

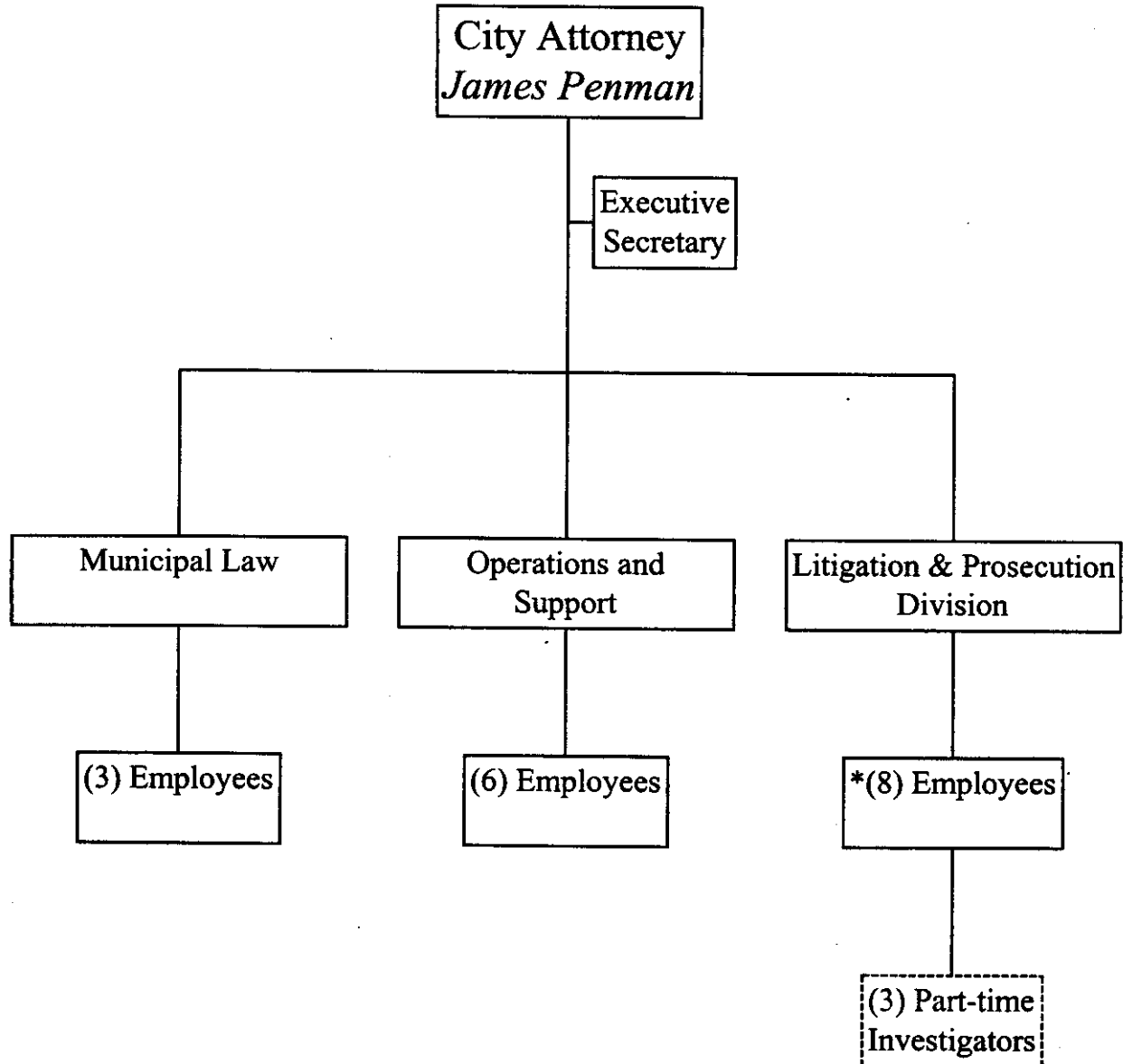
CITY ATTORNEY

***REPRESENT THE CITY IN
COURT ACTIONS***

***PROSECUTE VIOLATIONS OF
MUNICIPAL CODE AND CERTAIN
STATE LAWS***

***ADVISE MAYOR, COMMON
COUNCIL, DEPARTMENT HEADS,
BOARDS & COMMISSIONS AND
ALL OTHER CITY STAFF***

CITY ATTORNEY



* One (1) full-time investigator position filled by two (2) half-time investigators

