

City Attorney



Page Intentionally Left Blank



Office Description

The Office of the City Attorney advises the Mayor, City Council, and all City departments, as well as prosecutes or defends lawsuits or cases to which the City may be a party. The City Attorney's Office also prosecutes persons charged with violations of State and local laws occurring within the City's jurisdiction for misdemeanor offenses.

City Attorney Jan Goldsmith, an attorney since 1976 and former San Diego Superior Court Judge, retired in December 2008 to assume the office of San Diego City Attorney. Mr. Goldsmith spent his first six years on the bench handling criminal and civil trials. During his final years as a superior court judge, he was assigned to an independent civil calendar.

The San Diego City Attorney's Office is divided into four divisions. Each division is subdivided into units and sections which allows the attorneys to specialize in areas of practice:

- The Civil Advisory Division provides advice to the City and each of its departments, including the City Council and Mayor.
- The Civil Litigation Division prosecutes or defends, as the case may be, civil lawsuits in which the City is a party.
- The Criminal Division prosecutes criminal misdemeanors and infractions committed within the City limits.
- The Community Justice Division delivers community-based legal work such as consumer protection enforcement and code enforcement units.

The Office's mission is:

Integrity matters! We can best help our city by maintaining our integrity and providing timely, accurate, and high quality legal representation to the City of San Diego. We will be firm, independent, and professional, stopping illegalities while suggesting solutions. We will never forget that we are accountable to the people of San Diego and that we represent the City of San Diego.

City Attorney

The Office's vision is:

To provide exceptional legal services characterized by quality and excellence

Goals and Objectives

Goal 1: Expand the San Diego Community Court program so that more low-level and first-time offenders can choose paths that lead them away from further criminal activity

- Modify screening of program participants to assess individual needs that may put them at risk of committing additional crimes
- Secure a dedicated Program Manager to provide participants with direction in accessing resources and service providers and enrolling in treatment programs
- Broaden eligibility to include people who are arrested on misdemeanor drug charges and illegal lodging

Goal 2: Reduce incidence of fraud by educating the public to recognize and protect consumers before they become victims

- Provide outreach
- Present at consumer events
- Publish monthly newsletters

Goal 3: Prosecute a variety of code enforcement and public nuisance cases

- Work with community members, police officers, and code inspectors
- Continue to abate narcotic trafficking and its use at abandoned properties
- Achieve long-term solutions to problem properties jeopardizing the safety of neighborhoods

Goal 4: Assist in establishing the City's Accessibility Advisory Board and provision of ADA-related services

- Advise the Mayor and Council on policies and issues relating to accessibility
- Ensure compliance with federal, State, and local access codes and regulations
- Improve communications between the disabled community and City government
- Assist in resolving accessibility issues, including parking ordinances, accessible parking spaces, and other accommodations

Goal 5: Assist with updating Police Department policies and procedures

- Incorporate facial and license plate recognition
- Incorporate transgender employees
- Incorporate outside employment and provisional retiree employment

Department Summary

| | FY2015 Actual | FY2016 Budget | FY2017 Adopted | FY2016-2017 Change |
|--------------------------------------|----------------------|----------------------|----------------------|-----------------------|
| FTE Positions (Budgeted) | 347.85 | 355.58 | 361.10 | 5.52 |
| Personnel Expenditures | \$ 42,471,580 | \$ 43,438,874 | \$ 46,139,971 | \$ 2,701,097 |
| Non-Personnel Expenditures | 3,102,627 | 3,270,814 | 3,689,145 | 418,331 |
| Total Department Expenditures | \$ 45,574,207 | \$ 46,709,688 | \$ 49,829,116 | \$ 3,119,428 |
| Total Department Revenue | \$ 4,296,206 | \$ 4,056,165 | \$ 4,159,963 | \$ 103,798 |

General Fund

Department Expenditures

| | FY2015 Actual | FY2016 Budget | FY2017 Adopted | FY2016-2017 Change |
|---------------------|----------------------|----------------------|----------------------|-----------------------|
| Administration | \$ 5,190,163 | \$ 5,329,585 | \$ 6,125,775 | \$ 796,190 |
| Civil Advisory | 13,289,159 | 13,392,495 | 14,361,462 | 968,967 |
| Civil Litigation | 11,411,421 | 11,180,827 | 11,351,294 | 170,467 |
| Community Justice | 4,288,668 | 4,533,235 | 5,407,861 | 874,626 |
| Criminal Litigation | 11,394,796 | 12,273,546 | 12,582,724 | 309,178 |
| Total | \$ 45,574,207 | \$ 46,709,688 | \$ 49,829,116 | \$ 3,119,428 |

