



*The way we do business*

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# Municipal Counselor's Office

## Strategic Business Plan

Effective Date: July 1, 2014

### **Oklahoma City Vision**

Oklahoma City is a safe, clean, affordable City. We are a family-friendly community of strong moral character, solid values, and a caring spirit. We strive to provide the right balance of cosmopolitan and rural areas by offering a well-planned and growing community that focuses on a wide variety of business, educational, cultural, entertainment and recreational opportunities. We are a diverse, friendly City that encourages individuality and excellence.

### **Oklahoma City Mission**

The City of Oklahoma City's mission is to provide the leadership, commitment and resources to achieve our vision by:

- Offering a clean, safe, and affordable City.
- Providing well managed and maintained infrastructure through proactive and reactive services, excellent stewardship of public assets, and a variety of cultural, recreational and entertainment opportunities that enhance the quality of life.
- Creating and maintaining effective partnerships to promote employment opportunities and individual and business success.
- Advancing a model of professionalism that ensures the delivery of high quality products and services continuously improves efficiency and removes barriers for future development.

### **Department Mission**

The mission of the Municipal Counselor's Office is to provide legal consultations, representations and document services to the City, its Public Trusts, and their officers, appointees, and employees so they can lawfully and effectively conduct business and implement policies.

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## Issues, Strategies, and Results

### Issue 1: Early Contact and Communication

A continuing lack of early contact and communication by some City clients with the Municipal Counselor's Office concerning some City projects, if not adequately addressed, may result in:

- Delays in client projects and policy implementation
- Lack of direction and clarity for the client
- Duplication of efforts by legal staff causing delays on other client projects
- Increased liability exposure
- Diminished client satisfaction

#### Strategy

- The Municipal Counselor's Office will endeavor to contact clients on a monthly basis or more often, as necessary, in addition to the regular attorney-client communications on a routine basis.

#### Strategic Result

The City and its Public Trusts will benefit from regular communication with Legal staff and from a workforce trained in areas of the law relevant to their work as evidenced by:

- At least 97% of Department Heads will be provided monthly communications to help identify legal issues relating to their work, annually through 2019

### Issue 2: Faster Responses to Legal Issues

The growing demand for faster responses to complex legal issues involving new and amended laws, City economic development projects, new City programs, bond issues, open records requests and increasing litigation and labor union activity combined with limited resources, training and technology, if not adequately addressed, will result in:

- Delays in client projects and policy implementation
- Lack of direction and clarity for the client
- Duplication of efforts by legal staff causing delays on other client projects
- Increased liability exposure
- Diminished client satisfaction

**Strategy**

- A client survey is distributed each year for eight of the eleven programs in the Municipal Counselor's Office.

**Strategic Result**

The City, its Public Trusts and their officers, appointees and employees will benefit from timely and effective legal service, as evidenced by:

- At least 90% of responding clients surveyed will be satisfied with the timeliness, effectiveness, and overall provision of legal services, annually through 2019

## Accomplishments

### ***All Lines of Business***

All programs within the Municipal Counselor's Office continue to report high levels of customer satisfaction with legal services. The most recent survey indicates that 100% of the clients responding to the survey were satisfied with the timeliness, effectiveness and overall provision of the legal services provided by each program.

### ***Criminal Justice Line of Business***

For the last three years, Municipal Court Jury Division charges have been consistently filed or declined within 45 days of bond posting over 99% of the time. Processing charges quickly enables defendants to know whether charges have been filed before their arraignment date and supports the Judges and Court Administrator in efficient docket management.

### ***Land Use and Economic Development Line of Business***

The Economic Development Legal Services Program provides legal support to the Economic Development program in the City Manager's Office in its work with the private sector to create over 12,000 jobs over the last three years, with at least 48% of the new jobs in any given year paying more than the Oklahoma City average wage.

