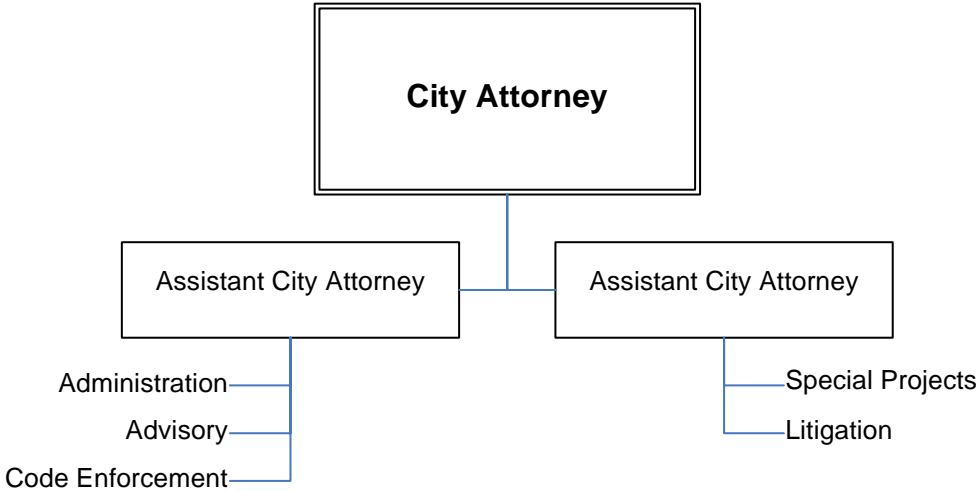


# 6

**SECTION – 6**  
**CITY ATTORNEY**





**CITY ATTORNEY'S OFFICE**

*The mission of the City Attorney's Office is to serve the City of Sacramento by providing the highest quality legal advice and representation to the City Council and the officers and employees of the City in a manner which is as efficient as possible.*

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## 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 Library 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. The City Attorney's Office is organized into administration and four 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.
- **Advisory:** The 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 legal advice, ordinance drafting, contract negotiations and strategic legal advice regarding a wide range of City issues.
- **Litigation:** The Litigation Section handles almost all lawsuits filed by and against the City of Sacramento.
- **Special Projects:** The Special Projects Section advises the City regarding development, land use, finance and other complex, controversial or high profile issues including related civil litigation cases.
- **Code Enforcement:** The Code Enforcement Section works collaboratively with the Code Enforcement and Police Departments in particular regarding City Code enforcement issues, including training and advising staff on enforcement matters and prosecuting code violations through administrative, civil or criminal proceedings.

## MORE INFORMATION

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

**Website** - <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, 4<sup>th</sup> Floor  
Sacramento, CA 95814  
(916) 808-5346  
[tjones2@cityofsacramento.org](mailto:tjones2@cityofsacramento.org)

**OBJECTIVES FOR FY2006/07**

- 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 FY2005/06**

In FY2005/06, the accomplishments of the Advisory, Litigation, Special Projects and Code Enforcement sections included the following:

**Advisory**

- Completed the second phase of a three phase process to completely overhaul the City's conflict of interest code. By working closely with the City Clerk's Office, we were able to reduce the number of employee disclosure categories from several hundred down to 37. This eliminated tremendous redundancy and created a much more streamlined, relevant document.
  - Worked with staff on researching, developing and drafting several ordinances on such topics as allowing vending at light rail stations, creating an automatic utility tax rebate for qualified persons, streamlining development application processing, creating the ability to recover attorneys fees in code enforcement matters, and enabling the implementation of the phased water meter installation program as mandated by State law.
  - Provided legal advice, and assisted staff as needed for major City and private projects, including completing the Sutter Hospital Expansion Project processing, and continuing work on the Crocker Museum Expansion/renovation project, Regional Transit's light rail extension project, and development of the Haggin Oaks Trap Shoot site.
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**Litigation**

- Handled litigation cases in-house rather than by referring to outside counsel resulting in substantial savings in attorney fees incurred by the City.
- Resolved at least 60% 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. Aggressively pursue pleading stage dispositive motions to avoid the time and expense of extensive discovery.

