

2020 Seattle City Council Budget Action

Agenda

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OPA	1	A	1

Budget Action Title: Add \$150,000 GF in 2020 (ongoing) to OPA to allow for contracting with outside legal counsel and impose a proviso

Ongoing: Yes Has Budget Proviso: Yes

Has CIP Amendment: No

Primary Sponsor: Lorena González

Council Members:

Staff Analyst: Greg Doss

Council Bill or Resolution:

Date	Total	LH	BH	KS	AP	DJ	MO	SB	TM	LG
Yes	0									
No	0									
Abstain	0									
Absent	0									

Summary of Dollar Effect

See the following pages for detailed technical information

	2020 Increase (Decrease)	2021 Increase (Decrease)
General Fund		
General Fund Revenues	\$0	
General Fund Expenditures	\$150,000	
Net Balance Effect	\$(150,000)	
Total Budget Balance Effect	\$(150,000)	

Budget Action Description:

This Council Budget Action adds \$150,000 GF in 2020 (ongoing) to the Office of Police Accountability (OPA) for the retention of legal services in order to receive independent legal advice and representation in policing-related matters, particularly with relation to United States v. Seattle, before the U.S. District Court of Western Washington. This Council budget action also imposes a proviso.

No funding for this purpose was included in either the 2020 Endorsed or the 2020 Proposed Budget. The \$150,000 would provide funding to hire independent legal counsel in the event that the OPA finds itself in conflict with the Seattle City Attorney. This type of conflict happened in 2019 when another police accountability agency, the Community Police Commission, chose to independently file a brief that responded to an order by the Honorable Judge Robart, pursuant to the 2012 Settlement Agreement between the U.S. District Court and the City of Seattle.

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The Seattle City Attorney's Office provides legal services to the Executive and Legislative Branches, except when there is a conflict of interest, specific expertise is required, or existing staff is at capacity. In other instances, a City department may not wish to be represented by the City Attorney's Office because there is disagreement about a particular course of action. In these instances, a department may be required to use its operating budget to retain outside counsel. The cost of outside legal counsel can be difficult for a small city department, such as the police accountability agencies established in Ordinance 125315, to cover within existing appropriation levels.

This Council Budget Action imposes the following proviso:

"Of the appropriation in the 2020 budget for the Office of Police Accountability, \$150,000 is appropriated solely for the retention of outside legal counsel for an attorney-client relationship only, and may not be spent for any other purpose."

Budget Action Transactions

#	Transaction Description	Position Title	Number of Positions	FTE	Dept	BSL	Fund	Year	Revenue Amount	Expenditure Amount
1	Add \$150,000 GF in 2020 (ongoing) to OPA to allow for contracting with outside legal counsel		0	0	SPD - SP000	SPD - BO-SP-P1300 - Office of Police Accountability	00100 - General Fund	2020	\$0	\$150,000