

City Attorney



Page Intentionally Left Blank



Description

The City Attorney's Office protects the people of San Diego by serving as chief legal counsel to the City of San Diego's elected officials and operational departments; prosecuting and defending civil cases involving the City; and as the City's prosecutor by holding accountable those who violate local and state laws on behalf of the People of the State of California.

The Office is divided into six divisions:

The *Civil Advisory Division* serves as general counsel to the City of San Diego. This Division advises the City Council, Mayor, and all City departments on all civil matters involving the City, including contracts, personnel matters, and City governance. The Assistant City Attorney for Council Relations and Specialized Services and her team work directly with City Council members and independent departments to accomplish their priorities. The Assistant City Attorney for Mayoral Departments and her team work directly with the Mayor and City department directors on day-to-day operational issues.

The *Civil Litigation Division* defends and prosecutes more than 200 new civil lawsuits involving the City and its officials and employees each year. Its attorneys hold contractors accountable, protect City assets from frivolous lawsuits, and by identifying legal issues early, keep important City projects on track.

The *Criminal Division* prosecutes criminal misdemeanors committed within the City's jurisdiction and assists victims of crime in navigating the criminal justice system. It also houses specialty programs, including the City Attorney's Gun Violence Response Unit, which secures Gun Violence Restraining Orders to prevent predictable gun violence by those who pose a risk to themselves and others.

The *Community Justice Division* protects the quality of life in our communities by enforcing laws relating to health and safety, substandard housing, nuisance, and zoning. The Division also manages diversion and collaborative court programs intended to prevent recidivism by offering offenders education, treatment, and employment opportunities in lieu of criminal prosecution. These programs include the Community Justice Initiative and the Prosecution and Law Enforcement Assisted Diversion Services (PLEADS) program.

City Attorney

The *Administration Division*, managed by the City Attorney's General Counsel, is responsible for personnel management, budgeting, accounting, information technology, recruitment, training, hiring, and contract management. The Division includes the Workers Compensation Unit and a team of employment and labor attorneys who advise the administration on human resource and collective bargaining matters.

Your Safe Place (YSP) - A Family Justice Center is a division of the City Attorney's Office that provides free, confidential, and comprehensive services to anyone who has experienced domestic violence, family violence, elder abuse, sexual assault, or sex trafficking. The team at Your Safe Place (YSP) works with dedicated community partners and volunteers to provide judgment-free services that empower clients to become survivors and move forward with their lives. YSP's services include personal safety planning, housing support and financial security, protection from gun violence, legal and immigration services, assistance obtaining domestic violence restraining orders, mental health counseling, forensic examinations, sex trafficking-specific services, military advocacy, personalized wardrobes, and overnight essentials.

The City Attorney directly manages all Assistant City Attorneys, the Chief Ethics and Compliance Officer, the Chief of Staff, and the Chief Deputy City Attorney managing the Affirmative Civil Enforcement Unit.

The vision is:

To stay engaged in the lives of San Diegans so that we can prioritize community needs.

The mission is:

- To protect San Diego by keeping our communities healthy and safe.
- To protect taxpayers by safeguarding its limited resources and providing City officials with solid legal advice and day-to-day guidance.
- To protect our natural resources, our quality of life, and our most vulnerable residents.

Goals and Objectives

Goal 1: Protect our most vulnerable citizens with effective programs that target domestic violence, human trafficking, elder abuse, sex crimes, hate crimes, and gun violence.

- Expand the success of the office's Gun Violence Response Unit through proactive outreach to communities impacted by gun violence and by capitalizing on partnerships with the U.S. Attorney's Office, the California Attorney General's Office, the California Legislature, the San Diego Superior Court, and the San Diego Police Department.
- Support victims of domestic violence and human trafficking by increasing victim services programs at Your Safe Place, expanding outreach efforts, and removing cultural, geographic, and language barriers to reach additional vulnerable populations.
- Use the Office's civil enforcement powers through the Civil Enforcement Unit to obtain justice for victims of wage theft, identity theft, consumer fraud, employment misclassification, medical fraud, and other crimes that heavily impact vulnerable populations.
- To continue to build the Life-saving Intervention for Treatment (LIFT) Program by working with justice partners like the County of San Diego to streamline the referral process to bring relief to vulnerable community members who are unable to care for themselves.

City Attorney

Goal 2: Respond to neighborhood safety concerns by bringing nuisance properties into compliance with building codes, health and safety codes, and fire codes, particularly where violations impact populations at risk of being unsheltered.

