



Department Description

San Diego's City Charter is the "Constitution" of the City– our highest legal authority. Section 40 and 40.1 of the City Charter explains the role of the City Attorney:

The City Attorney shall be the chief legal adviser of and attorney for the City and all Departments and offices thereof in matters relating to their official powers and duties... It shall be the City Attorney's duty, either personally or by such assistants as he or she may designate, to perform all services incident to the legal department; to give advice in writing when so requested, to the Council, its Committees, the Manager, the Commissions, or Directors of any department [and] to prosecute or defend, as the case may be, all suits or cases to which the City may be a party...

The City Attorney shall prosecute persons charged with or guilty of the violations of the state laws occurring within the city limits of the City of San Diego for offenses constituting misdemeanors.

The Office is divided into four divisions that reflect distinct responsibilities under the City Charter: Civil Litigation, Criminal Litigation, Advisory, and Community Justice. The Civil Litigation Division prosecutes or defends lawsuits on behalf of the City. The Criminal Litigation Division prosecutes criminal misdemeanors committed within the city limits. The Advisory Division provides advice to the City and each of its departments. The Community Justice Division prosecutes cases that the community has identified as important to their quality of life.

Civil Litigation Division

The Civil Litigation Division prosecutes or defends civil lawsuits in which the City is a party and is divided into five units.

- The **Civil Prosecution** unit prosecutes cases for monetary recovery for the benefit of the City. In addition, this section also performs revenue and recovery litigation and files unlawful detainers and litigation involving fraud and unfair business practices.
- The **Workers' Compensation** unit handles cases for all City departments and is responsible for litigating personal injuries on the job and protecting the City's efforts in cases involving workers' compensation claims brought against it each year.
- The **Land Use Litigation** unit is responsible for litigating cases that fall under a broad range of land use actions including CEQA, zoning ordinances and general planning documents, building permits, redevelopment, urban planning, new development of land, land use activity, and property challenges such as eminent domain proceedings and inverse condemnation cases.
- The **General Litigation** unit defends and prosecutes a variety of civil cases including Torts, Civil Rights, breach of contract, and all general litigation cases.

City Attorney

- The **Special Litigation** unit is responsible for litigating complex litigation, employment matters, and appeals.

Advisory Division

The Advisory Division provides advice to the City and each of its departments including the City Council and Mayor. The Advisory Division is divided into five units:

- The **Government Affairs & Finance** section handles requests for public records act, conflict of interest codes, Brown Act, and Legislative or Executive Branch issues. In addition, the finance group provides opinions and analysis to all city departments including The Mayor, City Council, Independent Budget Analyst, City Treasurer, Comptroller, City Auditor, and other city departments relating to financing, disclosures, and budget issues.
- The **Real Property and Economic Development** section provides legal advice to City Planning & Community Investments, Economic Development, Redevelopment Agency, and assists in Real Estate Assets, Park and Recreation, Airports, and all operating departments and programs within the City concerning purchases, sales, or lease issues of City-owned property.
- The **Public Works** section reviews agreements to ensure compliance and provides advice to City departments including Water, Environmental Services, Engineering & Capital Projects, Communications, Disability Services, and Purchasing and Contracting.
- The **Public Safety/Hiring and Training** section assists and provides advice to Fire-Rescue, Police, and Emergency Medical Services.
- The **Labor & Employment** unit provides counseling and advice on issues pertaining to labor relations and employment matters.

Criminal Division

The Criminal Division prosecutes criminal misdemeanors and infractions committed within the City limits and is divided into four units:

- The **Case Issuance** unit reviews more than 3,500 cases each month covering a variety of crimes including driving under the influence of alcohol and/or drugs, possession of drugs, battery, vandalism, graffiti, theft, weapons offenses, prostitution, hit-and-run, road rage, and more.
- The **General Trial** unit is responsible for processing, negotiating, and trying all cases to which defendants plead not guilty. Trial deputies handle jury and bench trials, probation revocation hearings, restitution hearings, and cover the trial setting departments on cases from beginning to end.
- The **Appellate** unit is responsible for writs and appeals in both misdemeanor and infraction cases in the San Diego Superior Court Appellate Department, Fourth District Court of Appeal, California Supreme Court, and the federal courts. The work includes writing and arguing motions, writs of mandate, and oppositions to motions to suppress evidence.
- The **Domestic Violence and Special Victims** unit handles misdemeanor cases of domestic violence, child abuse, and elder abuse. Deputy City Attorneys handle all aspects of the cases from the time a report is received and also work directly with the Family Justice Center to ensure victims of domestic violence receive the services they need in order to keep them safe.

