City Attorney

To provide sound and objective legal advice and representation to the City Council, acting in accordance with the highest ethical and professional standards.

Expenditures	FY 07-08 Actual	FY 08-09 Projected	FY 09-10 Budget	FY 10-11 Forecast
Personnel Services			$ 1,323,000	$ 1,396,900
Contractual Services			4,893,720	4,893,720
Materials & Supplies			35,400	36,110
Capital Outlay			-	-
Fixed Charges			311,020	311,020
Debt Service			-	-
Total			**$ 6,563,140**	**$ 6,637,750**

Revenues	FY 07-08 Actual	FY 08-09 Projected	FY 09-10 Budget	FY 10-11 Forecast
Property Tax				
Other Local Taxes				
Licenses & Permits				
Fines & Forfeitures				
Use of Money & Property				
Revenue from Other Agencies				
Fees for Service				
Total				

Net General Fund Cost (NGFC)				

Authorized Positions			**9.5**	**9.5**

Department Overview

The City Attorney's Office provides all legal services to the City Council, Boards and Commissions, City Manager, and departments, pursuant to 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 Community Improvement Commission, Housing Authority, and Alameda Reuse and Redevelopment Authority (ARRA), and is responsible for the provision of all of municipal legal services. Risk Management is a division of the City Attorney's Office and works with City departments to eliminate or mitigate potential risk and preserve public property, as well as manage the City's workers' compensation program.

