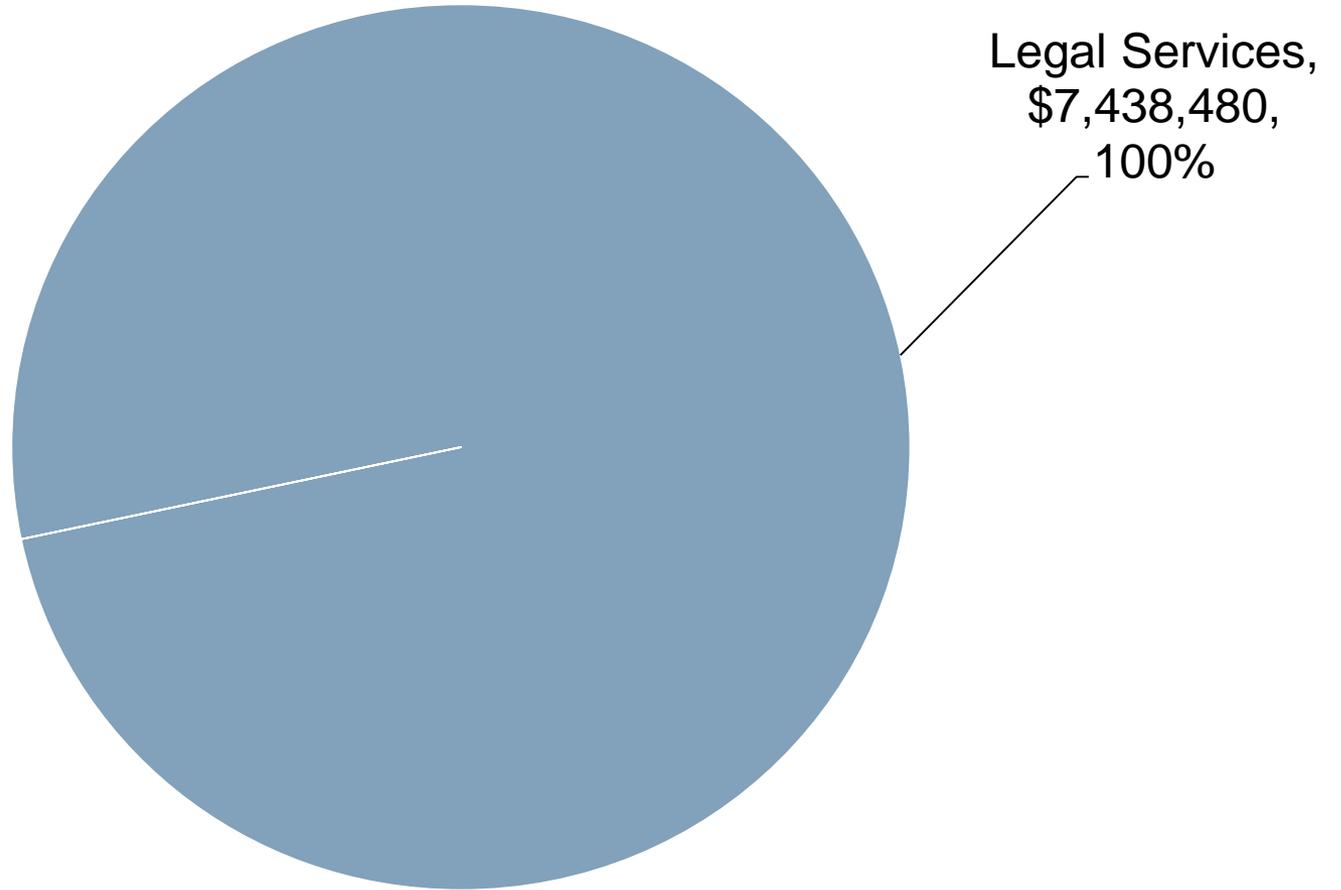
# Summary

- Operating \$7,438,480
- Capital \$0
- General Fund \$3,275,100
- FTE's 38.5
- One Time Use of Fund Balance \$0

