

COUNTY COUNSEL

Program Summaries

The programs set forth below highlight the core legal functions of the particular area described. Allocation of Full Time Employee (FTE) represents an equivalent of full time employees since most duties are performed by multiple attorneys depending on current staffing. In addition to those primary duties, all of the attorneys in the office appear and advise on a wide variety of matters including: all aspects of civil litigation inclusive of writ proceedings, court hearings, public records and subpoena/deposition requests, etc. Deputies are involved in the development and rendering of both oral and written legal advice regarding the resolution of issues that may have far-reaching implications for County operations and programs. Deputies act as general legal advisors to the assigned County department, and supervise and participate in the resolution of difficult or complex legal questions regarding department's respective powers, duties, procedures and operations. All attorneys draft and review contracts, ordinances, resolutions, and other legal instruments as part of the day-to-day operations of this department.

Statutory/State Programs

Public Guardian
Positions: 1 FTE
Extra Help: \$0

Total Appropriations: \$171,364
Total Revenues: \$103,000
Net County Cost: \$68,364
Furlough Value: \$3,806

This attorney represents the Public Guardian in all facets of litigation on behalf of the County, including Probate, Limited and LPS Conservatorships from early disposition to judgment after jury or court trial and appeals to the Appellate and Supreme Courts. When an estate or trust has assets, fees are requested and collected. Representation of the Public Guardian also encompasses advising Adult Protective Services, IHHS Programs and sometimes MSSP/Linkages.

Elder Protection
Positions: 1 FTE
Extra Help: \$0

Total Appropriations: \$180,960
Total Revenues: \$0
Net County Cost: \$180,960
Furlough Value: \$3,806

The attorney for the Department of Human Services, assigned to the Elder Protection Unit, represents the interests of senior citizens on conservatorship with the Public Guardian, in all facets of litigation involving elder abuse, from detection and investigation of alleged elder abuse, to preparation of complex civil litigation for asset recovery from perpetrators. The attorney provides training and renders advice to the Deputy Public Guardian staff concerning clients and also provides back up support for the Public Guardian Conservatorship and Children's Protective Services (CPS) caseloads. When there are sufficient assets to pay for the conservatee's needs, County Counsel will receive attorneys' fees commensurate with the conservatee's ability to pay. This discretionary program began in 2006 with staff in the District

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Attorney's office, the Department of Human Services, and County Counsel working in collaboration.

Children's Protective Services

Positions: 2 FTE

Extra Help: \$0

Total Appropriations: \$321,624

Total Revenues: \$0

Net County Costs: \$321,624

Furlough Value: \$7,612

The attorneys for Department of Human Services Children's Protective Services represent the Department of Human Services in all facets of litigation of Welfare & Institutions Code 300 cases from early disposition to disposition/judgment after trial, and appeals to the Appellate and Supreme Courts. The attorneys provide in-depth training, establish and review policies and procedures, and review and comment on current and proposed legislation and case law to the Department of Human Services personnel to improve case handling and outcomes. The cost of County Counsel representation for the Department of Human Services is allocated through the A-87 Cost Plan and is applied toward the County's match requirement for Social Services programs.

Land Use/Transportation/Capital Improvement Programs

Planning & Land Use

Positions: 1 FTE

Extra Help: \$0

Total Appropriations: \$163,397

Total Revenues: \$0

Net County Costs: \$163,397

Furlough Value: \$3,806

The attorney for Land Use and Planning represents the Development Services Department in all aspects of land use, including the preparation, implementation, review, and defense of the County's General Plan, zoning and use permits, development denials and approvals and CEQA issues; advises on complex land use issues such as Rare Plants, Affordable Housing, and INRMP; and reviews and guides implementation and defense of policies, procedures and programs such as the mitigation fee programs. Other duties performed include Building (permits/subpoenas), code enforcement, Surveyor's Office, Agriculture Department, review County CEQA documents for capital improvement projects (primarily for DOT and General Services). This position advises the Economic Development Coordinator on land use issues and Human Services on Affordable Housing issues. The attorney oversees, participates in, and/or performs defense of administrative and writ proceedings on land use policies and approvals. The attorney sits with and advises various land use commissions including the Planning Commission and the Agriculture Commission.