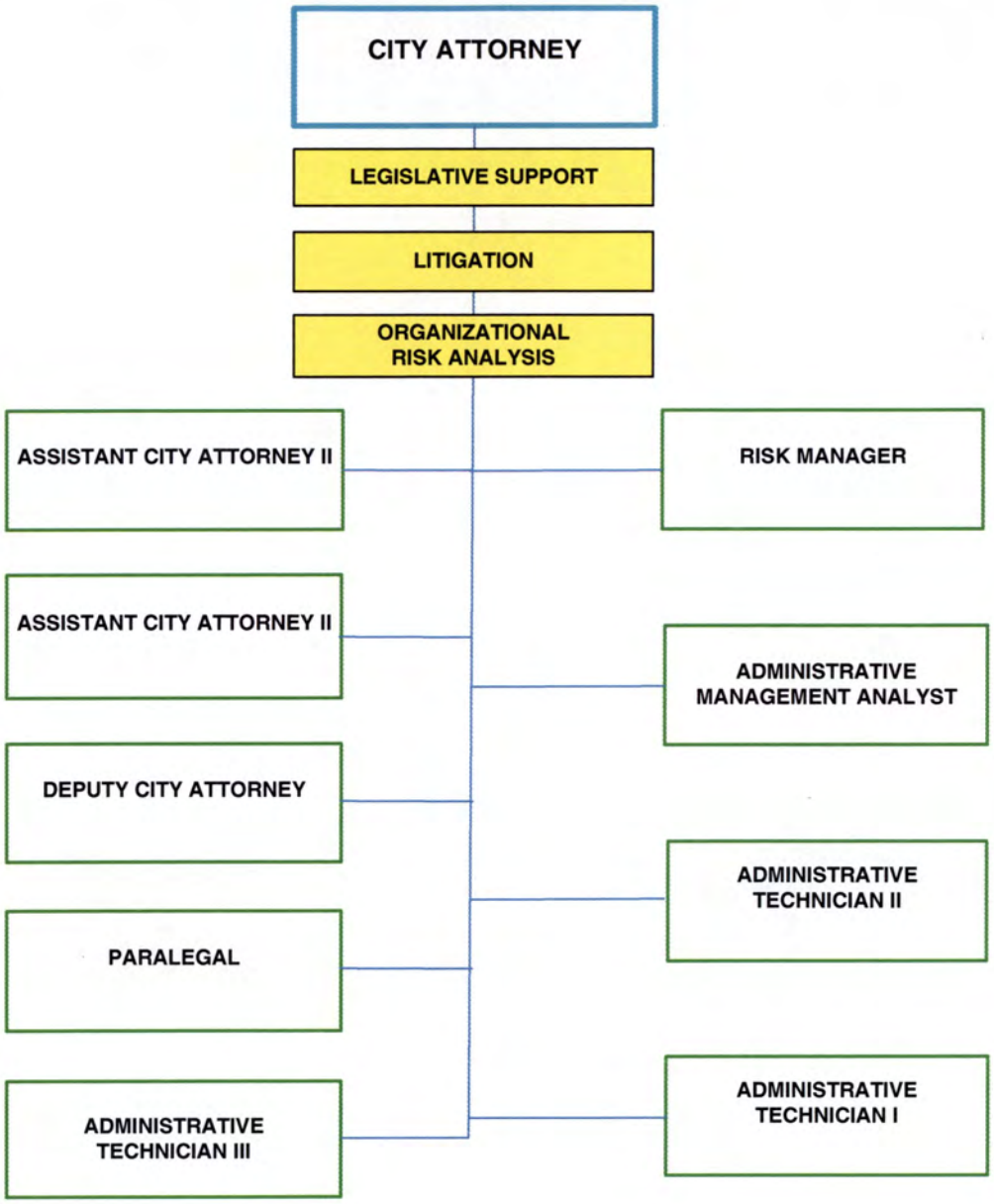
Goals

- Provide high-quality, cost-effective legal services that are responsive to the needs of the legislative bodies and staff of the City of Alameda.
- Continue resolution of pending litigation matters at lowest possible costs to the City, while maintaining a strong City defense strategy.
- Offer legal and risk management services necessary to minimize City liability and exposure.

Workplan Highlights

- Extensive legal support was provided in connection with the sale of Alameda Power & Telecom's internet and cable television system to Comcast, and the outsourcing of the management of the Chuck Corica Golf Complex in FY08-09.
- Efforts were made to review and draft nine successful City-sponsored ballot measures for the November 2008 election.
- The ADA Transition Update was completed under budget and provided to the Commission on Disability Issues.
- An extension of the workers' compensation contract was negotiated with no cost increase, and with an increase in the workers' compensation self-insured retention to decrease the premium.
- Legal support will be provided for labor negotiations with the City's various bargaining units.
- Consultation will be provided for the City's and the ARRA's negotiations with the master developer regarding the redevelopment of Alameda Point.
- Legal work to negotiate and draft all legal documents and all litigation services required by the City, CIC, ARRA, and Housing Authority will continue to be performed.
- Legal assistance will be provided to the Housing Authority to transition the Esperanza public housing program to a federal Section 8 program, and to develop the North Housing Parcel.
- The City's safety committee will be re-established to reduce industrial injuries and illnesses that result in lost time, and will continue to oversee updates of all departmental Injury and Illness Prevention Programs to meet state requirements.

City Attorney



CITY ATTORNEY - Administration and Legal Support Services

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's separate legal entities including the Community Improvement Commission, the Alameda Reuse and Redevelopment Authority, and the Housing Authority Board of Commissioners. The Administration and Legal Support Services program manages the complete legal needs of the municipal organization and various legal entities, both transactional and litigation defense and initiation, through use of both in-house and outside counsel, as deemed necessary by the City Attorney.

EXPENDITURE SUMMARY

	FY 07-08 Actual	FY 08-09 Projected	FY 09-10 Budget	FY 10-11 Forecast
Expenditure Category				
Personnel Services			$ 830,060	$ 899,000
Contractual Services			25,790	25,790
Materials & Supplies			13,850	14,130
Capital Outlay			-	-
Fixed Charges			114,790	114,790
Debt Service			-	-
Total			**$ 984,490**	**$ 1,053,710**

PERSONNEL SUMMARY

	FY 07-08 Actual	FY 08-09 Projected	FY 09-10 Budget	FY 10-11 Forecast
Position				
City Attorney			1.00	1.00
Assistant City Attorney II*			1.50	1.50
Deputy City Attorney I**			1.00	1.00
Paralegal			1.00	1.00
Administrative Technician III			1.00	1.00
Total			**5.50**	**5.50**

*One position is budgeted 50% in City Attorney, 50% in Alameda Reuse and Redevelopment Authority.
**Position will be filled in the second half of FY09-10 and will be 100% full time in FY10-11.

KEY OBJECTIVES

- Provide thorough, accurate, timely and strategic legal advice and counsel to the legislative bodies and City staff as requested.
- Continue resolution of pending litigation matters at lowest possible costs to the City, while maintaining a strong City defense strategy.
- Maintain regular, meaningful communication with City Council, City Manager and Executive Management Team.
- Provide in-house training for various City departments on a quarterly basis regarding legal procedures, requirements, or liability avoidance.

CITY ATTORNEY - Administration and Legal Support Services (Cont.)

