



City Attorney

MISSION STATEMENT

The mission of the City Attorney is to provide legal services and counsel to the City Council and City staff.

PROPOSED BUDGET EXPENDITURE DISTRIBUTION

Total Department Budget: \$197,807

DEPARTMENT PERSONNEL SUMMARY

Since the City Attorney is a contract employee, there are no personnel reflected in the City budget.

CURRENT ACCOMPLISHMENTS

During Fiscal Year 2007-2008 the City Attorney provided legal services, advice and assistance to City staff, consultants representing the City and/or the City Council in the following issue areas:

- Code enforcement (property maintenance, signage, etc.)
- Business license violations
- Changes to City ordinances
- Development issues and Capital Projects
- Garbage franchise and rate issues,
- Telecommunications franchise issues
- Personnel and labor relations
- Police issues
- Public Records Act requests
- Building code violations
- City contract review
- City policy & procedures review (including Americans with Disabilities Act Title II compliance)

- Liability claims not covered by the ABAG PLAN and lawsuits
- Sidewalk maintenance ordinance enforcement
- City business process improvements
- Animal control ordinance enforcement (leash law violations, barking dog issues, etc.)
- Routine legal matters arising from regular business operations

During Fiscal Year 2007-08, the City Attorney continued to maintain weekly office hours at City Hall to facilitate consultation with staff and Council on all legal matters. The City Attorney continued to coordinate legal services provided by attorneys with specialized legal expertise.

FY 2007-08 is notable in that the need for non-retainer City Attorney services and for other specialized legal services increased significantly in a variety of areas including code enforcement, active and potential litigation, Public Records Act requests, and personnel / labor relations matters. This increased level of legal activity was not anticipated and a budget augmentation was needed prior to the end of FY 2007-08.

PROPOSED SERVICE LEVELS

The contract with the City Attorney is a three-year agreement. FY 2008-2009 is year two of the three-year

agreement. Pursuant to the agreement, the retainer amount and hourly rate for non-retainer work will increase by the same percentage amount granted to management employees as part of their three-year compensation and benefits plan.

It is anticipated that the need for legal services in FY 2008-2009 will remain high. Many of the issues requiring legal assistance in FY 2007-2008 are expected to be on-going in FY 2008-2009. Therefore, the FY 2008-2009 budget includes additional funding for the City Attorney’s non-retainer activities and for specialized legal assistance.

CHANGES IN RESOURCES REQUIRED

Retainer – Increases by same percentage granted to management employees

Non-Retainer Services – Increases by \$40,000

Other Attorney Services – Increases by \$5,000

Other Attorney Services (ADA Title II Review) – Decreases by \$10,000 due to a one-time allocation of \$10,000 in FY 2007-2008.

League of CA Cities Meetings – No change

DEPARTMENT SUMMARY BY DIVISION
City of Foster City, California
CITY ATTORNEY
GENERAL FUND
Annual Budget Appropriation for Fiscal Year

	2007-2008		2008-2009
	APPROVED	REVISED	REQUESTED
EMPLOYEES SERVICES	\$ -	\$ -	\$ -
SERVICES AND SUPPLIES	244,292	244,292	282,581
CAPITAL OUTLAY	-	-	-
Subtotal (Total Department-Controlled Expenses)	244,292	244,292	282,581
INTERNAL SERVICES	-	-	-
Subtotal (Total Department Expenses before Reallocations)	244,292	244,292	282,581
REALLOCATIONS	(70,288)	(70,288)	(84,774)
TOTAL FOR CITY ATTORNEY	\$ 174,004	\$ 174,004	\$ 197,807

DETAIL LINE ITEM REPORT

CITY ATTORNEY - CITY ATTORNEY

Account: 001-0310-412

GENERAL FUND

Services and Supplies		Approved 2007-2008	Requested 2008-2009
001-0310-412-4251	NON-RETAINER SERVICES	\$125,000.00	\$165,000.00
001-0310-412-4251	OTHER ATTORNEY SERVICES	\$5,000.00	\$10,000.00
001-0310-412-4251	OTHER ATTORNEY SERVICES - ADA TITLE II REVIEW	\$10,000.00	\$0.00
001-0310-412-4251	RETAINER	\$102,792.00	\$106,081.00
	Subtotal	\$242,792.00	\$281,081.00
001-0310-412-4254	LEAGUE OF CALIFORNIA CITIES MEETINGS	\$1,500.00	\$1,500.00
	Subtotal	\$1,500.00	\$1,500.00
	Services and Supplies Total	\$244,292.00	\$282,581.00
Reallocation		Approved 2007-2008	Requested 2008-2009
001-0310-412-4496	ALLOCATION TO EXP. TO WATER	(\$35,144.00)	(\$42,387.00)
	Subtotal	(\$35,144.00)	(\$42,387.00)
001-0310-412-4497	ALLOCATION TO EXP. TO SEWER	(\$35,144.00)	(\$42,387.00)
	Subtotal	(\$35,144.00)	(\$42,387.00)
	Reallocation Total	(\$70,288.00)	(\$84,774.00)
	CITY ATTORNEY Total	\$174,004.00	\$197,807.00