City of Fernley
OFFICE OF THE CITY ATTORNEY

Legal Advisor of City Council, Mayor & All City Officers; Municipal Prosecution

DATE: March 15th, 2013

TO: Christopher Good, City Manager
Denise Lewis, Finance Director
Daphne Hooper, Administrative Services Manager

FROM: Brandi Jensen

SUBJ: Fiscal Year 2013-2014 Proposed Budget Letter of Transmittal

I am pleased to submit for your review and comment the budget for the City Attorney's Office for fiscal year beginning July 1, 2013. There is no anticipated revenue in the City Attorney's Office. The City Attorney as a prosecutor does work hand in hand with the court system regarding revenues, but does not produce a separate revenue line item.

The operating budget shows an increase of $53,227 or 19%. The main reason for this increase is the addition of the POOL Pact Deductibles which were not budgeted for last year.

The City Attorney's Office is made up of two positions, the City Attorney, and the Administrative Specialist. The City Attorney's office department for budget numbers is 414 with 21 different assigned line items.

Salaries and Wages	$155,010
Benefits and Taxes	$ 74,170
Operating Expenditures	$103,300
Total Request	$332,480

Thank you for your time and consideration. I am available should you have any questions.

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Fernley NV 89408
Telephone: (775) 784-9860
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BUDGET NARRATIVE

The City Attorney is appointed by and reports to the Mayor and City Council.

Mission Statements:

The mission of the City Attorney's Office in the civil field is to provide excellent and ethical legal advice, zealous legal representation, and other quality legal services for the Board of Directors, City officers, and City employees in order that they may lawfully attain the City's goals and other Department program outcomes without undue risk to the City.

The Mission of the City Attorney's office in prosecution is to see that justice is done within the confines of the law by providing outstanding prosecutorial service for the public and victims of crime, as well as providing outstanding prosecutorial service, which includes community protection, deterrence, rehabilitation, and seeking out programs to reduce recidivism.

Legal Requirements:

NRS 266.470 Duties. The city attorney shall be the legal adviser of the city council and all officers of the city in all matters respecting the affairs of the city and shall perform such duties as may be required by the city council or prescribed by ordinance.

Primary Responsibilities:

Civil

- Liability Prevention
- Statutory Procedural Compliance
- General Statutory Compliance
- Legal Opinions
- Defense – The POOL Pact assigns attorneys once we are sued generally, and the City Attorney's Office works to coordinate with those attorneys to get the information needed and to strategize the steps to be taken in litigation.
- Plaintiff's Attorney

Administrative

- Human Resources Overview
- Union Involvement
- Supervisory Capacity To Staff

Criminal

- Criminal Complaint/Charging
- Case Review
- Law Enforcement Scene Support
- Court Appearances
- Trial Preparation and Presentation

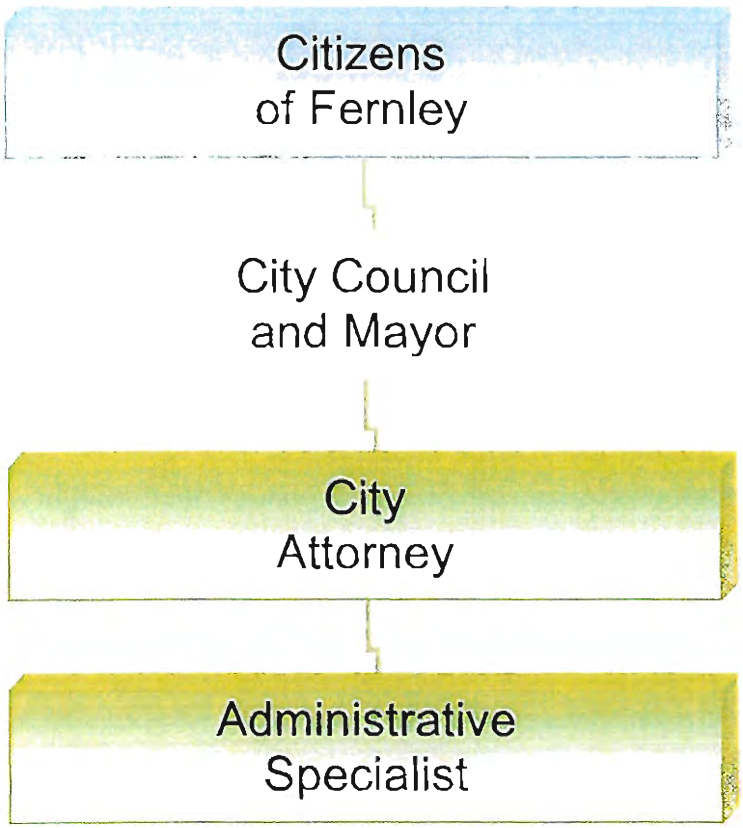
Overall Change in Level of Service:

No changes at this time.

Change in number of positions from prior FY to the requested FY:

No change at this time.

