

City Attorney



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Department Description

The Office of the City Attorney is among the region's largest law firms which handles a diverse caseload. The City Attorney's Office advises the Mayor, the City, and all its departments; prosecutes or defends lawsuits or cases to which the City may be a party; and receives approximately 35,000 criminal cases per year involving persons charged with violations of State laws occurring within City limits for misdemeanor offenses.

City Attorney Jan Goldsmith, an attorney since 1976, specializes in business litigation. He was appointed San Diego Superior Court Judge in 1998 and 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 and his final years assigned to an independent civil calendar.

Executive Assistant City Attorney Andrew Jones holds the number two management position in the Office. In December 2008, Mr. Jones was appointed Assistant City Attorney and led the Civil Litigation Division. In November 2009, Mr. Jones was tasked to lead the Criminal Division and in January 2011, Mr. Jones was appointed Executive Assistant City Attorney. Mr. Jones was sworn in as a Deputy City Attorney in 1997 and has over 14 years of trial experience. His civil practice includes civil rights, torts, inverse condemnation, unlawful detainers, and breach of contract. He also prosecuted misdemeanor violations and abusers in domestic violence and child abuse cases.

The Office of the City Attorney is divided into four divisions: Civil Advisory, Civil Litigation, Criminal, and Community Justice. These divisions are subdivided into units which allow the attorneys to specialize in areas of practice.

Civil Advisory Division: The Civil Advisory Division advises the City and each of its departments including the City Council and Mayor. The Civil Advisory Division is divided into five units: Government Affairs and Finance, Real Property and Economic Development, Public Works, Public Safety, and Employment Services. This Division is under the direction of Assistant City Attorney Mary Jo Lanzafame who has over 22 years of experience as a municipal lawyer in areas of practice including the California Environmental Quality Act (CEQA), planning and zoning, conflict of interest, the Brown Act, real estate, and public works.

Civil Litigation Division: The Civil Litigation Division prosecutes or defends civil lawsuits in which the City is a party. The Civil Litigation Division is divided into five units: Civil Prosecution, Workers' Compensation, Land Use Litigation, General Litigation, and Special Litigation. Executive Assistant City Attorney Andrew Jones and Assistant

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City Attorney Don Worley head this division. Mr. Worley has over 30 years in private practice in land use, real estate, and business litigation.

Criminal Division: The Criminal Division prosecutes criminal misdemeanors and infractions committed within City limits. The Criminal Division is divided into five units: Case Issuance, General Trial, Appellate, Neighborhood Prosecution, and Domestic Violence. This division is under the direction of Division Chiefs Angie Reddish-Day and Marlea Dell'Anno. Collectively, they have more than 30 years of experience in criminal prosecution and leadership roles.

Community Justice Division: The Community Justice Division prosecutes cases that the community has identified as important to its quality of life. Prosecutors work with the community, police, and other law enforcement agencies to establish and maintain security, ensure fair business dealing, and promote justice. The Community Justice Division is divided into two units: Code Enforcement and Consumer and Environmental Protection. This Division is under the direction of Assistant City Attorney Tricia Pummill who brings over 27 years of experience as a criminal prosecutor specializing in white collar crime and consumer protection.

The Office of the City Attorney is built upon the senior partner, junior partner, and associate model used in private law firms. The division leaders, along with City Attorney Jan Goldsmith, have more than 130 years of combined experience.

The Department's mission statement 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.

Goals and Objectives

The Civil Litigation Division will continue to accept cases previously sent to outside counsel, thereby reducing expenses and gaining experience in areas it did not traditionally have. The Civil Litigation Division is working expeditiously on finalizing large settlements of long-standing cases.

The Civil Advisory Division produces legal opinions and memorandum of law on a wide variety of issues such as pension reform, retiree health, budget matters, and a variety of miscellaneous issues including items of interest as requested by the Mayor, City Council, or City departments.

