



# City Attorney





## Department Description

In 1931, San Diego voters adopted a new City Charter that included the creation of an independently elected City Attorney. The duty of the Office of the City Attorney is to protect the interests of all San Diegans.

The Office is divided into three areas: Civil, Criminal, and Administrative. The primary operations of the Office are established in the San Diego City Charter and are carried out by the Criminal and Civil Divisions.

The Criminal Division prosecutes misdemeanor criminal offenders and provides proactive community-based public safety programs. Crimes prosecuted by the Office include violations of City, county, and State laws occurring within the City of San Diego and the City of Poway.

The Civil Division provides legal advice to every level of City government, files lawsuits on behalf of the City, and defends lawsuits brought against the City.

The Office of the City Attorney is staffed with professional, civic-minded public servants. Attorneys, investigators, secretaries, legal assistants, and support staff work to serve the people of the City of San Diego and the State of California.

The Office of the City Attorney has been recognized at the local, State, and national levels for innovation, excellence, and measurable results related to efficiency, effectiveness, and public safety.

The City Attorney Office's mission is:

*To safeguard the public by vigorously bringing misdemeanor criminals to justice through serving the residents of San Diego as its misdemeanor prosecutor, and to serve as the City's chief legal advisor by providing legal guidance to the Mayor, City Council, Council Committees, and City departments while protecting the interests of all San Diegans.*

# City Attorney

## Service Efforts and Accomplishments

### Criminal Division

In the criminal courts, our attorneys prosecute more than 30,000 cases each year – from gang activity to drunk driving, and from domestic violence to consumer fraud. We protect your families and your neighborhoods by holding accountable those who commit crimes.

The Code Enforcement Unit (CEU) is a specialized prosecutorial unit devoted to aggressively prosecuting a wide variety of code violations and public nuisances throughout San Diego. Violations referred to CEU range from substandard housing to illegal businesses, building and zoning violations, public nuisance properties, illegal grading, fire hazards, graffiti, illegal dumping, destruction of sensitive resources, abandoned structures, and numerous other violations.

The Drug Abatement Response Team (DART) community prosecutors are a central part of the City of San Diego's civil nuisance abatement task force working closely with the Police Department.

The Domestic Violence and Special Victims Unit prosecute all misdemeanor child abuse, domestic violence, elder abuse, and stalking cases within the City.

The Neighborhood Prosecution Unit works in partnership with the San Diego Police Department, other agencies, and community organizations to combat crimes that impact the quality of life in our City.

The Consumer and Environmental Protection Unit (CEPU) is involved in special projects to protect citizens and businesses in San Diego. CEPU prosecutes cases concerning unlawful business practices, unapproved drugs, unapproved medical devices, and retailer price scanner violations. CEPU receives case referrals from City, county, and State departments and agencies, as well as from individuals.

The Screening and Arraignment Unit, the General Trial Unit, and the Appellate Unit handle the myriad of tasks from receipt and processing of misdemeanor cases, pre-trial negotiations, trial, and post-trial appeals.

### Civil Division

The Civil Division is the chief legal advisor and attorney for the City and advises the Council, its committees, the Mayor, commissions, and departments. The Division drafts new legislation, provides legal review on individual matters requiring City Council action, and provides legal support on thousands of matters. The Division also prosecutes or defends all suits or cases to which the City may be a party.

The Litigation Unit, through five sub-units, handles civil lawsuits filed against the City. The Unit vigorously defends suits and when necessary files claims on behalf of the City.

The General Litigation Unit handles defense cases and cross-complaints that become necessary to fully defend and to seek indemnity for the City in actions where the City is a defendant.

The Land Use Litigation Unit prosecutes and defends all real property, land use, development, and environmental actions involving the California Environmental Quality Act (CEQA), eminent domain actions, actions relating to decisions involving the subdivision map act, zoning, and other administrative procedures.

The Civil Revenue & Recovery Unit handles actions for false claims, unfair business practices, environmental contamination, overcharging, breach of contract, and various other matters.

