



THE CITY OF SAN DIEGO

MEMORANDUM

DATE: May 22, 2018

TO: Honorable Council President Pro Tem Barbara Bry, Budget Review Committee Chair, and Honorable Budget Review Committee Members

FROM: Tracy McCraner, Comptroller And Financial Management Department Director

SUBJECT: Fiscal Year 2019 Budget Review Committee Referral Responses for the May 8, 2018 Morning Session

A handwritten signature in purple ink that reads "Tracy McCraner".

This memorandum provides responses and/or follow up information to unanswered questions asked at the Budget Review Committee meeting held on the morning of May 8, 2018. The responses are listed by department in the order that they were reviewed by the Committee.

OFFICE OF THE CITY ATTORNEY

COUNCIL DISTRICT 3

QUESTION:

Is there any expenditure savings in outside counsel to offset position requests?

RESPONSE:

We anticipate future potential savings by funding the requested Civil Litigation positions, as opposed to hiring outside counsel. (See table below, "Legal Services Comparison," which compares the cost of a Deputy City Attorney with that of outside counsel.) However, the amount of savings depends on the number and nature of the lawsuits filed in the coming Fiscal Year. It is important to note that outside counsel generally engage their own investigators and, while we do not have separate comparison chart for investigators, their hourly rates are similarly higher than those of City employees, and are subject to additional mark-up by the law firms.

**City Attorney's Office
 Legal Services Comparison**

Deputy City Attorneys	Salary Only	Salary plus Full Fringe 73.35%
FTE (Full Time Equivalent)	1	1
Hourly Rate (DCA Average)	\$ 52.94	\$ 91.77
Annual Hours per Lawyer (80 hrs/pay period X 26)	\$ 110,115	\$ 190,882
Annual Cost:	\$ 110,115	\$ 190,882
Outside Counsel at a cost of \$300/hour		
Comparable # of lawyers to replace DCAs	1	
Hourly Rate	\$ 300.00	
Annual Hours per Lawyer (2080 X \$300)	\$ 624,000	
Annual Cost	\$ 624,000	
Outside Counsel at a cost of \$500/hour		
Comparable # of lawyers to replace DCAs	1	
Hourly Rate	\$ 500.00	
Annual Hours per Lawyer (2080 X \$500)	\$ 1,040,000	
Annual Cost	\$ 1,040,000	

* Deputy City Attorney hourly rate including load and overhead expenses is approximately \$131.93 / hour.

COUNCIL DISTRICT 1 & 3

QUESTION:

What is the prioritization of the additional requested positions?

RESPONSE:

The City Attorney prioritizes the Assistant City Attorney ranks first, the Senior Clerk Typist second, and the Deputy City Attorneys and Investigator third. The Court Support Clerk would rank fourth. As noted above, if our budget resources are insufficient, we can always augment our legal staff (attorneys and investigators) by engaging outside counsel, though that is not an approach we recommend.

OFFICE OF THE ASSISTANT CHIEF OPERATING OFFICER (ACOO)

COUNCIL DISTRICT 3

QUESTION:

What are the performance metrics for the corporate partnership with Deco Bike?

RESPONSE:

The system metrics within the agreement with DecoBike are primarily related to maintenance of the system along with usage data for removals/relocations.

Below are excerpts from the City's agreement with DecoBike.

Section 7: Operation of the Bikes Sharing System

DecoBike shall be responsible for all operations of the Bikes Sharing System, including operation and maintenance of all bicycles, docking structures, Kiosks, and Bikes Sharing Stations.

Section 7.1: Maintenance of Bicycles

DecoBike shall maintain its bicycles in good working order and repair. At a minimum, this shall require the following: chain in good working order and free of rust; all moving components lubed; bicycle frame and fork structurally sound and in a clean condition; lights and reflectors functioning as designed; pedals in functional order; brakes functioning properly; handlebars properly attached and functional; tires inflated and free of excessive wear; wheels/spokes functional and free of excessive wear; seat in proper working order; all bolts and nuts properly secured and functioning as designed. Additional information is provided in the Agreement under Section 7.2.

Section 8.3: Removal or Relocation of Underutilized Station Area

If DecoBike determines, based upon an evaluation of Station usage by DecoBike over a three month period, that a Station Area is underutilized, DecoBike shall make a recommendation to City to keep, remove, or relocate the Underutilized Station Area. DecoBike's recommendation shall be supported by usage data and other relevant information, including community support for or against the recommendation. City shall review the recommendation and, if the usage data demonstrates that daily rentals or member uses originating from or returning to that Station Area is below 50% of the Average Program Usage for three consecutive months, City shall approval a recommendation for removal of the Station Area. Relocation of the Station Area to a new site shall require City's approval per Section 8.2. Additional information is provided in the Agreement under Section 8.3.

COMMISSION FOR ARTS AND CULTURE

COUNCIL DISTRICT 9

QUESTION:

When was the last time the eight FTE positions in the Commission for Arts & Culture department was fully staffed?

RESPONSE:

In Fiscal Year 2017, 1.00 full time equivalent (FTE) position was added to the Commission for Arts and Culture department bringing the number of full time equivalent positions to 8.00. The number of positions for the Commission for Arts and Culture department holds steady at 8.00 in the Mayor's FY19 Proposed Budget.

As of October 2017, 7.00 FTE positions of the budgeted 8.00 FTE positions in the Commission for Arts and Culture department were staffed and it was anticipated that full capacity would be reached by the end of that month. However, between November 2017 and February 2018, there were a number of staff transitions – a promotion within the department and three resignations which resulted in 4.00 vacancies.

Page 4 of 4

Honorable Council President Pro Tem Barbara Bry, Budget Review Committee Chair, and
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May 22, 2018

The job bulletin for the Executive Director position was published in February 2018 and closed in April 2018. The City has received an overwhelming response for this Mayoral appointment and screening of applications is in progress. After the Executive Director is appointed, recruitment for the three vacancies will begin. Recruitment is necessary to fill the void in the Commission for Arts and Culture's operations and to ensure successful delivery of programs and services.



Tracy McCraner
Comptroller and Financial Management Department Director

TM/lg

cc: Honorable Mayor Kevin L. Faulconer
Aimee Faucett, Chief of Staff, Office of the Mayor
Kris Michell, Chief Operating Officer
Andrea Tevlin, Independent Budget Analyst
Stacey LoMedico, Assistant Chief Operating Officer
Rolando Charvel, Chief Financial Officer
Felipe Monroig, Deputy Chief & Strategic Initiatives, Office of the Mayor
Almis Udrys, Deputy Chief of Staff - Innovation & Policy, Office of the Mayor
Matt Awbrey, Deputy Chief of Staff and Chief of Communications, Office of the Mayor
Jessica Lawrence, Director of Budget and Finance Policy, Office of the Mayor
Mara Elliott, City Attorney, Office of the City Attorney
David Graham, Deputy Chief Operating Officer, Neighborhood Services
Christine Jones, Acting Executive Director, Commission for Arts and Culture
Natasha Collura, Director, Corporate Partnerships and Development
Financial Management Staff