

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 Alameda Point development, and is responsible for the provision of 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 department’s 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 negotiation and drafting of all legal documents and 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 State Brown Act and City Sunshine Ordinance training, and ethics training for City staff and City Officials.
- Develop and provide training for avoiding legal pitfalls in report writing for City staff.
- 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 / Performance Measurements

1. Provide high-quality, cost-effective legal services that are responsive to the needs of the legislative bodies and staff of the City of Alameda.
2. Continue resolution of 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.

Goal No. / Performance Measurement	Relates to Objective	FY 13-14 Actual	FY 14-15 Estimate	FY 15-16 Budget	FY 16-17 Budget
1. Percentage of completed legal input on agenda items consistent with internal deadlines	1	N/A	100%	100%	100%
2. Number of lawsuits resolved	2	10	10	10	10
3. Number of claims adjusted	N/A	94	103	105	105

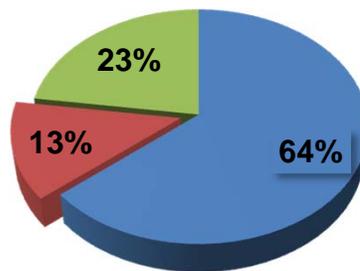
Expenditure Summary by Program

<b>Program Name</b>	<b>FY 13-14 Actual</b>	<b>FY 14-15 Budget</b>	<b>FY 14-15 Projected</b>	<b>FY 15-16 Budget</b>	<b>FY 16-17 Budget</b>
Administration	\$ 858,578	\$ 1,011,000	\$ 977,000	\$ 1,040,000	\$ 1,070,000
Workers' Compensation	2,701,159	3,209,000	3,016,000	3,224,000	3,413,000
Risk Management	1,915,528	2,729,000	2,120,000	2,745,000	2,773,000
<b>Total Program Budget</b>	<b>\$ 5,475,265</b>	<b>\$ 6,949,000</b>	<b>\$ 6,113,000</b>	<b>\$ 7,009,000</b>	<b>\$ 7,256,000</b>
<b>Less: Program Revenues</b>	<b>5,016,273</b>	<b>5,078,000</b>	<b>4,990,000</b>	<b>5,366,000</b>	<b>5,376,000</b>
<b>Net Program Budget</b>	<b>\$ 458,992</b>	<b>\$ 1,871,000</b>	<b>\$ 1,123,000</b>	<b>\$ 1,643,000</b>	<b>\$ 1,880,000</b>

Fund Summary

	<b>FY 13-14 Budget</b>	<b>FY 14-15 Budget</b>	<b>FY 14-15 Projected</b>	<b>FY 15-16 Budget</b>	<b>FY 16-17 Budget</b>
<b>Program Budget by Fund</b>					
General Fund (001)	\$ 858,578	\$ 1,011,000	\$ 1,524,000	\$ 1,678,000	\$ 1,723,000
Workers' Comp ISF (711)	2,701,159	3,209,000	2,883,000	3,037,000	3,221,000
Risk Management ISF (712)	1,915,528	2,729,000	1,706,000	2,294,000	2,312,000
<b>Totals</b>	<b>\$ 5,475,265</b>	<b>\$ 6,949,000</b>	<b>\$ 6,113,000</b>	<b>\$ 7,009,000</b>	<b>\$ 7,256,000</b>
<b>Net Program Budget by Fund</b>					
General Fund (001)	1,102,991	\$ 1,334,000	\$ 1,215,000	\$ 1,309,000	\$ 1,354,000
Workers' Comp ISF (711)	(195,520)	200,000	84,000	0	173,000
Risk Management ISF (712)	(448,479)	337,000	(176,000)	334,000	353,000
<b>Totals</b>	<b>\$ 458,992</b>	<b>\$ 1,871,000</b>	<b>\$ 1,123,000</b>	<b>\$ 1,643,000</b>	<b>\$ 1,880,000</b>
<b>FTEs by Fund</b>					
General Fund (001)	7.45	7.45	7.45	7.47	7.47

FTE by Program



■ Administration      ■ Workers' Compensation  
■ Risk Management

\* Includes cost allocation of charges to other City programs.

