

City Attorney
Adopted Budget – FY 2007/08

City Attorney

ADMINISTRATION
Law Office Manager
Administrative Assistant
Office Specialist

LITIGATION

Assistant City Attorney
Senior Deputy City Attorney (2)
Deputy City Attorney III
Investigator
Legal Secretary (3)

ADVISORY

Assistant City Attorney
Senior Deputy City Attorney
Deputy City Attorney III (2)
Deputy City Attorney I
Legal Secretary

The City Attorney's office is an internal service department that advises and represents the City Council and all City employees on matters of law pertaining to their offices. This includes daily assistance on operational issues as well as pro-active defense of litigation filed against the City and its elected officials and employees.



Administration

The administration and support functions are performed under the supervision of the City Attorney. This includes personnel, clerical, financial, technology, training and development, and records management support. This function also includes attendance at regular City Council meetings as parliamentarian and advisor, and active participation in the executive management team to promote the strategic goals of the City Council.

Advisory Division

The Advisory Division, comprised of four Deputy Attorneys, is supervised by an Assistant City Attorney and provides legal assistance on all matters pertaining to the daily operation of the City to the City Council and City officers. It prepares all legal documents and opinions to ensure the City can accomplish its goals and objectives with little, if any, risk of litigation.

Litigation Division

The Litigation Division, comprised of three Deputy Attorneys, is supervised by an Assistant City Attorney and handles all civil matters on behalf of the City, its employees, and officials. All cases are handled by in-house staff unless there is a conflict in representation or the outside counsel is paid by a third party.

Ongoing Activities & Projects

Administration

- Manage and supervise daily operations of the City Attorney's office
- Maintain document management software
- Maintain active and closed matters
- Create and maintain monthly, quarterly, and annual reports to departments and City Council
- Update and maintain department website
- Provide city-wide training on the Brown Act, public records, sexual harassment, ethics, and contract process
- Coordinate an active internship program for college and graduate students
- Provide independent investigation services

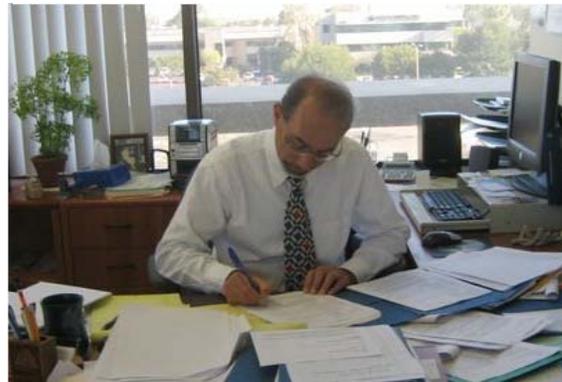
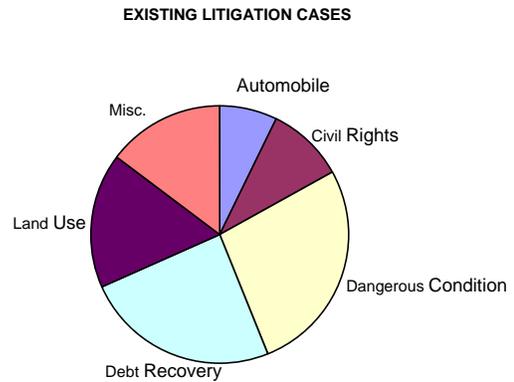


Advisory Division

- Interpret the City Charter and all the City ordinances
- Provide ongoing legal advice to Redevelopment Agency and 16 City departments
- Actively participate in negotiations with eight labor organizations
- Attend, advise, and prepare for Planning Commission meetings and other committee meetings, as requested
- Coordinate Public Records Act responses
- Prosecute in the name of the People all criminal violations of the municipal and zoning codes
- Administer all civil citation hearings
- Research, advise, and prepare all ordinances, resolutions, and agreements
- Review and approve all insurance forms and indemnification waivers submitted to the City
- Maintain standardized agreements and contract processing
- Review and advise regarding changes in state law impacting the City