**Special Projects**

- Handled complex litigation with a great degree of success, including reversed on appeal an adverse federal trial court judgment in a discrimination case, and affirmed discipline of termination in a hotly contested administrative hearing, and taking to trial a high-profile harassment case.
- Provided extensive legal advice and support for issues related to complex development projects involving North Natomas, Union Pacific (UP) Railyards, and throughout the City, as well as handling numerous infrastructure financing matters.

**Code Enforcement**

- Successfully prosecuted 105 defendants under the City's new street racing spectator's ordinance recovering over \$25,000 in fines and penalties.
- Obtained a stipulated judgment against a drug house in District 2. After the defendant failed to comply with the agreement, we successfully forced the sale of the property and recovered \$18,000 in attorneys' fees and costs.
- Provided statewide and in-house training to over 200 code enforcement officers on criminal and civil prosecutions of nuisance cases.

**PROPOSED BUDGET/STAFFING CHANGES**

**Organizational Changes**

None

**Augmentations**

None

**Department Budget Summary**

<b>City Attorney</b> Budget Summary	FY 2004/05 Actual	FY 2005/06 Approved	FY 2005/06 Amended	FY 2006/07 Proposed	Change More/(Less) Proposed/Amended
Positions (FTE)	53.00	53.00	57.00	57.00	0.00

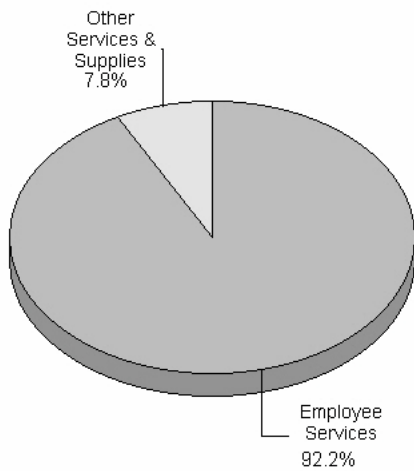
**Budgeted Expenditures**

Employee Services	5,322,265	5,913,784	6,189,041	6,612,132	423,091
Other Services & Supplies	975,781	1,102,301	1,548,941	562,554	(986,387)
Transfers	(35,500)	0	0	0	0
<b>Total:</b>	<b>6,262,546</b>	<b>7,016,085</b>	<b>7,737,982</b>	<b>7,174,686</b>	<b>(563,296)</b>

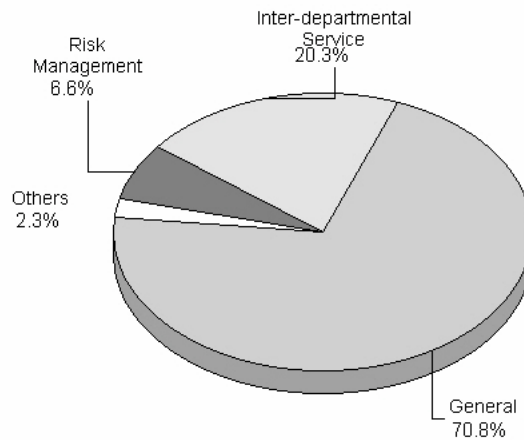
**Funding Summary by Fund/Special District**

General	4,523,280	5,179,897	5,901,794	5,082,277	(819,517)
Inter-departmental Service	939,444	1,209,011	1,209,011	1,458,395	249,384
Risk Management	648,272	471,112	471,112	471,112	0
Water	151,550	156,065	156,065	162,902	6,837
<b>Total:</b>	<b>6,262,546</b>	<b>7,016,085</b>	<b>7,737,982</b>	<b>7,174,686</b>	<b>(563,296)</b>

**Budgeted Expenditures - FY07**



**Funding Summary - FY07**



FY2006/07 Proposed Budget

Division Budget Summary

<b>City Attorney</b> Division Budgets	FY 2004/05 Actual	FY 2005/06 Approved	FY 2005/06 Amended	FY 2006/07 Proposed	Change More/(Less) Proposed/Amended
City Attorney	6,183,712	6,816,085	7,537,982	6,974,686	(563,296)
Litigation	78,834	200,000	200,000	200,000	0
<b>Total:</b>	<b>6,262,546</b>	<b>7,016,085</b>	<b>7,737,982</b>	<b>7,174,686</b>	<b>(563,296)</b>