CITY ATTORNEY

ACCOUNT NUMBER: 001-050

FUND: GENERAL

ABOUT THE DEPARTMENT

The City Attorney is an elected position established by the City Charter. The City Attorney is the chief legal advisor for the City, and for all Departments, Boards, and Commissions of the City. The City Attorney's Office provides legal counsel and representation for the City, prosecutes and defends legal actions, and protects the interests of the public. The City Attorney, with a staff of 24, including 9 attorneys, secretaries and investigators, provides the following important and valuable legal services:

- Defends the City in civil actions brought against the City, its officials, employees, and its departments; prosecutes violations of the City's *Municipal Code* and certain state laws; and, pursues actions to recover costs from third parties for damages and liability to the City.
- Negotiates reviews, edits, and drafts contracts and other transactional documents and agreements for the City.
- Serves as general legal counsel and representative; researches, prepares ordinances, resolutions, and legal opinions on a wide variety of issues, and advises City employees regarding liability issues.

EXPENDITURES BY CATEGORY

CATEGORY	2005-06 ACTUAL	2006-07 ACTUAL	2007-08 PROJECTED	2008-09 ADOPTED
PERSONNEL	2,078,138	2,215,514	2,515,573	2,580,400
MAINTENANCE & OPERATION	327,851	309,220	313,897	234,500
CONTRACTUAL SERVICES	605,067	564,765	638,604	222,000
INTERNAL SERVICE	17,858	21,303	22,472	15,400
CAPITAL OUTLAY	0	1,927	125	2,700
DEBT SERVICE	0	0	0	0
TOTAL	3,028,913	3,112,729	3,490,670	3,055,000

CITY ATTORNEY

2007-08 KEY ACCOMPLISHMENTS

- ✓ The City Attorney's Office has continued to aggressively defend our City in lawsuits in which we are named as a defendant. In 2007, 41 lawsuits were concluded which resulted in a net liability savings to the City of just over \$2,711,973 and in additional settlements paid to the City of just over \$638,123.
- ✓ The City Attorney's Office has continued to aggressively enforce 7 existing permanent injunctions against gangs in the City; adding 36 new individual gang members to the list and subjecting these gang members to the restrictions imposed by the Court prohibiting specified gang activity.
- ✓ The City Attorney's Office also filed a Red Light Abatement Action that closed the Flesh Club for 8 months and a Narcotics Abatement Action which closed down a drug house for 1 year.
- ✓ The City attorney's Office coordinated multiple department (Police, Fire, Code Enforcement) actions against persons violating the City's ordinances, rules and regulations. As a result of the closing of substandard and dangerous housing, 52 families, consisting of 93 adults and 115 children, were assisted by the City in moving to residences that were clean, safe, and in compliance with City Building and Fire Codes.
- ✓ This fiscal year the office prosecuted 11,296 misdemeanor/infraction cases in Court.

2008-09 KEY GOALS

- Past litigation against the City has demonstrated that the establishment of goals by this office raises liability issues potentially costly to the City. Therefore, no goals are stated.

DID YOU KNOW?

- The functions of the City Attorney's Office are to defend the City in court actions, including tort lawsuits, to commence litigation as approved by the City Attorney and directed by the Mayor and Common Council or pursuant to law, and to prosecute ordinance violations and violations of certain state laws pursuant to the City Attorney's independent prosecutorial authority. It is also the function of the City Attorney's Office to issue legal opinions and provide legal advice to the Mayor and Common Council, City Manager's Office, department heads and other city employees, and to numerous boards and commissions; to provide advice concerning existing and newly enacted laws, rules, regulations, and court decisions; prepare or review resolutions, ordinances, leases and complex agreements; and, to attend and provide legal counsel at various meetings with the Mayor, Council, Planning Commission, Ways and Means Committee, Legislative Review Committee and other decision-making and advisory bodies of the City.