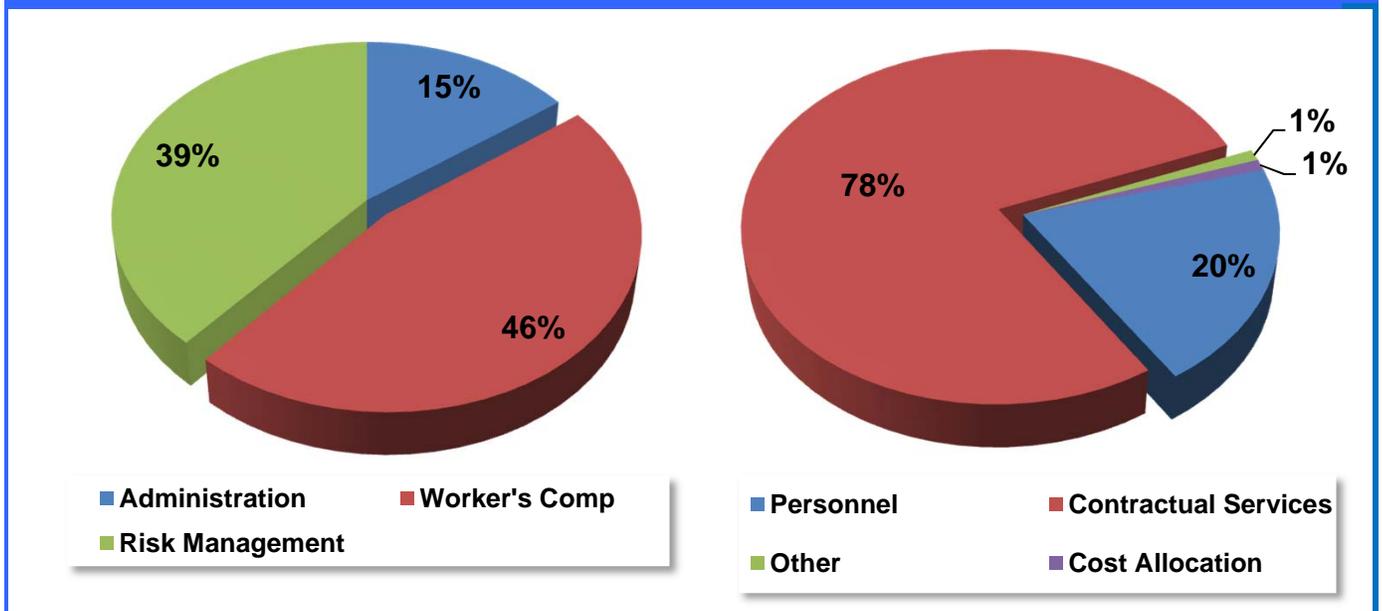
Expenditure Summary by Category

<u>Expenditure Category</u>	<u>FY 13-14 Actual</u>	<u>FY 14-15 Budget</u>	<u>FY 14-15 Projected</u>	<u>FY 15-16 Budget</u>	<u>FY 16-17 Budget</u>
Full-Time Personnel	\$ 1,123,126	\$ 1,348,289	\$ 1,265,000	\$ 1,391,000	\$ 1,436,000
Part-Time Personnel	12,094	19,498	12,000	19,000	19,000
Contractual Services	4,139,979	5,421,632	4,693,000	5,443,000	5,645,000
Other Operational Costs	132,746	92,271	76,000	96,000	96,000
Capital Outlay	-	-	-	-	-
Cost Allocation	67,320	67,310	67,000	60,000	60,000
Debt Service	-	-	-	-	-
<b>Total Program Budget</b>	<b>\$ 5,475,265</b>	<b>\$ 6,949,000</b>	<b>\$ 6,113,000</b>	<b>\$ 7,009,000</b>	<b>\$ 7,256,000</b>
<b>Less: Program Revenues</b>	<b>5,016,273</b>	<b>5,078,000</b>	<b>4,990,000</b>	<b>5,366,000</b>	<b>5,376,000</b>
<b>Net Program Budget</b>	<b>\$ 458,992</b>	<b>\$ 1,871,000</b>	<b>\$ 1,123,000</b>	<b>\$ 1,643,000</b>	<b>\$ 1,880,000</b>

Full-Time Personnel Summary

<u>Program</u>	<u>Program Number</u>	<u>FY 13-14 Budget</u>	<u>FY 14-15 Budget</u>	<u>FY 15-16 Budget</u>	<u>FY 16-17 Budget</u>
Administration	2310	4.75	4.75	4.77	4.77
Workers' Compensation	07110/711001	1.00	1.00	1.00	1.00
Risk Management	07120/712001	1.70	1.70	1.70	1.70
<b>Totals</b>		<b>7.45</b>	<b>7.45</b>	<b>7.47</b>	<b>7.47</b>

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 municipal organization and various legal entities, for both transactional and litigation defense and initiation, 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 resolution of 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.

