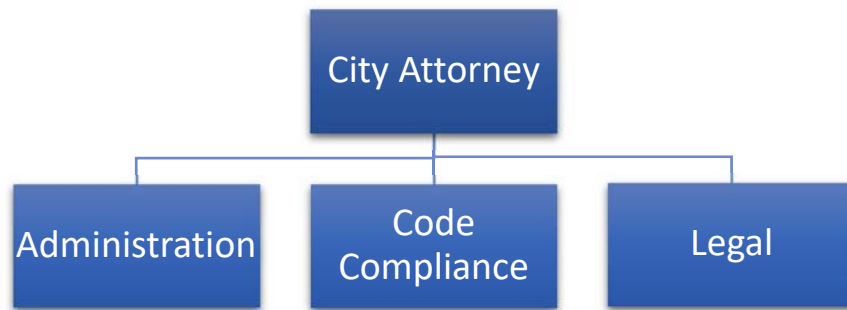


City Attorney



GENERAL GOVERNMENT

DEPARTMENT: City Attorney
 DIVISION: Legal

PROGRAM: Legal Services
 FUND: General Fund/Measure U2012

	Actual 2016-17	Adopted 2017-18	Year-End Estimated 2017-18	Proposed 2018-19	Proposed 2019-20
<u>PROGRAM EXPENSES/REVENUES</u>					
Salaries & Benefits	\$1,090,096	\$1,214,865	\$1,067,741	\$1,223,343	\$1,268,829
Services & Supplies	159,340	220,994	234,948	274,457	276,665
Total Operating Cost	1,249,436	1,435,859	1,302,689	1,497,800	1,545,494
Capital	360		22,000		
Debt Service					
Transfers					
Total Cost	1,249,796	1,435,859	1,324,689	1,497,800	1,545,494
Less: Departmental Revenues	83,417	62,650	55,950	139,760	62,650
Net City Cost	\$1,166,379	\$1,373,209	\$1,268,739	\$1,358,040	\$1,482,844

SUMMARY OF SERVICE PROGRAMS

Legal	\$1,173,960	\$1,354,449	\$1,243,882	\$1,407,516	\$1,448,718
General Fund Service Programs	1,173,960	1,354,449	1,243,882	1,407,516	1,448,718
Measure U2012	75,836	81,410	80,807	90,284	96,766
Total Service Programs	\$1,249,796	\$1,435,859	\$1,324,689	\$1,497,800	\$1,545,494

SUMMARY OF POSITIONS

FULL-TIME

Assistant City Attorney	2	2	2	2	2
City Attorney	1	1	1	1	1
Code Compliance Officer I/II	4	4	4	4	3
Code Compliance Supervisor	1	1	1	1	1
Code Compliance Technician	1	1	1	1	1
Confidential Office Clerk I/II	0	1	1	1	1
Confidential Secretary	0	1	1	1	1
Secretary	1	0	0	0	0
Office Assistant I/II	1	0	0	0	0
TOTAL	11	11	11	11	10
GRAND TOTAL	11	11	11	11	10

TEMPORARY (FTE)

Assistant Clerk - Office	0.5	0.5	0.5	0.5	0.5
TOTAL TEMPORARY (FTE)	0.5	0.5	0.5	0.5	0.5

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PROGRAM DESCRIPTION

The City Attorney’s Office provides a wide range of legal services for the City Council, City boards and commissions, and operating departments. Major activities include: Day-to-day legal advice to City officials and employees; drafting contracts, opinions, resolutions, and ordinances; defending the City, its officers, and employees in civil litigation; coordinating and monitoring the investigation, settlement, and litigation arising out of personal injury claims; defending minor personal injury suits against the City; handling minor collection cases on the City’s behalf; handling minor civil cases seeking injunctive relief related to property nuisances; providing staff support to the City’s administrative code compliance program, including the City’s administrative hearing officers; prosecuting criminal and civil violations of the City’s Municipal Code; representing the City in discovery matters initiated by third parties; negotiating civil settlements, franchises, and agreements on behalf of the City; assisting in Municipal Code updates; maintaining a subscription to an online legal research service and select printed volumes; performing liaison activities with the news media and the local bar; and networking with other cities through the League of California Cities.

SUBPROGRAMS AND THEIR OBJECTIVES

Provide accurate and complete legal information and advice to the City Council, commissions, boards, and staff.

Coordinate and monitor the investigation of liability claims brought against the City. Recommend settlement to facilitate economical resolution of these disputes. Maintain a claims database and supply organized information for risk management purposes.

Represent the City’s interest in all areas of civil litigation by providing advice on how to avoid litigation, prosecuting civil actions on behalf of the City, defending selected civil actions brought against the City, and coordinating and monitoring the defense of civil litigation filed against the City.

