

From: [Lysia Bowling](#)
To: [City Council Only](#)
Subject: June 5, 2017 Agenda Item No. 28 - Clarification Regarding Office of City Attorney and Financial Services Department Controls and Procedures for the Acquisition of Legal Services
Date: Friday, June 2, 2017 5:08:01 PM

To: Council President Spencer and Members of City Council

From: Lysia H. Bowling, City Attorney

Date: June 3, 2017

Re: Clarification Regarding Office of City Attorney and Financial Services Department Controls and Procedures for the Acquisition of Legal Services

I have reviewed Item No. 28 to be considered for City Council approval at the June 5, 2017 Agenda Conference which proposes an amendment to Section 3-3-2 of the City Code. I am providing the following information to assist City Council in consideration of this item.

At the June 2016 City Council meeting, the City's Chief Financial Officer provided City Council with a summary of outside legal counsel costs for FY 2006-2015. Significantly, the specific controls and procedures jointly implemented by the Office of the City Attorney and the Financial Services Department were included in the presentation.

Since the third quarter of 2014, Quarterly Financial Reports have been presented by the City Chief Financial Officer to City Council which include a Schedule of Legal Costs. This schedule specifically sets forth the name of the attorney or law firm, the amount paid fiscal year to date, and the nature of legal services provided. Each Quarterly Financial Report is made available to the public on the City website.

To provide clarification on the Legislative Action Summary of Item No. 28, **there are specific controls and procedures for the acquisition of outside legal services.** The following specific controls and procedures have been operative for the past four years:

- Outside legal services acquired through written contracts which require the nature and scope of services and rates to be specifically delineated in the contract.
- The City Attorney's Office reviews and approves all invoices for outside legal services prior to payment by the Financial Services Department.
- A Schedule of Legal Costs listing each outside attorney name or law firm and the amount paid is included in the Chief Financial Officer's Quarterly Financial Report to City Council and is publicly available on the City's website.

Therefore, in light of the Legislative Action Summary, the foregoing states the facts as they relate to the current process and the roles of the Office of the City Attorney and Chief Financial Officer. To confirm, there is an established oversight process for procurement of outside legal services which regulates and administers specific controls and procedures for the acquisition of outside legal services. This process ensures control, accountability and greater transparency in expenditures of funds for outside legal services.

Thank you,

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