In addition, the Economic Development Legal Service Program provided legal support in the negotiation of seven job creation economic development agreements, through which the Oklahoma City Economic Development Trust allocated \$9.415 million dollars in economic incentives to be paid out over the next five to seven years. The incentives could result in 1,134 new jobs in Oklahoma City paying an estimated average annual payroll of \$85 million dollars and creating an estimated regional economic impact of almost \$1 billion dollars. Additionally, the companies invested approximately \$75 million dollars in land acquisition, property improvement, equipment purchase and other capital costs to relocate or create jobs in Oklahoma City.

## Lines of Business and Programs

### Department Organization

#### **Administrative Line of Business**

- Executive Leadership Program

#### **Civil Litigation Line of Business**

- Civil Litigation Legal Services Program

#### **Criminal Justice Line of Business**

- Police & Courts Legal Services Program
- Prosecution Legal Services Program

#### **Labor and Employment Law Line of Business**

- Labor Litigation Legal Services Program
- Labor Relations Legal Services Program

#### **Land Use and Economic Development Line of Business**

- Economic Development Legal Services Program
- Land Use Legal Services Program

#### **Trusts, Utilities and Finance Line of Business**

- Trusts, Utilities and Finance Legal Services Program

## Administrative Line of Business

The purpose of the Administrative Line of Business is to provide leadership, support and information to the department so it can achieve its strategic and operational results.

### Programs and Key Measures

Executive Leadership Program



% of strategic goals (or interim targets) achieved

## Executive Leadership Program

The purpose of the Executive Leadership Program is to provide planning, management, administrative and reporting services to department employees and City leaders so they can achieve strategic goals and key results.

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Program Manager: Kenneth Jordan / Cindy Richard



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Program Budget: \$ 1,653,789 (FY16)

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### Program Services:

- Agenda Items / Packets
- Audit Responses
- Budget Proposals
- Citizen Responses
- Continuity of Operations Plan
- Contract Compliance Reviews
- Contracts, Leases, and Agreements
- Employee Consultations
- Executive Reports
  - Special Project Reports
  - Performance Reports
  - Litigation Reports
- FMLA Authorizations
- General Legal Counsel
  - Mayor and Council
  - City Manager
  - Department Heads
  - Trusts
- Grant Applications
- Grant Status Report
- Grievance Resolutions
- Internal Investigation Repo
- Legislative Recommendations
- Needs Analyses
- Open Record Responses
- Personnel Transactions
- Plans (i.e. Master Plan)
- Policies & Procedures
- Presentations
- Project and Financial Impact Analyses

Family of Measures	
Results	 of key measures achieved
	 % of Department Heads receiving monthly communications from the Municipal Counselor's Office
	% of performance evaluations completed by the review date
	% of terminations submitted to Personnel Department within 3 days of the termination date
	% of full-time equivalent (FTE) employees without an on the job injury (OJI) in the current fiscal year
Outputs	Dollar amount of operating expenditures managed
	# of full-time employees supported



## Criminal Justice Line of Business

The purpose of the Criminal Justice Line of Business is to provide consultations, representations and document services to the City, Police and Court Administration so they can receive prompt and effective legal guidance and resolve criminal complaints.

### Programs and Key Measures

#### Police & Courts Legal Services Program



% of responding clients satisfied with the timeliness, effectiveness and overall provision of Police and Courts legal services

#### Prosecution Legal Services Program



% of Municipal Court Jury Division charges filed or declined within 45 days of bond posting

## Police & Courts Legal Services Program

The purpose of the Police and Courts Legal Services Program is to provide legal consultations, representations and document services to the police and court administration departments so they can receive prompt, clear and direct legal guidance in order to lawfully conduct their business.