Department Personnel

| | FY2015 Budget | FY2016 Budget | FY2017 Adopted | FY2016-2017 Change |
|---------------------|------------------|------------------|-------------------|-----------------------|
| Administration | 26.00 | 27.36 | 29.35 | 1.99 |
| Civil Advisory | 78.53 | 82.29 | 85.05 | 2.76 |
| Civil Litigation | 81.00 | 76.34 | 75.00 | (1.34) |
| Community Justice | 35.86 | 38.76 | 42.15 | 3.39 |
| Criminal Litigation | 126.46 | 130.83 | 129.55 | (1.28) |
| Total | 347.85 | 355.58 | 361.10 | 5.52 |

Significant Budget Adjustments

| | FTE | Expenditures | Revenue |
|---|------|--------------|---------|
| Salary and Benefit Adjustments Adjustments to reflect the annualization of the Fiscal Year 2016 negotiated salary compensation schedule, changes to savings resulting from positions to be vacant for any period of the fiscal year, retirement contributions, retiree health contributions, and labor negotiation adjustments. | 0.00 | \$ 2,333,721 | \$ - |
| Neighborhood Prosecution Unit Addition of 2.00 Deputy City Attorneys and associated non-personnel expenditures to assist in efforts to address homelessness. | 2.00 | 279,106 | - |
| Capital Improvement Program Addition of 1.00 Deputy City Attorney and associated non-personnel expenditures to provide legal services in support of the Capital Improvements Program. | 1.00 | 143,554 | - |
| Real Estate Assets Department Addition of 1.00 Deputy City Attorney and associated non-personnel expenditures to provide legal services to the Real Estate Assets Department. | 1.00 | 139,554 | - |

City Attorney

Significant Budget Adjustments (Cont'd)

| | FTE | Expenditures | Revenue |
|---|-------------|---------------------|-------------------|
| Equipment/Support for Information Technology Adjustment to expenditure allocations according to a zero-based annual review of information technology funding requirements and priority analyses. | 0.00 | 93,875 | - |
| Community Justice Division Addition of 1.00 Paralegal and associated non-personnel expenditures and revenue for the Community Justice Division. | 1.00 | 77,805 | 103,798 |
| Addition of Deputy City Attorney Addition of 0.25 Deputy City Attorney to maintain current service levels. | 0.25 | 36,262 | - |
| Employee Rewards and Recognition Program Addition of non-personnel expenditures to comply with the Employee Rewards and Recognition Program per Administrative Regulation 95.91. | 0.00 | 11,694 | - |
| Non-Standard Hour Personnel Funding Adjustment to expenditures according to a zero-based annual review of non-standard hour personnel funding requirements. | 0.27 | 2,595 | - |
| Non-Discretionary Adjustment Adjustment to expenditure allocations that are determined outside of the department's direct control. These allocations are generally based on prior year expenditure trends and examples of these include utilities, insurance, and rent. | 0.00 | 1,262 | - |
| Total | 5.52 | \$ 3,119,428 | \$ 103,798 |

Expenditures by Category

| | FY2015 Actual | FY2016 Budget | FY2017 Adopted | FY2016-2017 Change |
|-------------------------------|----------------------|----------------------|----------------------|-----------------------|
| PERSONNEL | | | | |
| Personnel Cost | \$ 25,643,345 | \$ 26,490,866 | \$ 27,683,484 | \$ 1,192,618 |
| Fringe Benefits | 16,828,234 | 16,948,008 | 18,456,487 | 1,508,479 |
| PERSONNEL SUBTOTAL | 42,471,580 | 43,438,874 | 46,139,971 | 2,701,097 |
| NON-PERSONNEL | | | | |
| Supplies | \$ 332,019 | \$ 328,793 | \$ 350,850 | \$ 22,057 |
| Contracts | 1,361,680 | 1,492,646 | 1,813,101 | 320,455 |
| Information Technology | 1,214,731 | 1,306,947 | 1,400,822 | 93,875 |
| Energy and Utilities | 48,104 | 58,004 | 39,948 | (18,056) |
| Other | 112,793 | 84,424 | 84,424 | - |
| Capital Expenditures | 33,299 | - | - | - |
| NON-PERSONNEL SUBTOTAL | 3,102,627 | 3,270,814 | 3,689,145 | 418,331 |
| Total | \$ 45,574,207 | \$ 46,709,688 | \$ 49,829,116 | \$ 3,119,428 |

City Attorney

Revenues by Category

| | FY2015 Actual | FY2016 Budget | FY2017 Adopted | FY2016-2017 Change |
|---------------------------------|---------------------|---------------------|---------------------|-----------------------|
| Charges for Services | \$ 3,173,672 | \$ 3,218,288 | \$ 3,218,288 | \$ - |
| Fines Forfeitures and Penalties | 619,850 | 250,000 | 353,798 | 103,798 |
| Licenses and Permits | 3,279 | 3,500 | 3,500 | - |
| Other Revenue | 4,834 | - | - | - |
| Rev from Other Agencies | 494,571 | 584,377 | 584,377 | - |
| Total | \$ 4,296,206 | \$ 4,056,165 | \$ 4,159,963 | \$ 103,798 |