The Community Justice Division will be responsive to community groups and council representatives when they identify criminal conduct that is impacting their communities, and find creative ways within legal parameters to remove those conditions.

Both the Criminal Division and the Neighborhood Prosecution Unit will increase participation of misdemeanor offenders in community courts. This removes some of the work from the court system and leads to additional community service by offenders which improves neighborhoods at no expense to taxpayers. Additionally, they will expand programs that are alternatives to placing people in jail for low-level offenses, preferably programs that deter future criminal conduct and provide some benefit to the community.

The attorneys in the Domestic Violence Unit are active members of the San Diego Domestic Violence Council and the Domestic Violence Fatality Review Team. Chief Marlea Dell'Anno co-chairs the High Risk Team (HRT) created by the District Attorney's Office. HRT is an innovative partnership of domestic violence experts from law enforcement, prosecution agencies, victim advocacy groups, and other community partners whose main objective is

to identify victims at high risk of extreme violence or death and gather resources immediately to protect victims and their family members.

The Neighborhood Prosecution Unit will increase collaborative work with community groups, the San Diego Police Department, the courts, and the defense bar to address the problems of chronic violators of the law. These include individuals suffering from mental illness and homeless individuals who commit misdemeanors.

Service Efforts and Accomplishments

The City Attorney's Office has developed credibility and a solid reputation in the legal community. It communicates effectively with its client and wins cases. Each of its divisions has instituted changes which have resulted in more productivity and a higher quality of legal services. The Office works diligently as reflected in the positive feedback that it receives from the legal community about its attorneys and staff.

The Civil Advisory Division provided legal opinions and analyses concerning core municipal functions relating to the City Charter, the San Diego Municipal Code, and the Strong Mayor form of government that included conflict of interest codes for all City departments, boards and commissions, and agencies, as well as several issues relating to the City's budget and finances.

The Civil Litigation Division achieved several significant accomplishments this year including prevailing on motions for summary judgment, prevailing on demurrers, winning at trial, and defeating plaintiffs motions for preliminary injunction. Additionally, the Civil Litigation Division has settled many claims against the City and received revenue recoveries or settlements owed to the City resulting in millions of dollars to the General Fund, enterprise funds, or Public Liability Fund (as appropriate).

The Criminal Division will continue to handle criminal cases in a timely and competent manner, and bring them to a just conclusion. It will continue to safeguard the rights of crime victims by obtaining restitution (when appropriate) and protecting the community by bringing individuals who have committed crimes to court and obtaining the appropriate penalties.

The Code Enforcement Unit vigilantly pursues the closing of marijuana dispensaries in violation of federal and local laws and the rehabilitation of vacant or nuisance properties by their owners. The Code Enforcement Unit also evaluates reports of 'slumlords' in a timely manner and assists the tenants to secure safe housing which hold the 'slumlord' accountable.

The Department's Consumer and Environmental Protection Unit (CEPU) provided information to the public on ways to avoid becoming victims of identity theft, illegal tows, job scams, loan sharks, investment frauds, and other white collar crimes. The Unit will continue to provide service to the public in the areas of consumer and environmental protection by staffing the Consumer Hotline with an informed employee who properly assesses complaints and provides referrals where appropriate. CEPU will continue to investigate and prosecute cases that no other agency prosecutes that involve consumer fraud or environmental crimes including individuals who practice law without a license, abusive debt collectors, or false/misleading advertising.

The Neighborhood Prosecution Unit is a team of deputy city attorneys who are liaisons to the police commands and to the communities they serve. They attend community meetings and events to relay information on quality-of-life crime problems to the San Diego Police Department (SDPD) and to the City Attorney's Office.

The Domestic Violence Unit consists of 13 prosecutors, three investigators, three victim services coordinators, and nine support staff. In addition to domestic violence cases, the Unit also handles all elder abuse, child abuse, and sex crimes cases. The Unit is efficient in managing its significantly increased caseload; the average amount of time from the filing of a case until disposition is 24 days which reflects a cost benefit to the taxpayers of the community. Most

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importantly, victims are not subjected to a lengthy and drawn-out criminal process that can be both emotionally and financially debilitating.