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Program Manager: Cindy Richard

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Program Budget: \$ 296,802 (FY16)

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### Program Services:

- General Legal Counsel
    - Court Administrator
    - Municipal Judges
    - Police Department
    - E-911 (Finance and Legislative)
  - Police and Courts legal consultations
    - Subpoenas
    - Open Records
    - Property dispositions (Police)
    - Procedure reviews (Police)
    - Impounds (Police)
    - Client trainings (Police)
    - Legal opinions/ memoranda
    - Citizen information responses
    - Weapon dispositions (Police)
    - Jail costs collections (Courts)
  - Police and Courts legal documents
    - Contracts
    - Resolutions
- Administrative ordinances
- Criminal/traffic ordinances
- Council memo reviews
- Agenda item approvals
- Jail costs collection hearing determinations
- Real Property Criminal Nuisance Abatement Agreements
- Police and Courts legal representations
  - Property hearings (Police)
  - Weapon disposition hearings (Police)
  - Alarm Board meetings (Police)
  - Council Judiciary Committee meetings (Courts)
  - Jail Cost Collections hearings
  - Real Property Criminal Activities Nuisance Abatement
  - Vehicle Abatement hearings

### Family of Measures

Results	 % of responding clients satisfied with the timeliness, effectiveness and overall provision of Police & Courts legal services
Outputs	# of Police and Courts legal services provided
Demands	# of Police and Courts legal services requested
Efficiency	\$ expenditure per Police and Courts legal service provided

## Prosecution Legal Services Program

The purpose of the Prosecution Legal Services Program is to provide municipal ordinance prosecution services to The City of Oklahoma City so it can have a just and efficient resolution of criminal complaints.

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Program Manager: Cindy Richard


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Program Budget: \$ 1,291,181 (FY16)

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### Program Services:

- Prosecution legal consultations
      - Prosecution trainings
      - Legal opinions/ memoranda
      - Citizen information responses
    - Prosecution legal representations
      - Animal, Traffic, Criminal, Juvenile, Environmental, Adult Jury Division, Parking, and Appeal prosecutions
  - Docket appearances
  - Charge reviews
  - Prosecution legal document services
    - Pleadings
    - Briefs
    - Legal memos
    - Citation and charge approvals/declines
- 

Family of Measures	
Results	 % of Municipal Court Jury Division charges filed or declined within 45 days of bond posting
Outputs	# of charges reviewed
	# of charges filed
	# of prosecutions resolved
	# of hours in court for docket appearances
	# of cases tried that result in guilty verdict
	# of cases not tried resolved by guilty or no contest plea
Demands	# of cases tried
	# of cases resolved without trial
	# of charges presented for review
Efficiency	\$ expenditure per prosecution resolved

## Civil Litigation Line of Business

The purpose of the Civil Litigation Line of Business is to provide advice, consultations and legal representation services to the City, its Public Trusts and their officials and employees so they can avoid or limit liability.

### Programs and Key Measures

Civil Litigation Legal Services Program



# of legal services provided by Civil Litigation attorneys

## Civil Litigation Legal Services Program

The purpose of the Civil Litigation Legal Services Program is to provide advice, consultations and legal representation services to the City, its Public Trusts and their officials and employees so they can avoid or limit liability.

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Program Manager: Richard C. Smith

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Program Budget: \$ 1,308,501 (FY16)

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### Program Services:

- Civil litigation legal consultations
  - Subpoenas
  - Open Records
  - Legal opinions/memoranda
  - Client trainings
  - Ordinance reviews
  - Process claims
  - Process collections
  - Council executive sessions
- Civil litigation legal representations
  - Trial preparations
  - Trial representations
  - Collections hearings
  - Expungements
  - Appeals
- Appeals
- Settlement negotiations
- Civil litigation legal documents
  - Pleadings
  - Briefs
  - Contracts
  - Ordinances
  - Resolutions
  - Claims memos
  - Collections letters
  - Agenda item approvals
- General Legal Counsel
  - Council Committees, Payroll Division

### Family of Measures

Results	% of responding clients satisfied with the timeliness, effectiveness and overall provision of Civil Litigation legal services
Outputs	 # of legal services provided by Civil Litigation attorneys
Efficiency	\$ expenditure per Civil Litigation legal service provided

## Labor and Employment Law Line of Business

The purpose of the Labor and Employment Law Line of Business is to provide labor advice, trainings, representations and document services to City Council and City Management so they can manage their employees without undue delay and reduce legal liability associated with labor management issues.

