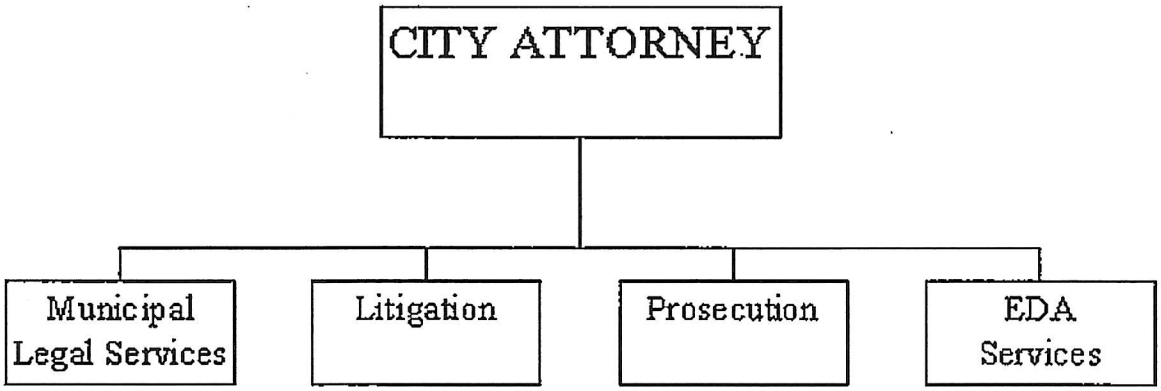
City Attorney



Full-Time Employees	
Municipal Legal Services	7.92
Litigation	5.59
Prosecution	7.29
Economic Development Agency Services	1.2
Total	**22**

City Attorney Department

Business Plan – Overview

Mission Statement:	To carry out the duties of the City Attorney as set forth in the Charter of the City of San Bernardino.

About The Department

The City Attorney is an elected position established by the City Charter. The City Attorney is the chief legal advisor for the City, and for all departments, boards, and commissions of the City.

The City Attorney's Office provides legal counsel and representation for the City, prosecutes and defends legal actions, and protects the interests of the public.

Top Accomplishments for FY 2009/10

1. The City Attorney's Office has continued to aggressively defend our City in lawsuits in which we are named as defendant. In 2009, 30 lawsuits were concluded which resulted in a liability savings to the City of just over $22,000,000.

2. The City Attorney's Office coordinated multiple department (Police, Fire, Code Enforcement) actions against persons violating the City's ordinances, rules and regulations. As a result of the closing of substandard and dangerous housing, 20 families, consisting of 42 adults and 41 children, were assisted by the City in moving to residences that were clean, safe, and in compliance with City Building and Fire Codes.

3. This fiscal year, to date, the office has prosecuted 15,121 misdemeanor/infraction cases in Superior Court.

4. This fiscal year the City Attorney's Office continued administering Administrative Civil Penalties (ACP's). So far, this fiscal year, the Hearing Officer has imposed over $2,000,000 in penalties for violation of rules adopted to protect our community. These include penalties for violation of rules requiring that property be adequately maintained and for violation of laws against loud noises in the wrong place at the wrong time. The City Attorney's Office has collected over $840,000 in cash and filed over $1,543,765 in liens to insure payment of unpaid fines.

5. The City Attorney's Office has continued to aggressively enforce 7 existing permanent injunctions against gangs in the City; adding 19 new individual gang members to the list and subjecting these gang members to restrictions imposed by the Court prohibiting gang activity.

Major Issues for FY 2010/11

1. The functions of the City Attorney's Office are to defend the City in court actions, including tort lawsuits, to commence litigation as approved by the City Attorney and directed by the Mayor and Common Council pursuant to law, and to prosecute ordinance violations and violations of certain state laws pursuant to the City Attorney's independent prosecutorial authority.

2. It is the function of the City Attorney's Office to issue legal opinions and provide legal advice to the Mayor and Common Council, City Manager's Office, department heads and other City employees, and to numerous boards and commissions.

3. The City Attorney's Office provides advice concerning existing and newly enacted laws, rules, regulations, and court decisions; prepares or reviews resolutions, ordinances, leases and complex agreements; and, to attend and provide legal counsel at various meetings of the Mayor and Common Council, Planning Commission, Ways and Means Committee, Legislative Review Committee and other decision-making and advisory bodies of the City.