Organizational Chart



GOALS, OBJECTIVES, AND WORK PROGRAM

I. Goal: Lawsuit and Administrative Complaint Prevention

Objectives:

- Provide excellent and ethical legal advice, zealous legal representation, and other quality legal services for the Board of Directors, City officers, and City employees in order that they may lawfully attain the City's goals and other Department program outcomes without undue risk to the City.
- By Ensuring Statutory Procedural Compliance
- By Ensuring General Statutory Compliance
- By Providing Sound Legal Opinions
- Through Employment Law Compliance

Tasks:

- Careful Review And Research For All Legal Requests
- Legal Training For City Council And Employees
- Training For The City Attorney's Office On Current Law And Specialties Within The Law By Topic
- Attendance At Meetings To Avoid Oprn Meeting Law Complaints
- Daily Coordination With The City Manager On Administrative Issues
- Daily Coordination With HR On Employment Issues

II. Goal: Lawsuit Management.

Objectives:

- Organized preparation for defense cases
- Excellent legal protection of the client's rights

Tasks:

- Day to day coordination with POOL Pact including deductible coordination
- Hiring of expert attorneys when appropriate
- Day to day management of all lawsuits to review their progress

III. Goal: Professional and Qualified City Attorney's Office

Objective:

- Provide excellent legal and professional service to the City and the community

Tasks:

- Maintain licensing by ensuring compliance with the State Bar by Attending CLEs
- Ensure compliance with the State Bar by Paying Bar Dues
- Ensure Administrative Specialist/Paralegal receives professional and legal training
- Utilize excellent research tools to obtain the most up to date law
- Purchase necessary supplies

IV. Goal: Protection of Our Employees.

Objective:

- Provide a safe and secure work place for City employees

Tasks:

- Install tinted glass to prevent line of sight
- Obtain call buttons for the prosecutor for court emergencies

V. Goal: Protection of Our Community

Objective:

- Provide outstanding prosecutorial service, which includes community protection, deterrence, rehabilitation, and seeking out programs to reduce recidivism.
- Increase victim awareness

Tasks:

- Law Enforcement Scene Support
- Training for City Attorney's Office on the law
- Court appearances
- Trial Preparation and Presentation
- Case Review
- Criminal Complaint/Charging

Fund and Department Number	414		
Department or Function Name	City Attorney's Office		
Prepared by:	Brandi Jensen		
(A) Base Salary and Wages:			
Position: Exempt	Annual Salary or Wages		
Regular Employees over 20 hours			
City Attorney			104,152
Administrative Specialist II			49,358
Subtotal (A1)			153,510
Employees Less than 20 hours per week:			
Subtotal (A2)			
Total Base Salary and Wages (A)			153,510
(B) Additional Compensation:			
Estimated Annual Overtime			1,500
Estimated Annual Standby Pay			0
Estimated Vacation Payout at Termination			
Total Additional Compensation (B)			1,500
Total Salaries and Wages (C)			155,010
Account #	Account Name	Amount	Reference to Detail
5000.1	Salaries and Wages	153,510	
5000.2	Overtime	1,500	0
5000.3	Standby Pay	0	0
5000.4	Estimated Vacation	0	Conv. from sick/vac
	Subtotal Salaries/Wages	155,010	A+B+ Vac Est
5100.1	FICA (1% X A2)	0	Part Time only
5100.15	Medicare (1.45% X A)	2,248	Total
5100.2	Unemployment	1,426	Total
5100.25	Retirement (25.75% X A)	39,529	Base Pay Only
5100.3	Group Insurance ($12,500	25,000	Per Employee
5100.4	Workers Comp (3.21% X	5,968	Total
	Subtotal Benefits	74,170	
	Total Salaries & Benefits	229,181	

Line Item Operating Budget
Non-Personnel

Fund and Department Number	414: City Attorney
Department or Function Name	City Attorney
Prepared by:	Brandi Jensen

100-414-300	Professional Services – City Attorney	$12,000	Coverage counsel for the City attorney. Coverage for City Attorney as Needed (Estimated at 6 x 10hrs x $200/hr = $12,000); *Reduced by $500 from last year
100-414-400	Professional Services - Legal	$40,000	In last year's budget, any and all legal needs for every department were placed into this line item. This includes any hiring of attorneys for specialty issues or due to conflicts. (This does not include POOL Pact Deductibles.) This figure of $40,000 is derived from estimating the various department specialty legal needs, with some departments having a higher demand than others (average of $5700 for the seven departments). This line item does not include water rights legal costs or CTAX.
100-414-322	Professional Services - Other	$500	This $500 is set aside to hire the (rarely needed) expert witness in criminal cases.
100-414-342	Tech Services - Other	$0	
100-414-441	Rental	$0	
100-414-530	Comm/ Internet	$0	
100-414-550	Printing and Postage	$1000	This allows for costs of discovery
100-414-580	Training	$2000	To be able to maintain a license and practice law, a Nevada lawyer is required to complete 12 Continuing Legal Education classes a year; the average cost is $150 per credit; the office also seeks training for the paralegal/administrative position as well in order to increase performance.
100-414-581	Dues and Membership	$1000	This line item includes, but is not limited to: ➢ NV Bar dues $500 ➢ Washoe County Bar Dues ➢ NV Civil Govt Att Dues

			➢ NWRA dues ➢ etc.
100-414-600	General Supplies	$1500	This line item includes, but is not limited to: ➢ New criminal files ➢ New civil files ➢ Pens ➢ Paper ➢ etc.
100-414-605	Minor Equipment	$500	➢ Items such as label makers, shredders, etc.
100-414-640	Books & Periodicals	$4,000	This line item includes, but is not limited to: ➢ Westlaw ($3400) ➢ NRS updates ($400) ➢ NV Civil Practice ➢ Periodicals as needed for specialty issues
New	POOL Pact Deductibles	$40,000	➢ During last year's budget, this line item was to be paid out of the contingency line item. It is recommended this year to plan for the costs and place them under the legal department as that is the department managing the POOL deductible costs. ➢ This cost estimate comes from the average of 10 claims per year for the last 10 years with a $5,000 deductible due to Open Meeting Law complaints, Ethics Complaints, EEOC filings, and various Lawsuits where the City was a Defendant. *Increased by $40,000 from last year
New	Security	$800	This line item includes, but is not limited to: ➢ Tinting of windows outside the legal offices to prevent line of sight (estimated at $500) ➢ Emergency call buttons for the prosecutor in court ($300)
		TOTAL: $103,300	

Thank you,

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Brandi Jensen
Fernley City Attorney