

BEFORE THE METRO COUNCIL

AMENDING THE FY 2008-09 BUDGET AND)
APPROPRIATIONS SCHEDULE BY)
TRANSFERRING APPROPRIATIONS FROM)
CONTINGENCY TO THE OFFICE OF METRO)
ATTORNEY, ADDING 0.5 FTE LEGAL)
SECRETARY AND DECLARING AN)
EMERGENCY)

ORDINANCE NO. 08-1208
Introduced by Michael Jordan, Chief
Operating Officer, with the concurrence of
Council President David Bragdon

WHEREAS, the Metro Council has reviewed and considered the need to increase appropriations within the FY 2008-09 Budget; and

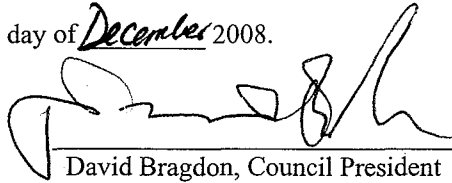
WHEREAS, the need for the increase of appropriation has been justified; and

WHEREAS, adequate funds exist for other identified needs; now, therefore,

THE METRO COUNCIL ORDAINS AS FOLLOWS:

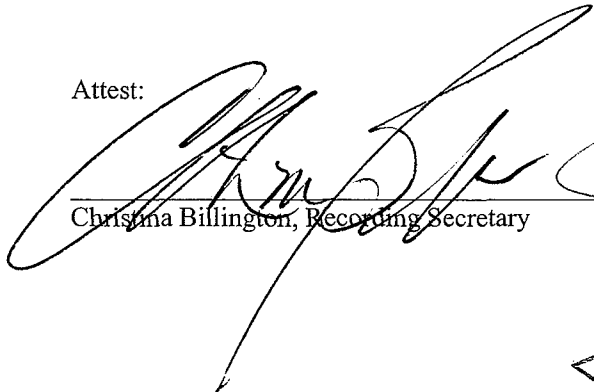
1. That the FY 2008-09 Budget and Schedule of Appropriations are hereby amended as shown in the column entitled "Revision" of Exhibits A and B to this Ordinance for the purpose of amending the General Fund.
2. This Ordinance being necessary for the immediate preservation of the public health, safety or welfare of the Metro area in order to meet obligations and comply with Oregon Budget Law, an emergency is declared to exist, and this Ordinance takes effect upon passage.

ADOPTED by the Metro Council this 18th day of December 2008.



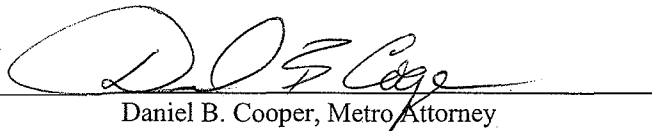
David Bragdon, Council President

Attest:

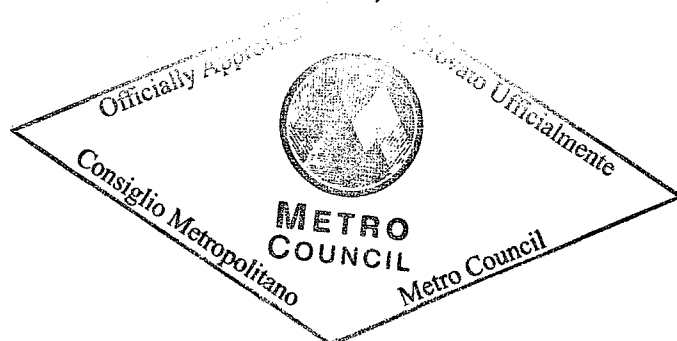


Christina Billington, Recording Secretary

Approved as to Form:



Daniel B. Cooper, Metro Attorney



**Exhibit A
Ordinance No. 08-1208**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
Office of Metro Attorney							
<i>Personal Services</i>							
SALWGE	Salaries & Wages						
5010	Reg Employees-Full Time-Exempt						
	Deputy Metro Attorney	1.00	116,846	-	0	1.00	116,846
	Legal Counsel II	7.00	740,004	-	0	7.00	740,004
	Metro Attorney	1.00	155,396	-	0	1.00	155,396
5015	Reg Empl-Full Time-Non-Exempt						
	Administrative Assistant III	1.00	40,997	-	0	1.00	40,997
	Legal Secretary	2.00	104,250	1.00	34,882	3.00	139,132
	Paralegal II	2.00	115,960	-	0	2.00	115,960
5020	Reg Emp-Part Time-Exempt						
	Legal Counsel II	0.50	56,703	-	0	0.50	56,703
5025	Reg Employees-Part Time-Non-Exempt						
	Legal Secretary	0.50	23,722	(0.50)	(23,722)	-	0
5080	Overtime		7,500		0		7,500
5089	Salary Adjustments						
	Merit Adjustment Pool (non-represented)		20,308		0		20,308
	Other Adjustments (non-represented)		20,308		0		20,308
	Other Adjustments (Class & Comp Study)		20,308		0		20,308
FRINGE	Fringe Benefits						
5100	Fringe Benefits						
	Base Fringe (variable & fixed)		453,877		4,942		458,819
5190	PERS Bond Recovery		45,514		357		45,871
Total Personal Services		15.00	\$1,921,693	0.50	\$16,459	15.50	\$1,938,152
Total Materials & Services			\$59,464		\$0		\$59,464
TOTAL REQUIREMENTS		15.00	\$1,981,157	0.50	\$16,459	15.50	\$1,997,616

The current budget column is the FY 2008-09 adopted budget and does not include amendments made after 7/1/08