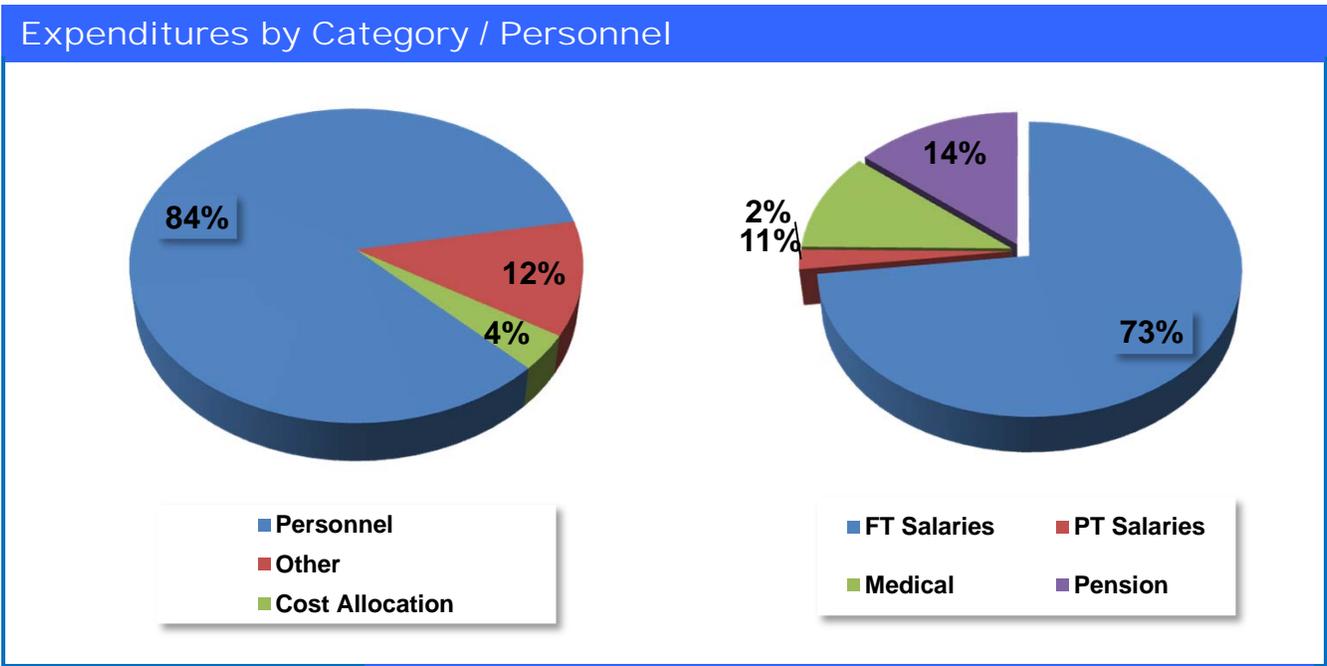
## Budget Highlights / Significant Changes

- The increase in costs over FY 14/15 is due to increases in computer support services and personnel cost of living adjustments.
- 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>FY13-14 Actual</u>	<u>FY14-15 Budget</u>	<u>FY14-15 Projected</u>	<u>FY15-16 Budget</u>	<u>FY16-17 Budget</u>
Full-Time Personnel	\$ 662,232	\$ 829,945	\$ 810,000	\$ 858,000	\$ 888,000
Part-Time Personnel	12,094	19,498	12,000	19,000	19,000
Contractual Services	99,811	74,923	75,000	75,000	75,000
Other Operational Costs	44,313	46,518	40,000	49,000	49,000
Cost Allocation	40,128	40,116	40,000	39,000	39,000
<b>Total Program Budget</b>	<b>\$ 858,578</b>	<b>\$ 1,011,000</b>	<b>\$ 977,000</b>	<b>\$ 1,040,000</b>	<b>\$ 1,070,000</b>
<b>% Variance</b>			<b>3%</b>	<b>6%</b>	<b>3%</b>
<b>Less: Program Revenues</b>	170,984	160,000	160,000	233,000	233,000
<b>Net Program Budget</b>	<b>\$ 687,594</b>	<b>\$ 851,000</b>	<b>\$ 817,000</b>	<b>\$ 807,000</b>	<b>\$ 837,000</b>