Assist in maintaining a successful Code Compliance Program, including maintaining a database of cases that is accessible to other City departments. This program seeks to gain code compliance through a coordinated effort with the Police, Fire, Utilities, Public Works, Recreation and Parks, Community Development and Finance Departments.

Facilitate the operations of the City by preparing ordinances, resolutions, risk management policies, and other documents.

Contribute to the effective administration and management of the City.

Promote, to the public, a positive image of the City, City Council, and City Attorney’s Office.

Maintain a subscription to an online legal research service to efficiently research applicable law and selected printed volumes for specialty areas.

Network with other cities to promote Santa Maria on State and local levels.

Provide investigative and enforcement services regarding zoning and building complaints.

PERFORMANCE/WORKLOAD MEASURES	ACTUAL 2014-16	ESTIMATED 2016-18	PROJECTED 2018-20
DEMAND/WORKLOAD			
Resolutions Reviewed	278	299	290
Code Compliance Violations Cleared	6,488	6,400	4,800
New Municipal Code Violations	6,480	6,500	6,500

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PERFORMANCE/WORKLOAD MEASURES	ACTUAL 2014-16	ESTIMATED 2016-18	PROJECTED 2018-20
Administrative Decisions Issued	110	90	80
DEMAND/WORKLOAD , continued			
Criminal Prosecutions – Referrals from:			
Animal Control	39	16	15
Police	477	768	500
Recreation and Parks	252	275	270
Code Compliance	37	18	20
Finance	0	0	0
EFFECTIVENESS/EFFICIENCIES			
Claims Processed	140	134	135
Ordinances Drafted or Reviewed	38	39	39

GOALS AND OBJECTIVES

- Continue to proactively investigate and prosecute known “slumlords” with nuisance properties evidencing uninhabitable conditions blighting the community, to reduce health and safety violations and other substandard living conditions that affect numerous tenants.
- Conduct community meetings and consult with stakeholders and the Community Development Department concerning H-2A housing, and prepare and present an ordinance for the City Council’s consideration to regulate H-2A housing in residential zoning districts.
- Perform periodic inspections of massage businesses in the City to facilitate compliance with operational requirements, and complete implementation of registration and other administrative requirements of the City’s massage business ordinance.
- Work collaboratively with the Community Development Department to streamline the shopping cart containment plan submission and review process for businesses that have been found to be in violation of the City’s shopping cart containment ordinance.
- Continue to identify and develop strategies to address homelessness in the downtown area, by collaborating with business and property owners, members of the community, non-profit organizations, and other City personnel such as City Rangers and Community Policing Unit.
- Continue education of neighborhood residents regarding the importance of community pride and quality of life issues through “Walk and Talk” programs, in both residential and commercial districts.
- Continue the award program honoring property owners who improve and beautify properties that were once nuisance properties.
- Continue attendance at community outreach events and participate in media opportunities to educate residents about the City’s Municipal Codes, especially the Property Nuisance Ordinance, in an effort to reduce complaints and improve the quality of life.
- Continue supporting City departments in achieving City Council’s priorities by giving sound legal advice and assisting staff in formulating feasible solutions.

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- Continue to provide periodic updates regarding civil litigation, Code Compliance, and criminal prosecution to the City Manager and Council in an ongoing effort to keep them informed about developing issues and activities in these areas.

NOTEWORTHY BUDGET HIGHLIGHTS

- The portion of the Citywide General Fund budget reduction target for the City Attorney's Office is \$24,687 in 2018-19 and \$27,402 in 2019-20. To achieve the reduction target the Department will unfund a full-time Code Compliance Officer position. This will have a significant and noticeable effect on the ability of the Code Compliance Division to provide service to the public. The City Attorney's Office projects that about 800 fewer Municipal Code violations will be cleared in 2019-20 and in each year thereafter, as a result of the elimination of this position. Also, it will take longer to abate the more complicated code violation cases because the remaining officers will have larger caseloads.
- An additional reduction is in the "Public Nuisance Abatement" account, which has an annual allocation of \$17,100. This money is not necessarily used each year, but is drawn upon when necessary to quickly and efficiently abate a public nuisance when it is infeasible to get the responsible party or the property owner to incur costs. For example, an abandoned house that a bank has not yet taken possession of after a foreclosure can attract "squatters" or become covered with graffiti. Rather than wait until the bank takes possession and is able to take the required action to secure the property, the City Attorney's Office had these funds available to use to take immediate action to abate the nuisance. Most, if not all, of the funds used would eventually be recovered from the responsible party, so this fund operated more or less as a revolving loan account. The reductions in this account for the 2018-20 budget will not have a significant impact on the City's ability to abate nuisances, but some cases may take longer to abate than if these funds were available. However, this is a relatively minor budget reduction that will have a minimal impact on the public's health, safety, and welfare.