### Programs and Key Measures

#### Labor Litigation Legal Services Program



# of Labor Litigation legal services provided

#### Labor Relations Legal Services Program



% of responding clients satisfied with the timeliness, effectiveness and overall provision of Labor Relations legal services

## ***Labor Litigation Legal Services Program***

The purpose of the Labor Litigation Legal Services Program is to provide civil representation services to City Council members and City Supervisors so they can resolve disputes and reduce legal liability associated with labor management issues.

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Program Manager: Richard E. Mahoney

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Program Budget: \$265,171 (FY16)

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### Program Services:

- Labor litigation legal consultations
    - Subpoenas
    - Legal opinions/memoranda
    - Council executive sessions
    - Open records requests
    - Labor Risk Mitigation Training Sessions
  - Labor litigation legal representations
    - Trial preparations
    - Trial representations
    - Appeals
    - Settlement negotiations
    - Equal Employment Opportunity Commission and Public Employees Relations Board actions
- Grievance hearings
  - Grievance arbitrations
- Labor litigation legal documents services
    - Pleadings
    - Briefs
    - Contracts
    - Agenda item approvals
    - Ordinances
    - Resolutions
    - Council memos

Family of Measures	
Results	% of responding clients satisfied with the timeliness, effectiveness and overall provision of Labor Litigation legal services
Outputs	 <b># of Labor Litigation legal services provided</b>
Demands	# of Labor Litigation legal services requested
Efficiencies	\$ expenditure per Labor Litigation legal service provided

### ***Labor Relations Legal Services Program***


The purpose of the Labor Relations Legal Services Program is to provide general counsel, legal consultations, administrative representations and document services to City Council members and City Management so they can increase their awareness and understanding of labor issues to better plan and better manage their employees in a timely manner.

Program Manager: Richard E. Mahoney

Program Budget: \$300,772 (FY16)

Program Services:

- Labor legal consultations
  - Subpoenas
  - Open records
  - Personnel policy reviews
  - Legal opinions/ memoranda
  - Pension plans
  - Benefits plan
  - New labor law bulletins
  - Council executive sessions
- General Legal Counsel
  - Employee Grievance Board, Fire Dept, Firemen’s Relief & Pension System, Information Technology, Personnel Dept, Risk Management
  - OPEB Trust
- Labor legal representations
  - Unemployment pay
- Unemployment pay
- Union contract negotiations (interest arbitrations)
- Healthcare Subrogation Claims
- Labor legal documents
  - Contracts
  - Resolutions
  - Ordinances
  - Council memos
  - Agenda item approvals
  - Unemployment pay documents
  - Collective bargaining agreements/memoranda
  - Last best offers
  - Last best offers election documents

Family of Measures	
Results	 % of responding clients satisfied with the timeliness, effectiveness and overall provision of Labor Relations legal services
Outputs	# of Labor Relations legal services provided
Demands	# of Labor Relations legal services requested
Efficiencies	\$ expenditure per Labor Relations legal service provided



## Land Use and Economic Development Line of Business

The purpose of the Land Use and Economic Development Line of Business is to provide legal consultations, client representation, document drafting and review, and legal liaison services to the City, its Officers, Departments, Boards, Commissions, and Trusts, so they can implement their Land Use and, Economic Development, goals, policies and objective and efficiently and effectively provide administrative and regulatory services and programs.

### Programs and Key Measures

#### Economic Development Legal Services Program



% of responding clients satisfied with the timeliness, effectiveness and overall provision of Economic Development legal services

#### Land Use Legal Services Program



% of responding clients satisfied with the timeliness, effectiveness and overall provision of Land Use legal services

## ***Economic Development Legal Services Program***

The purpose of the Economic Development Legal Services Program is to provide consultations, document review and drafting and client representation services to the City and its officers, Trusts and Authorities so they can receive timely and effective legal services to help them promote Economic Development.

