

# LEGAL SERVICES DEPARTMENT

## MID-YEAR REVIEW

All figures through June 30, 2020

### **Significant 2020 Events:**

#### **City Attorney's Office**

The Legal Services Department has been engaged in a number of matters through the first half of 2020. Below are some of the highlights for the first half of the year:

- Represented the City in traffic and ordinance related matters in 2019 including 5,435 scheduled initial court appearances, 59 scheduled jury and court trials and 2,047 scheduled pre-trials/jury trial conferences or motion hearings. 2020 statistics are significantly lower due to the courts being closed for the COVID-19 pandemic.
- Actively engaged in litigation including defense of a variety of lawsuits. In early 2020 we received a favorable decision from the State for an alleged discrimination matter that occurred at the Scheig Center. Staff resolved a number of matters through mediation, dispositive motions or negotiated settlements. This includes litigating several matters before an administrative law judge.
- In the first six months of 2020, the Attorney's Office has processed a total of 250 agreements/contracts. We also worked with City departments to review the contracting process and requirements.
- Implemented an electronic signature and routing process for contracts due to COVID-19.
- Completed a 2-year project to create a City-wide master record retention schedule that was approved by the State and adopted by the Common Council.
- Initial bids for a WWTP electrical distribution project came in almost \$1 million over budget. The equipment supplier offered a modest reduction but all bids were rejected at the advice of this office. The specs were modified and rebid resulting in a savings of over \$1.3 million. (The savings were more than the 2020 budget for the Legal Services Department.)

#### **City Clerk's Office:**

- Safely and successfully administered the Spring Election during the height of a health pandemic and also prepared for summer/fall election administration with expectations that the health pandemic may still be active.
- Processed and mailed a record number of absentee ballots.
- Verified nomination papers for 11 mayoral candidates for the Spring Primary.
- Worked closely with other departments, specifically the first floor Finance Department to administer operations of the office while closed to the public- process license applications, conduct bid openings, register voters.

- Continued to process mail for the City, while changing procedures to adapt to being closed and having minimal staff at City offices.
- Worked with IT, the Mayor’s office, and Council to hold Council meetings with the option to appear remotely.
- Coordinated a process for meeting agendas to process items through a Committee of the Whole at Council.

**Performance Data:**

<u>Program</u>	<u>Criteria</u>	<u>Actual 2018</u>	<u>Actual 2019</u>	<u>Target 2020</u>	<u>Actual 2020</u>	<u>Projected 2020</u>
<u>Administration</u>	<u>Client Benefits/Impacts</u>					
	Timely legal information is provided upon which Alderpersons and staff members can make decisions. Meet time frame of requester.	100%	100%	100%	100%	100%
	Contracts are reviewed in a timely manner to allow performance to proceed. # of performances delayed due to review not being completed.	0	0	0	0	0
	<u>Outputs</u>					
	Written opinions issued.	44	55	25	75	40
	Ordinances reviewed.	125	109	100	81	100
	# of real estate transactions.	17	13	20	6	15
Staff training; # of hours of staff training	70	75	75	24	40	

<u>Program</u>	<u>Criteria</u>	<u>Actual 2018</u>	<u>Actual 2019</u>	<u>Target 2020</u>	<u>Actual 2020</u>	<u>Projected 2020</u>
<u>Litigation</u>	<u>Client Benefits/Impacts</u>					
	Active consultation with City depts. re: potential claims filed will mitigate damages and identify areas of risk # of claims filed against the City.	70	63	<100	15	<100
	Total # of lawsuits filed against the City	5	8	4	4	6
	<u>Outcome</u>					
	Minimize cost of settlements. Total amount demanded	\$417,178	\$206,133	\$107,018	\$107,018	\$125,000
	\$ value of settlements and judgments paid	\$2,283	\$32,805	\$0	\$0	\$42,000
	<u>Outputs</u>					
	# of claims and lawsuits resolved with no settlement or judgment paid # of lawsuits filed after claim denied # of non-claim related lawsuits filed against the City	2 3	4 4	1 3	1 3	1 3