Department Summary

	FY2011 Actual	FY2012 Budget	FY2013 Adopted	FY2012-2013 Change
Positions (Budgeted)	348.43	343.35	345.99	2.64
Personnel Expenditures	\$ 38,097,419	\$ 39,127,324	\$ 40,180,235	\$ 1,052,911
Non-Personnel Expenditures	2,303,968	2,905,259	3,421,796	516,537
Total Department Expenditures	\$ 40,401,387	\$ 42,032,583	\$ 43,602,031	\$ 1,569,448
Total Department Revenue	\$ 3,915,849	\$ 5,607,163	\$ 4,656,169	\$ (950,994)

General Fund

Department Expenditures

	FY2011 Actual	FY2012 Budget	FY2013 Adopted	FY2012-2013 Change
Administration	\$ 10,191,762	\$ 3,193,563	\$ 5,286,544	\$ 2,092,981
Civil Advisory	8,871,829	10,952,751	11,060,702	107,951
Civil Litigation	7,984,537	10,495,065	10,235,734	(259,331)
Community Justice	4,088,235	5,227,943	4,844,529	(383,414)
Criminal Litigation	9,265,025	12,163,261	12,174,522	11,261
Total	\$ 40,401,387	\$ 42,032,583	\$ 43,602,031	\$ 1,569,448

Department Personnel

	FY2011 Budget	FY2012 Budget	FY2013 Adopted	FY2012-2013 Change
Administration	185.70	26.00	28.00	2.00
Civil Advisory	52.46	72.42	74.19	1.77
Civil Litigation	35.00	81.38	80.14	(1.24)
Community Justice	28.20	39.21	39.02	(0.19)
Criminal Litigation	47.07	124.34	124.64	0.30
Total	348.43	343.35	345.99	2.64

Significant Budget Adjustments

	FTE	Expenditures	Revenue
Addition of Assistant City Attorneys Addition of 2.00 Assistant City Attorneys for the Criminal Division.	2.00	\$ 489,904	\$ -
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	406,971	-
Salary and Benefit Adjustments Adjustments to reflect the annualization of the Fiscal Year 2012 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	361,508	-
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	232,236	-

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Significant Budget Adjustments (Cont'd)

	FTE	Expenditures	Revenue
Addition of Deputy City Attorney Addition of 1.00 Deputy City Attorney to provide legal advice to the Chief of Police.	1.00	200,550	-
Non-Standard Hour Personnel Funding Adjustment to expenditures according to a zero-based annual review of non-standard hour personnel funding requirements.	(0.36)	949	-
One-Time Reductions and Annualizations Adjustment to reflect the removal of one-time revenues and expenditures, and the annualization of revenues and expenditures, implemented in Fiscal Year 2012.	0.00	(4,470)	-
Copier Savings Adjustment to reflect savings resulting from the new convenience copier contract.	0.00	(118,200)	-
Revised Revenue Adjustment to reflect Fiscal Year 2013 revenue projections.	0.00	-	(950,994)
Total	2.64	\$ 1,569,448	\$ (950,994)

Expenditures by Category

	FY2011 Actual	FY2012 Budget	FY2013 Adopted	FY2012-2013 Change
PERSONNEL				
Salaries and Wages	\$ 23,050,507	\$ 24,005,259	\$ 24,529,692	\$ 524,433
Fringe Benefits	15,046,912	15,122,065	15,650,543	528,478
PERSONNEL SUBTOTAL	\$ 38,097,419	\$ 39,127,324	\$ 40,180,235	\$ 1,052,911
NON-PERSONNEL				
Supplies	\$ 273,776	\$ 260,260	\$ 301,892	\$ 41,632
Contracts	665,657	873,278	662,619	(210,659)
Information Technology	1,261,238	1,596,910	2,177,021	580,111
Energy and Utilities	37,881	53,382	88,624	35,242
Other	60,416	121,429	191,640	70,211
Transfers Out	5,000	-	-	-
NON-PERSONNEL SUBTOTAL	\$ 2,303,968	\$ 2,905,259	\$ 3,421,796	\$ 516,537
Total	\$ 40,401,387	\$ 42,032,583	\$ 43,602,031	\$ 1,569,448