Full-Time Personnel Summary					
<u>Position</u>	<u>Bargaining Unit</u>	<u>FY13-14 Budget</u>	<u>FY14-15 Budget</u>	<u>FY15-16 Budget</u>	<u>FY16-17 Budget</u>
City Attorney	APPOINTED	0.70	0.70	0.70	0.70
Assistant City Attorney II	MCEA	1.95	1.95	1.97	1.97
Paralegal	MCEA	1.00	1.00	1.30	1.30
Administrative Services Coordina	MCEA	0.80	0.80	0.80	0.80
Administrative Technician II	MCEA	0.30	0.30		
<b>Totals</b>		<b>4.75</b>	<b>4.75</b>	<b>4.77</b>	<b>4.77</b>



## 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 the City-wide Safety Committee 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 Annual City-wide Training to ensure understanding and implementation of the Workers' Compensation program for all City employees and volunteers.
5. Maintain mandated CalOSHA record keeping and reporting of occupational injuries and illnesses.

## Budget Highlights / Significant Changes

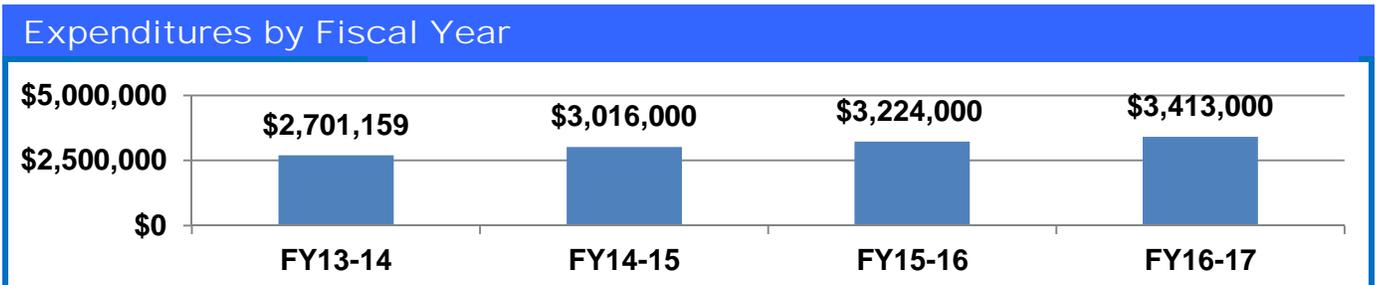
- The proposed budget reflects projected increases in costs paid for claims, as estimated by the City's Workers' Compensation Third Party Administrator.



Program Summary		General/Internal Service Funds 001 & 711			
<u>Expenditure Category</u>	<u>FY13-14 Actual</u>	<u>FY14-15 Budget</u>	<u>FY14-15 Projected</u>	<u>FY15-16 Budget</u>	<u>FY16-17 Budget</u>
Full-Time Personnel	\$ 137,251	\$ 163,098	\$ 119,000	\$ 167,000	\$ 172,000
Part-Time Personnel	4,888	-	-	-	-
Other Operational Costs	2,546,338	3,031,998	2,884,000	3,043,000	3,227,000
Materials & Supplies	3,622	4,834	4,000	5,000	5,000
Cost Allocation	9,060	9,070	9,000	9,000	9,000
<b>Total Program Budget</b>	<b>\$ 2,701,159</b>	<b>\$ 3,209,000</b>	<b>\$ 3,016,000</b>	<b>\$ 3,224,000</b>	<b>\$ 3,413,000</b>
<b>% Variance</b>			<b>-6.0%</b>	<b>7%</b>	<b>6%</b>
<b>Less: Program Revenues**</b>	2,799,175	2,890,000	2,863,000	3,095,000	3,106,000
<b>Net Program Budget</b>	<b>\$ (98,016)</b>	<b>\$ 319,000</b>	<b>\$ 153,000</b>	<b>\$ 129,000</b>	<b>\$ 307,000</b>

Full-Time Personnel Summary					
<u>Position</u>	<u>Bargaining Unit</u>	<u>FY13-14 Budget</u>	<u>FY14-15 Budget</u>	<u>FY15-16 Budget</u>	<u>FY16-17 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
<b>Totals</b>		<b>1.00</b>	<b>1.00</b>	<b>1.00</b>	<b>1.00</b>

