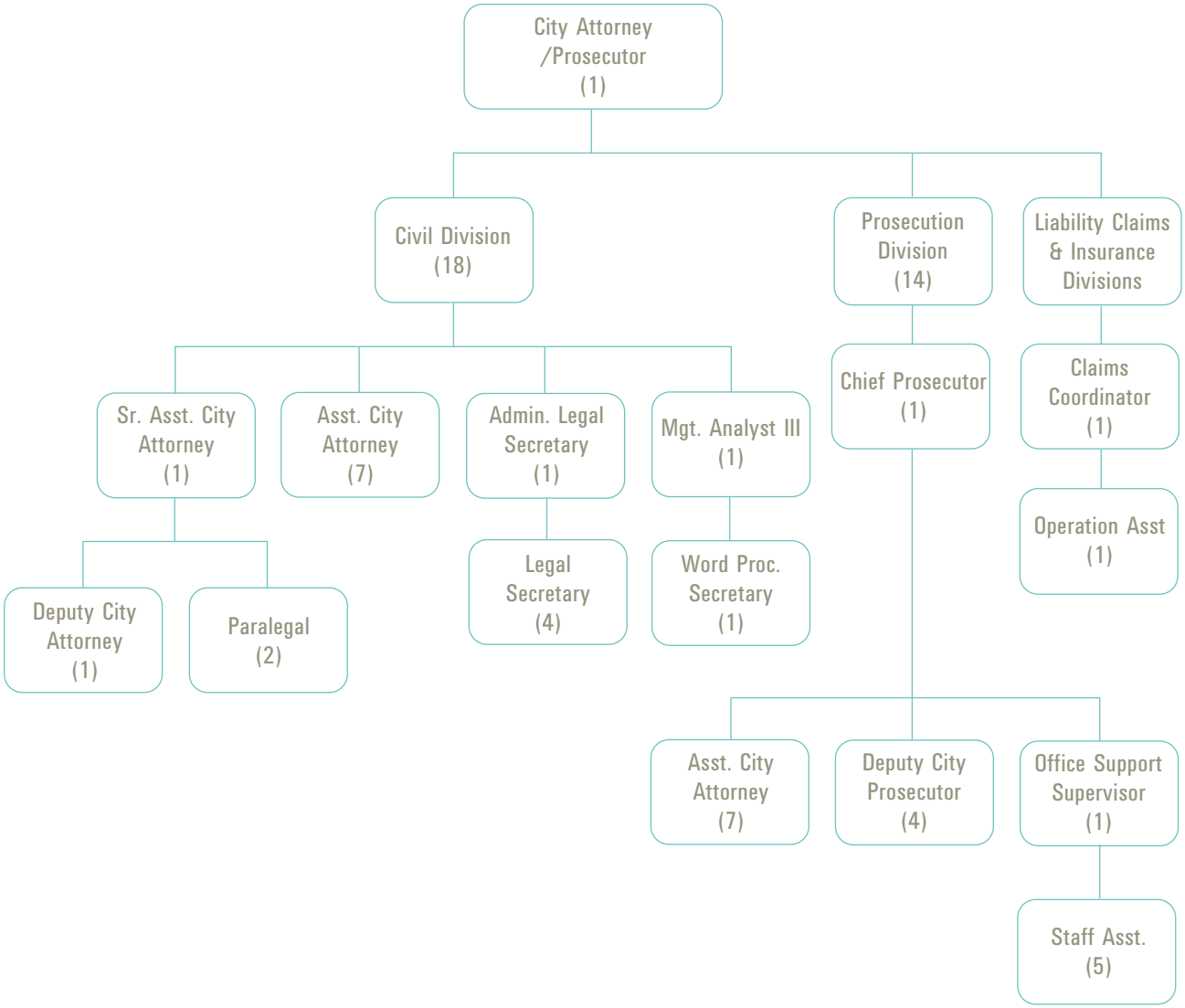
CITY ATTORNEY/CITY PROSECUTOR

ADOPTED OPERATING
BUDGET FISCAL YEAR

2009

CITY OF PASADENA
CITY ATTORNEY/CITY PROSECUTOR



DEPARTMENT SUMMARY
CITY ATTORNEY/CITY PROSECUTOR

Mission Statement

The mission of the City Attorney/City Prosecutor's Department is to represent the City of Pasadena with the utmost professionalism and provide the highest quality legal service. The offices work to arrive at creative solutions, which effectively address issues affecting residents and businesses in the City and assure that the public interest is well served in the areas of civil representation and criminal prosecution.