Personnel Expenditures

| Job Number | Job Title / Wages | FY2015 Budget | FY2016 Budget | FY2017 Adopted | Salary Range | Total |
|---------------------------------|--|------------------|------------------|-------------------|---------------------|------------|
| FTE, Salaries, and Wages | | | | | | |
| 20000011 | Account Clerk | 1.00 | 1.00 | 1.00 | \$31,491 - \$37,918 | \$ 37,918 |
| 20000012 | Administrative Aide 1 | 2.00 | 2.00 | 2.00 | 36,962 - 44,533 | 89,066 |
| 20001076 | Assistant City Attorney | 6.00 | 5.00 | 5.00 | 73,008 - 291,595 | 906,274 |
| 21000179 | Assistant Dispute Resolution Officer | 1.00 | 1.00 | 1.00 | 44,470 - 54,059 | 44,470 |
| 20000119 | Associate Management Analyst | 2.00 | 2.00 | 2.00 | 54,059 - 65,333 | 105,393 |
| 20000171 | Auto Messenger 1 | 2.00 | 2.00 | 2.00 | 26,208 - 31,491 | 61,265 |
| 20001070 | City Attorney | 1.00 | 1.00 | 1.00 | 193,648 - 193,648 | 193,648 |
| 20000610 | City Attorney Investigator | 21.00 | 23.00 | 23.00 | 58,219 - 70,429 | 1,564,234 |
| 90000610 | City Attorney Investigator - Hourly | 1.35 | 1.25 | 1.40 | 58,219 - 70,429 | 81,508 |
| 20000539 | Clerical Assistant 2 | 22.00 | 21.00 | 20.00 | 29,931 - 36,067 | 693,618 |
| 20001159 | Confidential Secretary to the City Attorney | 1.00 | 1.00 | 1.00 | 16,827 - 105,518 | 98,010 |
| 20000351 | Court Support Clerk 1 | 20.00 | 17.00 | 18.00 | 31,491 - 37,918 | 659,679 |
| 20000353 | Court Support Clerk 2 | 14.00 | 18.00 | 18.00 | 32,968 - 39,811 | 697,197 |
| 90000353 | Court Support Clerk 2 - Hourly | 0.10 | 0.09 | 0.00 | 32,968 - 39,811 | - |
| 20001117 | Deputy City Attorney | 136.75 | 144.75 | 149.00 | 17,805 - 204,214 | 16,000,589 |
| 90001117 | Deputy City Attorney - Hourly | 1.84 | 1.68 | 1.40 | 17,805 - 204,214 | 155,412 |
| 20001258 | Deputy City Attorney - Unrepresented | 5.00 | 5.00 | 5.00 | 17,805 - 204,214 | 656,375 |
| 20001168 | Deputy Director | 1.00 | 1.00 | 1.00 | 46,966 - 172,744 | 130,000 |
| 20000392 | Dispute Resolution Officer | 1.00 | 1.00 | 1.00 | 54,059 - 65,333 | 65,333 |
| 20000290 | Information Systems Analyst 2 | 1.00 | 1.00 | 1.00 | 54,059 - 65,333 | 65,333 |
| 20000293 | Information Systems Analyst 3 | 1.00 | 1.00 | 1.00 | 59,363 - 71,760 | 71,760 |
| 20000377 | Information Systems Technician | 2.00 | 2.00 | 2.00 | 42,578 - 51,334 | 102,668 |
| 90001128 | Legal Intern - Hourly | 1.00 | 1.00 | 1.00 | 39,000 - 47,424 | 39,000 |
| 20000587 | Legal Secretary 2 | 35.25 | 35.25 | 35.25 | 43,555 - 52,666 | 1,802,588 |
| 90000587 | Legal Secretary 2 - Hourly | 0.10 | 0.10 | 0.35 | 43,555 - 52,666 | 15,244 |
| 20000911 | Librarian 3 | 1.00 | 1.00 | 1.00 | 55,266 - 67,101 | 66,094 |
| 20000614 | Paralegal | 20.00 | 20.00 | 21.00 | 52,374 - 63,190 | 1,260,896 |
| 20000680 | Payroll Specialist 2 | 2.00 | 2.00 | 2.00 | 34,611 - 41,787 | 82,947 |
| 20001141 | Principal Assistant to the City Attorney | 1.00 | 1.00 | 1.00 | 26,395 - 160,430 | 160,014 |

