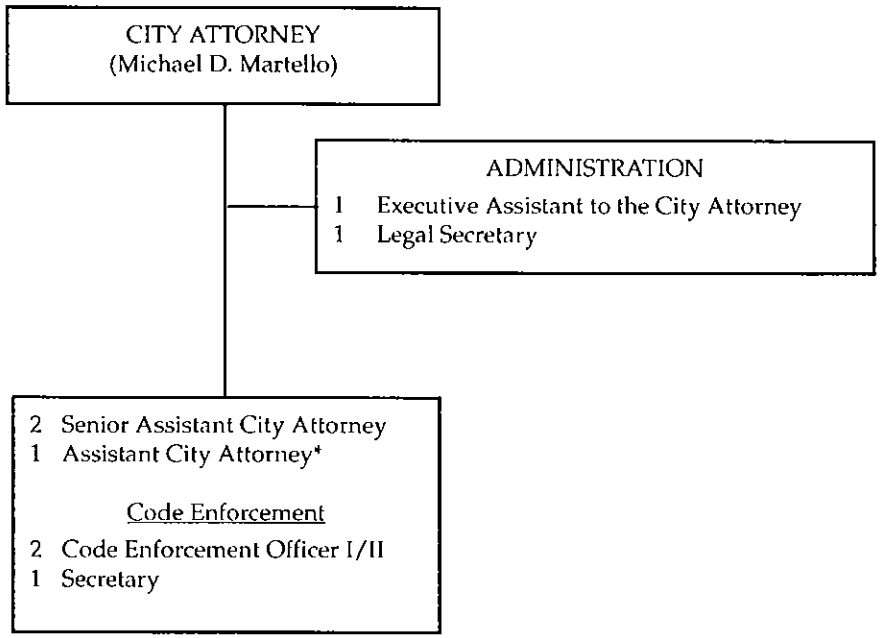
CITY ATTORNEY'S OFFICE

The City Attorney is appointed by the City Council as the Attorney for the City and legal advisor to the City Council. The City Attorney hires subordinate attorneys to assist in the discharge of assigned responsibilities. The City Attorney's Office defends and prosecutes or retains counsel to defend and prosecute all civil actions and proceedings to which the City is a party and prosecutes all criminal actions involving the City Code. The Office represents and advises the City Council, boards, commissions, departments and all City officials in matters of law related to the conduct of City business.

The City Attorney's Office drafts necessary legal documents, ordinances, resolutions, contracts, other documents pertaining to the City's business and handles claims against the City. The Office is also responsible for providing legal services in connection with the Shoreline Regional Park (North Bayshore) Community, Downtown Parking District and Downtown Revitalization Authority.

The Code Enforcement Section is under the direct supervision of the Senior Assistant City Attorney. The Code Enforcement Section is responsible for enforcing the City Code provisions relating to zoning, neighborhood preservation and vehicles on private property.

CITY ATTORNEY'S OFFICE



FISCAL YEAR 2002-03 POSITION TOTALS: 9.0 Full-Time

*Unfunded .33 Assistant City Attorney position for Fiscal Year 2002-03.

CITY ATTORNEY'S OFFICE
DEPARTMENT SUMMARY

DEPARTMENT MANAGER–CITY ATTORNEY

DEPARTMENT MISSION STATEMENT

To provide legal services and counsel to the City Council, boards and commissions; and participate as a member of the management team in support of City departments.

DEPARTMENT FUNCTIONS

- Prosecute and defend legal proceedings involving the City. (M 1, 2, 3)
- Represent and advise City officials and City staff in legal matters.
- Draft and/or review ordinances, resolutions, contracts and other legal documents. (M 4, 5, 6)
- Coordinate and monitor outside legal service providers retained to represent the City in its ongoing operations. (M 1, 2)
- Supervise and administer the Code Enforcement Division, including prosecution of City Code violations. (M 7)

MAJOR DEPARTMENTAL GOALS/STRATEGIES FOR FISCAL YEAR 2002-03

- Draft and implement Administrative Remedies Ordinance.
- Revise Heritage Tree Ordinance.
- Assist Community Development Department in continuing to update zoning provisions of the Mountain View City Code.
- Continue to assist in implementation of BMR in-lieu fee program for affordable housing.
- Coordinate and support Community Development Department's development of City property at the Charleston East Site.
- Continue periodic revisions of the Mountain View City Code relating to code enforcement and zoning and development of enforcement strategies.
- Prepare DDA, ground lease and additional transactional documents for planned efficiency studio development.
- Revise and finalize documents for CSMA.
- Prepare agreements for Graham Reservoir project.
- Implement EGTRRA for City's Deferred Compensation Plan.
- Finalize documents and implement retiree's medical and dental reimbursement plan (Firefighters).

- Finalize agreement with Los Altos Elementary School District for Springer School playing field improvements.
- Follow and support measure providing immunity for neighborhood emergency preparedness or relief activity through the State Legislature.
- Finalize agreements for 369 Whisman Road, 495 Whisman Road and 464 Ellis Street (Keenan-Lovewell Development) regarding T.O.D. development.