Community Justice Division

The Community Justice Division prosecutes cases that the community has identified as important to quality of life. Prosecutors work with the community, police, and other law enforcement agencies to establish and maintain security, fair business dealing, and to promote justice. The Community Justice Division is divided into three units:

- The **Neighborhood Prosecution** unit, in partnership with the San Diego Police Department, other agencies, and the community, works to combat crimes that reduce the quality of life in San Diego neighborhoods including vandalism, graffiti, prostitution, disturbing the peace, alcohol and drug offenses, and illegal lodging.
- The **Consumer and Environmental Protection** unit prosecutes violations of law that arise from consumer transactions or actions that damage the environment.
- The **Code Enforcement** unit enforces land use regulations and brings actions to abate public nuisance violations. The types of violations prosecuted include public nuisance abatements, substandard housing, abandoned and structurally unsafe buildings, illegal dumping or storage, fire hazards, illegal grading, and water theft.

City Attorney

The Office's mission is:

To provide timely, accurate and high quality legal representation to the City of San Diego and the People of the State of California. We will be firm, independent, and professional, stopping illegalities while suggesting solutions

Goal and Objectives

The City Attorney's Office will continue to provide quality legal work in an efficient manner. Our goal is to reduce the effects to the General Fund by 5 percent to 10 percent in Fiscal Year 2010 from Fiscal Year 2009. In part, the Office will accomplish this reduction by doing some of the following:

- Being more proficient with our time and properly charging our recorded hours to the correct Service Level Agreement accounts
- Pursuing additional grant allowances
- Reducing outside counsel cases by handling more cases in-house

The Office reviewed its budget by line item to ensure the efficient use of funds and the commitment to budget conservation while continuing to provide quality legal work.

Department Summary

City Attorney				
	FY 2008 BUDGET	FY 2009 BUDGET	FY 2010 PROPOSED	FY 2009-2010 CHANGE
Positions	338.22	339.22	339.22	0.00
Personnel Expense	\$ 35,324,180	\$ 34,874,991	\$ 35,371,519	\$ 496,528
Non-Personnel Expense	\$ 1,586,994	\$ 1,516,183	\$ 3,239,807	\$ 1,723,624
TOTAL	\$ 36,911,174	\$ 36,391,174	\$ 38,611,326	\$ 2,220,152

Department Staffing

	FY 2008 BUDGET	FY 2009 BUDGET	FY 2010 PROPOSED
GENERAL FUND			
City Attorney			
Appellate	5.00	5.00	0.00
Business and Government	7.25	7.25	0.00
Civil Advisory General Fund	0.00	0.00	22.01
Civil Advisory Non-General Fund	0.00	0.00	21.80
Civil Litigation General Fund	28.00	30.00	28.00
Civil Litigation Non-General Fund	0.00	0.00	5.00
Code Enforcement	5.52	5.00	0.00
Community Justice General Fund	0.00	0.00	15.00
Community Justice Non-General Fund	0.00	0.00	4.00
Consumer & Environ Protection	1.00	0.00	0.00
Consumer and Environ Protection	4.78	5.00	0.00
Criminal General Fund	17.00	20.05	43.05
Criminal Non-General Fund	0.00	0.00	1.00
Dom Violence and Special Victims	9.00	10.00	0.00
Drug Abatement Response Team	2.00	2.00	0.00
Labor & Employment Services	4.00	4.00	0.00
Land Use & Environment	5.33	5.33	0.00
Leadership-Department	7.00	7.00	5.00
Litigation	2.00	0.00	0.00
Neighborhood Prosecution	5.00	5.00	0.00
Public Infrastructure	10.53	10.53	0.00
Public Securities, Finance & Disclosures	3.00	3.00	0.00
Real Property	6.75	6.75	0.00
Redevelopment & Housing	4.00	4.00	0.00
Resource Consv Mgmt	4.00	4.00	0.00
Screening and Arraignment	9.75	8.00	0.00
Support Staff - Crim./Comm. Justice NGF	0.00	0.00	5.00

City Attorney

Department Staffing

	FY 2008 BUDGET	FY 2009 BUDGET	FY 2010 PROPOSED
GENERAL FUND			
City Attorney			
Support Staff Admin	20.45	21.45	18.25
Support Staff Civil/Litigation/Advisory	79.54	78.54	75.54
Support Staff-Criminal/Community Justice	97.32	97.32	95.57
Total	338.22	339.22	339.22