**Exhibit A
Ordinance No. 08-1208**

ACCT	DESCRIPTION	Current Budget		Revision		Amended Budget	
		FTE	Amount	FTE	Amount	FTE	Amount
General Fund							
General Expenditures							
Total Interfund Transfers			\$5,050,928		\$0		\$5,050,928
<i>Contingency & Unappropriated Balance</i>							
CONT	Contingency						
5999	Contingency						
	* Contingency		3,152,085		(16,459)		3,135,626
	* Opportunity Account		100,000		0		100,000
	* Reserved for Future Planning Needs		351,000		0		351,000
	* Reserved for Future Election Costs		290,000		0		290,000
	* Reserved for Nature in Neighborhood Grants		250,000		0		250,000
	* Reserved for Reg. Afford. Housing Revolving Fun		1,000,000		0		1,000,000
	* Reserved for Metro Regional Center Remodel		378,000		0		378,000
	* Reserved for Diesel Retrofit matching grants		400,000		0		400,000
	* Recovery Rate Stabilization reserve		1,771,867		0		1,771,867
UNAPP	Unappropriated Fund Balance						
5990	Unappropriated Fund Balance						
	* Stabilization Reserve		2,320,000		0		2,320,000
	* Reserve for Future Natural Areas Operations		1,023,070		0		1,023,070
	* PERS Reserve		2,782,174		0		2,782,174
	* Computer Replacement Reserve (Planning)		90,000		0		90,000
	* Tibbets Flower Account		201		0		201
	* Reserve for Future Debt Service		2,521,852		0		2,521,852
Total Contingency & Unappropriated Balance			\$16,430,249		(\$16,459)		\$16,413,790
TOTAL REQUIREMENTS		433.15	\$103,347,466	0.50	\$0	433.65	\$103,347,466

The current budget column is the FY 2008-09 adopted budget and does not include amendments made after 7/1/08

Exhibit B
Ordinance 08-1208
Schedule of Appropriations

GENERAL FUND	<u>Current</u> <u>Appropriation</u>	<u>Revision</u>	<u>Revised</u> <u>Appropriation</u>
Council Office	2,254,278	0	2,254,278
Finance & Administrative Services	5,489,506	0	5,489,506
Human Resources	1,737,211	0	1,737,211
Information Technology	2,808,244	0	2,808,244
Metro Auditor	651,286	0	651,286
Office of Metro Attorney	1,981,157	16,459	1,997,616
Oregon Zoo	26,677,562	0	26,677,562
Planning	24,768,035	0	24,768,035
Public Affairs & Government Relations	1,988,582	0	1,988,582
Regional Parks & Greenspaces	8,521,362	0	8,521,362
Special Appropriations	3,538,480	0	3,538,480
Former ORS 197.352 Claims & Judgments	100	0	100
Non-Departmental			
Debt Service	1,450,486	0	1,450,486
Interfund Transfers	5,050,928	0	5,050,928
Contingency	7,692,952	(16,459)	7,676,493
Unappropriated Balance	8,737,297	0	8,737,297
Total Fund Requirements	\$103,347,466	\$0	\$103,347,466

The current appropriation column reflects the FY 2008-09 adopted budget and does not include amendments made after 7/1/08
All other appropriations remain as previously adopted.

STAFF REPORT

IN CONSIDERATION OF ORDINANCE NO. 08-1208, AMENDING THE FY 2008-09 BUDGET AND APPROPRIATIONS SCHEDULE BY TRANSFERRING APPROPRIATIONS FROM CONTINGENCY TO THE OFFICE OF METRO ATTORNEY, ADDING 0.5 FTE LEGAL SECRETARY AND DECLARING AN EMERGENCY

Date: November 24, 2008

Prepared by: Ann Wawrukiewicz,
Alison Kean Campbell

BACKGROUND

This action requests amended appropriation authority in the Office of Metro Attorney (OMA) for the addition of a 0.5 FTE Legal Secretary.

Over the last several years, the legal work requested by Metro staff and Metro Council of the Office of Metro Attorney has increased in response to various bond measures, increased solid waste enforcement and new planning staff. Several attorneys have been added, but OMA has not similarly increased administrative FTE in response to this increased workload. In 2006 a 0.5 FTE Legal Secretary left Metro and the position was never filled, and in fall 2008 another 0.5 FTE Legal Secretary left Metro, which position has not yet been refilled in hopes that the position could be filled at a full 1.0 FTE. Currently attorneys without support of a legal secretary are performing this work themselves, at a much higher cost per hour to Metro. An outside consultant has recommended that this position be filled as a full-time legal secretary rather than at a half-time position.

A three year fiscal impact analysis is included below.

Request **General Fund Contingency** **\$16,459**

Three Year Fiscal Impact				
Budget Category	2008/09	2009/10	2010/11	Total
Wages	11,160	23,436	24,608	59,204
Variable Fringe	2,332	4,898	5,143	12,373
Fixed Fringe	2,610	5,741	5,741	14,091
PERS Bond	357	750	787	1,894
Total	16,459	34,825	36,279	87,563

ANALYSIS/INFORMATION

- 1. Known Opposition:** None known.
- 2. Legal Antecedents:** ORS 294.450 provides for transfers of appropriations within a fund, including transfers from contingency, if such transfers are authorized by official resolution or ordinance of the governing body for the local jurisdiction.
- 3. Anticipated Effects:** This action provides the necessary resources to provide legal secretary support reflecting the increased attorney staffing and workload in OMA.

4. **Budget Impacts:** This action increases the personal services appropriations in OMA and decreases contingency in the General Fund by \$16,459. Total additional expenditures in years two and three of this project, are anticipated to be \$71,104.

RECOMMENDED ACTION

The Chief Operating Officer recommends adoption of this Ordinance.