Program Description

Provide legal support to the City Council and City departments and represent and advise the City in all civil matters. Prosecute misdemeanor offenses and infractions that arise out of violation of State or City laws. Coordinate with City departments, other governmental agencies and community organizations on programs and activities that inform the public, enhance crime prevention and neighborhood improvement. Manage the City's risks with respect to liability and insurance to assure appropriate risk management techniques and adequate insurance coverage.

Departmental Relationship to City Council Goals

See description in Division discussion.

Major Accomplishments

The City's lawyers have successfully handled large caseloads in both civil and criminal courts and effectively worked with and advised other City departments, providing extensive citywide training. They have also been very active in enhancing the City by effectively pursuing code enforcement violations and eliminating nuisances. The Department has stayed within budget while handling a very heavy and challenging workload internally. The City's liabilities claims were effectively handled within the reserved amounts and steps taken to reduce City liability in various areas.

Summary of Appropriations and Revenues	FY 2006 Actual	FY 2007 Actual	FY 2008 Adopted	FY 2008 Revised	FY 2009 Adopted
FTEs	31.250	34.000	35.000	35.000	35.000
Appropriations	5,061,246	5,871,918	6,475,392	6,475,392	6,861,948
Sources By Fund:					
General Fund	4,723,740	5.309,642	5,885,376	5,885,376	6,256,105
Light and Power Fund	91,266	94,918	97,765	97,765	101,187
Services to PCDC	140,410	146,027	150,408	150,408	155,673
Water Fund	49,146	51,110	52,643	52,643	54,486
Services to RBOC	56,684	58,951	60,720	60,720	62,845
Liability Insurance	0	211,270	228,480	228,480	231,652
Total Sources	5,061,246	5,871,918	6,475,392	6,475,392	6,861,948

Departmental Results Statements	Actual	FY 2007 Target	% Target	FY 2008 Target	FY 2009 Target
RESULT 1: PROVIDE HIGH QUALITY, RESPONSIVE AND TIMELY LEGAL ADVICE.					
Measure 1.1 Provision of responsive and timely legal advice.					
A. Meet or exceed all statutory and other legal deadlines	100%	100%	100%	100%	N/A
B. Respond within the agreed upon time to requests from City Council, departments, boards and commissions	100%	100%	100%	100%	N/A
RESULT 2: ENSURE THAT THE CITY COMPLIES WITH ALL LAWS.					
Measure 2.1 Effective training to City officials, employees, commissions, and boards					
A. Provide training or educational sessions to City officials, etc. 6 times per year	22	6	100%	6	N/A
B. Provide in-house training seminars for the City's lawyers 6 times per year	7	6	100%	6	N/A
RESULT 3: A SAFE COMMUNITY FOR THOSE WHO LIVE, WORK AND PLAY IN PASADENA.					
Measure 3.1 Disposition of all non-code enforcement misdemeanor offenses					
A. Reach disposition of 85% of all non-code enforcement misdemeanor offenses within 120 days of court filing	78%	85%	92%	85%	N/A
Measure 3.2 File or abate 100% of Code Enforcement cases referred					
A. File or abate 100% of Code Enforcement cases referred	100%	100%	100%	100%	N/A

Departmental Results Statements	Actual	FY 2007 Target	% Target	FY 2008 Target	FY 2009 Target
RESULT 1: PROTECT AND ENHANCE NEIGHBORHOOD VITALITY AND LIVABILITY.					
Measure 1.1 Engage the community to improve neighborhoods and combat crime					
A. The Community Prosecutor or other prosecution staff will attend at least four community meetings per quarter		New measure beginning in fiscal year 2009			16
RESULT 2: A SAFE COMMUNITY FOR THOSE WHO LIVE, WORK AND PLAY IN PASADENA.					
Measure 2.1 Respond timely and effectively to Code Enforcement cases referred					
A. City Attorney staff will review and file, refer to the Safe Neighborhoods program, or reject Code Enforcement matters within 30 days of receipt or referral.		New measure beginning in fiscal year 2009			100%
RESULT 3: ENSURE THAT THE CITY COMPLIES WITH ALL LAWS.					
Measure 3.1 Effective training to City officials, employees, commissions, and boards					
A. Train other City departments or outside law enforcement agencies at least six times per year		New measure beginning in fiscal year 2009			6
RESULT 4: MEANINGFUL AND TIMELY INFORMATION IS PROVIDED TO SUPPORT CRIME PREVENTION.					
Measure 4.1 Prepare timely reports of crime indicators					
A. Report quarterly statistics on: domestic violence, theft, driving under the influence and code enforcement matters as an indicator of crime in the City		New measure beginning in fiscal year 2009			100%

