

# CITY ATTORNEY DEPARTMENT

**Mission**

Provide the City, the City Council, and City staff with prompt, high quality, and efficient legal services.

**Organization**

The Department is comprised of a City Attorney and a Legal Secretary.

**Org Code**

01151000

**Dept #**

1510

**Description**

The City Attorney Department consists of two full-time regular employees.

# CITY ATTORNEY DEPARTMENT

## Program Name      General Legal Services, Litigation and Specialized Services

### Major Services

- Advise staff and review contracts
- Attend City Council and most Planning Commission meetings
- Participate in strategic planning for the City
- Participate in negotiations and development projects
- Participate in litigation involving the City
- Drafting ordinances and resolutions
- Overseeing code enforcement
- Ensuring Public Records Act and Brown Act compliance
- Overseeing election law
- Participating in emergency management operations

### FY 2024-25 Accomplishments

- Advised on trails plan updates and implementation
- Provided ethics advice to the City Council and Planning Commissioners
- Assisted staff in the downtown plan and parklet program
- Participated in Brown Act training for new and existing commissioners
- Monitored liability claims with PLAN JPA appointed defense counsel
- Supervised outside counsel on settlement of eminent domain litigation
- Oversaw numerous Public Records Act requests
- Advised staff on density bonus project provisions and conditions of approval
- Reported on recent litigation and legislation
- Participated in Risk Management program meetings
- Proactively addressed citizen concerns and issues related to easements, boundary disputes, development issues, and tree maintenance
- Participated in the implementation of the San Carlos Strategic Plan
- Analyzed and provided interpretation regarding the Pulgas Ridge Trail connection
- Settled issues related to easement boundary
- Assisted staff in logistics of the childcare grant program
- Assisted staff in negotiating a contract with Redwood City for Fire Service Assistance
- Assisted staff in negotiating a contract with the County of San Mateo for law enforcement services

**FY 2025-27 Goals**

- Implement the Strategic Plan
- Draft new ordinances as mandated by state or federal law or as directed by the City Council
- Advise on the many residential and commercial housing projects being proposed
- Work and advise on establishing process and implementation for the East Side Innovation District Visioning Plan
- Assist in the development of affordable housing projects and units
- Advise the Fire Department concerning disaster preparedness and fire issues
- Monitor legislation, claims, and litigation
- Update the municipal code
- Advise staff and assist in the implementation of the City trails plan
- Assist the City Council and staff by providing prompt and effective legal representation with emphasis on cost effective solutions or appropriate defense with proactive advice on issues facing the City
- Assist and provide legal advice for the Downtown and Northeast Specific Plans
- Advise on major development projects
- Develop a system to capture the City Attorney's time devoted to development projects and code enforcement as a budget offset
- Establish internal enforcement procedures for minimum wage violations, which had formerly been contracted out to the City of San Jose's Office of Equality Assurance

<b>Program Goals</b>	The goal of the Legal Services, Litigation, and Specialized Services Program is to provide leadership, oversight, and support to ensure that the City organization, including City officials, management, and staff, receive high quality legal support. This goal includes litigation and specialized services to evaluate, analyze, and make recommendations to the City Manager and City Council with the goal of reducing litigation costs, claims liabilities, and cost of lawsuits.
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<b>General Legal Services, Litigation and Specialized Services Objective</b>	Prompt and effective legal review related to legal inquiries and official documents, such as contracts, ordinances, resolutions, agreements, etc. Includes legal support to all City departments, litigation review and support, advising City Council, staff and commissioners, and managing unanticipated or specialized legal services.
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Key Performance Measure	FY 2024 Actuals	FY 2025 Projected	FY 2026 Proposed	FY 2027 Proposed
\$ collected as cost recovery for development projects	N/A	N/A	\$1,272	\$1,272
Description	This measure tracks the dollar amount the City Attorney's office recovers for development projects.			
Purpose	By collecting money as cost recovery, the City Attorney budget cost would be reduced by the amount recovered.			
Status	This is a new metric introduced for FY 2024-25. There was insufficient data in FY 2023-24 and FY 2024-25 for this measure; therefore, data for FYs 2024-25 and 2025-26 is not available. The trend of cost recovery for development projects will resume in FY 2025-26 and is expected to continue through FY 2026-27.			

Workload Measures	FY 2024 Actuals	FY 2025 Projected	FY 2026 Proposed	FY 2027 Proposed
\$ of contract counsel services monitored	\$109,509	\$115,000	\$110,000	\$115,000
Total # of code enforcement cases	4	5	5	5
Council, public, and staff meetings attended	50	51	51	51
# of contracts reviewed	194	200	210	215
# of ordinance amendments	11	10	11	11
Hours spent responding to public inquiries	120	130	120	125