

Overview

The City Attorney’s Office provides all legal services to the City Council, Boards and Commissions, City Manager, and Departments, pursuant to the terms of Article VIII Sections 1 through 5 of the City Charter. In addition, the City Attorney’s Office acts as General Counsel to the City as successor to the Community Improvement Commission, Public Utilities Board, and for the Alameda Point development, and is responsible for providing all municipal legal services. Risk Management is a division of the City Attorney’s Office and works with Departments to eliminate or mitigate potential risk and preserve public property, as well as manage the City’s Workers’ Compensation program.



The Office mission statement is to provide sound and objective legal advice and representation to the City Council, in accordance with the highest ethical and professional standards.

Workplan Highlights

- Continue to perform legal support for negotiating and drafting all legal documents and providing litigation services required by the City.
- Maintain systems to provide City Council, Boards and Commissions, and Department Heads with timely and practical information on claims, litigation, statutory compliance and changes in law to facilitate compliance and benefit best practices.
- Develop and provide Open Government training, including the Brown Act and the City’s Sunshine Ordinance training, and provide ethics training for City staff and City Officials.
- Work with the City’s Rent Program Administrator to provide legal advice concerning implementation of City’s Rent Program.
- Work with Building Division to handle code enforcement matters including informal resolutions and civil and criminal prosecution.
- Work closely with the Community Development Department and the Base Reuse Department and provide legal support on all aspects of law for major development projects, including the redevelopment of the former Naval Air Station at Alameda Point and the City’s Northern Waterfront.
- Work closely with the Public Utilities Board and Alameda Municipal Power and provide legal support on all aspects of public utilities law, including the Underground Utility District Program.
- Work closely with the Public Works Department to provide legal advice and support regarding public contracting and public bidding issues, as well as provide legal support for major projects such as the new Fire Station No. 3 and the new Emergency Operations Center.

Goals

1. Provide high-quality, cost-effective legal services that are responsive to the needs of the Council, its Boards and Commissions, and staff of the City of the City of Alameda.
2. Continue to resolve pending litigation matters at the lowest possible cost to the City, while maintaining a strong City defense strategy.
3. Offer legal and risk management services necessary to minimize City liability and exposure.

Performance Measure	Relates to Goals	2014 Actual	2015 Actual	2016 Actual
1. Percentage of completed legal input on agenda items consistent with internal deadlines	1	N/A	100%	100%
2. Number of lawsuits resolved	2	N/A	10	15
3. Number of claims adjusted	3	N/A	103	80

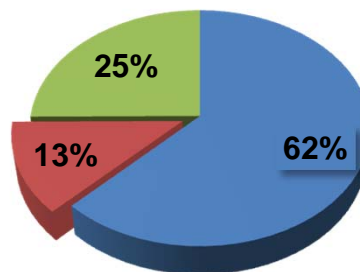
Expenditure Summary by Program

Program Name	FY 15-16 Actual	FY 16-17 Budget	FY 16-17 Projected	FY 17-18 Budget	FY 18-19 Budget
Administration	\$ 999,316	\$ 1,094,000	\$ 1,078,000	\$ 1,156,000	\$ 1,194,000
Workers' Compensation	3,219,217	3,407,000	3,100,000	3,216,000	3,315,000
Risk Management	3,276,864	2,837,316	2,816,000	3,628,000	3,175,000
Total Program Budget	\$ 7,495,397	\$ 7,338,316	\$ 6,994,000	\$ 8,000,000	\$ 7,684,000
Less: Program Revenues	6,171,078	5,366,000	5,489,000	7,149,000	6,649,000
Net Program Budget	\$ 1,324,319	\$ 1,972,316	\$ 1,505,000	\$ 851,000	\$ 1,035,000