Litigation Division

- Defend all civil matters wherein the City is a party; including police matters, land use decisions, contract disputes, personnel grievances, automobile accidents, slip and fall injuries, and constitutional challenges
- Coordinate with the Human Resources Department on claims processing, workers' compensation, and liability assessment
- Actively pursue relief on behalf of the City via injunctive relief, collections, subrogation, writs, appeals, and amicus
- Supervise outside counsel on an as-needed basis
- Advise staff on opportunities to minimize liability exposure before, during, and after the filing of litigation
- Represent staff at depositions in third party litigation wherein the City is not a party
- Assist staff in preparation of bankruptcy matters
- Provide assistance to staff in small claims disputes
- Advise on settlement of claims prior to litigation



City Attorney

Performance Measures

FY 2006/07 marked the first year of a city-wide effort aimed at integrating performance measures into the budget development process. In certain instances, Departments have realigned and adjusted performance measures for FY 2007/08 to better reflect operational realities. The objectives and measures, which have changed between FY 2006/07 and FY 2007/08, are noted below.

	<i>FY 2006/07 ACTUALS</i>	<i>FY 2007/08 Budget</i>	<i>Strategic Plan Goals</i>
Objective: (FY 2007/08) NEW			
1. Review and process criminal citations within four business days 95% of the time.			
Measure: % of criminal citations reviewed and processed within four business days	95%	95%	
Objective: (FY 2007/08) NEW			
2. Review and process insurance and indemnification approvals and waivers within 3 business days 95% of the time.			
Measure: % of insurance and indemnification approvals and waivers within three business days	95%	95%	
Objective: (FY 2006/07 and FY 2007/08)			
3. Respond to 85% of Public Records Act and Citizen Inquiries within three business days.			
Measure: % of Public Records Act and Citizen Inquiries request responded to within three business days	80%	85%	
Objective: (FY 2006/07 and FY 2007/08)			
4. Prepare City ordinances and City Council resolutions within 20 business days of request 80% of the time.			
Measure: % of ordinances and resolutions prepared within 20 business days	74%	80%	
Objective: (FY 2006/07 and FY 2007/08)			
5. Review 85% of standard agreements within three business days.			
Measure: % of standard agreements reviewed within three business days	77%	85%	
Objective: (FY 2006/07 and FY 2007/08)			
6. Prosecute municipal code violations, civil hearings, and Pitchess motions within 35 business days 95% of the time.			
Measure: % of municipal code violations, civil hearings, and Pitchess motions prosecuted within 35 business days	95%	95%	
Objective: (FY 2006/07 and FY 2007/08)			
7. Provide aggressive and cost-effective defense of all civil litigation 95% of the time.			
Measure: % of aggressive and cost-effective defense of all civil litigation	95%	95%	



City Attorney
Adopted Budget - FY 2007/08
Department Budget Summary
All Funds by Object Account



