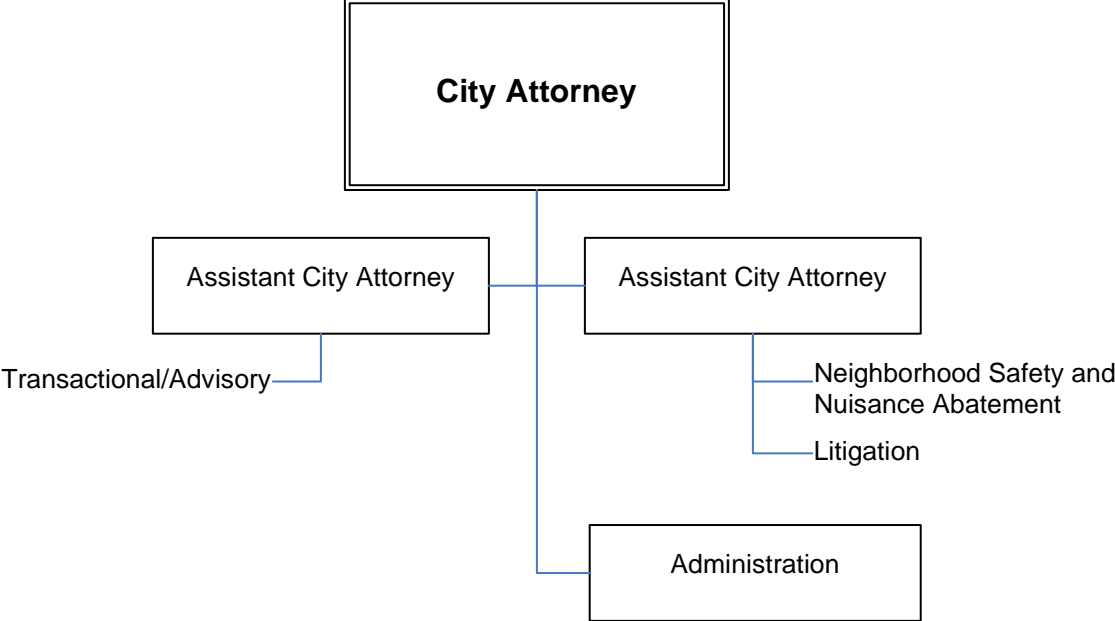


6

SECTION – 6
CITY ATTORNEY



CITY ATTORNEY'S OFFICE

The mission of the Sacramento City Attorney's Office is to provide the highest quality legal services to the City of Sacramento.

DESCRIPTION

The City Attorney serves as the legal advisor to the City Council, City Officers and Department staff, Boards and Commissions as well as the Parking Authority, the Sacramento Public Facilities Financing Corporation, and Sacramento Regional Arts Facilities Financing Authority. The City Attorney's Office represents these entities and persons in criminal, civil and administrative litigation and prepares ordinances, resolutions, contracts, opinions and other legal documents for the City and the related entities. The City Attorney's Office is organized into administration and three operational sections:

- **Administration:** The Administration Section develops and implements office policies and procedures; monitors overall office performance; prepares and administers the office budget; handles all personnel hiring and other personnel matters; assembles and analyzes office productivity data, including production of an annual report; and engages in long-range planning. The administration function of the office is performed under the direction of the City Attorney.
- **Transactional/Advisory:** The Transactional/Advisory Section provides strategic support to the City Council's policy making function by responding to requests for legal advice from the City Council and Charter Officers, and works closely with City departments and divisions providing ordinance drafting, contract negotiations and strategic legal advice regarding a wide range of City issues, including development, land use, finance, and public safety matters.
- **Litigation:** The Litigation Section handles almost all lawsuits filed by and against the City of Sacramento.
- **Neighborhood Safety and Nuisance Abatement:** The Neighborhood Safety and Nuisance Abatement Section works collaboratively with the Code Enforcement, Police and other departments in particular regarding City Code enforcement, social nuisance abatement and public safety issues, including training and advising staff on enforcement matters and prosecuting code violations through administrative, civil or criminal proceedings and social nuisances through civil litigation.

MORE INFORMATION

Please see the following for more information about the City Attorney's Office:

Web site - <http://www.cityofsacramento.org/cityattorney/>

Key Contacts -

City Attorney
Eileen M. Teichert

Assistant City Attorneys
Richard E. Archibald
Sandra G. Talbott

Office of the City Attorney
915 I Street, 4th Floor
Sacramento, CA 95814
(916) 808-5346
tjones2@cityofsacramento.org

OBJECTIVES FOR FY2007/08

- Provide the highest quality litigation representation by continuing to devote the time and resources necessary to assure that each case is investigated, analyzed, researched and prepared for settlement or trial in the most professional and ethical manner.
- Deliver excellent legal advice by continuing to devote the time and resources necessary to assure that requests for opinions, ordinances, contracts and other documents and all other non-litigation matters are completed in a timely and professional manner.
- Work closely, on a continuing basis, with City officers and employees to provide legal advice and training in furtherance of City policies and objectives.
- Provide efficient, cost-effective delivery of legal services, focusing on preparation and implementation of standardized procedures and forms and pursuing additional cost recovery through possible enactment of legislative authority at the local level.
- Protect the public through vigorous, timely abatement of neighborhood and public nuisances; use appropriate administrative, civil and criminal enforcement methods to obtain compliance with City laws and regulations; work collaboratively with City staff and the community to develop measures that prevent or discourage code violations, especially criminal conduct.