Fund Summary

	FY 15-16 Budget	FY 16-17 Budget	FY 16-17 Projected	FY 17-18 Budget	FY 18-19 Budget
Program Budget by Fund					
General Fund (001)	\$ 999,316	\$ 1,094,000	\$ 1,725,000	\$ 1,894,000	\$ 1,957,000
Workers' Comp ISF (711)	3,219,217	3,407,000	2,918,000	3,024,000	3,117,000
Risk Management ISF (712)	3,276,864	2,837,316	2,351,000	3,082,000	2,610,000
Totals	\$ 7,495,397	\$ 7,338,316	\$ 6,994,000	\$ 8,000,000	\$ 7,684,000
Net Program Budget by Fund					
General Fund (001)	1,207,241	\$ 1,397,000	\$ 1,356,000	\$ 1,482,000	\$ 1,545,000
Workers' Comp ISF (711)	(730,995)	182,000	(172,000)	(567,000)	(474,000)
Risk Management ISF (712)	848,073	393,316	321,000	(64,000)	(36,000)
Totals	\$ 1,324,319	\$ 1,972,316	\$ 1,505,000	\$ 851,000	\$ 1,035,000
FTEs by Fund					
General Fund (001)	7.47	7.97	7.97	7.97	7.97

FTE by Program



■ Administration ■ Workers' Compensation
■ Risk Management

* Includes cost allocation of charges to other City programs.