- Increase training, community outreach, and public awareness on the issue of substandard housing and nuisance properties while aggressively investigating and holding accountable property owners, managers, and landlords who exploit and prey on vulnerable populations.
- Champion regulatory changes that will make Independent Living Facilities safer for residents and their operators more accountable to public agencies.

Goal 3: Partner with government agencies and non-profit organizations to expand the local inventory of emergency shelters and transitional housing beds for victims of domestic violence and their families, as well as other vulnerable populations.

Goal 4: Secure appropriate staffing levels for the Civil Advisory Division to reflect the legislative and policy priorities of the City Council, Mayor, and City departments.

Goal 5: Protect taxpayers by taking proactive steps to reduce litigation costs.

- Secure appropriate staffing levels for the Civil Litigation Division so that it can defend the City against an expanding volume of increasingly complex lawsuits without reliance on outside counsel.
- Work with City departments to prevent foreseeable lawsuits through the identification and mitigation of recurring issues.
- Champion ethical reforms to ensure transparency in City decisions and expenditures and to help City decision-makers better assess risk. Such reforms include the expansion of ex parte disclosure requirements, conflict checks for board appointments, revisions to the lobbying ordinance, and stronger oversight by the Ethics Commission.

Goal 6: Secure appropriate staffing levels for YSP to address the growing need for services due to COVID-related stressors such as job loss and lockdowns. This would include more community education and outreach as well as suicide prevention and health relationship trainings.

Goal 7: Develop and implement programs to keep people out of the criminal justice system by addressing the root causes of their behavior.

- Seek compassionate and appropriate solutions and treatment placements for vulnerable individuals whose health and safety are at risk because they cannot care for their personal needs, including food, shelter, and medical services, through referrals to Adult Protective Services, the County's Public Guardian, and by petitioning for compassionate conservatorships for the most vulnerable individuals.
- Offer homeless offenders the opportunity to secure housing, support services, and treatment in lieu of prosecution, fines, and a criminal record.
- Continue to expand the PLEADS program, which diverts people struggling with drug addiction from the criminal justice system and connects them with support services, providing significant cost savings for taxpayers. Explore a similar program for those experiencing homelessness.

City Attorney

Budget Equity Impact Statement	
Budget Equity Lens Summary Base Budget	Budget Equity Lens Summary Budget Adjustment
<p><i>Is there an opportunity to adjust the department's ongoing Base Budget to address disparity?</i></p> <p>No</p> <p>The City Attorney's Office has long prioritized addressing inequities and disparities discovered within the City using the Office's civil and criminal law enforcement assets to address disparities and inequities within communities of concern. Some examples of ongoing base budget funding used for this purpose include: \$1 million to staff the Affirmative Civil Enforcement (ACE) Unit that has - brought litigation regarding Tijuana River clean-up to protect the neighborhoods and water quality for South Bay residents; - brought litigation against Uber, Lyft, and Instacart regarding employee misclassification to protect drivers, many of whom are low-income and working gig jobs to stave off homelessness; - brought litigation to stop patient dumping by local healthcare providers impacting persons with serious mental health issues who can't take care of themselves and who have few, if any, family support resources are clearly some of the most vulnerable of our neighbors; and - investigated properties for compliance with tenant protection laws, contractors for employing undocumented workers at less than legally required wage rates, and fraud and abuse involving homeless shelter charges. \$1 million to staff the Criminal Division's LIFT Unit (Lifesaving Interventions for Treatment/Conservatorship) to change the culture in San Diego that has resulted in disparities for those who need treatment, seek methods to improve the system of care for these individuals, reduce the burden placed on the overused emergency health care system, and return dignity to those who have cycled between the jail, hospital, and the street. \$1.3 million to staff the Gun Violence Response Unit (GVRU) which, since the program's inception, has seen over 65% of its cases involve individuals with mental health concerns or involving domestic/family violence. Death by a current or former partner is the highest</p>	<p><i>Do the Budget Adjustments address a disparity?</i></p> <p>Yes</p> <p>The City Attorney's Office has obtained a budget adjustment tied to the noted existing base budget equity impacts by providing the addition of IT Discretionary funding for Your Safe Place Network Access of \$155,000 to replace aged equipment and ensure YSP services remain reliable.</p>