PERFORMANCE INDICATORS

	FY 07-08	FY 08-09	FY 09-10	FY 10-11
• Agreements and contracts reviewed and approved as to form			500	500
• Ordinances prepared			12	12
• Resolutions prepared			100	100
• Formal opinions prepared			350	350
• Active litigation matters defended			22	22
• City Council meetings attended			22	22
• CIC meetings attended			4	4
• City Council closed sessions attended			25	25
• Special joint meetings attended			15	15
• Other agency meetings attended			3	3
• Planning Board meetings attended			20	20
• Alameda Reuse and Redevelopment meetings attended			10	10
• Housing Commission meetings attended			4	4
• PUB meetings attended			12	12
• City Council meeting staff reports reviewed			210	210

CITY ATTORNEY - Risk Management

Program Description Under the direction of the City Attorney's Office, the Risk Management program provides risk management services to the City of Alameda, including Alameda Municipal Power (AMP) and all other City departments; the Alameda Reuse and Redevelopment Authority (ARRA), and the Community Improvement Commission (CIC). Services provided include processing of liability claims, environmental claims; procurement and administration of self-insured and procured insurance programs for all general liability and real and personal property; safety and loss control, including administrative compliance with CalOSHA; provision of risk management assessments and opinions; disaster management, and administration of requirements of Americans with Disabilities Act (ADA) through provision of ADA Coordinator services.

EXPENDITURE SUMMARY

	FY 07-08 Actual	FY 08-09 Projected	FY 09-10 Budget	FY 10-11 Forecast
Expenditure Category				
Personnel Services			$ 313,900	$ 317,070
Contractual Services			1,090,960	1,090,960
Materials & Supplies			19,150	19,530
Capital Outlay			-	-
Fixed Charges			28,070	28,070
Debt Service			-	-
Total			**$ 1,452,080**	**$ 1,455,630**

PERSONNEL SUMMARY

	FY 07-08 Actual	FY 08-09 Projected	FY 09-10 Budget	FY 10-11 Forecast
Position				
Risk Manager			0.50	0.50
Administrative Management Analyst			1.00	1.00
Administration Technician I			1.00	1.00
Total			**2.50**	**2.50**

KEY OBJECTIVES

- Assist Public Works and Police Department to improve liability claims investigations to reduce the cost of claims and litigation.
- Serve on the Executive Committee of the California Joint Powers Risk Management Authority to increase the depth and breadth of the City's "pooled" coverage and continue to administer the City's coverage.
- Serve as Secretary of the City's Commission on Disabilities to enhance the quality of life of Alameda's disabled residents.
- Identify ADA structural improvement requirements for City facilities to improve accessibility of City services for all disabled citizens.
- Provide Safety and Loss Prevention Training at no cost to the City, thereby eliminating staff travel and excessive time away from work.
- Procure Pollution Legal Liability Policy Renewals for the City and the ARRA on the FISC/East Housing and Alameda Point properties, subject to availability of funding.
- Procure and administer real and personal property insurance and all specialty insurance products as required for City and its various legislative entities.

CITY ATTORNEY - Risk Management (Cont.)

PERFORMANCE INDICATORS

	FY 07-08	FY 08-09	FY 09-10	FY 10-11
• Contracts reviewed and approved for insurance documentation			500	500
• Permits reviewed and approved for insurance documentation			140	140
• CJPRMA board meetings attended			5	5
• Public Agency Risk Managers Association (PARMA) meetings attended			3	3
• Fire Safety Committee meetings attended			12	12
• Citywide safety meetings conducted			4	4
• Commission on Disability meetings conducted			10	10
• Risk Management opinions rendered			30	30
• Liability Claims processed			99	108
• Liability claims processed by type:				
Tree limbs and roots			20	22
Sidewalks			10	12
Sanitary sewer			10	10
Police			27	27
Alameda Municipal Power			10	10
Other			22	27

CITY ATTORNEY - Workers' Compensation

Program Description Under the direction of the City Attorney's Office, and managed by the Risk Management Division, the Workers' Compensation program administers legally required insurance benefits for the employees and volunteers of the City of Alameda, including Alameda Municipal Power (AMP). The program includes cost-effective and efficient claims handling; productive return to work programs; administration and training for department specific or City-wide programs that promote safety in the workplace; conducting ergonomic evaluations and participating in the "pooled" Workers Compensation coverage program. The Risk Manager acts as the Board Director and an Executive Committee Member of the Excess Workers Compensation Risk Sharing Pool.