Department of Transportation/Ambulance

Positions: 2 FTE

Extra Help: \$0

Total Appropriations: \$354,818

Total Revenues: \$340,500

Net County Cost: \$14,318

Furlough Value: \$7,612

The Principal Assistant County Counsel and one attorney for Transportation, Capital Improvement Programs, Facilities and Complex Project Development provide legal advice and support for all aspects of work for the Department of Transportation, inclusive of airports and

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trails, and its newest General Services component. They provide advice on and assist in the coordination of the capital improvement projects, from the planning and design function of the project, the right-of-way acquisition/condemnation and utility relocation phase, through construction and claims management and resolution. These staff represent the County in administrative claims and civil litigation regarding project approval, CEQA compliance, permits, bid protests/disputes, claims, and construction litigation. These staff advise on complex funding requirements through State and Federal sources. They also participate, advise and coordinate complex projects for other departments such as the selection of and contract for ambulance services which involved the potential for significant liability (e.g. anti-trust violations).

Administrative/General Government

County Counsel and Chief Assistant

County Counsel

Positions: 2 FTE

Extra Help: \$0

Total Appropriations: \$465,191

Total Revenues: \$0

Net County Cost: \$465,191

Furlough Value: \$7,612

The County Counsel and Chief Assistant County Counsel plan and direct the activities and operations of the County Counsel's Office, and serve as the legal representative of the Board of Supervisors, all County departments, boards and commissions, on assigned litigation and business matters, mandated functions (e.g. County election proceedings, writs of habeas corpus, etc.) providing highly responsible and complex administrative support to the Board of Supervisors. In addition to evaluating day-to day and long range legal matters having an impact on the County, the County Counsel and Chief Assistant County Counsel establish County-wide legal controls and procedures, and communicate these goals, programs, policies and procedures to staff, the public, the CAO, other County departments and state and local agencies. They maintain current knowledge of changes in directives, policies, statutes and regulations which affect operations, and make suggestions on proposed legislation and regulations concerning the County.

Human Resources and Sheriff

Positions: 1 FTE

Extra Help: \$0

Total Appropriations: \$179,846

Total Revenues: \$0

Net County Costs: \$179,846

Furlough Value: \$3,806

This attorney provides legal advice and support to all departments regarding personnel issues, grievances and disciplinary actions. This attorney appears on behalf of departments at Civil Service Hearings, and represents the County at PERB hearings. This attorney also sits as part of the County's Threat Assessment Team and advises on medical and disability issues in addition to reviewing and drafting personnel policies and provides advice during labor negotiations. This position also represents the Board of Equalization assessment hearings. As counsel for the Sheriff, in addition to advising on their personnel issues, this position reviews policy manuals and attends their Sheriff section meetings. On two occasions within the past several years the current attorney has stepped into the position of Acting Director of Human Resources when requested by the Chief Administrative Office.

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**General Law, Litigation, Risk Management,
Environmental Management, Contracts,
all other departments**

Positions: 2 FTE

Extra Help: \$0

Total Appropriations: \$304,438

Total Revenues: \$104,000

Net County Costs: \$200,438

Furlough Value: \$7,612

The attorneys in this assignment provide legal advice and support on a wide variety of legal issues that are encountered by any County Department along with the Air Quality Management District and the Public Housing Authority. These legal issues include the review and development of responses to subpoenas and Public Record Act requests; representing employees who have been subpoenaed as witnesses in various civil, criminal or administrative proceedings. These positions represent various County Departments in writ proceedings in civil court, administrative proceedings including the State Department of Administrative Hearings, the Civil Service Commission, the Equal Employment Opportunity Commission, the Department of Fair employment and Housing, the Department of Housing and Urban Development, the Air District Hearing Board and the Assessment Appeals Board. In addition to the litigation related duties, these attorneys also provides support services for many County Departments and Agencies with contract review; review and advice on project bids' review and advice regarding proposed rule adoption and ordinances. These positions also oversee and assist in directing the litigation being handled by outside counsel.