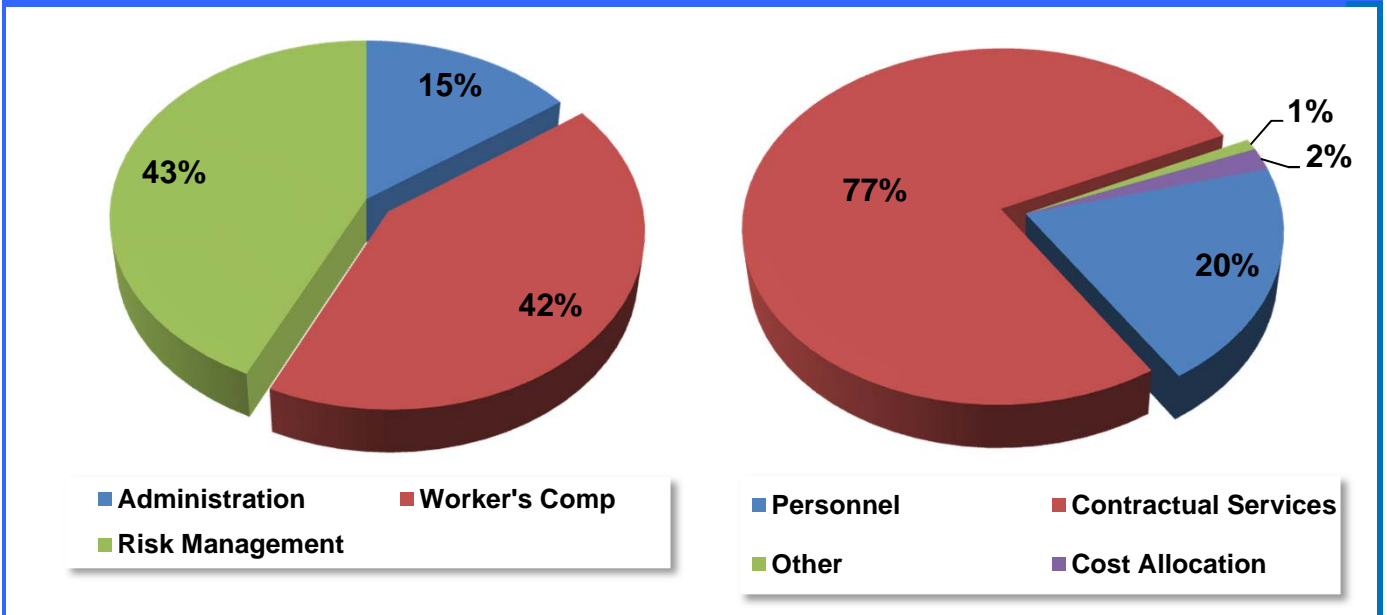
Expenditure Summary by Category

<u>Expenditure Category</u>	<u>FY 15-16 Actual</u>	<u>FY 16-17 Budget</u>	<u>FY 16-17 Projected</u>	<u>FY 17-18 Budget</u>	<u>FY 18-19 Budget</u>
Full-Time Personnel	\$ 1,356,427	\$ 1,507,480	\$ 1,465,000	\$ 1,553,000	\$ 1,616,000
Part-Time Personnel	1,947	9,203	2,000	12,000	12,000
Contractual Services	6,006,261	5,668,356	5,378,000	6,218,000	5,839,000
Other Operational Costs	70,414	92,924	89,000	98,000	98,000
Cost Allocation	60,348	60,353	60,000	119,000	119,000
Total Program Budget	\$ 7,495,397	\$ 7,338,316	\$ 6,994,000	\$ 8,000,000	\$ 7,684,000
Less: Program Revenues	6,171,078	5,366,000	5,489,000	7,149,000	6,649,000
Net Program Budget	\$ 1,324,319	\$ 1,972,316	\$ 1,505,000	\$ 851,000	\$ 1,035,000

Full-Time Personnel Summary

<u>Program</u>	<u>Program Number</u>	<u>FY 15-16 Budget</u>	<u>FY 16-17 Budget</u>	<u>FY 17-18 Budget</u>	<u>FY 18-19 Budget</u>
Administration	2310	4.47	4.97	4.97	4.97
Workers' Compensation	07110/711001	1.00	1.00	1.00	1.00
Risk Management	07120/712001	2.00	2.00	2.00	2.00
Totals		7.47	7.97	7.97	7.97

Expenditures by Program / Category



Program Description

The City Attorney is the legal advisor to the City Council and to all departments, Boards, Commissions, and City offices. The City Attorney serves as General Counsel to the City as successor to the Community Improvement Commission, the Public Utilities Board, and for Alameda Point development; and provides all municipal legal services. The Administration program manages the complete legal needs of the City and various legal entities, for transactional items and initiating and defending litigation through the use of both in-house and outside counsel, as deemed necessary by the City Attorney.

Key Objectives

1. Provide thorough, accurate, timely, and strategic legal advice and counsel to the City Council, Boards and Commissions, and City staff as requested.
2. Continue resolving pending litigation matters at the lowest possible cost to the City, while maintaining a strong City defense strategy.
3. Maintain regular, meaningful communications with the City Council, City Manager, and Executive Management Team.
4. Provide in-house training for various City departments on an as-needed basis regarding legal procedures, requirements, or liability avoidance.

