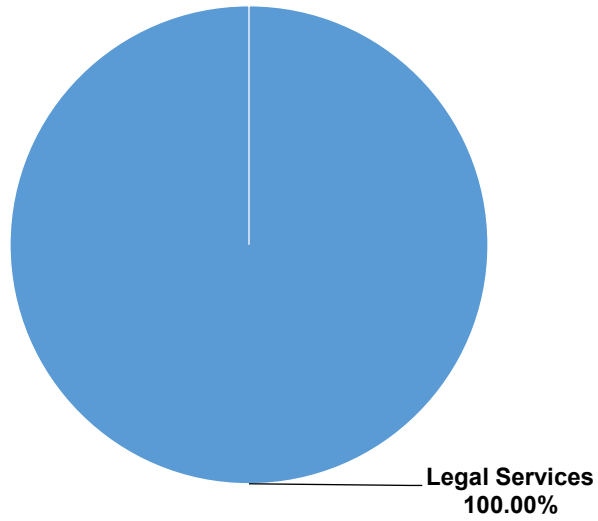


# Department of County Counsel

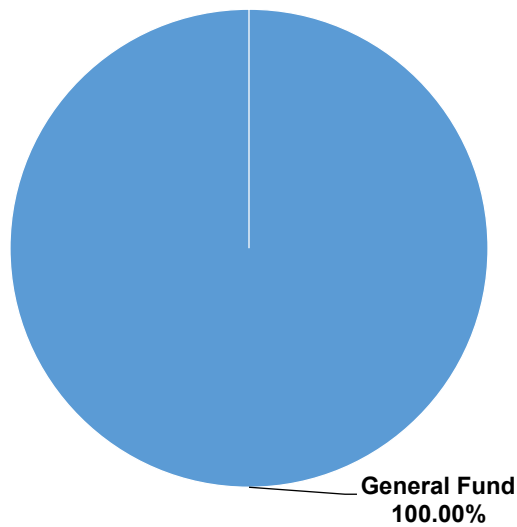
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FY 21-22 Proposed Expenditures: \$2,170,835

## FY 21-22 Expenditures by Division



## FY 21-22 Expenditures by Fund



Stephen Dingle  
County Counsel  
541-682-6561

# County Counsel

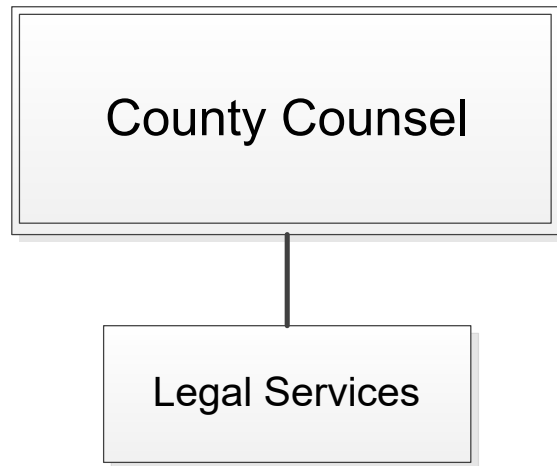
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## **Department Purpose & Overview**

The Lane County Office of County Counsel is Lane County’s legal representative in almost all legal matters, and advises the Board of County Commissioners, all other elected officials, County departments, and County employees governed by the Board of Commissioners. The office reviews, evaluates, and defends legal claims filed against the County. The County Counsel’s office represents the legal interests of the County in a wide range of civil actions including tort actions, labor grievances and arbitrations, administrative actions and land use matters.

The staff provides day-to-day legal advice by reviewing County ordinances, Board Orders, Lane Code amendments, resolutions, contracts, leases and other legal issues. This service includes the evaluation, review, drafting and assistance to County staff pertaining to legal documents. The Public Records Officer reviews and responds to all requests submitted for access to or copies of public records. The office also provides training to County staff on a variety of topics designed to reduce the County’s legal exposure to lawsuits. The Risk Management program, including general liability claims, purchased insurance, and Workers’ Compensation, resides in the County Counsel’s Office.

This support service includes 11 full-time regular staff consisting of: one County Counsel, five Assistant County Counsels, one Paralegal, two Administrative Support Technicians, a Risk Manager, and a Workers’ Compensation Analyst. One to two law clerks and occasional extra help temporary staff may assist regular staff with research and clerical duties.