Administrative/Office Support

Administration, Operations Support

Positions: 5 FTE

Extra Help: \$0

Total Appropriations: \$453,972

Total Revenues: \$0

Net County Cost: \$453,972

Furlough Value: \$19,032

Provides oversight, direction and support for the department and is responsible for administrative and business support functions including budgeting, accounting, payroll, personnel, purchasing and contract coordination, computer services and supervision of support and secretarial staff. Provides secretarial support for 12 attorneys along with direct interaction with client/ departments and the general public. In addition to direct attorney support, each secretarial position is dedicated to a specific support function that works directly with client/departments in facilitating their individual programs such as Public Guardian, Children's Protective Services, Planning and Ordinance Code update.

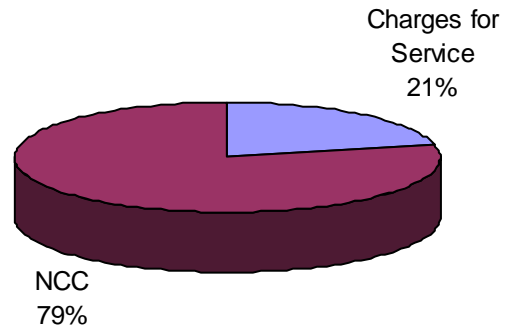
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Financial Charts

Source of Funds

Charge for Services (\$547,500): The department charges departments with outside funding sources to cover the cost of its services. The largest portion of this revenue is derived from The Department of Transportation.

Net County Cost (\$2,048,110): The department is primarily funded with discretionary General Fund tax dollars. These revenues are collected in Department 15 – General Fund Other Operations.

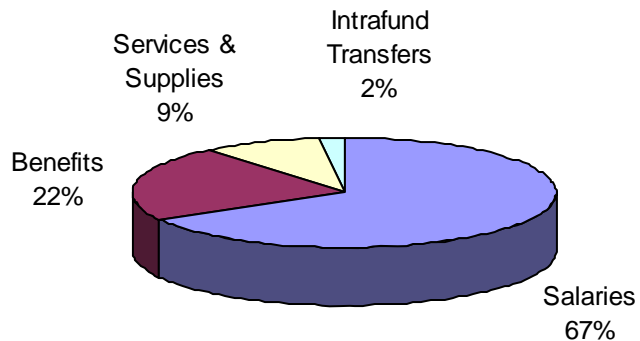


Use of Funds

Salaries & Benefits (\$2,304,648): Primarily comprised of general salaries and benefits (\$1,784,651), retirement (\$312,550), retiree health (\$13,506), workers' compensation (\$15,139) and health insurance (\$178,801).

Services & Supplies (\$243,958): Major expenses include law books (\$76,800), contract attorney fees (\$50,000) for on-going endangered species act litigation, and costs for staff development and training which is required by the California State Bar Association in order for the attorneys to maintain their licenses to practice law (\$26,400).

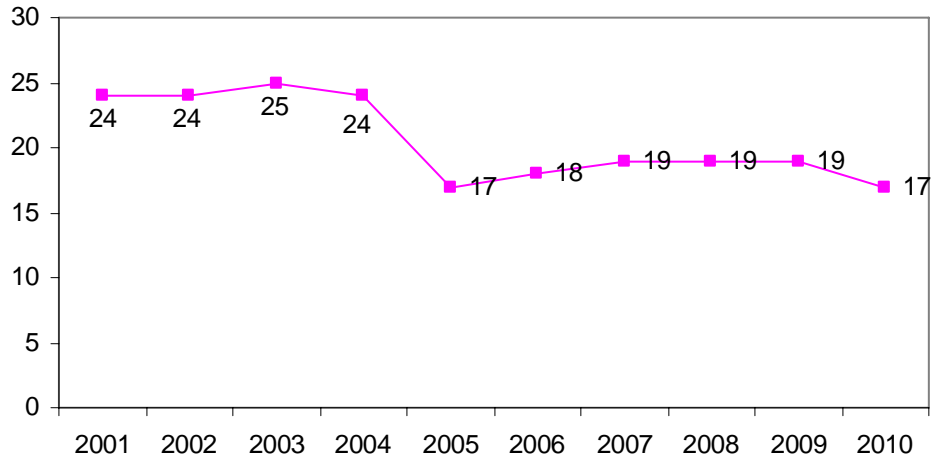
Intrafund Transfers (\$47,004): Intrafund transfers consist of charges from other departments for services such as mainframe support (\$5,549), network support (\$20,487), and telephone (\$12,781).



