

# City Attorney's Office

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Presentation - Strategic Budget  
Priorities Process (SBPP) Group

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# What services does the City Attorney's Office provide?

## Criminal Division

- prosecutes misdemeanors committed within the City
- common offenses include domestic violence, DUI, property crimes and traffic offenses
- handles cases before the busiest municipal court in the State of Nevada
- provides notification and assistance to victims of crime through the victim-witness advocate program



# What services does the City Attorney's Office provide?

## Civil Division

- **Labor and Employment** – defend labor and employment related claims, lawsuits and grievances, provide general advice regarding proposed employment actions, and assist in the negotiation of collective bargaining agreements etc.
- **General Liability** – defend premise liability, casualty, car accidents and other cases of general liability.
- **Development Law and Liability** – provide legal support and advice related to land use, zoning, development and development related litigation.
- **General Municipal Law** – provide legal support and advice related to municipal operations, statutory compliance, ordinance drafting, etc.
- **Transactions** – provide legal support and advice related to commercial transactions, real estate matters, contract drafting and review, etc.



# Who does the City Attorney's Office serve?

- Strictly an internal service department – no “programs”
- Mayor and City Council
- City Management, City Departments and divisions
- City Boards and Commissions – Planning Commission, Library Board, Civil Service Board, Utility Advisory Board etc.



# Service Delivery Challenges

- Criminal Division – little operational control; staff level and needs are driven by Municipal Court operations
- Civil Division – client departments have little incentive to utilize legal services in an efficient manner
- Civil Division – balancing efficient use of legal services with proactive risk management
- Civil Division – natural tendency to place little value on advice that is “free”
- Civil Division – apportioning costs to the department or function generating the costs



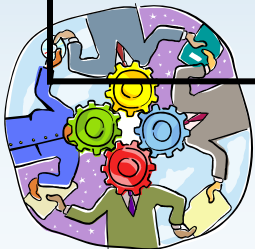
# Where does the budget go?

- Cost factors
  1. Staff – salaries and benefits
    - Criminal Division
    - Civil Division
  2. Outside counsel and settlements
    - Why use outside counsel?
      - resources
      - expertise
      - conflicts
      - nature of the work



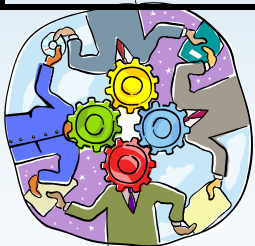
# Criminal Division – Staffing

<i>Beginning FY2009-2010</i>	<i>Beginning FY2010-2011</i>
<ul style="list-style-type: none"> <li>✓ 1 Chief Deputy City Attorney/Prosecutor</li> <li>✓ 5 Prosecutors</li> <li>✓ 5 Legal Assistants</li> <li>✓ 4 Victim Witness Advocates</li> </ul>	<ul style="list-style-type: none"> <li>✓ 5 Prosecutors</li> <li>✓ 4 Legal Assistants</li> <li>✓ 2 Victim Witness Advocates</li> </ul>
<p>Total Staff Cost – Salaries and Benefits: \$1,732,803</p>	<p>Total Staff Cost – Salaries and Benefits: \$1,363,240</p>
	<p>Average costs:</p> <ul style="list-style-type: none"> <li>✓ Prosecutor: \$154,233</li> <li>✓ Legal Assistant: \$87,671 (Teamsters)</li> <li>✓ Victim Witness Advocates: \$43,513 (some positions fully or partially grant funded)</li> </ul>



# Civil Division - Staffing

<i>Beginning FY2009-2010</i>	<i>Beginning FY2010-2011</i>
<ul style="list-style-type: none"> <li>✓ City Attorney</li> <li>✓ Assistant City Attorney</li> <li>✓ 1 Chief Deputy City Attorney</li> <li>✓ 6 Deputy City Attorney</li> <li>✓ Legal Office Administrator</li> <li>✓ Paralegal</li> <li>✓ 3 Legal Secretary</li> </ul>	<ul style="list-style-type: none"> <li>✓ Acting City Attorney</li> <li>✓ 6 Deputy City Attorney</li> <li>✓ Legal Office Administrator</li> <li>✓ 3 Legal Secretary</li> </ul>
<p>Total Staff Costs – Salaries and Benefits: \$2,256,597</p>	<p>Total Staff Costs – Salaries and Benefits: \$1,678,618</p>
	<p>Average costs:</p> <ul style="list-style-type: none"> <li>✓ Deputy City Attorney: \$174,044</li> <li>✓ Legal Secretary: \$94,975</li> </ul>



