

Office of Law - Fiscal Year 2021 Budget Review Summary

Proposed FY 2021 Operating Budget

Expenditures by Fund Type

Fund	FY 2020 Approved	FY 2020 Estimated	FY 2021 Proposed	4/20/2020 CEX Adjustment	FY 2021 Revised Proposed	\$ Change	% Change
General Fund	\$ 4,679,400	\$ 4,595,200	\$ 4,934,400	\$ (465,100)	\$ 4,469,300	\$ (210,100)	-4.5%
Total	\$ 4,679,400	\$ 4,595,200	\$ 4,934,400	\$ (465,100)	\$ 4,469,300	\$ (210,100)	-4.5%

Authorized Staffing - All Classifications

Fund	FY 2020 Approved	FY 2021 Proposed	4/20/2020 CEX Adjustment	FY 2021 Revised Proposed	Change	% Change
General Fund	57	58	(1)	57	0	0.0%
Total	57	58	(1)	57	0	0.0%

FY 2021 Proposed Budget – Key Highlights

- Increased Compensation Cost: FY 2021 Proposed Authorized staffing level increases by one (1) position compared to the FY 2020 approved level - new Attorney IV position to support the Government Operations Unit and Department of Permitting, Inspections, and Enforcement.
- Increased Operating Cost: Due to an increase in Technology Cost Allocation charges (\$45,600)
- Increased Cost Recoveries: Related to salary and fringe benefit adjustments (\$57,500)
- Vacancies (As of 3/15/20): 2 FT General Fund positions

County Executive's Recommended Adjustments

- Reduce Compensation: Remove proposed Merits/COLAs, one new position, and funding for vacant positions that were originally included in the FY21 Proposed Budget; Increased attrition (net change \$358,100)
- Reduce Fringe Benefits: As a result of the above adjustment to compensation (\$107,000)

Category	FY 2020 Approved	FY 2020 Estimated	FY 2021 Proposed	4/20/2020 CEX Adjustment	FY 2021 Revised Proposed	Change Amount	% Change
Compensation	\$ 5,749,500	\$ 5,679,000	\$ 5,937,200	\$ (358,100)	\$ 5,579,100	\$ (170,400)	-3.0%
Fringe Benefits	1,707,600	1,686,700	1,775,200	(107,000)	1,668,200	(39,400)	-2.3%
Operating Expenses	497,000	462,400	554,200	-	554,200	57,200	11.5%
Recoveries	(3,274,700)	(3,232,900)	(3,332,200)	-	(3,332,200)	(57,500)	1.8%
Total	\$ 4,679,400	\$ 4,595,200	\$ 4,934,400	\$ (465,100)	\$ 4,469,300	\$ (210,100)	-4.5%



THE PRINCE GEORGE'S COUNTY GOVERNMENT

Office of Audits and Investigations

April 29, 2020

MEMORANDUM

TO: Todd Turner, Chair
Committee of the Whole (COW)

THRU: David H. Van Dyke, County Auditor *DHV*
Turkessa M. Green, Deputy County Auditor *TMG*

FROM: Isabel Williams, Policy Analyst *IW*

RE: Office of Law
Fiscal Year 2021 Budget Review

Budget Overview

The FY 2021 Proposed Budget for the Office of Law is \$4,934,400, an increase of \$255,000, or 5.4%, over the FY 2020 Approved Budget. This increase is largely due to the creation of a new Attorney 4G position. The Office of Law expenditures are funded entirely by the General Fund, other than the Recoveries.

Budget Comparison - General Fund

Approved Fiscal Year 2020 to Proposed Fiscal Year 2021

Category	FY 2019 Actual	FY 2020 Approved	FY 2020 Estimated	% Change - Est vs App	FY 2021 Proposed	\$ Change	% Change
Compensation	\$ 5,130,748	\$ 5,749,500	\$ 5,679,000	-1.2%	\$ 5,937,200	\$ 187,700	3.3%
Fringe Benefits	1,497,214	1,707,600	1,686,700	-1.2%	1,775,200	67,600	4.0%
Operating Expenses	424,072	497,000	462,400	-7.0%	554,200	57,200	11.5%
Sub-Total	\$ 7,052,034	\$ 7,954,100	\$ 7,828,100	-1.6%	\$ 8,266,600	\$ 312,500	3.9%
Recoveries	(2,962,809)	(3,274,700)	(3,232,900)	-1.3%	(3,332,200)	(57,500)	1.8%
Total	\$ 4,089,225	\$ 4,679,400	\$ 4,595,200	-1.8%	\$ 4,934,400	\$ 255,000	5.4%