City Attorney

Personnel Expenditures (Cont'd)

| Job Number | Job Title / Wages | FY2015 Budget | FY2016 Budget | FY2017 Adopted | Salary Range | Total |
|--|--|----------------------|----------------------|-----------------------|------------------|---------------------------|
| 20000747 | Principal City Attorney Investigator | 1.00 | 1.00 | 1.00 | 70,221 - 85,051 | 85,051 |
| 20000741 | Principal Clerk | 1.00 | 1.00 | 1.00 | 43,555 - 52,666 | 51,198 |
| 20000380 | Principal Legal Secretary | 1.00 | 1.00 | 1.00 | 50,398 - 60,736 | 58,610 |
| 20000063 | Principal Paralegal | 1.00 | 1.00 | 1.00 | 63,586 - 76,502 | 76,502 |
| 20001222 | Program Manager | 2.00 | 2.00 | 2.00 | 46,966 - 172,744 | 196,020 |
| 20000783 | Public Information Clerk | 1.00 | 0.00 | 0.00 | 31,491 - 37,918 | - |
| 20000933 | Senior City Attorney Investigator | 5.00 | 5.00 | 5.00 | 63,794 - 77,314 | 369,184 |
| 20000935 | Senior City Attorney Investigator | 1.00 | 1.00 | 1.00 | 63,794 - 77,314 | 77,314 |
| 90000933 | Senior City Attorney Investigator - Hourly | 0.10 | 0.10 | 0.35 | 63,794 - 77,314 | 22,328 |
| 20000927 | Senior Clerk/Typist | 8.00 | 8.00 | 8.00 | 36,067 - 43,514 | 337,777 |
| 20001144 | Senior Legal Intern | 1.00 | 1.00 | 1.00 | 47,466 - 57,658 | 57,658 |
| 20000843 | Senior Legal Secretary | 6.00 | 6.00 | 6.00 | 48,006 - 57,845 | 340,127 |
| 20000015 | Senior Management Analyst | 1.00 | 1.00 | 1.00 | 59,363 - 71,760 | 69,248 |
| 20000845 | Senior Paralegal | 5.00 | 5.00 | 5.00 | 57,658 - 69,410 | 340,110 |
| 90001146 | Student Intern - Hourly | 0.36 | 0.36 | 0.35 | 18,616 - 22,318 | 6,516 |
| 20000970 | Supervising Management Analyst | 1.00 | 1.00 | 1.00 | 66,768 - 80,891 | 80,891 |
| 20001057 | Victim Services Coordinator | 4.00 | 4.00 | 4.00 | 36,962 - 44,533 | 169,002 |
| 20000756 | Word Processing Operator | 4.00 | 4.00 | 4.00 | 31,491 - 37,918 | 138,818 |
| | Bilingual - Regular | | | | | 27,664 |
| | Budgeted Vacancy Savings | | | | | (775,166) |
| | Master Library Degree | | | | | 3,355 |
| | Overtime Budgeted | | | | | 10,512 |
| | Sick Leave - Hourly | | | | | 12,112 |
| | Termination Pay Annual Leave | | | | | 22,120 |
| FTE, Salaries, and Wages Subtotal | | 347.85 | 355.58 | 361.10 | | \$ 27,683,484 |
| | | FY2015 Actual | FY2016 Budget | FY2017 Adopted | | FY2016-2017 Change |
| Fringe Benefits | | | | | | |
| | Employee Offset Savings | \$ 359,772 | \$ 380,552 | \$ 351,296 | | \$ (29,256) |
| | Flexible Benefits | 2,632,837 | 3,126,165 | 3,738,923 | | 612,758 |
| | Long-Term Disability | 234,133 | 86,114 | 87,839 | | 1,725 |
| | Medicare | 366,537 | 374,460 | 393,106 | | 18,646 |
| | Other Post-Employment Benefits | 2,059,442 | 1,958,567 | 2,028,835 | | 70,268 |
| | Retiree Medical Trust | 17,044 | 18,043 | 23,645 | | 5,602 |
| | Retirement 401 Plan | 32,307 | 35,057 | 32,633 | | (2,424) |
| | Retirement ADC | 9,062,882 | 8,844,865 | 9,042,751 | | 197,886 |
| | Retirement DROP | 61,603 | 58,126 | 62,891 | | 4,765 |
| | Risk Management Administration | 296,296 | 349,388 | 350,546 | | 1,158 |
| | Supplemental Pension Savings Plan | 1,304,029 | 1,396,503 | 1,585,468 | | 188,965 |
| | Unemployment Insurance | 53,036 | 49,375 | 50,237 | | 862 |
| | Unused Sick Leave | (11) | - | - | | - |
| | Workers' Compensation | 348,329 | 270,793 | 708,317 | | 437,524 |
| Fringe Benefits Subtotal | | \$ 16,828,234 | \$ 16,948,008 | \$ 18,456,487 | | \$ 1,508,479 |
| Total Personnel Expenditures | | | | | | \$ 46,139,971 |