# Which Departments or Functions are the largest users of Staff Time/Resources?

- **Police Department – estimated to use 40%**
  - Excessive force cases
  - Defending employment actions related to officer discipline
  - Civil forfeitures
- **Labor and Employment – estimated at 25%**
  - Employee discipline and grievances
  - Employment related claims and lawsuits
  - Unions and collective bargaining
- **Development and Transactions – estimated at 20%**
  - Planning, zoning, eminent domain, real estate, etc.
- **General Government – estimated at 15%**
  - Municipal/premise liability and claims, ordinance drafting, statutory compliance, general legal advice etc.



# Which Departments or Functions are the largest users of Outside Counsel/Resources?

- **Police Department – estimated at 60%**
  - Excessive force cases
  - Defending employment actions related to officer discipline
- **Labor and Employment – estimated at 35%**
  - Employment related claims and lawsuits
- **General Government + Development and Transactions – estimated at 5%**
  - Specialized matters such as bankruptcy, development litigation etc.



# Other Work Performed by the City Attorney's Office that is not reflected in the budget?

- Management of legal work associated with public work projects funded by other agencies
  - City manages public work projects funded by RTC/RFCD etc.
  - City Attorney's Office oversees and supervises the use of outside counsel for such cases
  - City Attorney's Office also completes all transactional work for such projects – contract drafting, bid protests etc.
  - FY2009-2010 Total outside counsel fees for such projects; \$440,476.04
- Management and supervision of activities of bond counsel
  - City Attorney's Office oversees and supervises bond counsel
  - Bond counsel legal fees are paid from bond proceeds (not General Fund)
  - Average \$50,000-\$100,000 bond counsel fees per year



# Recent Budget Cuts & Impacts - Staff?

- 11% reduction in staff since beginning of FY2009-2010
- 3 Attorneys lost – 1 Criminal, 2 Civil
- 1 Civil Paralegal
- 1 Criminal Legal Assistant
- 2 Victim Witness Advocates
- Supply budget cut to bare minimum
- Reduced level of service to client departments
- Budget Reduction Process and RIF's generate more demand for services of the Civil Division



# Recent Budget Cuts & Impacts – Outside Counsel?

- Each outside firm has been required to reduce hourly rates by between 15-30%
- Some outside work has been moved to fixed or flat fee billing
- Competition among firms has lead to lower rates



# Who do we compare to other local governments?

<p>City of Henderson *</p> <ul style="list-style-type: none"><li>• Population – 280,000</li><li>• Total FTE's (?)</li><li>• Total Salaries and Benefits \$7,156,666</li><li>• Legal Staff cost per resident = \$25.55</li></ul> <p>*Based on adopted FY2010-2011 budget</p>	<p>City of Reno *</p> <ul style="list-style-type: none"><li>• Population – 212,000</li><li>• Total FTE's (34)</li><li>• Total Salaries and Benefits \$4,111,179</li><li>• Legal Staff cost per resident = \$19.39</li></ul> <p>* Based on adopted FY2009-2010 budget</p>	<p>City of North Las Vegas</p> <ul style="list-style-type: none"><li>• Population – 212,000</li><li>• Total FTE's (23)</li><li>• Total Salaries and Benefits \$3,041,858</li><li>• Legal Staff cost per resident = \$14.34</li></ul> <p>Based on FY2010-2010 budget after proposed BRPII reductions</p>
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# What are the goals for the City Attorney's Office for FY2010-2011?

- Move to a “Cost Center” Model
  - Each minute of attorney time will be captured and attributed to a client department and matter number (similar to a traditional law firm)
  - Allows accurate costs analysis to be run per department, per matter, etc.
  - Provides City Council and City Management the ability to determine exactly where and how legal resources are being used and how efficiently
  - In the future - will allow for inter-department “billing” for the use of legal resources and time
- Explore and maximize grant funding opportunities for Criminal Division salaries and costs
- Continue to provide effective legal services with an emphasis on proactive risk mitigation (despite budget reductions and loss of staff)



# Questions?

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