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Program Manager: Wiley L. Williams

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Program Budget: \$388,149 (FY16)

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Program Services:

- Economic development legal consultations
  - Legal opinions/memoranda
  - Open Meetings
  - Open Records
  - Reviews of deeds, leases, easements, ordinances, resolutions, contracts and mortgages
  - Urban renewal
  - Tax increment financing
- Economic development legal document
  - Mortgages
  - Deeds
  - Loans
  - Contracts
- Resolutions
- Council memos
- Ordinances
- Leases
- Trust indentures
- Litigation documents
- Economic development legal representations
  - Contract negotiations
  - Economic development litigation
  - Council executive sessions
  - Public hearings
- General Legal Counsel
  - Trust indentures
  - Oklahoma City Economic Development Trust

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### Family of Measures

Results	 <b>% of responding clients satisfied with the timeliness, effectiveness and overall provision of Economic Development legal services</b>
Outputs	# of Economic Development legal services provided
Demands	# of Economic Development legal services requested
Efficiencies	\$ expenditure per Economic Development legal service provided

## Land Use Legal Services Program

The purpose of the Land Use Legal Services Program is to provide legal consultations, representations and documents to Mayor and Council, City Departments and City Boards, Commissions and Trusts so they can obtain the services requested to implement and develop effective Land Use policies and objectives.

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Program Manager: Daniel T. Brummitt

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Program Budget: \$666,651 (FY16)

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### Program Services:

- General Legal counsel for 32 City Departments, Divisions, Boards, Commissions and Trusts
  - Land Use legal consultations
    - Ward changes
    - Legal opinions/memoranda
    - Grants
    - Open Meetings
    - Open Records
    - Council executive sessions
    - Assessment District
    - Neighborhood Meetings
  - Land Use legal document services
    - Draft or Review of City Clerk documents, loans, mortgages, deeds, leases, contracts, resolutions, ordinances, Council memos and litigation documents
  - Land Use legal representations
    - Trial preparations, appearances and appeals
    - Plat-easement vacations
    - Permit representations
    - Eminent domain litigation
    - Public nuisance litigation
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### Family of Measures

Results	 % of responding clients satisfied with the timeliness, effectiveness and overall provision of Land Use legal services
Outputs	# of Land Use legal services provided
Demands	# of Land Use legal services requested
Efficiencies	\$ expenditure per Land Use legal service provided

## Trusts, Utilities and Finance Line of Business

The purpose of the Trusts, Utilities and Finance Line of Business is to provide consultations, representations and document review and drafting services to the clients so they can make legally informed, timely decisions.

### Programs and Key Measures

Trusts, Utilities and Finance Legal Services Program



% of responding clients satisfied with the timeliness, effectiveness and overall provision of Trusts, Utilities, and Finance legal services

## ***Trusts, Utilities and Finance Legal Services Program***

The purpose of the Trusts, Utilities and Finance Legal Services Program is to provide consultations, representation and document review and drafting services to City Council, Appointees, Trustees and City Management so they can make legally informed, timely decisions, implement policies and spend money legally and efficiently.

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Program Manager: Craig Keith

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Program Budget: \$850,404 (FY16)

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Program Services:

- General Legal Counsel for 10 City departments, divisions and Trusts
- Trusts, Utilities and Finance legal consultations Agenda items
  - Council Meetings
  - Council Committee meetings
  - Executive sessions
  - Procurement
  - Trust labor issues
  - Elections
  - Training sessions
- Trusts, Utilities and Finance legal documents
  - Draft or review of ordinances, contracts, resolutions, bonds, charter, memos, agenda items, bid specifications, claims, deeds, easements, grants, indentures, legislation, leases, letters, licenses, opinions, permits, and requests for proposals
- Trusts, Utilities and Finance legal representations
  - Administrative hearings
  - Appeals – commission and litigation
  - Bid openings
  - Collections
  - Litigation
  - Neighborhood meetings
  - Open Records Requests
  - Public hearings
  - Settlement negotiations

Family of Measures	
Results	 % of responding clients satisfied with the timeliness, effectiveness and overall provision of Trusts, Utilities, and Finance legal services
Outputs	# of Trust, Utilities and Finance legal services provided
Demands	# of Trusts, Utilities and Finance legal services requested
Efficiencies	\$ expenditure per Trusts, Utilities and Finance legal service provided