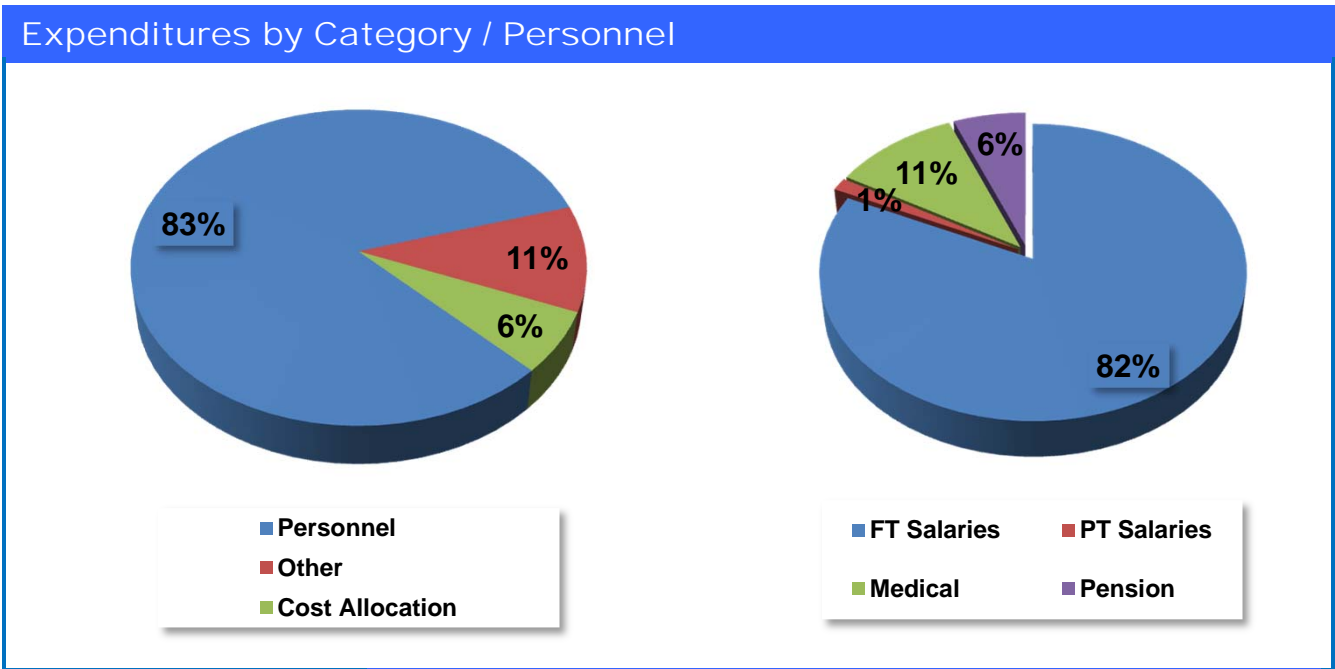
Budget Highlights / Significant Changes

- The variance in Cost Allocation is a result of the recently updated Cost Allocation Plan.



Program Summary		General Fund (001)			
<u>Expenditure Category</u>	<u>FY15-16 Actual</u>	<u>FY16-17 Budget</u>	<u>FY16-17 Projected</u>	<u>FY17-18 Budget</u>	<u>FY18-19 Budget</u>
Full-Time Personnel	\$ 857,450	\$ 924,777	\$ 916,000	\$ 942,000	\$ 980,000
Part-Time Personnel	1,947	9,203	2,000	12,000	12,000
Contractual Services	63,864	72,923	73,000	75,000	75,000
Other Operational Costs	37,055	48,090	48,000	52,000	52,000
Cost Allocation	39,000	39,007	39,000	75,000	75,000
Total Program Budget	\$ 999,316	\$ 1,094,000	\$ 1,078,000	\$ 1,156,000	\$ 1,194,000
% Variance			1%	7%	3%
Less: Program Revenues	233,484	233,000	233,000	275,000	275,000
Net Program Budget	\$ 765,832	\$ 861,000	\$ 845,000	\$ 881,000	\$ 919,000

Full-Time Personnel Summary					
<u>Position</u>	<u>Bargaining Unit</u>	<u>FY15-16 Budget</u>	<u>FY16-17 Budget</u>	<u>FY17-18 Budget</u>	<u>FY18-19 Budget</u>
City Attorney	APPOINTED	0.70	0.70	0.70	0.70
Assistant City Attorney II	MCEA	1.67	2.17	2.17	2.17
Paralegal	MCEA	1.30	1.30	1.30	1.30
Administrative Services Coordina	MCEA	0.80	0.80	0.80	0.80
Administrative Technician II	MCEA	-			
Totals		4.47	4.97	4.97	4.97



Program Description

Under the direction of the City Attorney, and managed by the Risk Management Division, the Workers' Compensation program administers required insurance benefits for the employees and volunteers of the City of Alameda. The program includes cost-effective and efficient claims handling, participation in the "pooled" Workers' Compensation coverage program, productive "Return to Work" program for employees, administration and training for department-specific or City-wide programs that promote safety in the workplace, and administration of annual CalOSHA compliance reporting. The Risk Manager serves as a Board Director of the Local Agency Workers' Compensation Excess Joint Powers Authority (LAWCX).

Key Objectives

1. Maintain employee safety awareness to reduce the frequency and severity of Workers' Compensation claims and comply with training requirements of LAWCX and CalOSHA Illness Prevention Programs, in accordance with Title VIII and bargaining unit Memorandum of Understanding requirements.
2. Conduct status meetings with the City's Workers' Compensation third-party administrator and update the Workers' Compensation Division Procedure Manual to provide quality, cost-efficient benefits for all City employees and volunteers.
3. Manage and oversee the Workers' Compensation third-party administrator on claims, and administer return-to-work programs that encourage the return of injured personnel to work as early as possible.
4. Conduct Workers' Compensation City-wide Training to ensure understanding and implementation of the Workers' Compensation program for all City employees and volunteers.
5. Maintain annual mandated CalOSHA record keeping and reporting of occupational injuries and illnesses.