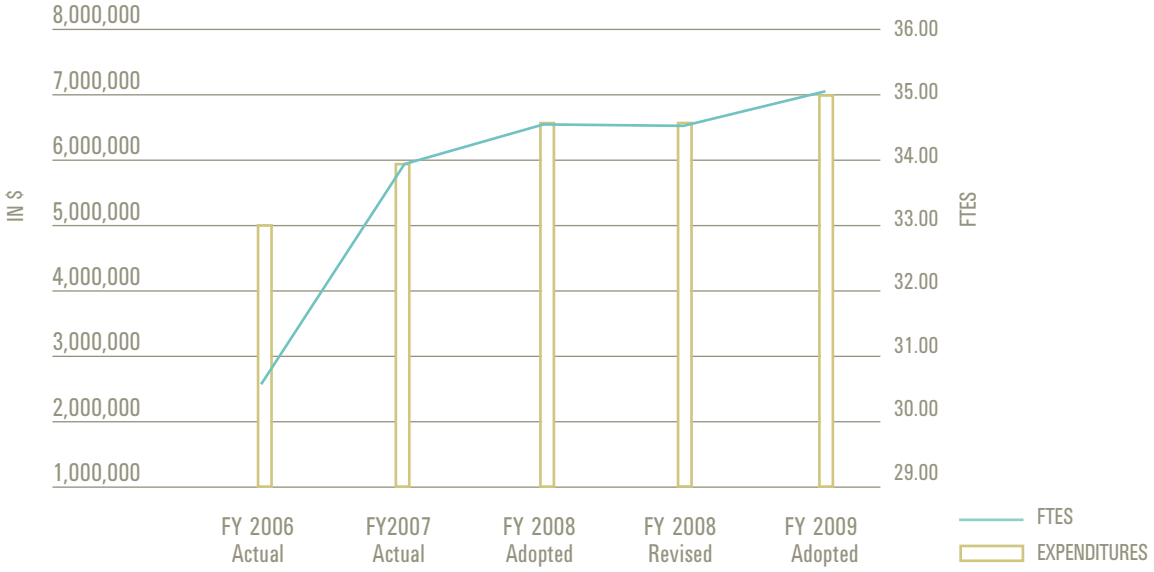
Changes From Prior Year

- Cost Changes: The personnel category increased by $340,718. This includes funding for approved salary, benefit and burden increases. Internal Services increase of $45,838 is primarily related to annual rate adjustments.

Future Outlook

The Department will be very aggressive in providing appropriate representation, both civilly and criminally, to achieve desired results in the best interests of City departments, residents and businesses.

City Attorney/City Prosecutor
Budget and Position Control



DIVISION SUMMARY
CITY ATTORNEY - CIVIL DIVISION

Mission Statement

To provide the City, including the City Council and City departments with excellent legal representation in all transactional and civil litigation, and other proceedings in a cost-effective manner. The Division strives to arrive at creative solutions to appropriately address issues affecting residents and businesses in the City.

Program Description

The City Attorney's Office provides legal support to the City Council and all City departments; prepares all legal documents, contracts, opinions, ordinances, resolutions; conducts legal research and represents the City in court in civil litigation matters.

Departmental Relationship to City Council Goals

- Operate an Effective and Cost Efficient Government
  The City Attorney's Office provides necessary legal advice to assist departments in achieving goals established by the City Council. In doing so most matters are handled by in-house lawyers and efforts are made to keep costs down.