Budget Equity Impact Statement

cause of death for women. By identifying individuals who are at higher risk of harm, the City Attorney's Office can focus resources and training on the disparate classes of potential victims. GVRU personnel are located at the Civic Center Plaza and at Your Safe Place – A Family Justice Center (YSP). \$5 million to staff the Domestic Violence and Sex Crimes Unit, prosecuting individuals who commit domestic violence, elder abuse, sex crimes or child abuse offenses, and providing services to their victims. The victims of these crimes are particularly vulnerable, and our Office works to give them support and access to the justice system they may not get otherwise. This work is continued at YSP, as services are offered to victims on the spot while deputy city attorneys and detectives are simultaneously working on their cases. \$1.7 million to staff YSP to provide free, confidential, and comprehensive services to anyone who has experienced domestic violence, family violence, elder abuse, sexual assault, or sex trafficking, all of which disproportionately impact communities of concern. The team at YSP works with dedicated community partners and volunteers to provide services in a judgment-free manner that empowers clients to become survivors and move forward with their lives. \$4.3 million to staff both Office participation in the Unsafe Facilities Task Force that holds unscrupulous operators of independent living facilities (ILF) accountable for taking advantage of low-income elderly and dependent adults in need of housing and medical intervention and the Office's Substandard Housing Unit holding slumlords accountable and assisting victims with relocation assistance. Many of these vulnerable victims are on the verge of homelessness or are low-income immigrants who distrust the legal system and are frightened to report violations. \$1.3 million to staff the City Attorney's prosecutorial efforts to stop hate crimes, seeking to deter discrimination and violence against populations that have historically received disparate treatment, most commonly members of communities of color and members of the LGBTQ+ community. \$2.2 million to staff our partnership with the collaborative courts program, which seeks to address the root cause of an individual's criminal

City Attorney

Budget Equity Impact Statement	
behavior, providing treatment and resources to help that person get out of the criminal justice system and to be a productive, contributing member of society. Included are the Behavioral Health Court, Veterans Treatment Court, Drug Court, and Homeless Court.	

Department Summary

	FY2022 Actual	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
FTE Positions (Budgeted)	389.73	403.73	406.73	3.00
Personnel Expenditures	\$ 64,945,780	\$ 68,441,444	\$ 77,763,560	\$ 9,322,116
Non-Personnel Expenditures	4,755,085	6,464,486	6,045,674	(418,812)
Total Department Expenditures	\$ 69,700,865	\$ 74,905,930	\$ 83,809,234	\$ 8,903,304
Total Department Revenue	\$ 3,497,056	\$ 3,748,965	\$ 4,122,347	\$ 373,382

General Fund

Department Expenditures

	FY2022 Actual	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
Civil Advisory	\$ 19,898,100	\$ 20,452,213	\$ 24,354,080	\$ 3,901,867
Civil Litigation	15,569,306	16,420,193	18,426,765	2,006,572
Community Justice	6,617,893	7,373,630	8,635,924	1,262,294
Criminal Litigation	17,001,875	17,252,986	19,673,134	2,420,148
Management/Administration	9,568,828	11,711,015	11,055,656	(655,359)
Your Safe Place	1,044,863	1,695,893	1,663,675	(32,218)
Total	\$ 69,700,865	\$ 74,905,930	\$ 83,809,234	\$ 8,903,304

Department Personnel

	FY2022 Budget	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
Civil Advisory	83.35	89.35	94.35	5.00
Civil Litigation	86.35	88.35	86.35	(2.00)
Community Justice	39.48	43.48	44.48	1.00
Criminal Litigation	134.55	133.55	134.55	1.00
Management/Administration	37.00	36.00	34.00	(2.00)
Your Safe Place	9.00	13.00	13.00	0.00
Total	389.73	403.73	406.73	3.00

Significant Budget Adjustments

	FTE	Expenditures	Revenue
Salary and Benefit Adjustments Adjustments to reflect savings resulting from vacant positions for any period of the fiscal year, retirement contributions, retiree health contributions, and labor negotiations.	0.00	\$ 8,867,835	\$ -
Civil Advisory for the Pure Water Program Addition of 2.00 Deputy City Attorneys, non-personnel expenditures and associated revenue to support the Pure Water Program.	2.00	389,708	373,382
Network Access at Your Safe Place Addition of one-time non-personnel expenditures for network infrastructure at Your Safe Place.	0.00	155,000	-

City Attorney

Significant Budget Adjustments

	FTE	Expenditures	Revenue
Criminal and Community Justice Division Support Addition of 1.00 Legal Secretary 2 to support prosecution operations in the Criminal and Community Justice Division.	1.00	57,603	-
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	36,790	-
Non-Standard Hour Personnel Funding Funding allocated according to a zero-based annual review of hourly funding requirements.	0.00	35,213	-
Pay-in Lieu of Annual Leave Adjustments Adjustments to expenditures associated with projected compensation to employees in-lieu of the use of annual leave.	0.00	(19,243)	-
Support for Information Technology Adjustment to expenditure allocations according to an annual review of information technology funding requirements.	0.00	(264,602)	-
One-Time Additions and Annualizations Adjustment to reflect one-time revenues and expenditures, and the annualization of revenues and expenditures, implemented in Fiscal Year 2023.	0.00	(355,000)	-
Total	3.00 \$	8,903,304 \$	373,382