EXPENDITURE BUDGET LINE ITEM DETAIL
FISCAL YEAR 2008-2009

FUND 001 GENERAL FUND

DIVISION 051 CITY ATTORNEY

ACCOUNT OBJECT & TITLE	ACTUAL 2005-06	ACTUAL 2006-07	PROJECTED 2007-08	ADOPTED 2008-09
5011 SALARIES PERM/FULLTIME	1,582,081	1,674,915	1,841,045	1,865,000
5013 AUTOMOBILE ALLOWANCE	3,600	4,500	5,700	6,000
5014 SALARIES TEMP/PARTTIME	75,200	76,176	96,056	78,000
5015 OVERTIME	71	345	1,997	3,000
5026 PERS RETIREMENT	207,191	243,357	343,012	377,000
5027 HEALTH & LIFE INSURANCE	181,681	186,290	194,597	218,200
5028 UNEMPLOYMENT INSURANCE	4,153	4,390	4,862	4,900
5029 MEDICARE	24,161	25,540	28,305	28,300
TOTAL PERSONNEL SERVICES	2,078,138	2,215,514	2,515,573	2,580,400
5111 MATERIALS & SUPPLIES	13,703	12,345	11,779	16,000
5112 SMALL TOOLS & EQUIPMENT	0	0	0	1,100
5121 ADVERTISING	0	6,511	0	4,400
5122 DUES & SUBSCRIPTIONS	10,218	11,356	11,397	14,000
5123 LIBRARY BOOKS	79,593	73,553	88,765	75,000
5131 MILEAGE	293	95	0	300
5132 MEETINGS & CONFERENCES	3,424	4,463	6,691	6,000
5133 EDUCATION & TRAINING	6,091	10,837	7,994	7,400
5171 RENTALS	1,679	5,530	4,910	5,000
5172 EQUIPMENT MAINTENANCE	4,360	4,353	3,679	9,000
5174 PRINTING CHARGES	2,921	8,061	6,956	6,600
5175 POSTAGE	6,914	5,159	4,598	7,000
5176 COPY MACHINE CHARGES	3,973	4,336	8,881	6,500
5177 LITIGATION EXPENSES	194,662	162,586	158,157	75,600
5183 MANAGEMENT ALLOWANCE	19	35	90	600
TOTAL MAINTENANCE & OPERATION	327,851	309,220	313,897	234,500
5502 PROFESSIONAL/CONTRACTUAL SVCS	33,882	8,603	910	6,000
5503 LITIGATION-OUTSIDE ATTORNEYS	571,185	556,163	637,554	215,000
5505 OTHER PROFESSIONAL SERVICES	0	0	140	1,000
TOTAL CONTRACTUAL SERVICES	605,067	564,765	638,604	222,000
5601 GARAGE CHARGES	817	2,535	883	400
5604 M.I.S. CHARGES - IN-HOUSE	1,900	2,700	2,500	1,400
5605 TELEPHONE SUPPORT	8,185	8,981	6,342	4,400
5610 COMMUNICATION SHOP	4,500	5,200	9,700	6,900
5612 FLEET CHGS - FUEL	2,456	1,887	3,047	2,300
TOTAL INTERNAL SERVICE CHARGES	17,858	21,303	22,472	15,400
5702 COMPUTER EQUIPMENT	0	0	125	200
5704 MISCELLANEOUS EQUIPMENT	0	1,927	0	2,500
TOTAL CAPITAL OUTLAY	0	1,927	125	2,700
TOTAL	3,028,913	3,112,729	3,490,670	3,055,000