Department Expenditures

	FY 2008 BUDGET	FY 2009 BUDGET	FY 2010 PROPOSED
GENERAL FUND			
City Attorney			
Appellate	\$ 665,316	\$ 685,987	\$ -
Business and Government	\$ 1,094,020	\$ 994,679	\$ -
City Attorney	\$ 119,565	\$ (1,390,499)	\$ (817,354)
Civil Advisory General Fund	\$ -	\$ -	\$ 3,111,506
Civil Advisory Non-General Fund	\$ -	\$ -	\$ 2,987,266
Civil Litigation General Fund	\$ 3,739,590	\$ 4,134,740	\$ 3,911,619
Civil Litigation Non-General Fund	\$ -	\$ -	\$ 685,153
Code Enforcement	\$ 698,056	\$ 685,986	\$ -
Community Justice General Fund	\$ -	\$ -	\$ 2,098,174
Community Justice Non-General Fund	\$ -	\$ -	\$ 548,121
Consumer & Environ Protection	\$ 132,928	\$ -	\$ -
Consumer and Environ Protection	\$ 630,071	\$ 685,987	\$ -
Criminal General Fund	\$ 2,172,221	\$ 2,750,797	\$ 6,004,292
Criminal Non-General Fund	\$ -	\$ -	\$ 137,030
Dom Violence and Special Victims	\$ 1,159,126	\$ 1,371,971	\$ -
Drug Abatement Response Team	\$ 252,055	\$ 274,395	\$ -
Information Systems	\$ -	\$ -	\$ 45,013
Labor & Employment Services	\$ 533,208	\$ 548,786	\$ -
Land Use & Environment	\$ 710,501	\$ 731,258	\$ -
Leadership-Department	\$ 1,575,594	\$ 1,597,506	\$ 1,108,545
Litigation	\$ 266,603	\$ -	\$ -
Neighborhood Prosecution	\$ 638,313	\$ 685,987	\$ -
Public Infrastructure	\$ 1,391,807	\$ 1,444,682	\$ -
Public Securities, Finance & Disclosures	\$ 399,905	\$ 411,591	\$ -
Real Property	\$ 898,478	\$ 929,977	\$ 3,584
Redevelopment & Housing	\$ 529,406	\$ 548,786	\$ -
Resource Consv Mgmt	\$ 533,209	\$ 548,787	\$ -
Screening and Arraignment	\$ 1,288,921	\$ 1,097,576	\$ -
Support Staff - Crim./Comm. Justice NGF	\$ -	\$ -	\$ 460,959

Department Expenditures

	FY 2008 BUDGET		FY 2009 BUDGET		FY 2010 PROPOSED
GENERAL FUND					
City Attorney					
Support Staff Admin	\$ 3,636,562	\$	2,662,309	\$	2,336,834
Support Staff Civil/Litigation/Advisory	\$ 6,894,903	\$	7,448,141	\$	7,546,114
Support Staff-Criminal/Community Justice	\$ 6,950,816	\$	7,541,745	\$	8,444,470
Total	\$ 36,911,174	\$	36,391,174	\$	38,611,326

Significant Budget Adjustments

GENERAL FUND

City Attorney	Positions		Cost	Revenue
Salary and Benefit Adjustments	0.00	\$	1,313,882	0
Adjustments to reflect the annualization of the Fiscal Year 2009 negotiated salary compensation schedule, changes to average salaries, retirement contributions, retiree health contributions, and fringe adjustments.				
Equipment/Support for Information Technology	0.00	\$	1,723,975	0
Funding allocated according to a zero-based annual review of information technology funding requirements and priority analyses.				
Funding of Terminal Leave	0.00	\$	32,282	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.				
Revised Revenue	0.00	\$	0	1,107,027
Adjustment to reflect Fiscal Year 2010 revenue projections.				
Non-Discretionary Adjustment	0.00	\$	(351)	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.				
Vacancy Savings	0.00	\$	(849,636)	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 attrition and salary differentials for new employees.				

City Attorney

Expenditures by Category

	FY 2008 BUDGET	FY 2009 BUDGET	FY 2010 PROPOSED
PERSONNEL			
Salaries & Wages	\$ 22,999,174	22,861,762	23,494,254
Fringe Benefits	\$ 12,325,006	12,013,229	11,877,265
SUBTOTAL PERSONNEL	35,324,180	34,874,991	35,371,519
NON-PERSONNEL			
Supplies & Services	\$ 1,363,544	1,352,284	1,346,776
Information Technology	\$ 107,217	35,291	1,631,250
Energy/Utilities	\$ 34,315	46,690	173,863
Equipment Outlay	\$ 81,918	81,918	87,918
SUBTOTAL NON-PERSONNEL	1,586,994	1,516,183	3,239,807
TOTAL	36,911,174	36,391,174	38,611,326

Revenues by Category

	FY 2008 BUDGET	FY 2009 BUDGET	FY 2010 PROPOSED
GENERAL FUND			
Licenses and Permits	\$ 2,000	\$ 2,000	\$ 2,000
Fines, Forfeitures, and Penalties	\$ 1,650,000	\$ 1,650,000	\$ 1,650,000
Charges for Current Services	\$ 4,511,262	\$ 3,215,000	\$ 4,317,864
Transfers from Other Funds	\$ -	\$ 134,558	\$ 138,721
TOTAL	\$ 6,163,262	\$ 5,001,558	\$ 6,108,585

