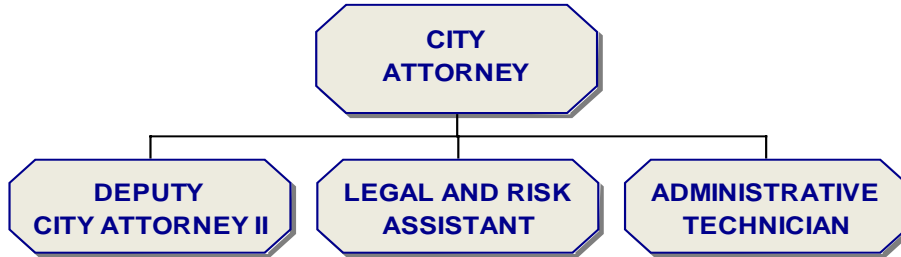


CITY ATTORNEY



DEPARTMENT SUMMARY

City Attorney

The City Attorney Department provides correct, helpful, timely, and cost-effective legal representation and advice to the City Council, agencies, boards and commissions, and City departments in matters of law pertaining to the functioning of the City.

About City Attorney

The City Attorney Department is responsible for representation and advice to the City Council, the Redevelopment Agency, Palmdale Civic Authority, Housing Authority, Industrial Development Authority, Airport Authority, Boards, Commissions, and all city officers and staff in all matters of law pertaining to the City.

The City Attorney's goal is to minimize or prevent litigation against the City and its agencies, boards, and commissions and to enforce the City's rights and remedies when appropriate.

The responsibilities of the City Attorney's Office include, but are not limited to: attending all regular, special and adjourned meetings of the City Council, Community Redevelopment Agency, Palmdale Civic Authority, Housing Authority, Industrial Development Authority, Airport Authority, Planning Commission, Mobile Home Rent Control Board, and Library Board of Trustees hearings (upon request); draft or review all ordinances, resolutions and agreements presented to the City Council and its agencies, boards, and commissions (as needed); coordinate all pending litigation pertaining to the City, remain available at all times for consultation and advice on legal matters by the City Council, City Manager or City Staff, and supervise insurance and risk management matters for the City.

A City Attorney, a Deputy City Attorney, a Legal and Risk Assistant, and an Administrative Technician staff the office.

FISCAL YEAR 2011-12 BUDGET HIGHLIGHTS

- ✓ Revise Municipal Code regarding encroachment permits.
- ✓ Met legal requirements for Public Records Requests.
- ✓ Assist Public Works in implementing Recycled Water Program.
- ✓ Revise Municipal Code regarding graffiti restitution.
- ✓ Facilitate driver safety training for all employees.
- ✓ Facilitate driver safety training for heavy equipment operators.

DEPARTMENT SUMMARY

City Attorney (1400, 1410, 1420, 1430)

Department Expenditures and Staffing Summary

	<u>Actual 2009-10</u>	<u>Budget 2010-11</u>	<u>Estimated 2010-11</u>	<u>Adopted 2011-12</u>
Authorized Positions (FTE)	5.00	4.36	4.36	4.16
Expenditures				
Personnel	990,738	868,610	860,850	822,060
Training and Meetings	16,166	14,100	14,100	14,100
Operating Expenditures	2,755,508	3,252,800	3,221,100	3,152,600
Capital	-	-	-	-
Total Department Expenditures	3,762,412	4,135,510	4,096,050	3,988,760

The City Attorney Department is budgeted in the General Fund.

PROGRAMS AND SERVICES

CITY ATTORNEY PROGRAMS

- **City Attorney**
 - Code Enforcement
 - Restitution
 - Risk Management

RECENT PROGRAM ACHIEVEMENTS

- ✧ Obtained over \$1.3 million in services from bonding companies to complete or repair stalled improvement projects.
- ✧ Revised regulations regarding the sale of fireworks.
- ✧ Reviewed and, when necessary, revised Conflict of Interest of all boards and commissions.
- ✧ Revised Palmdale Municipal Code Chapter 9.30 to update provisions related to graffiti restitution.
- ✧ Recouped over \$1million in attorneys fees for the City.

City Attorney (14001)

Mission Statement

Provide legal representation and advice to the City through its City Council, Agencies, Boards, Commissions, and City staff.

Program Activities

- Represent and advise the City Council, the Redevelopment Agency, Boards, Commissions, and City Staff in all legal matters pertaining to the City.
- Attend all meetings of the City Council and Planning Commission; give advice or opinions orally or in writing whenever requested by the City Council or by the commissions, boards, or officers of the City.
- Represent and appear for the City in all actions or proceedings in which the City is concerned or is a party. Represent and appear for any City officer or employee, in all civil actions for any act arising out of his or her employment or by reasons of their official capacity.
- Review and provide advice on planning documents including amendments to the zoning ordinance, specific plans, general plan, and development approval conditions.
- Prosecute on behalf of the people all criminal cases arising from violation of the provisions of the Palmdale Municipal Code.
- Approve the form of all City contracts and bonds issued by the City.
- Prepare proposed ordinances and City Council resolutions and related amendments.