BUDGET - JUSTIFICATION

051 CITY ATTORNEY

001 GENERAL FUND

OBJ JUSTIFICATION

- 5111 PURCHASE OF MISCELLANEOUS OFFICE SUPPLIES AND SPECIAL OFFICE SUPPLIES RELATING TO INVESTIGATOR'S NEEDS, SUCH AS CASSETTE TAPES FOR INTERVIEWS, FILM, FILM PROCESSING/DEVELOPMENT, ETC.
- 5112 PURCHASE OF OFFICE FURNITURE, CALCULATORS, ETC. COSTING LESS THAN \$500.00.
- 5121 ADS IN SUN, PRESS ENTERPRISE ETC. AND L.A. DAILY JOURNAL ETC. FOR FULL-TIME ATTORNEYS, SECRETARIES, PARALEGALS AND INVESTIGATORS, AS NEEDED.
- 5122 DUES: STATE BAR OF CALIFORNIA (\$5,450); AMERICAN BAR ASSOCIATION (\$525); SAN BERNARDINO COUNTY BAR ASSOCIATION (\$1,600) RIVERSIDE COUNTY BAR ASSOCIATION (\$200) DISTRICT ATTORNEY'S ASSN. (\$650); IMLA (\$2,200); SUBSCRIPTIONS: SUN (\$200); LA DAILY JOURNAL (\$650) GIEMLA (\$75); RIVERSIDE PRESS ENTERPRISE (\$250); MISCELLANEOUS (\$1,580); ASSOC. OF TRIAL LAWYERS OF AMERICA (\$500); FEDERALIST SOCIETY (\$120).
- 5123 ON-LINE LEGAL RESEARCH, UPDATING OF LAW PUBLICATIONS, AS WELL AS OTHER PUBLICATIONS TO KEEP ABREAST OF CURRENT TRENDS IN THE LAW AND LEGAL ISSUES AFFECTING MUNICIPALITIES. IN ADDITION TO THE UPDATING ETC., WE HAVE APPROXIMATELY \$5,300 IN FIXED COSTS OF SUPPLEMENTS TO THE SETS OF BOOKS CURRENTLY IN OUR LIBRARY
- 5131 REIMBURSEMENTS FOR STAFF'S USE OF PRIVATE VEHICLES FOR TRAVEL TO SEMINARS, MEETINGS AND OTHER WORK-RELATED TRAVEL.
- 5132 LEAGUE OF CALIFORNIA CITIES ANNUAL MEETING (WILL BE ATTENDED BY AT LEAST 1 ATTORNEY); LEAGUE OF CALIFORNIA CITIES SPRING MEETING (WILL BE ATTENDED BY AT LEAST 1 ATTORNEY); IMLA MID-YEAR MEETING (WILL BE ATTENDED BY AT LEAST 1 ATTORNEY); IMLA ANNUAL MEETING (WILL BE ATTENDED BY 1 ATTORNEY). CITY ATTORNEY WILL ATTEND LEAGUE OF CA CITIES COMMITTEE MEETINGS AND LEGISLATIVE HEARINGS AND MEETINGS. ATTENDANCE BY ATTORNEYS AND TRAVEL TO THESE MEETINGS AND CONFERENCES TO KEEP THEIR STATE BAR LICENSE CURRENT; THESE MEETINGS AND CONFERENCES WILL ENABLE THE ATTORNEYS TO STAY ABREAST OF THE CHANGING LAWS AND COURT DECISIONS AND DEVELOPING LEGAL ISSUES IN THEIR RESPECTIVE AREAS.
- 5133 ATTENDANCE BY ATTORNEYS AND TRAVEL TO VARIOUS MEETINGS AND SEMINARS, AS REQUIRED BY LAW TO KEEP THEIR STATE BAR LICENSE CURRENT, AND TO STAY ABREAST OF THE CHANGING LAWS AND COURT DECISIONS AND DEVELOPING LEGAL ISSUES IN THEIR RESPECTIVE AREAS.
- 5171 EXPENSE FOR THE RENTAL OF EQUIPMENT, SUPPLIES, STORAGE UNIT FOR THE STORAGE OF CONFIDENTIAL MATERIAL ETC.
- 5172 MAINTENANCE (LABOR CALLS) FOR PCS AND PRINTERS, MAINTENANCE CONTRACT FOR COMPUTER SYSTEM, COPIER REPAIR OF TYPEWRITERS AND TRANSCRIBERS ETC.
- 5174 PRINTING OF FORMS, LETTERHEADS, MUNICIPAL CODE UPDATES, MISCELLANEOUS LEGAL FORMS, ETC.
- 5175 INCREASE IN CODE ENFORCEMENT CASES THAT REQUIRE CERTIFIED LETTERS, MAILING OF LEGAL DOCUMENTS AND ROUTINE BUSINESS CORRESPONDENCE, FEDERAL EXPRESS CHARGES FOR OVERNIGHT MAIL, MAILING OF LARGE PACKAGES AND BOXES OF MATERIALS ON LITIGATION
- 5176 COPIES OF CORRESPONDENCE, LITIGATION DOCUMENTS, ORDINANCES, RESOLUTIONS, AGREEMENTS, LEASES, AND MISCELLANEOUS.
- 5177 COSTS FOR EXPERT WITNESS FEES, INVESTIGATION FEES, COURT REPORTER FEES FOR DEPOSITIONS, FILING FEES, MILEAGE TO DEPOSITIONS, COURT APPEARANCES AND MISCELLANEOUS EXPENSES.