# County Counsel

## Department Goals & Strategic Planning

The Office of Legal Counsel strives to provide preventative legal advice and training in an effort to reduce employment related claims, employee injuries, and other claims or actions against the County.

Areas of Focus:

- **Succession Planning.** Several of the attorneys in our office are eligible for retirement; it is important to begin planning for these retirements so that the historical knowledge can be shared, and a seamless transition can occur.
- **Holiday Farm Fire Assistance.** County Counsel is working closely with County departments and other agencies to streamline and expedite services to those affected by the wildfire.
- **Telework.** County Counsel will assist departments as the County implements a permanent telework option.

Performance Measures			FY 18-19 Actuals	FY 19-20 Actuals	FY 20-21 Projected	FY 21-22 Proposed
  <b>CC Dept Goal</b>	4.a.	Percentage of Public Record Request's acknowledged within 5 calendar days.	n/a	n/a	95	100
	4.a.	Percent of cost savings for in house legal services compared to outside counsel.	65%	63%	60%	60%
		Number of training's conducted each year focused on reducing litigation exposure.	11	12	19	15

## Partnerships

- Partnered with Public Works Engineering & Construction Services, for ODOT certifications, electronic bidding, and development of ROW utility regulation.
- Partnered with County Administration staff, for creation and implementation of Board-approved Community Benefits Bidding system.
- Partnered with Health & Human Services, for emergency purchasing, leasing, funding, and operating multiple hotel and treatment facilities for COVID-19 and fire victims' use, including operational agreements with State and service providers.
- Partnered with Economic Development and Emergency Management, for securing and distributing FEMA funding for Holiday Farm disaster response and recovery.
- Worked with multiple departments and local agencies (contracts, IGAs, policy and process interpretation, land use) to assist victims of wildfire with property clean-up as well as necessary human services (housing, counseling, FEMA assistance, etc.)
- Partnered with other county departments to interpret and implement constantly changing policies and procedures related to COVID-19.
- Assisted Economic Development in drafting grant agreement language for local businesses impacted by COVID-19 regulations and restrictions.
- Partnered with Human Resources to develop and implement telework policy in order to maintain critical services and keep employees working during COVID-19 shut-down.
- Continued the Enhanced Managing Within the Law Discussion Sessions for managers and supervisors.
- We are also currently partnering with Human Resources and Cascade Health to offer reasonable suspicion training to all County supervisors and CDL Holders with Public Works.
- Worked extensively with other counties to streamline processes and policies related to both wildfire recovery efforts and COVID-19. This is an on-going effort that saves time and money and is also an

## County Counsel

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opportunity to share valuable experiences and information while building relationships with our county partners.

### **Major Accomplishments & Achievements in FY 20-21**

- Implemented electronic bid documents and bidding for Public Works construction.
- Strategized and Implemented notification and recording requirements for properties on Local Access Roads.
- Partnered with ODOT and local entities to get approximately 7 miles of London Road declared to be a safety corridor with double fines.
- Successfully negotiated a roll over contract with AFSCME and are currently in negotiations with AFSCME General and Nurses, Prosecuting Attorneys (PAA), and interest based bargaining with FOPPO.
- Responded to three BOLI/EEOC complaints in 2020. Two were dismissed and one was resolved via mediation. Received an additional BOLI/EEOC complaint at the end of December 2020 and provided our response in January of 2021. The results of that particular complaint are still pending.

### **FY 20-21 Current Year Impacts of COVID-19 Pandemic and/or Holiday Farm Fire**

County Counsel staff transitioned to working from home pursuant to the Governor's emergency declaration almost seamlessly. Clients reported no loss or change of service.

### **Anticipated Service & Budget Changes for FY 21-22**

Legal Counsel anticipates additional duties related to Civil Commitments, which were previously handled by the District Attorney's Office. The addition of one Assistant County Counsel 2 is needed to handle this workload.

### **Future Service Challenges & Planning Efforts**

The department provides as much proactive (rather than reactive) advice to departments as is possible with current staff levels. Additional areas that could use advice and assistance are present, but County Counsel staff is unable to meet those needs without additional staff. Additionally, several attorneys in the office are eligible to retire; this will require review of various duties as well as succession planning.

### **Capital Projects – Planned and Known Needs**

Lane County Legal Counsel has no planned capital projects for FY 21-22.