Key Goals & Objectives for Fiscal Year 2011-12

- Review Palmdale Municipal Code, identify outdated provisions, and revise Code in accordance with local, state, and federal laws.
- Revise Human Resources Rules & Regulations.
- Complete updating of encroachment permits.

OPERATING AND PERFORMANCE MEASURES

	<u>Actual 2009-10</u>	<u>Budget 2010-11</u>	<u>Estimated 2010-11</u>	<u>Adopted 2011-12</u>
Authorized Positions (FTE)	5.00	4.36	4.36	4.16
Expenditures				
Personnel	990,739	868,610	860,850	822,060
Training and Meetings	7,419	4,100	4,100	4,100
Operating Expenditures	1,341,729	1,271,700	1,275,700	1,207,200
Capital	-	-	-	-
Total Program Expenditures	2,339,887	2,144,410	2,140,650	2,033,360

PROGRAMS AND SERVICES

CITY ATTORNEY PROGRAMS

- City Attorney
- **Code Enforcement Restitution**
- Risk Management

RECENT PROGRAM ACHIEVEMENTS

- ✧ Revised Fireworks Ordinance.
- ✧ 2 Code Enforcement Officers obtained an advanced code enforcement certification.
- ✧ Revised Palmdale Municipal Code Chapter 9.30 to update provisions regarding graffiti restitution.

Code Enforcement Restitution (14002)

Mission Statement

File and prosecute nuisance abatement and other code enforcement actions. Provide training, equipment, and supplies to assist in investigation and enforcement actions.

Program Activities

- Monitor and manage the collection of code enforcement civil fines.
- Manage and perform nuisance abatement of building and safety violations such as board up of vacant homes and pumping of pools of vacant homes.
- Train Code Enforcement, Building and Safety officers/inspectors, and City Attorney staff on code enforcement strategic planning of code enforcement programs.

Key Goals & Objectives for Fiscal Year 2011-12

- Train Code Enforcement in revised ordinances pertaining to encroachment permits and legal updates.
- Continue to conduct illegal dumping cleanups on a bi-annual basis.
- Continue to conduct abatement of abandoned vehicles on an annual basis.
- Continue to secure or board up vacant or abandoned homes as needed.
- Continue to clean up substandard properties.
- Conduct fireworks enforcement in June/July.
- Continue to remove illegal signage throughout the City.
- Enforce rental unit inspection program in conjunction with Building & Safety.
- Enforce the registration of vacant homes.
- Assist Housing with abating nuisance properties in Focus Neighborhoods.

OPERATING AND PERFORMANCE MEASURS

	<u>Actual 2009-10</u>	<u>Budget 2010-11</u>	<u>Estimated 2010-11</u>	<u>Adopted 2011-12</u>
Authorized Positions (FTE)	-	-	-	-
Expenditures				
Personnel	-	-	-	-
Training and Meetings	8,148	10,000	10,000	10,000
Operating Expenditures	201,194	251,250	251,250	251,250
Capital	-	-	-	-
Total Program Expenditures	209,342	261,250	261,250	261,250

PROGRAMS AND SERVICES

CITY ATTORNEY PROGRAMS

City Attorney
Code Enforcement
Restitution

➤ **Risk Management**

RECENT PROGRAM ACHIEVEMENTS

- ✧ Conducted sexual harassment training in line with revised policy.
- ✧ Collected restitution monies for damage to City property.
- ✧ Reviewed, revised and updated standard contract forms.
- ✧ Processed approximately 41 claims.
- ✧ Processed approximately 267 potential litigation matters.
- ✧ Established Insurance Matrix with coverage and limits for PW projects.
- ✧ Revised contract indemnity language.
- ✧ Increased the City's maximum liability coverage.
- ✧ Revised the City's Schedule of insured properties.
- ✧ Assisted with risk control inspections at various City facilities, including City skate parks.

Risk Management (14101, 14201, 14301)

Mission Statement

Develop and implement a Risk Management Program for the City to reduce the City exposure to claims.

Program Activities

- Negotiate and purchase all insurance necessary for the day-to-day operations of the City and special events.
- Review insurance submitted by contractors, consultants, and users of City facilities.
- Select and supervise the claims manager and broker of record.
- Review and track policy claims and coverage.

Key Goals & Objectives for Fiscal Year 2011-12

- Conduct driver safety training for all employees.
- Complete real property tracking for insurance and liability exposures.
- Continue to conduct sexual harassment training in line with revised policy.
- Conduct training regarding City employee automobile insurance and incident reporting.
- Continue restitution efforts for damage to City property.
- Conduct training regarding potential litigation reports.
- Increase the City's maximum liability coverage.
- Facilitate driver safety training for all employees.
- Facilitate driver safety training for heavy equipment operators.

OPERATING AND PERFORMANCE MEASURES

	<u>Actual</u> <u>2009-10</u>	<u>Budget</u> <u>2010-11</u>	<u>Estimated</u> <u>2010-11</u>	<u>Adopted</u> <u>2011-12</u>
Authorized Positions (FTE)	-	-	-	-
Expenditures				
Personnel	-	-	-	-
Training and Meetings	599	-	-	-
Operating Expenditures	1,212,584	1,729,850	1,694,150	1,694,150
Capital	-	-	-	-
Total Program Expenditures	1,213,183	1,729,850	1,694,150	1,694,150

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