DEPARTMENT

Expenditure Object Account	FY 2003/04 Actual	FY 2004/05 Actual	FY 2005/06 Actual	FY 2006/07 Adopted	FY 2006/07 Revised	FY 2007/08 Adopted	Percent Change From Prior Year
PERSONAL SERVICES							
Salaries, Permanent	1,244,155	1,347,585	1,437,664	1,560,504	1,560,504	1,835,241	17.61%
Salaries, Temporary	25,439	19,107	21,517	20,826	20,826	20,826	0.00%
Salaries, Overtime	743	6,380	2,720			167	
Benefits	340,441	390,331	482,146	574,176	574,176	621,403	8.23%
PERSONAL SERVICES	1,610,778	1,763,403	1,944,046	2,155,506	2,155,506	2,477,636	14.94%
OPERATING EXPENSES							
Utilities	770	540	5,300	7,000	7,000	7,000	0.00%
Equipment and Supplies	66,546	93,886	114,026	73,900	73,900	73,900	0.00%
Repairs and Maintenance			1,517	1,000	1,000	1,000	0.00%
Conferences and Training	11,926	15,168	28,571	20,000	20,225	20,000	0.00%
Professional Services	1,110,571	359,816	135,638	450,000	494,861	325,000	-27.78%
Other Contract Services	69,670	92,221	52,185	63,000	63,000	38,000	-39.68%
Rental Expense	462	1,017	1,931				
Expense Allowances	6,046	6,023	5,885	6,000	6,000	6,000	0.00%
Other Expenses	448	1,509	2,333	2,000	2,000	2,000	0.00%
OPERATING EXPENSES	1,266,440	570,180	347,385	622,900	667,986	472,900	-24.08%
CAPITAL EXPENDITURES							
Improvements		70,178	6,668				
Equipment			15,110				
CAPITAL EXPENDITURES		70,178	21,778				
NON-OPERATING EXPENSES							
Grand Total(s)	2,877,218	2,403,762	2,313,210	2,778,406	2,823,492	2,950,536	6.20%
General Fund	2,771,391	2,325,883	2,272,270	2,628,406	2,658,429	2,800,536	6.55%
Other Funds	105,827	77,879	40,940	150,000	165,063	150,000	
Grand Total(s)	2,877,218	2,403,762	2,313,210	2,778,406	2,823,492	2,950,536	6.20%
Personnel Summary	15.00	17.00	17.00	18.00	18.00	18.00	0.00



City Attorney
Adopted Budget - FY 2007/08
Department Budget Summary
General Fund Division by Object Account



DIVISION

Expenditure Object Account	FY 2003/04 Actual	FY 2004/05 Actual	FY 2005/06 Actual	FY 2006/07 Adopted	FY 2006/07 Revised	FY 2007/08 Adopted	Percent Change From Prior Year
City Attorney							
PERSONAL SERVICES							
Salaries, Permanent	1,244,155	1,347,585	1,437,664	1,560,504	1,560,504	1,835,241	17.61%
Salaries, Temporary	25,439	19,107	21,517	20,826	20,826	20,826	0.00%
Salaries, Overtime	743	6,380	2,720			167	
Benefits	340,441	390,331	482,146	574,176	574,176	621,403	8.23%
PERSONAL SERVICES	1,610,778	1,763,403	1,944,046	2,155,506	2,155,506	2,477,636	14.94%
OPERATING EXPENSES							
Utilities	770	540	5,300	7,000	7,000	7,000	0.00%
Equipment and Supplies	66,546	93,886	114,026	73,900	73,900	73,900	0.00%
Repairs and Maintenance			1,517	1,000	1,000	1,000	0.00%
Conferences and Training	11,926	15,168	28,571	20,000	20,225	20,000	0.00%
Professional Services	1,004,744	281,937	94,699	300,000	329,798	175,000	-41.67%
Other Contract Services	69,670	92,221	52,185	63,000	63,000	38,000	-39.68%
Rental Expense	462	1,017	1,931				
Expense Allowances	6,046	6,023	5,885	6,000	6,000	6,000	0.00%
Other Expenses	448	1,509	2,333	2,000	2,000	2,000	0.00%
OPERATING EXPENSES	1,160,613	492,301	306,446	472,900	502,923	322,900	-31.72%
CAPITAL EXPENDITURES							
Improvements		70,178	6,668				
Equipment			15,110				
CAPITAL EXPENDITURES		70,178	21,778				
City Attorney	2,771,391	2,325,883	2,272,270	2,628,406	2,658,429	2,800,536	6.55%

Significant Changes

Increases in Personal Services are due to negotiated increases in Salaries and Benefits per recent Memoranda of Understanding. A reclassification of a Deputy City Attorney III to a Senior Deputy City Attorney is planned for FY 2007/08 due to an anticipated increase in workload and responsibilities. This position may be under-filled until the duties are permanently enhanced. Reductions in Professional Services and Other Contract Services reflect a decrease in recent spending patterns and the increased reliance on in-house counsel.