Authorized Staffing Count - General Fund

	FY 2020 Approved	FY 2021 Proposed	Change Amount	Percentage Change
Full-Time	57	58	1	1.8%
Total	57	58	1	1.8%

Staffing Changes and Compensation

- The authorized staffing level in the FY 2021 Proposed Budget is 58 full-time positions, which is an increase of one (1) position compared to the FY 2020 approved level. Funding is provided for a new Attorney IV position.
- The Proposed FY 2021 compensation is increasing by \$187,700, or 3.3%, over the FY 2020 Approved Budget to support anticipated merit increases and cost-of-living adjustments, for a new Attorney IV position for the Government Operations Unit and Department of Permitting, Inspections, and Enforcement.
- As of March 2020, the Office reported two (2) vacant full-time positions. The Office reported that it is actively recruiting for both positions. The FY 2021 Proposed Budget includes funding for these positions.
- In FY 2020, the Office has two (2) Attorney III positions assigned to other County agencies. One is assigned to the Office of the County Executive and the other is assigned to the Police Department. These assignments are likely to continue in FY 2021.
- The Office reported that its current rate of attrition is 3%. The Office states that the attrition rate can be attributed to the pay equality among regional compensation structures for similar positions.

Fringe Benefits

- Fringe benefit expenditures are proposed to increase by \$67,600, or 4.0%, above the FY 2020 Approved Budget due to the anticipated increase in compensation and the new position.
- A five-year trend analysis of fringe benefit expenditures is included below.

Fringe Benefits Historical Trend					
	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Estimated	FY 2021 Proposed
Fringe Benefit Expenditures	\$ 1,321,980	\$ 1,382,683	\$ 1,497,214	\$ 1,686,700	\$ 1,775,200
As a % of Compensation	27.9%	28.5%	29.2%	29.7%	29.9%

Operating Expenses

- FY 2021 operating expenses are proposed at \$554,200 and are comprised of the following major items:
 - Office Automation \$271,300
 - General and Administrative Contracts 108,300
 - Miscellaneous 35,000
 - Mileage Reimbursement 29,500
 - Training 28,000

- Overall, operating expenses are increasing by \$57,200, or 11.5%, over the FY 2020 Approved Budget. The accompanying table compares the FY 2021 Proposed Budget operating expenditures with the FY 2020 Approved Budget operating expenditures. FY 2021 Proposed Budget expenditures increase in three (3) categories compared to the FY 2020 Approved Budget. In nine (9) of the categories, the FY 2021 proposed budget level remains unchanged.

Operating Objects	FY 2020 Budget	FY 2021 Proposed	FY 2020 - FY 2021	
			\$ Change	% Change
Office Automation	\$ 225,700	\$ 271,300	\$ 45,600	20.2%
Mileage Reimbursement	27,500	29,500	2,000	7.3%
Membership Fees	15,000	15,000	-	0.0%
General & Administrative Contracts	98,700	108,300	9,600	9.7%
Telephone	12,000	12,000	-	0.0%
Miscellaneous	35,000	35,000	-	0.0%
Printing	20,000	20,000	-	0.0%
Office and Operating Equipment Non-Capital	3,000	3,000	-	0.0%
Training	28,000	28,000	-	0.0%
Travel: Non-Training	800	800	-	0.0%
General Office Supplies	20,000	20,000	-	0.0%
Periodicals	11,300	11,300	-	0.0%
TOTAL	\$ 497,000	\$ 554,200	\$ 57,200	11.5%

- The most significant increase between the FY 2021 Proposed Budget and the FY 2020 Approved Budget is in Office Automation (\$45,600 increase) due to an increase in Technology Cost Allocation charges.