<u>Program</u>	<u>Criteria</u>	<u>Actual 2018</u>	<u>Actual 2019</u>	<u>Target 2020</u>	<u>Actual 2020</u>	<u>Projected 2020</u>
Recordkeeping	<u>Client Benefits/Impacts</u>					
	Retrieval of information. % of same day responses	98%	95%	95%	95%	98%
	1 week retrieval for detailed requests	2%	5%	5%	5%	5%
	<u>Outcome</u>					
	Legal requirements are met # of legal challenges sustained	0	0	0	0	0
	<u>Outputs</u>					
	# hours maintaining records	1,060	800	850	200	700
	# of requests for information	98	10	80	3	50
	# of publication notices	195	190	200	109	200
# of ordinances adopted	123	108	100	79	100	

<u>Program</u>	<u>Criteria</u>	<u>Actual 2018</u>	<u>Actual 2019</u>	<u>Target 2020</u>	<u>Actual 2020</u>	<u>Projected 2020</u>
Licensing	<u>Client Benefits/Impacts</u>					
	# Licenses sent for Committee/Council approval	New PM - no data	1,617	870	271	300
	# of licenses issued within time specified on application	New PM - no data	99%	100%	98%	98%
	<u>Outcome</u>					
	Statutory and ordinance compliance of all licenses issued. # of legal challenges	0	0	0	0	0
	<u>Outputs</u>					
	License applications processed. # of beer/liquor licenses issued	211	207	215	197	208
	# of operator licenses issued	764	911	750	276	900
# of general licenses issued	463	448	475	211	150	

<u>Program</u>	<u>Criteria</u>	<u>Actual 2018</u>	<u>Actual 2019</u>	<u>Target 2020</u>	<u>Actual 2020</u>	<u>Projected 2020</u>
Elections	<u>Client Benefits/Impacts</u>					
	# of voter status changes	7,287	4,497	7,500	4,430	7,000
	# of voter registrations processed	6,794	1,698	6,900	3,970	5,000
	# of absentee ballots issued	10,224	1,546	13,000	26,992	45,00
	<u>Outcome</u>					
	Fair and accurate election process. # of legal challenges	0	0	0	0	0
	<u>Outputs</u>					
	# of election votes cast	54,776	13,834	57,000	31,509	61,000
	Avg # of registered voters per election	37,825	37,263	41,000	41,067	41,000
	# of election administered	6	3	4	2	4
% of staff trained at each election	98%	99%	100%	67%	100%	

<u>Program</u>	<u>Criteria</u>	<u>Actual 2018</u>	<u>Actual 2019</u>	<u>Target 2020</u>	<u>Actual 2020</u>	<u>Projected 2020</u>
<u>Mail/Copy Services</u>	<u>Client Benefits/Impacts</u>					
	Accurate photocopy services. Remake of request	0%	0%	0%	0%	0%
	<u>Strategic Outcomes</u>					
	Reduce costs # of piece of mail returned to departments for reconciliation	New PM – no data	#	50	16	40
	<u>Outputs</u>					
	# of pieces of outgoing mail	111,231	85,982	120,000	85,265	150,000
	# of packages handled	131	55	125	19	50
# of copies made in mail center	745,807	622,977	600,000	210,033	500,000	

**Areas of Primary Concentration for the remainder of 2020:**

We will continue working with other departments in the City to ensure that City projects run smoothly and there is no delay in project completions.

The City Attorney’s Office will continue to vigorously defend the City of Appleton in actions filed against the City of Appleton.

We will continue to assist, guide and advise City staff from all departments as well as elected officials on legal matters in a timely fashion.

Continue to work with various departments on large mailings and copy jobs to enhance accuracy and efficiency.

Work diligently to safely and accurately administer the Partisan Primary and General Election.

Continue to process unprecedented numbers of absentee ballots.

**Budget Performance Summary**

<u>Account Description</u>	<u>Original Approp</u>	<u>Revised Budget</u>	<u>YTD Expended</u>	<u>% Used</u>
<b>14510: Administration</b>	\$355,143	\$355,143	\$166,045	46.8%
<b>14521: Litigation</b>	\$193,645	\$193,645	\$103,820	53.6%
<b>14530: Recordkeeping</b>	\$90,578	\$90,578	\$51,193	56.5%
<b>14540: Licensing</b>	\$69,558	\$69,558	\$32,468	46.7%
<b>14550: Elections</b>	\$243,762	\$243,762	\$75,602	31%
<b>14560: Mail/Copy</b>	\$149,898	\$149,898	\$113,329	75.6%
<b>Revenue Total</b>	\$0	\$0	\$0	0%
<b>Expense Total</b>	\$1,102,584	\$1,102,584	\$542,457	49.2%
<b>Grand Total</b>	\$1,102,584	\$1,102,584	\$542,457	49.2%