## County Counsel

DEPARTMENT FINANCIAL SUMMARY						
	FY 18-19	FY 19-20	FY 20-21	FY 21-22	\$ Chng	% Chng
	Actual	Actual	Curr Bgt	Proposed	Fr Curr	Fr Curr
<b>RESOURCES:</b>						
Fees And Charges	1,676	818	0	0	0	0.00%
Administrative Charges	1,586,717	1,538,690	1,788,395	1,874,902	86,507	4.84%
<b>TOTAL RESOURCES</b>	<b>1,588,393</b>	<b>1,539,508</b>	<b>1,788,395</b>	<b>1,874,902</b>	<b>86,507</b>	<b>4.84%</b>
<b>EXPENDITURES:</b>						
Personnel Services	1,532,084	1,657,802	1,733,940	1,971,066	237,126	13.68%
Materials & Services	166,397	173,547	203,133	199,769	(3,364)	-1.66%
<b>TOTAL EXPENDITURES</b>	<b>1,698,481</b>	<b>1,831,349</b>	<b>1,937,073</b>	<b>2,170,835</b>	<b>233,762</b>	<b>12.07%</b>

EXPENDITURES BY FUND						
	FY 18-19	FY 19-20	FY 20-21	FY 21-22	\$ Chng	% Chng
	Actual	Actual	Curr Bgt	Proposed	Fr Curr	Fr Curr
General Fund	1,698,481	1,831,349	1,937,073	2,170,835	233,762	12.07%
<b>TOTAL</b>	<b>1,698,481</b>	<b>1,831,349</b>	<b>1,937,073</b>	<b>2,170,835</b>	<b>233,762</b>	<b>12.07%</b>

DEPARTMENT FINANCIAL SUMMARY BY DIVISION						
	FY 18-19	FY 19-20	FY 20-21	FY 21-22	\$ Chng	% Chng
	Actual	Actual	Curr Bgt	Proposed	Fr Curr	Fr Curr
Legal Services	1,698,481	1,831,349	1,937,073	2,170,835	233,762	12.07%
<b>TOTAL EXPENDITURES</b>	<b>1,698,481</b>	<b>1,831,349</b>	<b>1,937,073</b>	<b>2,170,835</b>	<b>233,762</b>	<b>12.07%</b>

FTE SUMMARY						
	FY 18-19	FY 19-20	FY 20-21	FY 21-22	Chng	% Chng
	Actual	Actual	Curr Bgt	Proposed	Fr Curr	Fr Curr
<b>Total FTE</b>	<b>11.00</b>	<b>11.00</b>	<b>11.00</b>	<b>12.00</b>	<b>1.00</b>	<b>9.09%</b>

DEPARTMENT POSITION LISTING	
<b>Legal Services</b>	
2.00	Administrative Support Tech
1.00	Assistant County Counsel 1
5.00	Assistant County Counsel 2
1.00	Co Counsel Paralegal
1.00	County Counsel
1.00	Management Analyst
1.00	Program Manager
<b>12.00</b>	<b>Division FTE Total</b>
<b>12.00</b>	<b>Department FTE Total</b>

## County Counsel

DEPARTMENT RESOURCE DETAIL						
	FY 18-19	FY 19-20	FY 20-21	FY 21-22	\$ Chng	% Chng
	Actual	Actual	Curr Bgt	Proposed	Fr Curr	Fr Curr
<b>RESOURCE ACCOUNTS</b>						
Refunds & Reimbursements	1,676	818	0	0	0	0.00%
<b>FEES AND CHARGES</b>	<b>1,676</b>	<b>818</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00%</b>
County Indirect Revenue	1,586,717	1,538,690	1,788,395	1,874,902	86,507	4.84%
<b>ADMINISTRATIVE CHARGES</b>	<b>1,586,717</b>	<b>1,538,690</b>	<b>1,788,395</b>	<b>1,874,902</b>	<b>86,507</b>	<b>4.84%</b>
<b>DEPARTMENT RESOURCES</b>	<b>1,588,393</b>	<b>1,539,508</b>	<b>1,788,395</b>	<b>1,874,902</b>	<b>86,507</b>	<b>4.84%</b>