ACCOMPLISHMENTS IN FY2006/07

In FY2006/07, the accomplishments of the Transactional/Advisory, Litigation, and Neighborhood Safety and Nuisance Abatement sections included the following:

Transactional/Advisory

- Provided legal advice to City departments in support of public safety, including the water supply agreement to resolve water pressure problems for fire protection services and the City smoke detector program.
- Advised City staff on projects enhancing the City's cultural and recreational amenities, including the Crocker Art Museum expansion project, the Skatepark at Granite Regional Park, and revisions to the City's marina ordinance.
- Provided legal advice and support to City staff for enhancement of internal operations, including numerous infrastructure and capital improvement financings to further the City's interests, the agreement for the "e-CAPS" project, the purchase of 300 Richards Boulevard facility, and training courses at City University regarding Public Records Act requests.
- Provided extensive legal advice and negotiation support for significant and complex projects involving development of the Union Pacific Railyards and Intermodal Transportation Facility, other Downtown development projects, and the continued build out of North Natomas.

Litigation

- Handled litigation cases in-house rather than by referring to outside counsel resulting in substantial savings in attorney fees incurred by the City.
- Improved communication and status reporting with departments by holding pre-arbitration and pre-trial meetings in litigation cases with the appropriate department representatives.

- Resolved at least 66% of cases without the payment of money, including judgments in favor of the City in cases alleging police harassment and excessive force, dangerous conditions of public property, and labor/employment matters. Continued the practice of aggressively pursuing defense judgments and dismissals through the use of dispositive motions.

Neighborhood Safety and Nuisance Abatement

- Obtained a permanent injunction against a liquor store in District 5 that had the effect of cleaning up the store and the parking lot where it was common to see drug sales, drinking in public, and other criminal activity.
- After an administrative proceeding, we successfully suspended an entertainment permit of an entertainment establishment in District 2. The business had a long history of excessive noise, drug sales, and violence.
- Obtained a permanent injunction against a bar/lounge in District 6 that had the effect of cleaning up the bar and neighborhood where it was common to see validated gang members drinking in public, fighting, disturbing the peace, recklessly driving through the neighborhood and engaging in other criminal activity.

PROPOSED BUDGET/STAFFING CHANGES

Organizational Changes

None

Augmentations

None

Department Budget Summary

City Attorney Budget Summary	FY 2005/06 Actual	FY 2006/07 Approved	FY 2006/07 Amended	FY 2007/08 Proposed	Change More/(Less) Proposed/Amended
Positions (FTE)	57.00	57.00	58.00	58.00	0.00

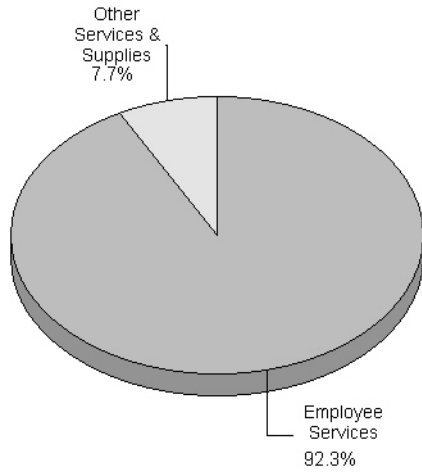
Budgeted Expenditures

Employee Services	6,189,041	6,612,132	6,612,132	6,735,394	123,262
Other Services & Supplies	1,548,941	562,554	989,690	565,452	(424,238)
Transfers	0	0	11,500	0	(11,500)
Total:	7,737,982	7,174,686	7,613,322	7,300,846	(312,476)

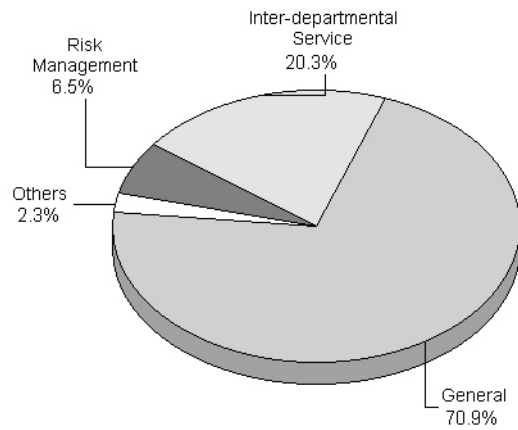
Funding Summary by Fund/Special District