Salary Schedule

GENERAL FUND

City Attorney

<i>Class</i>	<i>Position Title</i>	<i>FY 2009 Positions</i>	<i>FY 2010 Positions</i>	<i>Salary</i>	<i>Total</i>
1104	Account Clerk	1.00	1.00	\$ 37,814	\$ 37,814
1105	Administrative Aide I	2.00	2.00	\$ 43,549	\$ 87,098
1106	Sr Management Analyst	1.00	1.00	\$ 71,273	\$ 71,273
1132	Asst Management Analyst	1.00	1.00	\$ 51,814	\$ 51,814
1147	Principal Paralegal	1.00	1.00	\$ 76,201	\$ 76,201
1218	Assoc Management Analyst	2.00	2.00	\$ 63,596	\$ 127,191
1236	Auto Messenger	2.00	2.00	\$ 31,137	\$ 62,274
1348	Info Systems Analyst II	2.00	2.00	\$ 63,271	\$ 126,541
1349	Info Systems Analyst III	1.00	1.00	\$ 71,601	\$ 71,601
1386	Court Support Clerk I	14.00	15.00	\$ 38,051	\$ 570,765
1388	Court Support Clerk II	12.00	12.00	\$ 39,741	\$ 476,886
1401	Info Systems Technician	2.00	2.00	\$ 49,208	\$ 98,416
1404	Principal Legal Secretary	1.00	1.00	\$ 60,743	\$ 60,743

City Attorney

Salary Schedule

GENERAL FUND

City Attorney

<i>Class</i>	<i>Position Title</i>	<i>FY 2009 Positions</i>	<i>FY 2010 Positions</i>	<i>Salary</i>	<i>Total</i>
1415	Dispute Resolution Officer	1.00	1.00	\$ 65,036	\$ 65,036
1535	Clerical Assistant II	27.50	27.50	\$ 35,402	\$ 973,545
1577	Legal Secretary	36.20	36.20	\$ 52,081	\$ 1,885,318
1596	City Attorney Investigator	20.92	20.92	\$ 69,940	\$ 1,463,139
1598	Paralegal	20.37	20.37	\$ 62,374	\$ 1,270,558
1615	Org Effectiveness Supv	1.00	0.00	\$ -	\$ -
1648	Payroll Specialist II	2.00	2.00	\$ 41,507	\$ 83,013
1726	Principal Clerk	1.00	1.00	\$ 50,246	\$ 50,246
1728	Principal Atty Investigator	1.00	1.00	\$ 85,051	\$ 85,051
1746	Word Processing Operator	6.00	5.00	\$ 37,643	\$ 188,217
1776	Public Information Clerk	1.00	1.00	\$ 37,436	\$ 37,436
1820	Sr Legal Secretary	6.00	6.00	\$ 57,845	\$ 347,069
1822	Senior Paralegal	5.00	5.00	\$ 69,333	\$ 346,667
1867	Librarian III	1.00	1.00	\$ 66,507	\$ 66,507
1879	Sr Clerk/Typist	8.00	8.00	\$ 43,115	\$ 344,918
1885	Sr Attorney Investigator	6.00	6.00	\$ 76,634	\$ 459,806
1917	Supv Management Analyst	0.00	1.00	\$ 80,297	\$ 80,297
1983	Victim Services Coordinator	4.00	4.00	\$ 43,949	\$ 175,795
2001	City Attorney	1.00	1.00	\$ 193,648	\$ 193,648
2103	Management Intern	0.37	0.37	\$ 25,911	\$ 9,587
2106	Asst City Attorney	6.00	6.00	\$ 160,852	\$ 965,113
2151	Deputy City Attorney	135.86	135.86	\$ 94,000	\$ 12,770,859
2166	Legal Intern	1.00	1.00	\$ 37,502	\$ 37,502
2182	Principal Asst to City Atty	1.00	1.00	\$ 109,344	\$ 109,344
2185	Senior Legal Intern	1.00	1.00	\$ 55,432	\$ 55,432
2205	Conf Secretary To City Atty	1.00	1.00	\$ 89,748	\$ 89,748
2214	Deputy Director	1.00	1.00	\$ 98,488	\$ 98,488
2270	Program Manager	1.00	1.00	\$ 104,358	\$ 104,358
	Vacancy Factor Adjustment	0.00	0.00	\$ -	\$ (849,636)
	Overtime Budgeted	0.00	0.00	\$ -	\$ 13,064
	Temporary Help	0.00	0.00	\$ -	\$ 23,230
	Termination Pay Annual Leave	0.00	0.00	\$ -	\$ 32,282
	Total	339.22	339.22	\$	\$ 23,494,254
	CITY ATTORNEY TOTAL	339.22	339.22	\$	\$ 23,494,254