## County Counsel

DEPARTMENT EXPENDITURE DETAIL						
	FY 18-19	FY 19-20	FY 20-21	FY 21-22	\$ Chng	% Chng
	Actual	Actual	Curr Bgt	Proposed	Fr Curr	Fr Curr
<b>EXPENDITURE ACCOUNTS</b>						
Regular Operating Wages	938,842	1,008,369	1,004,455	1,138,938	134,483	13.39%
Extra Help	15,655	7,928	41,796	26,796	(15,000)	-35.89%
Unclassified Temporary	0	0	5,004	20,004	15,000	299.76%
Reduction Unfunded Vac Liab	33,081	19,621	45,629	45,647	18	0.04%
Compensatory Time	45	0	0	0	0	0.00%
Risk Management Benefits	0	0	0	130	130	100.00%
Social Security Expense	56,862	60,051	67,843	76,156	8,313	12.25%
Medicare Insurance Expense	14,144	14,841	15,845	17,807	1,962	12.38%
Unemployment Insurance (State)	1,123	1,169	1,231	1,397	166	13.48%
Workers Comp	3,097	3,233	3,280	3,712	432	13.17%
Disability Insurance - Long-term	5,089	6,443	7,435	8,396	961	12.93%
PERS - OPSRP Employer rate	134,314	177,641	181,680	225,219	43,539	23.96%
PERS Bond	73,905	76,694	78,660	90,726	12,066	15.34%
PERS - 6% Contribution	56,555	61,054	62,927	72,545	9,618	15.28%
Health Insurance	134,811	151,897	154,498	171,066	16,568	10.72%
Dental Insurance	13,221	14,100	12,999	14,719	1,720	13.23%
EE Assistance Pgm	168	178	256	268	12	4.69%
Life Insurance	2,076	2,261	3,970	4,330	360	9.07%
Flexible Spending Admin	153	163	256	268	12	4.69%
Disability Insurance - Short Term	353	374	384	420	36	9.38%
Deferred Comp Employer Contrib	19,256	20,353	20,979	23,676	2,697	12.86%
Retiree Medical	29,059	31,140	24,557	28,566	4,009	16.33%
FMLA Administration	275	291	256	280	24	9.38%
<b>PERSONNEL SERVICES</b>	<b>1,532,084</b>	<b>1,657,802</b>	<b>1,733,940</b>	<b>1,971,066</b>	<b>237,126</b>	<b>13.68%</b>
Professional & Consulting	0	5,284	370	300	(70)	-18.92%
Motor Fuel & Lubricants	245	96	0	0	0	0.00%
Telephone Services	8,675	8,120	8,184	10,068	1,884	23.02%
General Liability	14,529	15,423	21,163	14,994	(6,169)	-29.15%
Maintenance of Equipment	0	50	0	0	0	0.00%
External Equipment Rental	77	71	125	0	(125)	-100.00%
Fleet Equipment Replacement	9,750	9,036	10,101	2,777	(7,324)	-72.51%
Fleet Equipment Maintenance	0	0	0	8,229	8,229	100.00%
Copier Charges	6,205	2,698	5,100	5,100	0	0.00%
Mail Room Charges	697	365	700	500	(200)	-28.57%
License Replacement	0	3,028	3,024	5,046	2,022	66.87%
Indirect/Technology Serv	82,165	85,302	97,868	91,779	(6,089)	-6.22%
Infrastructure Replacement	0	3,117	3,125	2,936	(189)	-6.05%
PC Replacement Services	4,000	4,260	4,150	4,650	500	12.05%
Office Supplies & Expense	6,245	6,560	5,500	6,500	1,000	18.18%
Professional Licenses	5,149	4,072	7,000	4,100	(2,900)	-41.43%
Dues & Memberships	0	1,296	25	3,225	3,200	12,800.00%
Advertising & Publicity	20	0	0	0	0	0.00%
Postage	0	14	75	75	0	0.00%
Radio/Communic Supplies & Svcs	3	5	25	25	0	0.00%
DP Supplies And Access	814	0	0	0	0	0.00%
Printer & Copier Expenses	694	0	0	0	0	0.00%
Small Office Furniture	388	337	500	0	(500)	-100.00%
Special Supplies	9,707	13,536	10,773	12,000	1,227	11.39%
Business Expense & Travel	177	16	175	175	0	0.00%
Outside Education & Travel	16,612	10,551	24,950	26,950	2,000	8.02%
County Training Classes	245	310	200	340	140	70.00%
<b>MATERIALS &amp; SERVICES</b>	<b>166,397</b>	<b>173,547</b>	<b>203,133</b>	<b>199,769</b>	<b>(3,364)</b>	<b>-1.66%</b>
<b>DEPARTMENT EXPENDITURES</b>	<b>1,698,481</b>	<b>1,831,349</b>	<b>1,937,073</b>	<b>2,170,835</b>	<b>233,762</b>	<b>12.07%</b>

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