

FINANCIAL IMPACT STATEMENT

For Council Action Items

184684

(Deliver original to Financial Planning Division. Retain copy.)

1. Name of Initiator Robert Azorr, Police Investigative Accountant		Phone number: (503) 823-0470	2. Bureau/Office/Dept. Portland Police Bureau
4a. To be filed (date) June 22, 2011	4b. Calendar (Check One) Regular <input type="checkbox"/> Consent <input checked="" type="checkbox"/> 4/5ths <input type="checkbox"/>		5. Date Submitted to FPD Budget Analyst: June 13, 2011

1) Legislation Title: *Amend outside counsel contract with Law Office of Erin Olson PC (Ordinance; amend Contract No. 30001578)

2) Purpose of the Proposed Legislation: Extend the term of the contract for two years, until September 2013. Increase the amount of the contract by \$400,000 to a total not to exceed \$500,000. Erin Olson, P.C. has been providing legal services to the City Attorney's Office (CAO) related to civil forfeitures since October of 2010. The number of cases submitted to the circuit court for civil forfeiture has steadily increased, and the firm continues to obtain favorable results for the City. In order for the Police Bureau to build upon this initial success, they need a longer-term contract with the Olson firm.

3) Revenue:

Will this legislation generate or reduce current or future revenue coming to the City? If so, by how much? If new revenue is generated please identify the source.

This legislation will not reduce current or future revenue. This legislation will enable the continued services of outside counsel relating to civil forfeiture cases, which will generate future forfeiture revenue. The timing and amount of that revenue is highly uncertain because it is dependent on several factors outside of the City's control. Any such revenue is subject to spending restrictions under Oregon law.

4) Expense:

What are the costs to the City as a result of this legislation? What is the source of funding for the expense? *(Please include costs in the current fiscal year as well as costs in future years) (If the action is related to a grant or contract please include the local contribution or match required)*

There is no net expense or obligation to the City as a result of this legislation. The law allows a portion of the gross proceeds of these civil forfeitures to be used to pay for legal counsel. The contract provides a contingent fee for legal counsel based on the amount of the forfeitures. The City retains revenue net of that fee and the subsequent distributions that are required by ORS131A.

Staffing Requirements:

5) Will any positions be created, eliminated or re-classified in the current year as a result of this legislation? *(If new positions are created please include whether they will be part-time, full-time, limited term or permanent positions. If the position is limited term please indicate the end of the term.)*

The contract for legal services replaces a service previously provided by the City Attorney's Office but was eliminated during the budget process for FY 2010-11. The City Attorney's office will continue to monitor the feasibility of the performing these legal services internally. Given the short duration of the program, there is not yet have enough information to accurately forecast whether forfeiture proceeds could support the addition of legal staff to the City Attorney's office.

6) Will positions be created or eliminated in *future years* as a result of this legislation?

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No. This contract for legal counsel is the only required service to conduct this activity. Portland Police Bureau civil forfeiture support is a part of duties already assigned.

Complete the following section only if an amendment to the budget is proposed.

7) Change in Appropriations *(If the accompanying ordinance amends the budget please reflect the dollar amount to be appropriated by this legislation. Include the appropriate cost elements that are to be loaded by accounting. Indicate "new" in Center Code column if new center needs to be created. Use additional space if needed.)*

Fund	Fund Center	Commitment Item	Functional Area	Funded Program	Grant	Amount

APPROPRIATION UNIT HEAD (Typed name and signature)