Staffing Levels

<b>City Attorney</b> Division FTEs	FY 2004/05 Actual	FY 2005/06 Approved	FY 2005/06 Amended	FY 2006/07 Proposed	Change More/(Less) Proposed/Amended
City Attorney	53.00	53.00	57.00	57.00	0.00
<b>Total:</b>	<b>53.00</b>	<b>53.00</b>	<b>57.00</b>	<b>57.00</b>	<b>0.00</b>

Performance Trend Measures

**Activity: Advisory Assignments**

<b>Type of Measure:</b> Demand	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>
	2,104	2,085	2,280	-	-

**Measure:** Advisory Assignments received  
**Baseline Measure:** 2,156  
**Service Level Standard:** TBD  
**Definition:** The total number of advisory assignments received annually.

<b>Type of Measure:</b> Efficiency	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>
	93%	102%	99%	-	-

**Measure:** Advisory Assignments completed to received  
**Baseline Measure:** 98%  
**Service Level Standard:** TBD  
**Definition:** Total number of advisory assignments completed compared to the number received.

<b>Type of Measure:</b> Outcome	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>
	1,959	2,120	2,265	-	-

**Measure:** Total number of Advisory Assignments Completed  
**Baseline Measure:** 2,115  
**Service Level Standard:** TBD  
**Definition:** The total number of Advisory Assignments Completed annually.

**Activity: Criminal Prosecution of City Code Violations**

<b>Type of Measure:</b> Demand	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>
	2,939	3,108	3,572	-	-

**Measure:** Cases Referred  
**Baseline Measure:** 3,206  
**Service Level Standard:** TBD  
**Definition:** The total number of citations referred to City Attorney.

<b>Type of Measure:</b> Output	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>
	1,920	2,549	2,985	-	-

**Measure:** Complaints Filed  
**Baseline Measure:** 2,485  
**Service Level Standard:** TBD  
**Definition:** The total number of criminal complaints/citations filed with the court annually.

<b>Type of Measure:</b> Efficiency	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>
	65%	82%	84%	-	-

**Measure:** Complaints Filed Compared to Referrals Received  
**Baseline Measure:** 77%  
**Service Level Standard:** TBD  
**Definition:** Total number of complaints filed compared to the total number of citations received.

FY2006/07 Proposed Budget

**Activity: Criminal Prosecution of City Code Violations**

Type of Measure: Outcome	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>
	1,207	1,373	1,207	-	-

**Measure:** Cases Closed  
**Baseline Measure:** 1262  
**Service Level Standard:** TBD  
**Definition:** The total number of cases closed by the City Attorney annually.

**Activity: Litigation Actions (Litigation & Special Projects)**

Type of Measure: Demand	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>
	391	415	327	-	-

**Measure:** Number of cases handled in-house  
**Baseline Measure:** 378  
**Service Level Standard:** TBD  
**Definition:** The total number of cases handled annually in-house by City Attorney.

Type of Measure: Output	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>
	94	113	114	-	-

**Measure:** In-house City Attorney hourly rate  
**Baseline Measure:** 107  
**Service Level Standard:** TBD  
**Definition:** The annual average hourly rate for an in-house attorney.

Type of Measure: Efficiency	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>
	10 cases @ \$130/hr	9 cases @ \$139/hr	6 cases @ \$150/hr	-	-

**Measure:** Cases handled by Outside Counsel & Outside Counsel Hourly Rate  
**Baseline Measure:** 8 cases  
**Service Level Standard:** TBD  
**Definition:** The total number of cases handled by outside counsel.

Type of Measure: Outcome	<u>FY 02-03</u>	<u>FY 03-04</u>	<u>FY 04-05</u>	<u>FY 05-06</u>	<u>FY 06-07</u>
	\$213,483	\$207,706	\$181,847	-	-

**Measure:** Outside Legal Costs  
**Baseline Measure:** \$201,012  
**Service Level Standard:** TBD  
**Definition:** The total annual cost of outside legal counsel.