The Construction Litigation Unit handles breach of contract and construction claims commonly involving issues of contract interpretation, changed conditions, extra work, delay and disruption, and stop work notices.

The Workers' Compensation Unit represents the City in all employees' claims before the Workers' Compensation Appeals Board.

# City Attorney

The Business and Government Unit provides opinion and analysis of core municipal functions relating to the City Charter, Municipal Code, open meeting laws, public records, ethics, boards, and commissions.

The Public Securities, Finance and Disclosures Unit provides structuring and legal advice to various City departments relative to the issuance by the City and its related entities of debt obligations.

The Real Property Unit handles purchase, sale, or lease issues concerning City-owned property maintained by the Real Estate Assets Department and other departments.

The Redevelopment & Housing Unit acts as General Counsel to the Redevelopment Agency and provides opinion and analysis on issues arising under redevelopment law.

The Resource Conservation Management Unit handles California Public Utility Commission issues, recycling projects, landfill permitting, solid waste fees, as well as Municipal Separate Storm Sewer System issues.

The Public Infrastructure Unit advises on local, State, and federal regulatory and contracting requirements, assists in negotiation on public works contracts, and represents the City in dispute resolution.

The Land Use & Environment Unit handles all California Environmental Quality Act (CEQA) document reviews, land use ordinances, resolutions, and project approvals before City Council, as well as CEQA administrative appeals.

The Labor & Employment Services Unit provides advice on the meet and confer process, personnel issues, benefits issues, as well as defends the City before the Public Employee Relations Board.



# City Attorney

## Department Summary

City Attorney				
	FY 2007 BUDGET	FY 2008 BUDGET	FY 2009 FINAL	FY 2008-2009 CHANGE
Positions	335.22	338.22	<b>339.22</b>	1.00
Personnel Expense	\$ 34,820,413	\$ 35,324,180	\$ <b>34,874,991</b>	\$ (449,189)
Non-Personnel Expense	\$ 1,384,745	\$ 1,586,994	\$ <b>1,516,183</b>	\$ (70,811)
<b>TOTAL</b>	<b>\$ 36,205,158</b>	<b>\$ 36,911,174</b>	<b>\$ 36,391,174</b>	<b>\$ (520,000)</b>

## Department Staffing

	FY 2007 BUDGET	FY 2008 BUDGET	FY 2009 FINAL
<b>GENERAL FUND</b>			
<b>City Attorney</b>			
Appellate	0.00	0.00	<b>5.00</b>
Business & Government	7.54	7.25	<b>7.25</b>
Case Inquiry	6.00	0.00	<b>0.00</b>
Case Resolution & Trial	46.00	22.00	<b>0.00</b>
Code Enforcement	16.09	7.52	<b>5.00</b>
Consumer & Environ Protection	13.88	5.78	<b>5.00</b>
Dom Violence & Special Victims	23.10	9.00	<b>10.00</b>
Drug Abatement Response Team	0.00	0.00	<b>2.00</b>
General Trial	0.00	0.00	<b>20.05</b>
Information Systems	5.00	0.00	<b>0.00</b>
Labor & Employment Services	19.63	4.00	<b>4.00</b>
Land Use & Environment	0.00	5.33	<b>5.33</b>
Leadership	2.00	7.00	<b>7.00</b>
Litigation	50.28	30.00	<b>30.00</b>
Neighborhood Prosecution	5.00	5.00	<b>5.00</b>
Public Finance, Securities & Disclosure	0.00	3.00	<b>3.00</b>
Public Infrastructure	46.03	10.53	<b>10.53</b>
Real Property	23.52	6.75	<b>6.75</b>
Redevelopment & Housing	0.00	4.00	<b>4.00</b>
Resource Consv Mgmt	0.00	4.00	<b>4.00</b>
Screening & Arraignment	41.25	9.75	<b>8.00</b>
Support Services - Civil	11.40	79.54	<b>78.54</b>
Support Services - Criminal	9.05	97.32	<b>97.32</b>
Support Services - Department	9.45	20.45	<b>21.45</b>
<b>Total</b>	<b>335.22</b>	<b>338.22</b>	<b>339.22</b>