Recoveries

- FY 2021 proposed recoveries are \$3,332,200, an increase of \$99,300, or 3.1%, above the FY 2020 approved budget level. The increase is due to an increase related to salary adjustments. The following recoveries are for legal services provided by the Office to various agencies:

Recoveries for FY 2020 and FY 2021				
Description	FY 2020 Estimated	FY 2021 Proposed	Difference	Fund*
Department of Social Services	\$ 218,900	\$ 218,900	\$ -	STATE
Health Department	32,800	32,400	(400)	GF
Office of Central Services	199,100	208,600	9,500	CIP
Fire Department	32,800	32,800	-	GF
Housing Authority	39,400	38,900	(500)	GF
Department of the Environment	70,000	70,000	-	EF
Risk Management	2,639,900	2,730,600	90,700	IS
TOTALS	\$ 3,232,900	\$ 3,332,200	\$ 99,300	

*Type of Fund: General Fund (GF) and Internal Service (IS), Enterprise Fund (EF), and Capital Improvement Program (CIP)

Highlights

- During FY 2020, the Office of Law’s Transactions Division, assisted with drafting and negotiating several essential commercial deals, including Hampton Park, Carillon PILOT, and South Lake.
- During FY 2020, the Office also assisted with the drafting, reviewing, and presenting of major legislative proposals pertaining to small cell technology and the updated animal control ordinance.
- The Office also reported that it coordinated county-wide training for all public information officers regarding the Maryland Public Information Act. The training was conducted by representatives from the Office of the Attorney General.
- The Litigation Division successfully defended a lawsuit against a developer who argued against paying the school surcharge fee. As a result of the ruling, the County will bring in \$2.63 million in school surcharge fees.
- The Office of Law reported that it continues to experience rising demands in transactional reviews, code violations, social service matters, and Maryland Public Information Act (MPIA) requests. The Office is also reporting an increase in workers’ compensation appeals, which have greatly impacted demands on the Office’s staff.
- In serving the County’s legal needs, the Office of Law manages and utilizes several legal services contracts in various areas of specialty. The Office reports that in FY 2020, approximately 19 legal services contracts are in place totaling \$4.7 million. These contracts support a variety of County agencies and are budgeted within the respective agencies where services are provided. Several vendors have multiple contracts with the County. Please see **Attachment 1**.
- The Office reported that the estimated aggregated potential exposure from lawsuits totals \$2.3 million.

Attachment 1

VENDOR	CONTRACT SERVICE/CASE	CONTRACT AMOUNT	FUNDED BY
Alexander & Cleaver	Representative for MD Public Service Commission	\$65,000	NON-D
Best Best & Krieger LLP	Comcast Cable Franchise & Transfer Services	\$114,000	OIT
Carl A. Harris & Associates	Tax Sale Foreclosure & Treasury Matters	\$10,000	FINANCE
Carl A. Harris & Associates	County Transfer & State Recordation Taxes	\$50,000	FINANCE
Carl A. Harris & Associates	Personal Property Tax		FINANCE
Camp, Marva Jo	Citizen Complaint Oversight	\$20,000	CCOP
Dawn Jackson	Towing Hearing Officer	\$23,250	DPIE
Emerson Davis, Sr.	Board of Appeals	\$19,200	COUNCIL
Karpel, Link, & Caporaletti	Worker's Compensation Appeals		RISK MGMT
Karpinski, Colaresi & Karp	Jacobs v. BOE	\$30,000	RISK MGMT
Law Office of Johnine	Dept. of Social Services / OAH	\$62,700	LAW
King Law Group	Human Relations Commission	\$30,000	HRC
Robinson & Geraldo	Personnel Board Counsel	\$28,000	PERS BD
Shiple & Horne (Bradley Farrar)	Historic Preservation Comm.	\$25,000	NON-D
Venable: HNLEA		\$4,000,000	PD
Venable: Varsity Case		\$50,000	PD
Venable: DOJ		\$75,000	PD
Whiteford Taylor & Preston	Redevelopment Authority	\$22,000	PD
Wood Law Firm	Conflict Counsel	\$71,999	HRC
TOTAL		\$4,696,149	