# FY 15-16 Source of Funds

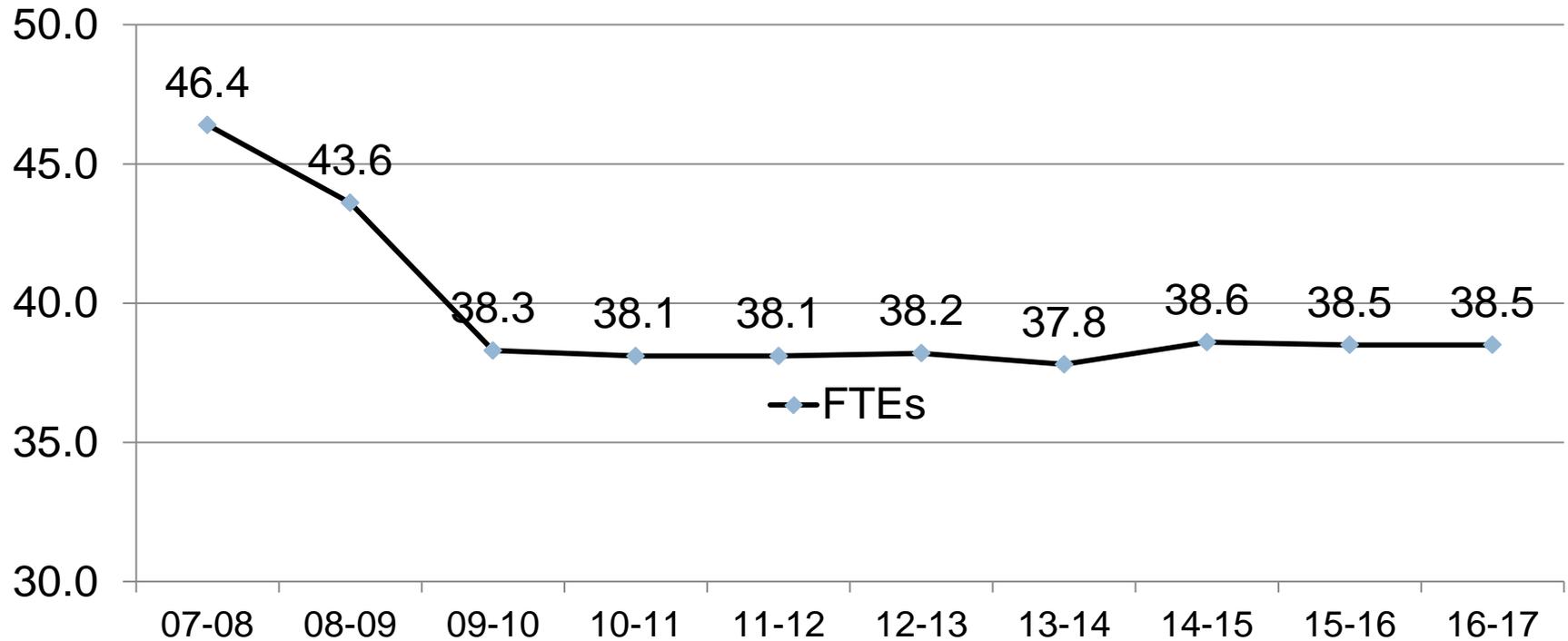


# FY 15-16 Use of Funds

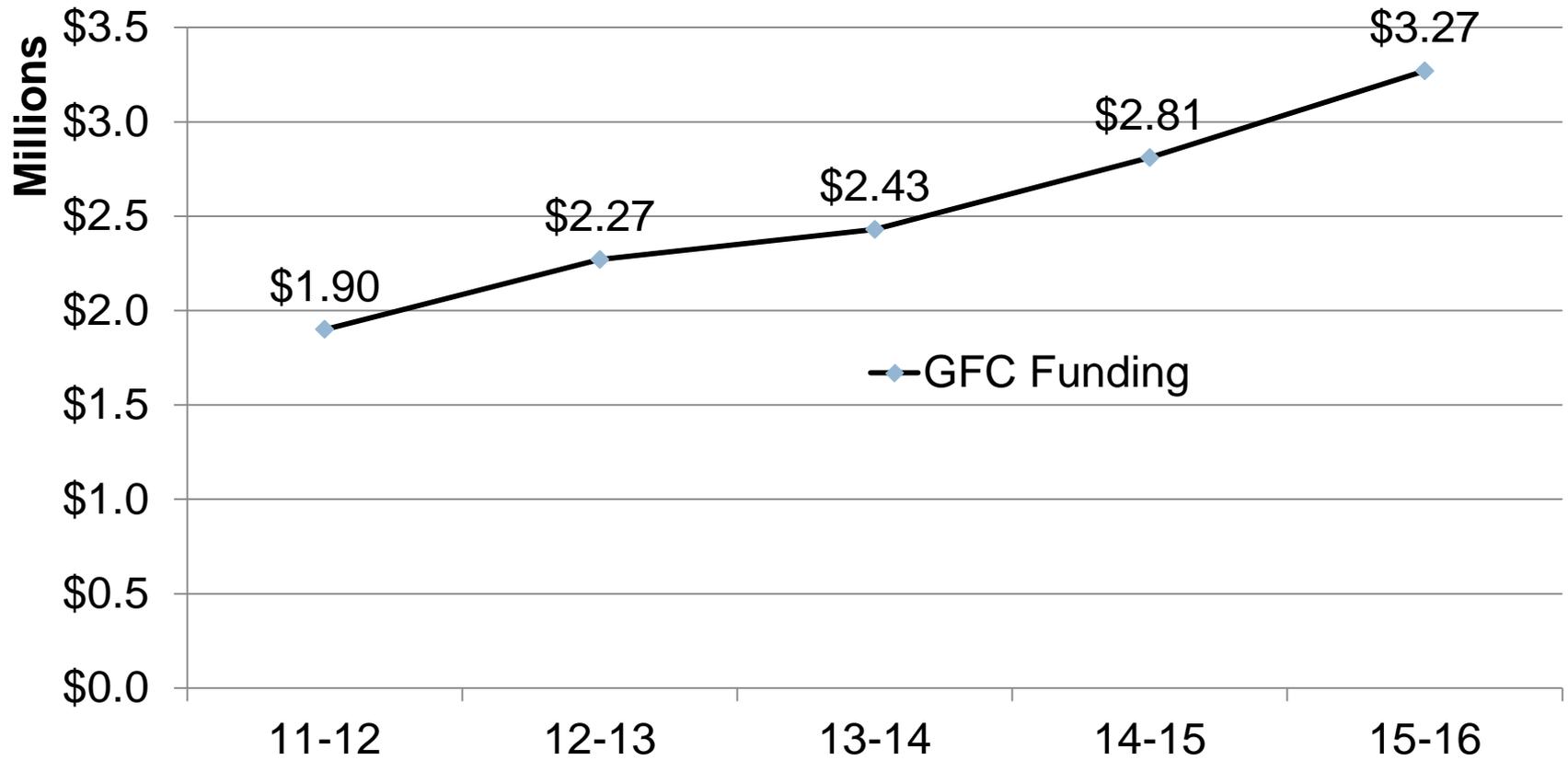


# Staffing Summary

- 38.6 FTE FY 14-15 Adopted
- 38.5 FTE FY 15-16 Recommended; FY 16-17 Proposed



# GFC 5 Year Summary



# FY 2014-15 Anticipated Accomplishments

- United Launch Alliance: Compelled documents
- Northern Branch Jail: \$786,000 cost savings
- Fee-To-Trust: Appealed Christmas Eve Decision
- Treasurer: Collected \$1.7M of defaulted taxes
- Court of Appeal: Prevailed in 13 of 13 cases
- TTT Winery: Won against writ petition
- Legal support for Cuyama Solar Project
- Legal support to revise Crown Castle Project
- “Laura’s Law:” Outlined legal framework