# City Attorney

## Department Expenditures

	FY 2007 BUDGET	FY 2008 BUDGET	FY 2009 FINAL
<b>GENERAL FUND</b>			
<b>City Attorney</b>			
Appellate	\$ -	\$ -	\$ 685,987
Business & Government	\$ 1,175,532	\$ 1,094,020	\$ 994,679
Case Inquiry	\$ 343,565	\$ -	\$ -
Case Resolution & Trail	\$ 4,767,716	\$ 2,837,537	\$ -
City Attorney	\$ (1,135,397)	\$ 119,565	\$ (1,390,499)
Code Enforcement	\$ 1,462,771	\$ 698,056	\$ 685,986
Consumer & Environ Protection	\$ 1,559,662	\$ 762,999	\$ 685,987
Dom Violence & Special Victims	\$ 2,301,499	\$ 1,159,126	\$ 1,371,971
Drug Abatement Response Team	\$ 397,547	\$ 252,055	\$ 274,395
General Trial	\$ -	\$ -	\$ 2,750,797
Information Systems	\$ 1,198,357	\$ -	\$ -
Labor & Employment Services	\$ -	\$ 533,208	\$ 548,786
Land Use & Environment	\$ -	\$ 710,501	\$ 731,258
Leadership	\$ 490,526	\$ 1,575,594	\$ 1,597,506
Litigation	\$ 6,100,974	\$ 4,006,193	\$ 4,134,740
Neighborhood Prosecution	\$ 722,421	\$ 638,313	\$ 685,987
Public Infrastructure	\$ 5,145,842	\$ 1,391,807	\$ 1,444,682
Public Finance, Securities & Disclosure	\$ -	\$ 399,905	\$ 411,591
Real Property	\$ 2,806,307	\$ 898,478	\$ 929,977
Redevelopment & Housing	\$ 2,408,110	\$ 529,406	\$ 548,786
Resource Consv Mgmt	\$ -	\$ 533,209	\$ 548,787
Screening & Arraignment	\$ 3,426,870	\$ 1,288,921	\$ 1,097,576
Support Services - Civil	\$ 1,088,266	\$ 6,894,903	\$ 7,448,141
Support Services - Criminal	\$ 1,022,753	\$ 6,950,816	\$ 7,541,745
Support Services - Department	\$ 921,837	\$ 3,636,562	\$ 2,662,309
<b>Total</b>	<b>\$ 36,205,158</b>	<b>\$ 36,911,174</b>	<b>\$ 36,391,174</b>



## Significant Budget Adjustments

### GENERAL FUND

City Attorney	Positions	Cost	Revenue
<b>Salary and Benefit Adjustments</b>	0.00	\$ 796,555	0
Adjustments to reflect the annualization of the Fiscal Year 2008 negotiated salary compensation schedule, changes to average salaries, retirement contributions, retiree health contributions, and other benefit compensation.			
<b>Addition of a Deputy City Attorney</b>	1.00	\$ 137,196	134,558
Addition of 1.00 Deputy City Attorney funded by the Family Justice Center Pro-Arrest Grant.			
<b>Funding of Terminal Leave</b>	0.00	\$ 7,559	0
Funding of additional personnel expenditures for terminal leave paid to employees who, upon conclusion of their tenure with the City, possess a large leave balance.			
<b>Revised Revenue</b>	0.00	\$ 0	(1,296,262)
Adjustment to reflect Fiscal Year 2009 revenue projections.			
<b>Non-Discretionary</b>	0.00	\$ (189)	0
Adjustments to expense allocations that are determined outside of the Department's direct control. These adjustments are generally based on prior year expenditure trends and examples of these include utilities, insurance, and rent.			
<b>Support for Information Technology</b>	0.00	\$ (70,622)	0
Funding allocated according to a zero-based annual review of information technology funding requirements and priority analyses.			
<b>Vacancy Savings</b>	0.00	\$ (1,390,499)	0
Adjustments to personnel expenses to reflect the anticipated savings resulting from positions projected to be vacant for any period of the fiscal year due to personnel transition and salary differentials for new employees.			