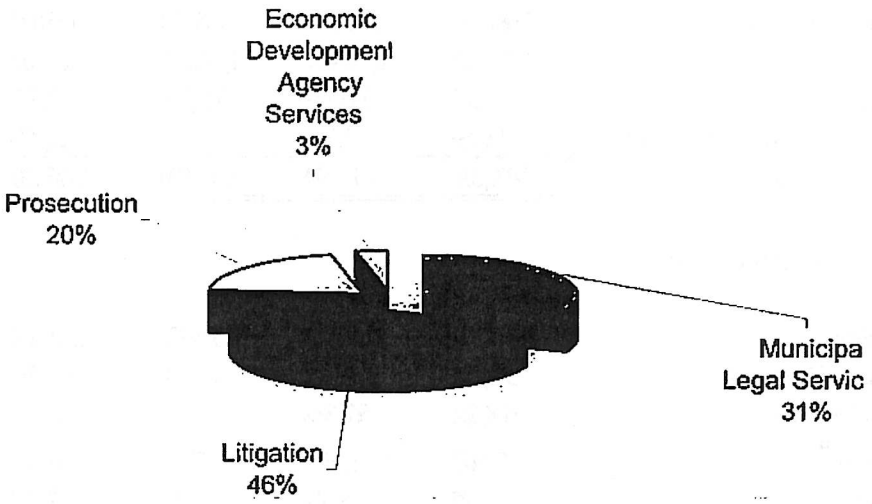
City Attorney
Budget Summary

A. Expenditures by Programs	[A]2007/08 Actual	[A]2008/09 Actual	[A]2009/10 Budget	2010/11 Proposed	Percent Change 2009/10-2010/11
Municipal Legal Services	1,087,675	1,125,231	1,093,324	1,176,800	8%
Litigation	1,574,115	1,628,467	1,582,291	1,703,100	8%
Prosecution	711,222	735,779	714,916	769,500	8%
Economic Development Agency Services	117,659	121,722	118,270	127,300	8%
Total	3,490,671	3,611,199	3,508,800	3,776,700	8%
B. Expenditures by Classification					
Personnel Services	2,515,573	2,566,122	2,575,700	2,651,400	3%
Maintenance & Operations	313,897	455,692	412,300	402,700	-2%
Contractual Services	638,604	565,338	501,000	677,800	35%
Internal Service[B]	22,472	15,400	17,100	41,600	143%
Captial Outlay	125	8,647	2,700	3,200	19%
Debt Service					
Credits / Billables					
Total	3,490,671	3,611,199	3,508,800	3,776,700	8%
C. Funding Sources					
General Fund	2,958,801	3,317,299	3,971,500	3,494,900	-12%
EDA / CDBG	350,000	112,100	355,500	100,000	-72%
Water Department	181,800	181,800	181,800	181,800	0%
Total	3,490,601	3,611,199	4,508,800	3,776,700	0%

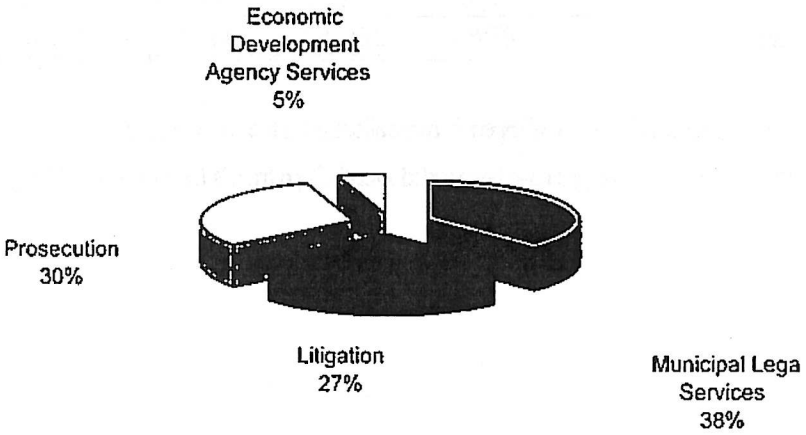
[A]For comparison purposes prior fiscal year actual expenditure are allocated to the current program

[B]Workers Compensation and Liability charges have been added to each Department's Internal Service Charges.