MAJOR DEPARTMENT CHANGES

- General Operating Fund:

Temporarily Unfund One-Third of an Assistant City Attorney Position. ($42,400)

Temporarily reduces budget for one-third of an Assistant City Attorney position. *Affects case load capacity and may affect timeliness of service.*

Miscellaneous Reductions ($18,000)

Reduces attorney's books and travel budget, reduces code enforcement travel budget and reduces code enforcement emergency abatement budget. *No significant impact anticipated.*

Code Enforcement Professional Services ($12,000)

Reduces budget available for code enforcement prosecutions. *Potential significant impact on code enforcement prosecutions.*

PERFORMANCE/WORKLOAD MEASURES

	2000-01 Target	2000-01 Actual	2001-02 Target	2001-02 Actual	2002-03 Target
City Attorney's Office:					
1. Total cost of legal services, in-house and outside counsel, as a percent of General Fund budget	<2%	0.69%	<2%	0.38%	<2%
2. Total cost of project-related legal services or specialty services (i.e., Revitalization) as a percent of individual budget	<0.5%	0.26%	<0.5%	0%	<0.5%

	2000-01 Target	2000-01 Actual	2001-02 Target	2001-02 Actual	2002-03 Target
3. Percent of claims entered into the claim reporting system, reported to ACCEL and directed to appropriate departments for response within 5 working days of receipt of the claim.[A]		New for FY 2001-02	>90%	92%	>90%
4. Percent of routine contracts reviewed within 10 working days	>85%	97%	>85%	97%	>85%
5. Percent of complex contracts reviewed within 20 working days	>80%	90%	>80%	96%	>80%
6. Percent of CC&Rs reviewed within 30 working days	>85%	85%	>85%	85%	>85%
7. Percent of code enforcement cases responded to within 5 working days of receipt of complaint or observation of violation.				New for FY 2002-03	>95%

[A] For Fiscal Year 2002-03, reporting time changed from 72 hours to 5 working days.

CSE/BUD
LHP-013-01^

CITY ATTORNEY'S OFFICE
DEPARTMENT SUMMARY

POSITIONS	2000-01 ADJUSTED	2001-02 ADOPTED	2002-03 ADOPTED	
City Attorney	1	1	1	
Sr Assist City Attorney	2	2	2	
Assistant City Attorney	1	1	1	*
Code Enforcement Officer I/II	2	2	2	
Exec Asst to the City Attorney	1	1	1	
Legal Secretary	1	1	1	
Secretary	1	1	1	
Total Permanent	9	9	9	
Total Part-Time Hourly	0	0	0	
TOTAL POSITIONS	9	9	9	

* Unfunded .33 Assistant City Attorney position for Fiscal Year 2002-03.

EXPENDITURE SUMMARY		2000-01 ACTUAL	2001-02 ADOPTED	2002-03 ADOPTED
Salaries Wages and Benefits	$	973,277	1,031,911	1,067,267
Supplies and Other Services		102,919	137,950	107,950
Capital Outlay		0	8,600	0
Interfund Expenditures		2,385	5,000	4,200
TOTAL EXPENDITURES	$	1,078,581	1,183,461	1,179,417

FUNDING SOURCES		2000-01 ACTUAL	2001-02 ADOPTED	2002-03 ADOPTED
General Operating Fund	$	1,076,936	1,173,461	1,169,417
Shoreline Regional Park Community		0	10,000	10,000
Liability Self-Insurance		1,645	0	0
TOTAL FUNDING	$	1,078,581	1,183,461	1,179,417

REVENUE SUMMARY		2000-01 ACTUAL	2001-02 ADOPTED	2002-03 ADOPTED
General Service Charge	$	0	0	15,000
Miscellaneous Revenue		1,365	0	5,000
Interfund Revenue Transfers		71,000	0	0
TOTAL REVENUES	$	72,365	0	20,000

CITY ATTORNEY'S OFFICE
DEPARTMENT SUMMARY

DETAILED EXPENDITURES

PERSONNEL		2000-01 ACTUAL	2001-02 ADOPTED	2002-03 ADOPTED
Salaries	$	760,383	886,849	909,451
Wages		85,223	0	0
Benefits		127,671	145,062	157,816
	$	973,277	1,031,911	1,067,267

SUPPLIES AND SERVICES		2000-01 ACTUAL	2001-02 ADOPTED	2002-03 ADOPTED
Materials and Supplies	$	40,280	36,000	31,000 *3
Maintenance and Operations		160	200	200
Utilities		1,777	5,850	5,850
Professional/Technical Srvcs		42,662	67,400 *1	55,400 *4
Other Expenses		18,040	28,500 *2	15,500 *5
	$	102,919	137,950	107,950

*1 Includes increased funding of $15,000 to contract for a Code Enforcement prosecutions Attorney.

*2 Includes funding of $5,000 for Code Enforcement emergency abatements.

*3 Includes reduced funding of $5,000 for attorney's books.

*4 Includes reduced funding of $12,000 for Code Enforcement professional services.

*5 Includes reduced funding of $13,000 for miscellaneous items such as travel and Code Enforcement emergency abatement funds.