## Expenditures by Category

	FY 2007 BUDGET	FY 2008 BUDGET	FY 2009 FINAL
<b>PERSONNEL</b>			
Salaries & Wages	\$ 23,637,172	\$ 22,999,174	\$ 22,861,762
Fringe Benefits	\$ 11,183,241	\$ 12,325,006	\$ 12,013,229
<b>SUBTOTAL PERSONNEL</b>	<b>\$ 34,820,413</b>	<b>\$ 35,324,180</b>	<b>\$ 34,874,991</b>
<b>NON-PERSONNEL</b>			
Supplies & Services	\$ 531,808	\$ 1,363,544	\$ 1,352,284
Information Technology	\$ 588,161	\$ 107,217	\$ 35,291
Energy/Utilities	\$ 182,858	\$ 34,315	\$ 46,690

# City Attorney

## Expenditures by Category

	FY 2007 BUDGET	FY 2008 BUDGET	FY 2009 FINAL
<b>NON-PERSONNEL</b>			
Equipment Outlay	\$ 81,918	\$ 81,918	\$ <b>81,918</b>
<b>SUBTOTAL NON-PERSONNEL</b>	\$ 1,384,745	\$ 1,586,994	\$ <b>1,516,183</b>
<b>TOTAL</b>	\$ 36,205,158	\$ 36,911,174	\$ <b>36,391,174</b>

## Revenues by Category

	FY 2007 BUDGET	FY 2008 BUDGET	FY 2009 FINAL
<b>GENERAL FUND</b>			
Licenses and Permits	\$ 2,000	\$ 2,000	\$ <b>2,000</b>
Fines, Forfeitures, and Penalties	\$ 1,650,000	\$ 1,650,000	\$ <b>1,650,000</b>
Charges for Current Services	\$ 6,362,550	\$ 4,511,262	\$ <b>3,215,000</b>
Transfers from Other Funds	\$ -	\$ -	\$ <b>134,558</b>
<b>TOTAL</b>	\$ 8,014,550	\$ 6,163,262	\$ <b>5,001,558</b>

## Salary Schedule

### GENERAL FUND

#### City Attorney

<i>Class</i>	<i>Position Title</i>	<i>FY 2008 Positions</i>	<i>FY 2009 Positions</i>	<i>Salary</i>	<i>Total</i>
1104	Account Clerk	1.00	<b>1.00</b>	\$ 37,878	\$ 37,878
1105	Administrative Aide I	2.00	<b>2.00</b>	\$ 43,820	\$ 87,640
1106	Sr Management Analyst	1.00	<b>1.00</b>	\$ 71,273	\$ 71,273
1132	Asst Management Analyst	1.00	<b>1.00</b>	\$ 51,988	\$ 51,988
1147	Principal Legal Assistant	1.00	<b>1.00</b>	\$ 76,201	\$ 76,201
1218	Assoc Management Analyst	2.00	<b>2.00</b>	\$ 64,335	\$ 128,670
1236	Auto Messenger	2.00	<b>2.00</b>	\$ 31,137	\$ 62,274
1348	Info Systems Analyst II	2.00	<b>2.00</b>	\$ 64,077	\$ 128,153
1349	Info Systems Analyst III	1.00	<b>1.00</b>	\$ 71,601	\$ 71,601
1386	Court Support Clerk I	13.00	<b>14.00</b>	\$ 38,051	\$ 532,714
1388	Court Support Clerk II	12.00	<b>12.00</b>	\$ 39,741	\$ 476,886
1401	Info Systems Technician	1.00	<b>2.00</b>	\$ 50,992	\$ 101,984
1404	Principal Legal Secretary	1.00	<b>1.00</b>	\$ 60,743	\$ 60,743
1415	Dispute Resolution Officer	1.00	<b>1.00</b>	\$ 65,036	\$ 65,036
1535	Clerical Assistant II	27.50	<b>27.50</b>	\$ 35,402	\$ 973,545
1577	Legal Secretary	36.20	<b>36.20</b>	\$ 51,585	\$ 1,867,387
1596	City Attorney Investigator	20.92	<b>20.92</b>	\$ 69,475	\$ 1,453,420
1598	Legal Assistant	20.37	<b>20.37</b>	\$ 61,078	\$ 1,244,157
1615	Org Effectiveness Supv	1.00	<b>1.00</b>	\$ 80,404	\$ 80,404
1648	Payroll Specialist II	2.00	<b>2.00</b>	\$ 41,507	\$ 83,013
1726	Principal Clerk	1.00	<b>1.00</b>	\$ 50,819	\$ 50,819

