

Responses from CBO to Councilmember Burgess's questions from 4th Quarter briefing

Is there a union challenge regarding the Compliance Coordinator position?

The City has been notified that there is likely going to be an unfair labor practice charge in relation to this position. Once the ULP is filed and answered the matter is referred to a PERC hearing examiner for adjudication. The timeline for resolution through hearing can vary significantly, but by the time a hearing is ultimately held, post-hearing briefs submitted and a decision rendered, it is anticipated to take a minimum of 6-9 months.

Given that the language in the Settlement Agreement does not indicate whether the Compliance Coordinator should be civilian or not, the duties of the position, and the credentials of the person that will fill this role, including his prior experience as a sworn officer, the Mayor is recommending we proceed to create the position.

What is the Status of DOJ cost reporting?

CBO and council central staff have met and agreed upon a DOJ cost reporting structure, with the first reporting to occur in January with monthly updates thereafter.

What factors are driving the \$5.68 million in appropriation for SPD?

The below information reflects costs incurred by the Seattle Police Department (SPD) in 2012. Table 1 illustrates a breakdown of spending and hours for overtime (OT) in SPD through October 23, 2012. This helps to illustrate the kind of work that is done on OT. Also included is a comparison to 2011 through the same pay period to help capture how our OT patterns in 2012 differ from 2011. Note that this table is not a comparison of 2012 actuals to 2012 budget, but rather 2012 actuals to 2011 actuals. It is meant to help provide context for the relative allocation of OT across different activities and also portrays changes we've seen this year from last year.

As shown in Table 1, SPD spends the majority of their OT for regular duties. In 2012, emphasis patrols affected all areas of regular duties, including time spent on the street in increased beat attention as well as increases in investigations and specialized crime fighting tactics (buy, bust stings, etc). As of pay period 22 (thru Oct 23), cost for this kind of activity was \$3.4 million more than in 2011, and is the largest driver of relative changes in OT costs. Compared to 2011, total OT spending through Oct 23 was up approximately \$3.8M.

Table 1
2011-2012 Overtime Comparison
Overtime as of 10/25/11 and 10/23/12 (Pay Period #22)

OT CATEGORY	2011		2012		Difference (over)/under	
	DOLLARS	HOURS	DOLLARS	HOURS	DOLLARS	HOURS
COURT	\$361,085.56	5,960.40	\$336,084.32	5,449.65	\$25,001.24	510.75
EVENTS	\$2,658,538.31	40,905.45	\$2,956,361.39	44,895.00	\$(297,823.08)	(3,989.55)
REGULAR DUTIES	\$6,350,500.83	105,733.38	\$9,710,432.56	\$155,643.88	\$(3,359,931.73)	(49,910.50)
REIMBURSABLE	\$1,025,238.12	15,199.90	\$1,285,975.64	19,004.60	\$(260,737.52)	(3,804.70)
SPORTS	\$1,721,915.63	27,550.95	\$1,650,324.36	26,090.00	\$71,591.27	1,460.95
UNUSUAL OCCURENCES	\$45,003.28	633.75	\$ 57,950.61	834.75	\$(12,947.33)	(201.00)
Total	\$12,162,281.73	195,983.83	\$15,997,128.88	251,917.88	\$(3,834,847.15)	(55,934.05)

Table 2 below portrays total SPD spending through October, as well as total 2012 projected spending vs budget. This table captures the total ups and downs by account grouping for SPD and drives the need for the 4th quarter supplemental requests. Note that the current updated estimate for total additional spending through yearend is \$6.2M. Of this, approximately \$780,000 is due to reimbursable work as detailed in Table 3.

As shown in Table 2 below, increased overtime usage affects salary-driven accounts where the City is required to pay increased amounts based on the amount of wages an employee makes. Examples of this include retirement, FICA, and Social Security contributions. Increases in spending driven by salary are partially offset by savings in accounts for expenses and equipment.

**Table 2
SPD Deficit Calculation with October Actuals**

Expense Category	2012 Revised Budget	October YTD	Estimated Year End Expenditures	Surplus / (Deficit)
Salary Accounts (excluding OT)	\$154,481,265	\$128,861,502	\$154,556,502	\$ (75,237)
Overtime	\$12,754,177	\$15,561,667	\$18,375,658	\$(5,621,481)
Salary-Driven Accounts (FICA, Medicare, Pension, Benefits, Uniforms, etc.)	\$48,251,005	\$ 40,956,684	\$49,001,018	\$ (750,013)
Salaries Subtotal	\$215,486,447	\$185,379,853	\$221,933,178	\$ (6,446,731)
Expenses and Equipment	\$36,814,294	\$28,822,090	\$36,562,037	\$252,257
Total Budget	\$252,300,741	\$214,201,943	\$258,495,215	\$ (6,194,474)

NOTE: The October YTD Overtime figure in this table takes into consideration any month end adjustments for reimbursements actually received. That is why this figure is less than the figure provided in Table 1.

Supplemental appropriation authority is requested to cover this spending through several separate items, a portion of which relates to reimbursable work as described in Table 3. In addition, it is estimated that the General Fund will need to support approximately \$5.4 million in spending beyond currently budgeted levels. Given that spending in November and December may vary from current estimates, CBO recommends no change to the \$5.6 million appropriation amount included in the 4th quarter supplemental.

**Table 3
Reimbursement Calculations**

Total SPD Deficit (10/31)		\$(6,194,474)
Reimbursement Items		
FEMA Reimb	4th qtr	\$ 25,966
E911 Reimb	1st & 4th qtr	\$ 590,768
Harbor Reimb	1st qtr	\$ 75,000
Fed OT Reimb	4th qtr	\$ 85,823
Total Reimbursement		\$ 777,557
General Fund requirement		\$ (5,416,917)