Permanent Personnel	FY 2003/04 Actual	FY 2004/05 Actual	FY 2005/06 Actual	FY 2006/07 Adopted	FY 2006/07 Revised	FY 2007/08 Adopted	Change from Prior Year
City Attorney	1.00	1.00	1.00	1.00	1.00	1.00	0.00
Assistant City Attorney	2.00	2.00	2.00	2.00	2.00	2.00	0.00
Senior Deputy City Attorney	1.00	1.00	1.00	2.00	2.00	3.00	1.00
Deputy City Attorney III	4.00	5.00	5.00	4.00	4.00	3.00	(1.00)
Deputy City Attorney I	0.00	1.00	1.00	1.00	1.00	1.00	0.00
Law Office Manager	1.00	1.00	1.00	1.00	1.00	1.00	0.00
Investigator	1.00	1.00	1.00	1.00	1.00	1.00	0.00
Administrative Assistant	1.00	1.00	1.00	1.00	1.00	1.00	0.00
Office Specialist	0.00	0.00	0.00	1.00	1.00	1.00	0.00
Legal Secretary	4.00	4.00	4.00	4.00	4.00	4.00	0.00
Total	15.00	17.00	17.00	18.00	18.00	18.00	0.00



City Attorney
Adopted Budget - FY 2007/08
Department Budget Summary
Other Funds by Object Account



OTHER FUNDS

Expenditure Object Account	FY 2003/04 Actual	FY 2004/05 Actual	FY 2005/06 Actual	FY 2006/07 Adopted	FY 2006/07 Revised	FY 2007/08 Adopted	Percent Change From Prior Year
Redevelopment-Legal							
PERSONAL SERVICES							
OPERATING EXPENSES							
Professional Services	105,827	77,879	40,940	150,000	165,063	150,000	0.00%
OPERATING EXPENSES	105,827	77,879	40,940	150,000	165,063	150,000	0.00%
CAPITAL EXPENDITURES							
NON-OPERATING EXPENSES							
City Attorney	105,827	77,879	40,940	150,000	165,063	150,000	0.00%

Significant Changes

Funding allocated for Professional Services allows for the utilization of outside legal services.

Permanent Personnel	FY 2003/04 Actual	FY 2004/05 Actual	FY 2005/06 Actual	FY 2006/07 Adopted	FY 2006/07 Revised	FY 2007/08 Adopted	Change from Prior Year
							0.00
Total	0.00	0.00	0.00	0.00	0.00	0.00	0.00



City Attorney
Adopted Budget - FY 2007/08
Department Budget Summary
All Funds by Business Unit



BUSINESS UNITS

Division / Business Unit	FY 2003/04 Actual	FY 2004/05 Actual	FY 2005/06 Actual	FY 2006/07 Adopted	FY 2006/07 Revised	FY 2007/08 Adopted	Percent Change From Prior Year
ATY City Attorney							
ATY City Attorney							
10015101 City Attorney Admin	2,565,558	2,325,883	2,272,270	2,628,406	2,658,429	2,800,536	6.55%
10015301 Contract Legal Services	205,833						
ATY City Attorney	2,771,391	2,325,883	2,272,270	2,628,406	2,658,429	2,800,536	6.55%
Other Funds							
30515101 Administration City Attorney	105,827	77,879	40,940	150,000	165,063	150,000	0.00%
Other Funds	105,827	77,879	40,940	150,000	165,063	150,000	0.00%
General Fund	2,771,391	2,325,883	2,272,270	2,628,406	2,658,429	2,800,536	6.55%
Other Funds	105,827	77,879	40,940	150,000	165,063	150,000	0.00%
Grand Total(s)	2,877,218	2,403,762	2,313,210	2,778,406	2,823,492	2,950,536	6.20%