# City Attorney

## Salary Schedule

### GENERAL FUND

#### City Attorney

<i>Class</i>	<i>Position Title</i>	<i>FY 2008 Positions</i>	<i>FY 2009 Positions</i>	<i>Salary</i>	<i>Total</i>
1728	Principal Atty Investigator	1.00	<b>1.00</b>	\$ 79,245	\$ 79,245
1746	Word Processing Operator	8.00	<b>6.00</b>	\$ 37,689	\$ 226,135
1776	Public Information Clerk	1.00	<b>1.00</b>	\$ 37,688	\$ 37,688
1820	Sr Legal Secretary	6.00	<b>6.00</b>	\$ 57,459	\$ 344,754
1822	Sr Legal Assistant	5.00	<b>5.00</b>	\$ 69,333	\$ 346,667
1867	Librarian III	1.00	<b>1.00</b>	\$ 66,603	\$ 66,603
1879	Sr Clerk/Typist	8.00	<b>8.00</b>	\$ 43,313	\$ 346,505
1885	Sr Attorney Investigator	6.00	<b>6.00</b>	\$ 76,634	\$ 459,806
1983	Victim Services Coordinator	4.00	<b>4.00</b>	\$ 43,949	\$ 175,795
2001	City Attorney	1.00	<b>1.00</b>	\$ 193,648	\$ 193,648
2103	Management Intern	0.37	<b>0.37</b>	\$ 25,911	\$ 9,587
2106	Asst City Attorney	6.00	<b>6.00</b>	\$ 155,516	\$ 933,096
2151	Deputy City Attorney	134.86	<b>135.86</b>	\$ 92,712	\$ 12,595,862
2166	Legal Intern	1.00	<b>1.00</b>	\$ 37,502	\$ 37,502
2182	Principal Asst to City Atty	1.00	<b>1.00</b>	\$ 110,371	\$ 110,371
2185	Senior Legal Intern	1.00	<b>1.00</b>	\$ 55,432	\$ 55,432
2205	Conf Secretary To City Atty	1.00	<b>1.00</b>	\$ 89,748	\$ 89,748
2214	Deputy Director	1.00	<b>1.00</b>	\$ 98,488	\$ 98,488
2270	Program Manager	1.00	<b>1.00</b>	\$ 104,358	\$ 104,358
	Vacancy Factor Adjustment	0.00	<b>0.00</b>	\$ -	\$ (1,198,499)
	Overtime Budgeted	0.00	<b>0.00</b>	\$ -	\$ 13,064
	Temporary Help	0.00	<b>0.00</b>	\$ -	\$ 23,230
	Termination Pay Annual Leave	0.00	<b>0.00</b>	\$ -	\$ 6,891
	<b>Total</b>	<u>338.22</u>	<u><b>339.22</b></u>		<u><b>\$ 22,861,762</b></u>
	<b>CITY ATTORNEY TOTAL</b>	<b>338.22</b>	<b>339.22</b>	<b>\$</b>	<b>22,861,762</b>