Expenditures by Category

	FY2022 Actual	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
PERSONNEL				
Personnel Cost	\$ 38,800,908	\$ 42,959,385	\$ 49,769,280	\$ 6,809,895
Fringe Benefits	26,144,872	25,482,059	27,994,280	2,512,221
PERSONNEL SUBTOTAL	64,945,780	68,441,444	77,763,560	9,322,116
NON-PERSONNEL				
Supplies	\$ 225,288	\$ 376,913	\$ 345,517	\$ (31,396)
Contracts & Services	1,827,578	2,378,609	2,418,733	40,124
<i>External Contracts & Services</i>	<i>861,275</i>	<i>1,491,080</i>	<i>1,491,080</i>	-
<i>Internal Contracts & Services</i>	<i>966,303</i>	<i>887,529</i>	<i>927,653</i>	<i>40,124</i>
Information Technology	2,599,871	3,511,998	3,082,396	(429,602)
Energy and Utilities	42,138	46,842	48,904	2,062
Other	60,211	147,124	147,124	-
Capital Expenditures	-	3,000	3,000	-
NON-PERSONNEL SUBTOTAL	4,755,085	6,464,486	6,045,674	(418,812)
Total	\$ 69,700,865	\$ 74,905,930	\$ 83,809,234	\$ 8,903,304

Revenues by Category

	FY2022 Actual	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
Charges for Services	\$ 3,421,388	\$ 3,395,465	\$ 3,768,847	\$ 373,382

City Attorney

Revenues by Category

	FY2022 Actual	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
Fines Forfeitures and Penalties	3,700	300,000	300,000	-
Licenses and Permits	1,357	3,500	3,500	-
Other Revenue	70,740	-	-	-
Rev from Money and Prop	(129)	-	-	-
Rev from Other Agencies	-	50,000	50,000	-
Total	\$ 3,497,056	\$ 3,748,965	\$ 4,122,347	\$ 373,382

Personnel Expenditures

Job Number	Job Title / Wages	FY2022 Budget	FY2023 Budget	FY2024 Adopted	Salary Range	Total
FTE, Salaries, and Wages						
20000011	Account Clerk	1.00	1.00	1.00	\$ 45,627 - 54,916	\$ 52,994
20000012	Administrative Aide 1	2.00	2.00	2.00	51,126 - 61,583	102,252
20001076	Assistant City Attorney	5.00	5.00	5.00	114,482 - 457,122	1,220,439
20001154	Assistant for Community Outreach	1.00	2.00	2.00	36,489 - 219,002	253,700
20000041	Assistant Management Analyst	1.00	1.00	1.00	61,503 - 74,763	74,763
20000050	Assistant Management Analyst	2.00	2.00	2.00	61,503 - 74,763	146,155
20000119	Associate Management Analyst	4.00	4.00	4.00	74,763 - 90,340	321,221
20000171	Auto Messenger 1	2.00	2.00	2.00	36,489 - 39,511	79,022
20001070	City Attorney	1.00	1.00	1.00	231,174 - 231,174	231,174
20000610	City Attorney Investigator	24.00	25.00	25.00	84,500 - 102,243	2,510,976
90000610	City Attorney Investigator - Hourly	0.90	0.90	0.90	84,500 - 102,243	76,050
20000539	Clerical Assistant 2	17.00	17.00	17.00	41,370 - 49,860	790,334
20001159	Confidential Secretary to the City Attorney	1.00	1.00	1.00	36,489 - 152,202	113,006
20000351	Court Support Clerk 1	16.00	16.00	15.00	43,553 - 52,420	708,445
20000353	Court Support Clerk 2	21.00	21.00	22.00	45,574 - 55,034	1,176,937
20001117	Deputy City Attorney	164.25	171.25	173.25	82,011 - 240,860	29,674,425
90001117	Deputy City Attorney - Hourly	0.98	0.98	0.98	82,011 - 240,860	146,997
20001258	Deputy City Attorney - Unrepresented	6.00	6.00	6.00	82,011 - 240,860	1,142,025
20001168	Deputy Director	1.00	1.00	1.00	67,740 - 249,134	206,399
20000924	Executive Assistant	1.00	1.00	1.00	59,068 - 71,442	59,068
20001220	Executive Director	1.00	1.00	1.00	67,740 - 249,134	204,137
20000290	Information Systems Analyst 2	2.00	2.00	2.00	76,193 - 92,069	168,262
20000293	Information Systems Analyst 3	1.00	1.00	1.00	83,637 - 101,133	101,133
20000377	Information Systems Technician	1.00	1.00	1.00	60,015 - 72,321	72,321
90001128	Legal Intern - Hourly	3.25	3.25	3.25	48,915 - 59,476	158,975
20000587	Legal Secretary 2	34.00	35.00	36.00	72,876 - 88,130	3,010,560
90000587	Legal Secretary 2 - Hourly	0.35	0.35	0.35	72,876 - 88,130	25,507
20000911	Librarian 3	1.00	1.00	1.00	76,270 - 92,551	92,551
20000756	Office Support Specialist	3.00	3.00	3.00	42,727 - 51,426	142,320