Major Accomplishments

The City Attorney's Office has maintained control of outside legal expenditures handling and managing an average of approximately 100 pending lawsuits at any time, by using outside legal counsel more efficiently. The Office has been very successful, with in-house lawyers, representing the City in the large number of lawsuits. As part of its mission, the Office provided legal advice to City departments, commissions and committees on business and litigation matters. The Office significantly increased the training provided to City staff and City boards and commissions to assist in reducing City liability in a number of areas. The Office also provided legal support for major additional projects such as those related to energy, telecommunications and land use issues. The Office has been very involved in major land use projects and critical code enforcement actions, and has drafted major ordinances adopted by the City Council. The Office continued to advise other City agencies, such as the Rose Bowl Operating Company and the Pasadena Center Operating Company, on major issues affecting those entities.

Summary of Appropriations and Revenues	FY 2006 Actual	FY 2007 Actual	FY 2008 Adopted	FY 2008 Revised	FY 2009 Adopted
FTEs	18.000	18.000	19.000	19.000	19.000
Appropriations	3,285,686	3,753,667	4,154,566	4,154,566	4,422,540
Sources By Fund:					
General Fund	2,948,180	3,402,661	3,793,030	3,793,030	4,048,349
Light and Power Fund	91,266	94,918	97,765	97,765	101,187
Services to PCDC	140,410	146,027	150,408	150,408	155,673
Water Fund	49,146	51,110	52,643	52,643	54,486
Services to RBOC	56,684	58,951	60,720	60,720	62,845
Total Sources	3,285,686	3,753,667	4,154,566	4,154,566	4,422,540

Changes From Prior Year

- Cost Changes: The change from the fiscal year 2008 revised budget is primarily due to higher personnel costs related to approved and anticipated salary and benefit increases.

Future Outlook

The City Attorney's Office – Civil Division will continue to provide the City of Pasadena with excellent legal representation in the most cost effective manner. Lawyers will continue to provide training to those within the City to inform them of applicable laws and to encourage compliance with those laws. Also, outside legal expenditures and services will continue to be closely monitored and evaluated in an effort to control costs and ensure continued provision of the highest quality legal services. The organizational structure of the office will be analyzed and modified as appropriate to ensure maximum effectiveness in operations. The City Attorney's Office will enhance involvement in community activities.

DIVISION SUMMARY
CITY ATTORNEY - PROSECUTION DIVISION

Mission Statement

To enforce the laws of the State of California and the Pasadena Municipal Code as mandated by the City Charter through the prosecution of misdemeanor criminal offenses and to promote safety, crime prevention and education in the city.

Program Description

The City Prosecutor's Office prosecutes adult misdemeanants who commit violations of State or City law within the City. The office handles infractions, misdemeanors and any resulting appeals. The "Safe Neighborhoods Pasadena" program engages in crime evaluation and prevention through its partnerships with local agencies and City departments including the inspection and abatement of substandard properties and nuisance locations throughout the City.

Departmental Relationship to City Council Goals:

- Assure A Safe and Secure Community

  The Office works with local law enforcement agencies, the City's code enforcement division, and health, fire, and other departments to address criminal and nuisance activity, substandard properties and quality of life crimes.

- Protect and Enhance Neighborhood Vitality and Livability

  Prosecutors engage the community in activism to improve their neighborhoods identify nascent criminal activity and learn ways to combat crime and avoid victimization.

Major Accomplishments

Nearly 6,000 matters were referred to the City Prosecutor's Division for filing review in calendar year 2007. Ninety-one percent of those matters were filed as prosecutions at the Superior Court. Eighty-three percent resulted in conviction with another eight percent resolving through the Defendant's completion of a rehabilitation process. The office installed a new prosecution software system as an adjunct to the new records management system being acquired by the police department. Beginning in early fiscal year 2009 the link will afford a greater exchange of information between the two departments.

The "Safe Neighborhoods Pasadena" reviewed and monitored more than sixty locations throughout the city, twenty in the Community Action Program (CAP) addressing nuisance locations and the remainder in the Neighborhood Enhancement Program dealing with problem property owners. The CAP consortium of city and outside agencies worked with neighbors, Pasadena Police, Los Angeles Sheriff's Department, and state licensing agencies to address chronic nuisance and criminal activities at a licensed group home for teens. A resulting audit imposed new rules for the agency and a relocation of the offenders. Among other accomplishments, the CRASH (City Resources Against Substandard Housing) team closed down a rental location where thirty-one residents were living in crowded conditions and engaging in narcotics activities.