General	5,901,794	5,082,277	5,509,413	5,178,326	(331,087)
Inter-departmental Service	1,209,011	1,458,395	1,458,395	1,480,361	21,966
N Natomas CFD	0	0	11,500	0	(11,500)
Risk Management	471,112	471,112	471,112	471,112	0
Water	156,065	162,902	162,902	171,047	8,145
Total:	7,737,982	7,174,686	7,613,322	7,300,846	(312,476)

Budgeted Expenditures - FY08



Funding Summary - FY08



Division Budget Summary

City Attorney Division Budgets	FY 2005/06 Actual	FY 2006/07 Approved	FY 2006/07 Amended	FY 2007/08 Proposed	Change More/(Less) Proposed/Amended
City Attorney	7,537,982	6,974,686	7,413,322	7,100,846	(312,476)
Litigation	200,000	200,000	200,000	200,000	0
Total:	7,737,982	7,174,686	7,613,322	7,300,846	(312,476)

Staffing Levels

City Attorney Division FTEs	FY 2005/06 Actual	FY 2006/07 Approved	FY 2006/07 Amended	FY 2007/08 Proposed	Change More/(Less) Proposed/Amended
City Attorney	57.00	57.00	58.00	58.00	0.00
Total:	57.00	57.00	58.00	58.00	0.00

Performance Trend Measures

Activity: Advisory Assignments

Type of Measure: Demand

	FY 03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08
	2,085	2,280	2,277	-	-

Measure: Advisory Assignments Received

Baseline Measure: 2,186

Service Level Standard: TBD

Definition: The total number of advisory assignments received annually.

Type of Measure: Efficiency

	FY 03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08
	100%	88%	82%	-	-

Measure: Advisory Assignments Completed v. Received

Baseline Measure: 90%

Service Level Standard: TBD

Definition: Total number of advisory assignments completed compared to the number received.

Type of Measure: Outcome

	FY 03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08
	2,120	2,012	1,863	-	-

Measure: Assignments Completed

Baseline Measure: 1,971

Service Level Standard: TBD

Definition: The total number of advisory assignments completed annually.

FY2007/08 Proposed Budget

Activity: Code Enforcement Social Nuisance Abatement

Type of Measure: Demand

	FY 03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08
	2	16	23	-	-

Measure: Social Nuisance Complaints Filed

Baseline Measure: 11

Service Level Standard: TBD

Definition: The total number of social nuisance cases filed by the City Attorney's Office.

Type of Measure: Output

	FY 03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08
	2	16	16	-	-

Measure: Cases with Judgments

Baseline Measure: 9

Service Level Standard: TBD

Definition: The total number of social nuisances cases with judgments.

Type of Measure: Efficiency

	FY 03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08
	100%	100%	100%	-	-

Measure: Favorable Judgments

Baseline Measure: 100%

Service Level Standard: TBD

Definition: The total number of social nuisance cases with judgments compared to the total number of social nuisance cases with favorable judgments.

Type of Measure: Outcome

	FY 03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08
	2	16	16	-	-

Measure: Favorable Judgments

Baseline Measure: 9

Service Level Standard: TBD

Definition: The total number social nuisance cases with favorable judgments.

FY2007/08 Proposed Budget

Activity: Litigation Actions

Type of Measure: Demand

	FY 03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08
	415	327	398	-	-

Measure: Cases Handled In-House

Baseline Measure: 382

Service Level Standard: TBD

Definition: The total number of cases handled annually in-house by City Attorney.

Type of Measure: Output

	FY 03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08
	\$113.0	\$114.00	\$128.00	-	-

Measure: In-House City Attorney Hourly Rate

Baseline Measure: \$112.00

Service Level Standard: TBD

Definition: The annual average hourly rate for an in-house attorney.

Type of Measure: Efficiency

	FY 03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08
	9 / \$139 per Hour	6 / \$150 per Hour	6 / \$165 per Hour	-	-

Measure: Cases Handled by Outside Counsel and Hourly Rate

Baseline Measure: 8 Cases / \$151 per Hour

Service Level Standard: TBD

Definition: The total number of cases handled by outside counsel compared to hourly rate.

Type of Measure: Efficiency

	FY 03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08
	70%	58%	66%	-	-

Measure: Cases Resolved without Payment of Money

Baseline Measure: 63%

Service Level Standard: TBD

Definition: The percent of damage cases resolved without payment of money.

Type of Measure: Outcome

	FY 03/04	FY 04/05	FY 05/06	FY 06/07	FY 07/08
	\$207,706	\$181,847	\$322,165	-	-

Measure: Outside Legal Costs

Baseline Measure: \$201,012

Service Level Standard: TBD

Definition: The total annual cost of outside legal counsel.