Fund Summary					
	<u>FY13-14 Actual</u>	<u>FY14-15 Budget</u>	<u>FY14-15 Projected</u>	<u>FY15-16 Budget</u>	<u>FY16-17 Budget</u>
<b>Program Budget by Fund</b>					
General Fund (001)	\$ 155,412	\$ 183,000	\$ 133,000	\$ 187,000	\$ 192,000
Workers' Comp ISF (Fund 711)	2,545,747	3,026,000	2,883,000	3,037,000	3,221,000
	2,701,159	3,209,000	3,016,000	3,224,000	3,413,000
<b>Net Program Budget by Fund</b>					
General Fund (001)	\$ 97,504	\$ 119,000	\$ 69,000	\$ 129,000	\$ 134,000
Workers' Comp ISF (Fund 711)	(195,520)	200,000	84,000	-	\$ 173,000
	(98,016)	319,000	153,000	129,000	307,000



## Program Description

The Risk Management Division provides risk management services to all City departments, 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 risk management 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. Provide safety training 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, 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.
- The increase in operating costs over FY 14/15 is due to increase of personnel cost of living adjustments.



Program Summary		General/Internal Service Funds 001/712			
<u>Expenditure Category</u>	<u>FY13-14 Actual</u>	<u>FY14-15 Budget</u>	<u>FY14-15 Projected</u>	<u>FY15-16 Budget</u>	<u>FY16-17 Budget</u>
Full-Time Personnel	\$ 295,262	\$ 355,246	\$ 336,000	\$ 366,000	\$ 376,000
Part-Time Personnel	23,493	-	-	-	-
Contractual Services	1,113,616	1,748,761	1,168,050	1,759,050	1,777,050
Outside Counsel Litigation	380,214	565,950	565,950	565,950	565,950
Other Operational Costs	84,811	40,919	32,000	42,000	42,000
Cost Allocation	18,132	18,124	18,000	12,000	12,000
<b>Total Program Budget</b>	<b>\$ 1,915,528</b>	<b>\$ 2,729,000</b>	<b>\$ 2,120,000</b>	<b>\$ 2,745,000</b>	<b>\$ 2,773,000</b>
<b>% Variance</b>			<b>22%</b>	<b>29%</b>	<b>1%</b>
<b>Less: Program Revenues*</b>	2,046,114	2,028,000	1,967,000	2,038,000	2,037,000
<b>Net Program Budget</b>	<b>\$ (130,586)</b>	<b>\$ 701,000</b>	<b>\$ 153,000</b>	<b>\$ 707,000</b>	<b>\$ 736,000</b>

Full-Time Personnel Summary					
<u>Position</u>	<u>Bargaining Unit</u>	<u>FY13-14 Budget</u>	<u>FY14-15 Budget</u>	<u>FY15-16 Budget</u>	<u>FY16-17 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	0.50	0.50	0.50	0.50
Administrative Services Coordina	MCEA	0.20	0.20	0.20	0.20
Admiistrative Technician II	MCEA	0.20	0.20	-	-
Paralegal	MCEA	-	-	0.20	0.20
<b>Totals</b>		<b>1.70</b>	<b>1.70</b>	<b>1.70</b>	<b>1.70</b>

Fund Summary					
	<u>FY13-14 Actual</u>	<u>FY14-15 Budget</u>	<u>FY14-15 Projected</u>	<u>FY15-16 Budget</u>	<u>FY16-17 Budget</u>
<b>Program Budget by Fund</b>					
General Fund (001)	\$ 401,609	\$ 449,000	\$ 414,000	\$ 451,000	\$ 461,000
Risk Mgmt ISF (Fund 712)	1,513,919	2,280,000	1,706,000	2,294,000	2,312,000
	1,915,528	2,729,000	2,120,000	2,745,000	2,773,000
<b>Net Program Budget by Fund</b>					
General Fund (001)	\$ 317,893	\$ 364,000	\$ 329,000	\$ 373,000	\$ 383,000
Risk Mgmt ISF (Fund 712)	\$ (448,479)	\$ 337,000	\$ (176,000)	\$ 334,000	\$ 353,000
	(130,586)	701,000	153,000	707,000	736,000

\* Includes cost allocation charges to other City programs.

# City Attorney FY 15-16 / 16-17