Summary of Appropriations and Revenues	FY 2006 Actual	FY 2007 Actual	FY 2008 Adopted	FY 2008 Revised	FY 2009 Adopted
FTEs	13.250	14.000	14.000	14.000	14.000
Appropriations	1,775,560	1,906,981	2,092,346	2,092,346	2,207,756
Source					
General Fund	1,775,560	1,906,981	2,092,346	2,092,346	2,207,756

Changes From Prior Year

- Cost Changes: The change from the fiscal year 2008 revised budget is primarily due to higher personnel costs related to approved salary and benefit increases. The Personnel budget increased $101,080. The Internal Services charges increase of $14,330 is primarily related to annual rate adjustments.

Future Outlook

Fiscal Year 2009 will bring a refurbishment of the Department website reflecting our commitment to neighborhood safety and the successful amelioration of nuisance properties throughout the city. The software implemented by the Police Department should go live and link neatly with information on the Prosecutor's system. The Safe Neighborhoods Pasadena Program will continue to work with city staff and agencies to bring substandard properties up to code and decrease nuisance activity throughout the city.

DIVISION SUMMARY
LIABILITY CLAIMS AND INSURANCE

Mission Statement

To manage liability claims for damages filed against the City, manage the City's insurance portfolio and to advise on the management and limitation or risks.

Program Description

This program is responsible for: 1) identification and measurement of risks of accidental loss, and, 2) recommendation of appropriate Risk Management Techniques to mitigate, avoid, transfer or accept risk of damage caused by accidents. This Division coordinates the transfer of risk to others by: 1) the purchase of property insurance on corporate assets, 2) purchase of policies of insurance for specific, separately funded enterprise liabilities, 3) purchase of crime insurance, and 4) coordinating risk management/insurance requirements for persons dealing with the City, such as vendors, permittees, licensees, and contractors. This Division coordinates risk retention by administering the City's self-insured liability claims program, including pre-litigation claims processing.

Major Accomplishments

The Liability Claims and Insurance Division continued to maintain a database of claims settlements, expense payments, and outstanding reserves on claims by third parties against the City, the investigation of claims and incidents in the pre-litigation stage. Crucial assistance was provided to the City Attorney in preparation of the City's defense on litigated cases. Marketing of the City's insurance programs through municipal purchasing groups was effectively handled to obtain premium savings. The Division coordinated liability investigation and evaluation with City Departments and successfully represented the City in small claim actions.

Summary of Appropriations and Revenues	FY 2006 Actual	FY 2007 Actual	FY 2008 Adopted	FY 2008 Revised	FY 2009 Adopted
FTEs	0	2.000	2.000	2.000	2.000
Appropriations	0	211,270	228,480	228,480	231,652
GL Payments (Memo)*	0	0	3,000,000	3,000,000	3,000,000
Sources by Fund					
General Liability Fund	0	211,270	228,480	228,480	231,652
General Liability (Memo)*	0	0	3,000,000	3,000,000	3,000,000
Total Sources	0	211,270	222,041	222,041	228,480

* For information only, the amount is not included in the total.

Changes From Prior Year

- Cost Changes: The change from the fiscal year 2008 Revised Budget is primarily due to the approved and anticipated salary and benefit increases and cost adjustments in various internal service charges.

Future Outlook

The insurance market conditions are continuing to deteriorate and the City will continue to handle risk through self-insurance until market conditions improve. Premiums remain high and coverage tends to be less than in past years and property premiums are expected to increase. The Liability Claims and Insurance Division will continue to advise departments on risk transfer mechanisms by reviewing contract terms, providing assistance in the enforcement of insurance of requirements, and recommending risk reduction techniques on the City's retained risk. Data will continue to be shared so departments can decide where the greatest effort toward risk reduction should be made. The number of liability claims against cities seems to be increasing. The cost of vehicle repair has significantly increased, as has the cost of medical care, both of which will work to increase the value of damages against the City. Liability claims will continue to be paid when liability for claimed damages is clearly adverse, and claims will continue to be resisted where liability for claimed damages does not clearly exist.