Budget Highlights / Significant Changes

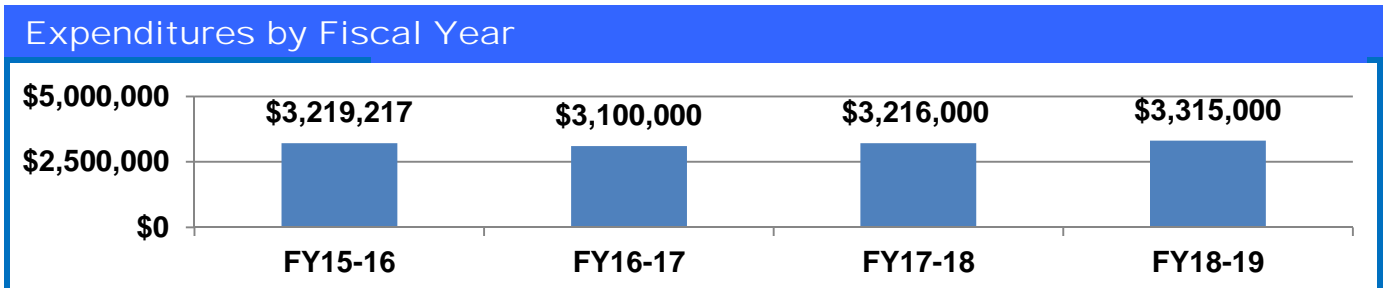
- The proposed budget reflects projected increases in costs paid for claims, as estimated by the City's Workers' Compensation Third Party Administrator.



Program Summary		General/Internal Service Funds 001 & 711			
<u>Expenditure Category</u>	<u>FY15-16 Actual</u>	<u>FY16-17 Budget</u>	<u>FY16-17 Projected</u>	<u>FY17-18 Budget</u>	<u>FY18-19 Budget</u>
Full-Time Personnel	\$ 168,074	\$ 166,259	\$ 162,000	\$ 166,000	\$ 172,000
Part-Time Personnel	924	-	-	-	-
Other Operational Costs	3,038,872	3,226,612	2,924,000	3,030,000	3,123,000
Materials & Supplies	2,299	4,976	5,000	5,000	5,000
Cost Allocation	9,048	9,153	9,000	15,000	15,000
Total Program Budget	\$ 3,219,217	\$ 3,407,000	\$ 3,100,000	\$ 3,216,000	\$ 3,315,000
% Variance			-9.0%	4%	3%
Less: Program Revenues**	3,825,044	3,097,000	3,148,000	3,647,000	3,647,000
Net Program Budget	\$ (605,827)	\$ 310,000	\$ (48,000)	\$ (431,000)	\$ (332,000)

Full-Time Personnel Summary					
<u>Position</u>	<u>Bargaining Unit</u>	<u>FY15-16 Budget</u>	<u>FY16-17 Budget</u>	<u>FY17-18 Budget</u>	<u>FY18-19 Budget</u>
City Attorney	APPOINTED	0.10	0.10	0.10	0.10
Risk Manager	MCEA	0.40	0.40	0.40	0.40
Paralegal	MCEA	0.50	0.50	0.50	0.50
Totals		1.00	1.00	1.00	1.00

Fund Summary					
	<u>FY15-16 Actual</u>	<u>FY16-17 Budget</u>	<u>FY16-17 Projected</u>	<u>FY17-18 Budget</u>	<u>FY18-19 Budget</u>
Program Budget by Fund					
General Fund (001)	\$ 183,596	\$ 186,000	\$ 182,000	\$ 192,000	\$ 198,000
Workers' Comp ISF (Fund 711)	3,035,621	3,221,000	2,918,000	3,024,000	3,117,000
	3,219,217	3,407,000	3,100,000	3,216,000	3,315,000
Net Program Budget by Fund					
General Fund (001)	\$ 125,168	\$ 128,000	\$ 124,000	\$ 136,000	\$ 142,000
Workers' Comp ISF (Fund 711)	(730,995)	182,000	(172,000)	(567,000)	\$ (474,000)
	(605,827)	310,000	(48,000)	(431,000)	(332,000)



Program Description

Under the direction of the City Attorney, and managed by the Risk Management Division, the General Liability program manages all claims and handles insurance procurement City-wide, including Alameda Point. Services provided include processing of liability and environmental claims; administration of self-insured and procured insurance programs for all general liability and real and personal properties; safety and loss control, including administrative compliance with CalOSHA; provision of general liability assessments and opinions; and maintenance of Americans with Disabilities Act (ADA) requirements through provisions of ADA Coordinator services. The Risk Manager serves as a Board Director of the California Joint Powers Risk Management Authority, the City's excess liability risk-sharing pool.