Revenues by Category

	FY2011 Actual	FY2012 Budget	FY2013 Adopted	FY2012-2013 Change
Charges for Services	\$ 3,326,416	\$ 3,590,686	\$ 2,638,292	\$ (952,394)
Fines Forfeitures and Penalties	218,246	1,650,000	1,650,000	-
Licenses and Permits	5,458	2,000	3,500	1,500
Other Revenue	6,685	100	-	(100)
Property Tax Revenue	(12)	-	-	-
Rev from Other Agencies	359,056	364,377	364,377	-
Total	\$ 3,915,849	\$ 5,607,163	\$ 4,656,169	\$ (950,994)

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Personnel Expenditures

Job Number	Job Title / Wages	FY2011 Budget	FY2012 Budget	FY2013 Adopted	Salary Range	Total
Salaries and Wages						
20000011	Account Clerk	1.00	1.00	1.00	\$31,491 - \$37,918	\$ 34,942
20000012	Administrative Aide 1	2.00	2.00	2.00	36,962 - 44,533	86,291
20001076	Assistant City Attorney	4.00	4.00	6.00	73,008 - 291,595	905,277
20000041	Assistant Management Analyst	1.00	0.00	0.00	44,470 - 54,059	-
20000049	Assistant Management Analyst	0.00	1.00	1.00	44,470 - 54,059	52,708
20000119	Associate Management Analyst	2.00	2.00	2.00	54,059 - 65,333	123,966
20000171	Auto Messenger 1	2.00	2.00	2.00	26,208 - 31,491	62,195
20001070	City Attorney	1.00	1.00	1.00	73,008 - 291,595	193,648
20000610	City Attorney Investigator	20.92	21.00	21.00	58,219 - 70,429	1,370,895
90000610	City Attorney Investigator - Hourly	1.26	1.00	0.46	58,219 - 70,429	26,781
20000539	Clerical Assistant 2	27.50	26.00	23.00	29,931 - 36,067	685,254
90000539	Clerical Assistant 2 - Hourly	0.84	0.00	0.19	29,931 - 36,067	5,687
20001159	Confidential Secretary to the City Attorney	1.00	1.00	1.00	16,827 - 105,518	75,777
20000351	Court Support Clerk 1	15.00	17.00	19.00	31,491 - 37,918	698,580
90000351	Court Support Clerk 1 - Hourly	0.00	0.00	0.20	31,491 - 37,918	6,298
20000353	Court Support Clerk 2	12.00	12.00	13.00	32,968 - 39,811	502,461
20001117	Deputy City Attorney	136.86	135.75	135.75	17,805 - 204,214	13,359,076
90001117	Deputy City Attorney - Hourly	2.46	0.47	0.72	17,805 - 204,214	79,927
20001258	Deputy City Attorney - Unrepresented	4.00	5.00	6.00	17,805 - 204,214	605,329
20001168	Deputy Director	1.00	1.00	1.00	46,966 - 172,744	98,067
20000392	Dispute Resolution Officer	1.00	1.00	1.00	54,059 - 65,333	65,333
20000290	Information Systems Analyst 2	2.00	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	69,607
20000377	Information Systems Technician	2.00	2.00	2.00	42,578 - 51,334	100,102
20001128	Legal Intern	1.00	0.00	0.00	39,000 - 47,424	-
90001128	Legal Intern - Hourly	0.00	0.96	1.00	39,000 - 47,424	39,000
90000335	Legal Secretary 1 - Hourly	0.00	0.06	0.00	36,067 - 43,514	-
20000587	Legal Secretary 2	36.20	35.25	35.25	43,555 - 52,666	1,715,368
90000587	Legal Secretary 2 - Hourly	0.42	0.00	0.00	43,555 - 52,666	-
20000911	Librarian 3	1.00	1.00	1.00	55,266 - 67,101	65,424
20001073	Management Intern	0.37	0.00	0.00	24,274 - 29,203	-
20000614	Paralegal	20.37	20.00	20.00	52,374 - 63,190	1,081,836
90000172	Payroll Specialist 1 - Hourly	0.00	0.40	0.00	33,093 - 39,832	-
20000680	Payroll Specialist 2	2.00	2.00	2.00	34,611 - 41,787	75,907
90000680	Payroll Specialist 2 - Hourly	0.23	0.00	0.00	34,611 - 41,787	-
20001141	Principal Assistant to the City Attorney	1.00	1.00	1.00	26,395 - 160,430	72,264
20000747	Principal City Attorney Investigator	1.00	1.00	1.00	70,221 - 85,051	82,925
20000741	Principal Clerk	1.00	1.00	1.00	43,555 - 52,666	51,349
20000380	Principal Legal Secretary	1.00	1.00	1.00	50,398 - 60,736	59,218