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Staffing Trend

County Counsel staffing has declined over the past ten years, from 24 FTE in FY 2000-01 to 17 FTE in FY 2008-09. The reduction of five FTE is attributable to the move of the Revenue Recovery function to the Treasurer-Tax Collector in FY 2004-05. The proposed staff allocation for FY 2009-10 remains at 17, with all staff located on the West Slope.



Chief Administrative Office Comments

The Proposed Budget for the Office of County Counsel reflects staffing changes made during FY 2008-09 and maintains all other on-going adjustments identified at mid-year 2008-09.

Financial Information by Fund Type

FUND TYPE: 10 GENERAL FUND
DEPARTMENT: 07 CC - COUNTY COUNSEL

		CURRENT YR		CAO		
		MID-YEAR PROJECTION	APPROVED BUDGET	DEPARTMENT REQUEST	RECOMMENDED BUDGET	DIFFERENCE
TYPE: R REVENUE						
SUBOBJ SUBOBJ TITLE						
1380	LEGAL SERVICES	144,000	144,000	103,000	103,000	-41,000
1810	INTERFND REV: COUNTY COUNSEL	421,500	386,800	444,500	444,500	57,700
CLASS: 13	REV: CHARGE FOR SERVICES	565,500	530,800	547,500	547,500	16,700
1940	MISC: REVENUE	6,588	41,166	0	0	-41,166
CLASS: 19	REV: MISCELLANEOUS	6,588	41,166	0	0	-41,166
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TYPE: R SUBTOTAL		572,088	571,966	547,500	547,500	-24,466

COUNTY COUNSEL

Financial Information by Fund Type

FUND TYPE: 10 GENERAL FUND
 DEPARTMENT: 07 CC - COUNTY COUNSEL

		CURRENT YR		DEPARTMENT	CAO	
		MID-YEAR	APPROVED	REQUEST	RECOMMENDED	DIFFERENCE
		PROJECTION	BUDGET		BUDGET	
TYPE: E EXPENDITURE						
SUBOBJ	SUBOBJ TITLE					
3000	PERMANENT EMPLOYEES / ELECTED	1,617,778	1,691,901	1,688,757	1,624,053	-67,848
3004	OTHER COMPENSATION	40,000	49,203	48,904	48,904	-299
3020	RETIREMENT EMPLOYER SHARE	305,502	315,545	312,551	312,551	-2,995
3022	MEDI CARE EMPLOYER SHARE	25,261	25,228	25,196	25,196	-32
3040	HEALTH INSURANCE EMPLOYER SHARE	170,078	202,572	178,801	178,801	-23,770
3041	UNEMPLOYMENT INSURANCE EMPLOYER	3,590	6,465	12,910	12,910	6,445
3042	LONG TERM DISABILITY EMPLOYER SHARE	6,393	6,393	6,388	6,388	-5
3043	DEFERRED COMPENSATION EMPLOYER	27,956	23,400	25,200	25,200	1,800
3046	RETIREE HEALTH: DEFINED CONTRIBUTIONS	55,145	55,145	13,506	13,506	-41,639
3060	WORKERS' COMPENSATION EMPLOYER	16,076	16,076	16,076	15,139	-937
3080	FLEXIBLE BENEFITS	39,000	39,000	42,000	42,000	3,000
CLASS: 30	SALARY & EMPLOYEE BENEFITS	2,306,779	2,430,928	2,370,289	2,304,648	-126,280
4041	COUNTY PASS THRU TELEPHONE CHARGES	480	464	384	384	-80
4100	INSURANCE: PREMIUM	5,783	5,783	5,783	10,454	4,671
4141	MAINT: OFFICE EQUIPMENT	285	285	285	285	0
4220	MEMBERSHIPS	10,390	10,390	10,740	10,740	350
4221	MEMBERSHIPS: LEGISLATIVE ADVOCACY	1,925	1,933	2,000	2,000	67
4260	OFFICE EXPENSE	7,000	12,000	9,600	9,600	-2,400
4261	POSTAGE	2,500	2,817	2,768	2,768	-49
4263	SUBSCRIPTION / NEWSPAPER / JOURNALS	9,447	10,447	10,755	10,755	308
4265	LAW BOOKS	72,000	72,288	76,800	76,800	4,512
4266	PRINTING / DUPLICATING SERVICES	200	1,500	1,500	1,500	0
4300	PROFESSIONAL & SPECIALIZED SERVICES	23,000	29,622	13,650	13,650	-15,972
4315	CONTRACT: LEGAL ATTORNEY	130,000	130,000	50,000	50,000	-80,000
4325	AB75: HOSPITAL	0	130	0	0	-130
4400	PUBLICATION & LEGAL NOTICES	700	3,000	1,500	1,500	-1,500
4420	RENT & LEASE: EQUIPMENT	13,100	16,140	11,711	11,711	-4,429
4440	RENT & LEASE: BUILDING & IMPROVEMENTS	720	720	840	840	120
4500	SPECIAL DEPT EXPENSE	1,500	3,000	1,000	1,000	-2,000
4503	STAFF DEVELOPMENT	4,000	7,020	5,520	5,520	-1,500
4529	SOFTWARE LICENSE	5,284	5,284	7,151	7,151	1,867
4600	TRANSPORTATION & TRAVEL	7,500	15,300	14,400	14,400	-900
4602	MILEAGE: EMPLOYEE PRIVATE AUTO	14,400	14,400	12,000	12,000	-2,400
4605	RENT & LEASE: VEHICLE	600	600	600	600	0
4606	FUEL PURCHASES	200	300	300	300	0
CLASS: 40	SERVICE & SUPPLIES	311,014	343,423	239,287	243,958	-99,465
5300	INTERFND: SERVICE BETWEEN FUND TYPES	0	80	0	0	-80
CLASS: 50	OTHER CHARGES	0	80	0	0	-80
7210	INTRAFND: COLLECTIONS	900	0	1,000	1,000	1,000
7220	INTRAFND: TELEPHONE EQUIPMENT &	9,000	13,078	12,781	12,781	-297
7223	INTRAFND: MAIL SERVICE	2,699	2,699	2,699	1,775	-924