Key Objectives

1. Oversee and manage the third party administrator towards improving the process for conducting liability claims investigations by creating greater staff accountability, reducing the cost of claim settlements and litigation expenses.
2. Review and approve insurance provisions on contracts and permits for City-wide projects, programs, events, and major development projects for Alameda Point.
3. Enhance safety awareness for staff, in order to create greater work efficiency, reduce employee injuries and reduce or eliminate CalOSHA fines.
4. Procure and administer real and personal property insurance, environmental and pollution liability coverages, and all specialty insurance products as required for the City.

Budget Highlights / Significant Changes

- The proposed program budget reflects projected increases in costs paid for claims and litigation matters, as estimated by City Staff based upon prior years' claims history and current claims outstanding, and based on the actuarial report prepared third party; and projected increases in insurance premiums.



Program Summary		General/Internal Service Funds 001/712			
<u>Expenditure Category</u>	<u>FY15-16 Actual</u>	<u>FY16-17 Budget</u>	<u>FY16-17 Projected</u>	<u>FY17-18 Budget</u>	<u>FY18-19 Budget</u>
Full-Time Personnel	\$ 326,369	\$ 416,444	\$ 387,000	\$ 445,000	\$ 464,000
Part-Time Personnel	3,610	-	-	-	-
Contractual Services	2,106,934	1,765,286	1,777,465	2,302,050	1,830,050
Outside Counsel Litigation	796,591	603,535	603,535	810,950	810,950
Other Operational Costs	31,060	39,858	36,000	41,000	41,000
Cost Allocation	12,300	12,193	12,000	29,000	29,000
Total Program Budget	\$ 3,276,864	\$ 2,837,316	\$ 2,816,000	\$ 3,628,000	\$ 3,175,000
% Variance			1%	29%	-12%
Less: Program Revenues*	2,112,550	2,036,000	2,108,000	3,227,000	2,727,000
Net Program Budget	\$ 1,164,314	\$ 801,316	\$ 708,000	\$ 401,000	\$ 448,000

Full-Time Personnel Summary					
<u>Position</u>	<u>Bargaining Unit</u>	<u>FY15-16 Budget</u>	<u>FY16-17 Budget</u>	<u>FY17-18 Budget</u>	<u>FY18-19 Budget</u>
City Attorney	APPOINTED	0.20	0.20	0.20	0.20
Risk Manager	MCEA	0.60	0.60	0.60	0.60
Assistant City Attorney II	MCEA	0.80	0.80	0.80	0.80
Administrative Services Coordina	MCEA	0.20	0.20	0.20	0.20
Paralegal	MCEA	0.20	0.20	0.20	0.20
Totals		2.00	2.00	2.00	2.00

Fund Summary					
	<u>FY15-16 Actual</u>	<u>FY16-17 Budget</u>	<u>FY16-17 Projected</u>	<u>FY17-18 Budget</u>	<u>FY18-19 Budget</u>
Program Budget by Fund					
General Fund (001)	\$ 394,697	\$ 486,000	\$ 465,000	\$ 546,000	\$ 565,000
Risk Mgmt ISF (Fund 712)	2,882,167	2,351,316	2,351,000	3,082,000	2,610,000
	3,276,864	2,837,316	2,816,000	3,628,000	3,175,000
Net Program Budget by Fund					
General Fund (001)	\$ 316,241	\$ 408,000	\$ 387,000	\$ 465,000	\$ 484,000
Risk Mgmt ISF (Fund 712)	\$ 848,073	\$ 393,316	\$ 321,000	\$ (64,000)	\$ (36,000)
	1,164,314	801,316	708,000	401,000	448,000

* Includes cost allocation charges to other City programs.

City Attorney

FY 17-18 / 18-19