# FY 2015-17 Objectives

- Advise and troubleshoot on Northern Branch Jail Project: \$96.1M AB900 phase (potential award of construction contracts) and \$43.5M SB1022 phase (schematic design and design development)
- Defend against United Launch Alliance property tax assessment appeals: County General Fund's share of disputed tax dollars is about \$6.5M
- Defend against 6 federal civil rights and state tort claim cases already set for trial
- Defend against State audits of ADMHS Medi-Cal programs for SFY 06/07, 07/08 and 08/09: About \$8.2M total of disallowed costs
- Litigate against Fee-To-Trust Decision: Administrative appeal & federal court review, if needed

# FY 2015-17 Objectives

- Psychiatric Health Facility (“PHF”): With misdemeanor defendants found incompetent to stand trial (“IST”), use additional attorney time within existing resources to stop IST placements at PHF sooner, when no longer compelled or authorized by law
- Advise on water issues: Potential extension of 1963 Water Supply Agreement; proposed Bay Delta Conservation Plan; and 2014 Sustainable Groundwater Management Act
- Advise on \$60M Resource Recovery Project, designed to extend life of Tajiguas Landfill by 20 years, and negotiate potential contract
- Worker’s Compensation “Tail Claims:” Economically resolve 24 remaining litigated claims from County’s former self-insured program
- Advise on significant “land use” projects: Goleta Valley Community Plan; Isla Vista Master Plan; Gaviota Coast Plan; Montecito Design Guidelines; Winery Ordinance Update; GPS Ventucopa Rock Plan; Pacific Coast Energy’s application for an Oil Drilling and Production Plan

# Performance Measures

Description	2012-13 Actual	2013-14 Actual	2014-15 Est.Act	2015-16 Rec.	2016-17 Prop
Legal Services Program					
A target of 90% or greater for the percentage of litigated cases which resolve at 85% or less than the amount reserved by Risk.	95%	86%	95%	>90%	>90%
A target of 60% or greater for the percentage of litigated cases resolved without payment to plaintiff.	70%	68%	65%	>60%	>60%
Percent of departmental Employee Performance Reviews (EPRs) completed by the due date	n/a	n/a	75%	100%	100%

# FY 15-16 Efficiency Changes

- Prevent Unwarranted Stays At Psychiatric Health Facility (“PHF”):
  - ▲ With misdemeanor defendants incompetent to stand trial (“IST”), use more attorney time at hearings to end PHF placements sooner, when PHF confinement no longer warranted.
  - ▲ IST stays beyond acute medical need block emergency “5150” evaluations and treatment for others and cost the County \$49,650/bed/month
  
- Further Reduce Litigated Workers’ Comp. “Tail Claims:”
  - ▲ Reduced from 42 to 24 last year
  - ▲ Goal = Economically resolve all remaining litigated cases next year
    - Impact = end County’s future liability for these cases

# Key Challenges and Emerging Issues

## Challenge #1: Simultaneous High-Value Matters:

- ▲ United Launch Alliance: \$3.27 billion dispute of property value
- ▲ \$139 million Northern Branch Jail: Heavy demand for legal support
- ▲ \$8.2 million State Medi-Cal Audit litigation
- ▲ 6 federal civil rights and state tort cases set for trial before 3/2016
- ▲ Camp 4 Fee-To-Trust appeal and federal court review, if needed
- ▲ \$60 million Resource Recovery Project
- ▲ Multiple “water” issues

## Emerging Issue #1: Workforce Planning in a “2% at 57” retirement plan:

- ▲ Current employees:
  - About half  $\geq 52$
  - About one-third  $\geq 57$
  - About 20%  $\geq 60$
- ▲ Orderly knowledge transfer is essential, but time consuming

# Budget Enhancement Requests

No Budget enhancement requests

FY 15-16 Recommended Budget:

- Allows high-quality legal support of Board's priorities
- Funds more “problem prevention” for contracts
- Defers workspace improvements
  - ▲ Working separately with General Services on this

# Summary

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

Benjamin Franklin

Adequately staffed for simultaneous high-value items next year

Last year's increase of one paralegal from 0.6 to 1.0 FTE still helping:

- ▲ Improved efficiency of supported attorneys
- ▲ Thank you!

Continuing “workforce planning:” 1/3 of employees are  $\geq 57$