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Personnel Expenditures (Cont'd)

Job Number	Job Title / Wages	FY2011 Budget	FY2012 Budget	FY2013 Adopted	Salary Range	Total
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	177,902
20000783	Public Information Clerk	1.00	1.00	1.00	31,491 - 37,918	-
20000935	Senior City Attorney Investigator	1.00	1.00	1.00	63,794 - 77,314	75,381
20000933	Senior City Attorney Investigator	5.00	5.00	5.00	63,794 - 77,314	291,870
90000933	Senior City Attorney Investigator - Hourly	0.00	0.00	0.14	63,794 - 77,314	8,931
20000927	Senior Clerk/Typist	8.00	8.00	8.00	36,067 - 43,514	343,611
20001144	Senior Legal Intern	1.00	1.00	1.00	47,466 - 57,658	55,928
20000843	Senior Legal Secretary	6.00	6.00	6.00	48,006 - 57,845	330,001
20000015	Senior Management Analyst	1.00	1.00	1.00	59,363 - 71,760	69,966
20000845	Senior Paralegal	5.00	5.00	5.00	57,658 - 69,410	203,445
90001146	Student Intern - Hourly	0.00	0.46	0.28	18,616 - 22,318	5,212
20000970	Supervising Management Analyst	1.00	1.00	1.00	66,768 - 80,891	78,464
20001057	Victim Services Coordinator	4.00	4.00	4.00	36,962 - 44,533	171,415
20000756	Word Processing Operator	5.00	5.00	5.00	31,491 - 37,918	73,940
	Bilingual - Regular					20,384
	Master Library Degree					3,355
	Overtime Budgeted					10,512
	Termination Pay Annual Leave					16,048
Salaries and Wages Subtotal		348.43	343.35	345.99		\$ 24,529,692
Fringe Benefits						
	Employee Offset Savings					\$ 567,664
	Flexible Benefits					2,166,108
	Long-Term Disability					142,619
	Medicare					347,652
	Other Post-Employment Benefits					2,073,637
	Retiree Medical Trust					5,842
	Retirement 401 Plan					24,085
	Retirement ARC					8,269,704
	Retirement DROP					30,712
	Retirement Offset Contribution					34,999
	Risk Management Administration					341,451
	Supplemental Pension Savings Plan					1,150,169
	Unemployment Insurance					72,715
	Workers' Compensation					423,186
Fringe Benefits Subtotal						\$ 15,650,543
Total Personnel Expenditures						\$ 40,180,235