2010/11 Proposed Budget



Full-Time Employees



City Attorney Department
Program: Municipal Legal Services

Program Summary

Program Code:	0005
Program Purpose:	
Strategic Goals Addressed:	Responsive Government

5 – Year Program Goals

Past litigation against the City has demonstrated that the establishment of goals by this office raises liability issues potentially costly to the City. Therefore, no goals are stated.

Program Budget Summary

	2007/08 Actual	2008/09 Actual	2009/10 Proposed	2010/11 Proposed
Funding Level	$1,087,675	$1,125,231	$1,093,324	$1,176,800
Full Time Employees		7.2	7.8	7.8
Funding Sources				

Program Changes

Past litigation against the City has demonstrated that the establishment of goals by this office raises liability issues potentially costly to the City. Therefore, no goals are stated.

FY 2010/11 Program Objectives

Past litigation against the City has demonstrated that the establishment of goals by this office raises liability issues potentially costly to the City. Therefore, no goals are stated.

Ongoing Program Objectives

Past litigation against the City has demonstrated that the establishment of goals by this office raises liability issues potentially costly to the City. Therefore, no goals are stated.

Performance Measures

	2007/08 Actual	2008/09 Actual	2009/10 Target	2009/10 Mid-Year	2010/11 Target

Performance Measure: Notes

City Attorney Department

Program: Litigation

Program Summary

Program Code:	0006
Program Purpose:	
Strategic Goals Addressed:	Responsive Government

5 – Year Program Goals

Past litigation against the City has demonstrated that the establishment of goals by this office raises liability issues potentially costly to the City. Therefore, no goals are stated.

Program Budget Summary

	2007/08 Actual	2008/09 Actual	2009/10 Proposed	2010/11 Proposed
Funding Level	$1,574,115	$1,628,467	$1,582,291	$1,703,100
Full Time Employees		5.0	5.4	5.4
Funding Sources				

Program Changes

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FY 2010/11 Program Objectives

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Ongoing Program Objectives

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Performance Measures

	2007/08 Actual	2008/09 Actual	2009/10 Target	2009/10 Mid-Year	2010/11 Target

Performance Measure: Notes

City Attorney Department

Program: Prosecution

Program Summary

Program Code:	0007
Program Purpose:	
Strategic Goals Addressed:	Safe Community

5 – Year Program Goals

Past litigation against the City has demonstrated that the establishment of goals by this office raises liability issues potentially costly to the City. Therefore, no goals are stated.

Program Budget Summary

	2007/08 Actual	2008/09 Actual	2009/10 Proposed	2010/11 Proposed
Funding Level	$711,222	$735,779	$714,916	$769,500
Full Time Employees		5.8	6.2	6.2
Funding Sources				

Program Changes

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FY 2010/11 Program Objectives

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Ongoing Program Objectives

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Performance Measures

	2007/08 Actual	2008/09 Actual	2009/10 Target	2009/10 Mid-Year	2010/11 Target

Performance Measure: Notes

City Attorney Department

Program: Economic Development Agency Services

Program Summary

Program Code:	0008
Program Purpose:	
Strategic Goals Addressed:	Business and Economic Development

5 – Year Program Goals

Past litigation against the City has demonstrated that the establishment of goals by this office raises liability issues potentially costly to the City. Therefore, no goals are stated.

Program Budget Summary

	2007/08 Actual	2008/09 Actual	2009/10 Proposed	2010/11 Proposed
Funding Level	$117,659	$121,722	$118,270	$127,300
Full Time Employees		1.0	1.1	1.1
Funding Sources				

Program Changes

Past litigation against the City has demonstrated that the establishment of goals by this office raises liability issues potentially costly to the City. Therefore, no goals are stated.

FY 2010/11 Program Objectives

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Ongoing Program Objectives

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Performance Measures

	2007/08 Actual	2008/09 Actual	2009/10 Target	2009/10 Mid-Year	2010/11 Target

Performance Measure: Notes