BUDGET - JUSTIFICATION

051 CITY ATTORNEY

001 GENERAL FUND

OBJ JUSTIFICATION

- 5183 REIMBURSEMENT FOR BUSINESS EXPENSES INCURRED BY THE CITY ATTORNEY.
- 5502 FOR PROFESSIONAL/CONTRACTUAL SERVICES.
- 5503 COST OF ATTORNEYS FEES CHARGED BY OUTSIDE ATTORNEYS.
- 5505 MISCELLANEOUS CONTRACTS AND SERVICES THAT DO NOT FALL WITHIN THE DEFINITIONS OF THE OTHER CATEGORIES UNDER CONTRACTS AND SERVICES.
- 5601 CHARGES FROM CITY'S FLEET DIVISION (INCLUDING STAFF TIME AND OVERHEAD) RELATED THE MAINTENANCE AND OPERATION OF MOTOR VEHICLES ASSIGNED TO THIS DEPARTMENT. (CHARGE-BACKS BASED ON ACTUAL COSTS INCURRED.)
- 5604 THE PORTION OF THE CITY'S TOTAL INFORMATION TECHNOLOGY SERVICES COSTS (INCLUDING STAFF TIME) RELATED TO THIS DEPARTMENT. CHARGES ARE BASED ON TYPE OF EQUIPMNT, SOFTWARE AND SUPPORT UTILIZED BY DEPARTMENT.
- 5605 CHARGES FROM THE CITY'S TELECOMMUNICATIONS DIVISION (INCLUDING STAFF TIME AND OVERHEAD) RELATED TO THIS DIVISION'S TELECOMMUNICATIONS COSTS (CHARGE-BACKS BASED ON ACTUAL COSTS INCURRED).
- 5610 THE PORTION OF THE CITY'S OVERALL RADIO COMMUNICATIONS COSTS (INCLUDING OVERHEAD AND STAFF TIME) RELATED TO THIS DEPARTMENT'S OPERATIONS.
- 5612 CHARGES FROM THE CITY'S FLEET DIVISION (INCLUDING STAFF TIME AND OVERHEAD) FOR FUEL COSTS RELATED TO MOTOR VEHICLES IN THIS DIVISION (CHARGE-BACKS BASED ON ACTUAL COSTS INCURRED).
- 5702 ADDITIONAL COMPUTER EQUIPMENT TO SUPPLEMENT CURRENT COMPUTER SYSTEM.
- 5704 MISCELLANEOUS EQUIPMENT