City Attorney

Personnel Expenditures

Job Number	Job Title / Wages	FY2022 Budget	FY2023 Budget	FY2024 Adopted	Salary Range	Total
20000614	Paralegal	21.00	22.00	22.00	79,668 - 96,108	2,025,521
20000680	Payroll Specialist 2	2.00	2.00	2.00	50,258 - 60,679	110,539
20001141	Principal Assistant to the City Attorney	1.00	1.00	1.00	38,056 - 231,382	129,951
20000747	Principal City Attorney Investigator	1.00	1.00	1.00	101,932 - 123,467	123,467
20000741	Principal Clerk	1.00	1.00	1.00	54,611 - 66,052	66,052
20000380	Principal Legal Secretary	1.00	1.00	1.00	84,303 - 101,606	101,606
20000063	Principal Paralegal	1.00	1.00	1.00	96,701 - 116,321	116,321
20001234	Program Coordinator	3.00	3.00	3.00	36,489 - 198,900	401,425
20001222	Program Manager	3.00	4.00	4.00	67,740 - 249,134	541,862
20000933	Senior City Attorney Investigator	5.00	5.00	5.00	92,622 - 112,261	557,376
20000935	Senior City Attorney Investigator	1.00	1.00	1.00	92,622 - 112,261	112,261
20000927	Senior Clerk/Typist	9.00	9.00	9.00	48,915 - 59,015	513,388
20000843	Senior Legal Secretary	7.00	7.00	7.00	80,315 - 96,755	673,899
20000015	Senior Management Analyst	1.00	1.00	1.00	82,066 - 99,234	97,745
20000845	Senior Paralegal	5.00	5.00	5.00	87,672 - 105,568	522,561
20000916	Senior Public Information Officer	1.00	1.00	1.00	76,193 - 92,069	92,069
20000970	Supervising Management Analyst	1.00	1.00	1.00	87,965 - 106,585	106,585
20001057	Victim Services Coordinator	7.00	9.00	9.00	51,126 - 61,583	536,204
	Adjust Budget To Approved Levels					(43,767)
	Bilingual - Regular Budgeted Personnel					46,592
	Expenditure Savings					(1,518,940)
	Chief Attorney Pay					249,779
	Lead/Supervising Attorney Pay					104,451
	Master Library Degree					4,627
	Overtime Budgeted					10,512
	Sick Leave - Hourly					1,499
	Termination Pay Annual Leave					399,670
	Vacation Pay In Lieu					623,877
FTE, Salaries, and Wages Subtotal		389.73	403.73	406.73		\$ 49,769,280

	FY2022 Actual	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
Fringe Benefits				
Employee Offset Savings	\$ 283,674	\$ 301,282	\$ 319,274	\$ 17,992
Flexible Benefits	4,894,471	5,098,404	5,139,354	40,950
Long-Term Disability	164,868	146,973	172,187	25,214
Medicare	577,740	611,892	709,476	97,584
Other Post-Employment Benefits	2,330,155	2,139,539	2,157,079	17,540
Retiree Medical Trust	56,166	64,287	80,752	16,465
Retirement 401 Plan	59,803	78,637	314,692	236,055

City Attorney

	FY2022 Actual	FY2023 Budget	FY2024 Adopted	FY2023-2024 Change
Retirement ADC	14,409,048	13,490,972	16,773,653	3,282,681
Retirement DROP	57,779	62,670	57,064	(5,606)
Risk Management Administration	415,622	438,331	488,095	49,764
Supplemental Pension Savings Plan	2,334,427	2,565,487	1,021,069	(1,544,418)
Unemployment Insurance	56,196	53,332	55,505	2,173
Workers' Compensation	504,923	430,253	706,080	275,827
Fringe Benefits Subtotal	\$ 26,144,872	\$ 25,482,059	\$ 27,994,280	\$ 2,512,221
Total Personnel Expenditures			\$ 77,763,560	