EXPENDITURE SUMMARY

	FY 07-08 Actual	FY 08-09 Projected	FY 09-10 Budget	FY 10-11 Forecast
Expenditure Category				
Personnel Services			$ 179,040	$ 180,830
Contractual Services			776,970	776,970
Materials & Supplies			2,400	2,450
Capital Outlay			-	-
Fixed Charges			18,160	18,160
Debt Service			-	-
Total			**$ 976,570**	**$ 978,410**

PERSONNEL SUMMARY

	FY 07-08 Actual	FY 08-09 Projected	FY 09-10 Budget	FY 10-11 Forecast
Position				
Risk Manager			0.50	0.50
Administrative Techician II			1.00	1.00
Total			**1.50**	**1.50**

KEY OBJECTIVES

- Re-establish the Citywide Safety Committee to comply with training requirements of CalOSHA and bargaining unit MOU requirements.
- Oversee updates of all departmental Injury and Illness Prevention Programs to comply with Title VIII CalOSHA regulations.
- Update City Workers' Compensation Procedures Manual to provide quality, cost efficient Workers' Compensation benefits for all City employees and volunteers.
- Conduct Workers' Compensation refresher training for City Management, to ensure quality, cost efficient Workers' Compensation benefits for all City employees and volunteers.
- Provide a free flu vaccination clinic for all City staff and volunteers to reduce staff sick days.
- Serve as Board Director and Executive Committee Member of the Local Workers' Compensation Excess Joint Powers Authority.
- Provide Safety and Loss Prevention Training at no cost to the City, thereby eliminating staff travel and excessive time away from work.
- Continue to promote and administer return to work programs that encourage return of injured personnel to productivity as early as possible.

CITY ATTORNEY - Workers' Compensation (Cont.)

PERFORMANCE INDICATORS

	FY 07-08	FY 08-09	FY 09-10	FY 10-11
• Local Agency Workers' Compensation Excess Board and Executive Committee meetings attended			8	8
• Public Agency Risk Managers Association (PARMA) meetings attended (Continuing Education)			3	3
• Quarterly Workers' Compensation meetings with Southern California Risk Management Associates (SCRMA) and selected department heads to review various claims			4	4
• Annual Workers' Compensation refresher classes for City managers			2	2
• Workers' comp claims processed			81	112
• Public Safety Workers comp claims processed:				
First aid claims			5	10
Medical only claims			7	12
Indemnity claims			21	26
• Misc. non-public safety workers' comp claims processed:				
First aid claims			10	15
Medical only claims			13	18
Indemnity claims			25	31
• Employees/volunteers vaccinated			170	180

CITY ATTORNEY - Risk Management Loss Reserve

Program Description The City of Alameda participates in a risk sharing pool, the California Joint Powers Risk Management Authority ("CJPRMA"), through which members share costs of covered claims and losses. The City must demonstrate its ability to meet its share of its potential losses on an annual or fiscal year basis; this obligation is best met through maintenance of a liability loss reserve fund. Covered costs of claims, litigation defense costs, and settlements which exceed the City's "single insured retention" (risk pool deductible) are satisfied through this fund.

EXPENDITURE SUMMARY

Expenditure Category	FY 07-08 Actual	FY 08-09 Projected	FY 09-10 Budget	FY 10-11 Forecast
Personnel Services			$ -	$ -
Contractual Services			1,100,000	1,100,000
Materials & Supplies			-	-
Capital Outlay			-	-
Fixed Charges			150,000	150,000
Debt Service			-	-
Total			**$ 1,250,000**	**$ 1,250,000**

CITY ATTORNEY - Workers' Compensation Loss Reserve

Program Description The City of Alameda participates in a workers' compensation risk sharing pool, the "Local Agency Workers' Compensation Excess Joint Powers Authority" ('LAWCX"), through which members share the costs of covered workers' compensation claims and losses. The City is required by law to maintain a workers' compensation loss reserve fund in an amount established by an annual actuarial report. The covered costs of workers' compensation claims and losses are satisfied through this fund.

EXPENDITURE SUMMARY

Expenditure Category	FY 07-08 Actual	FY 08-09 Projected	FY 09-10 Budget	FY 10-11 Forecast
Personnel Services			$ -	$ -
Contractual Services			1,900,000	1,900,000
Materials & Supplies			-	-
Capital Outlay			-	-
Fixed Charges			-	-
Debt Service			-	-
Total			**$ 1,900,000**	**$ 1,900,000**