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Financial Information by Fund Type

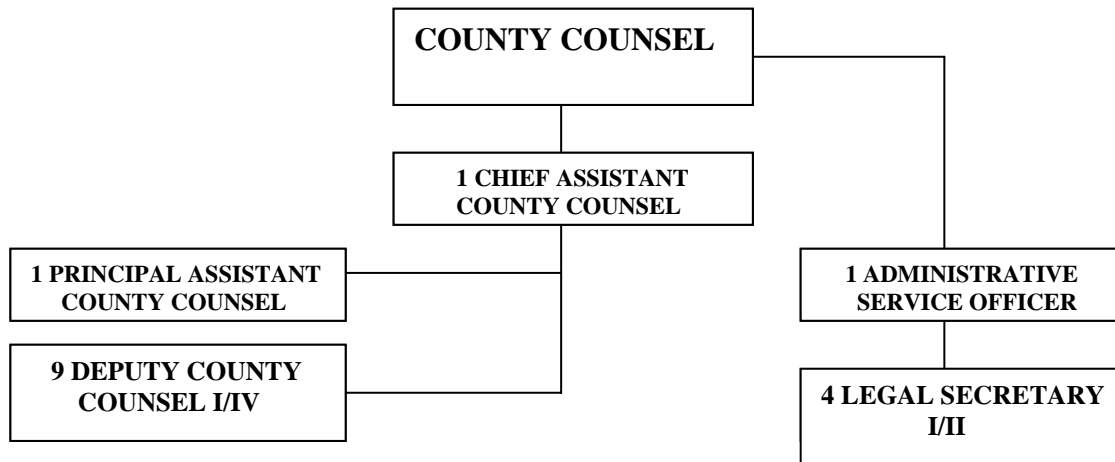
FUND TYPE: 10 GENERAL FUND
DEPARTMENT: 07 CC - COUNTY COUNSEL

		CURRENT YR		CAO		
		MID-YEAR	APPROVED	DEPARTMENT	RECOMMENDED	
		PROJECTION	BUDGET	REQUEST	BUDGET	DIFFERENCE
7224	INTRAFND: STORES SUPPORT	1,173	1,173	1,173	662	-511
7225	INTRAFND: CENTRAL DUPLICATING	200	1,000	1,000	1,000	0
7227	INTRAFND: MAINFRAME SUPPORT	5,214	5,214	5,214	5,549	335
7229	INTRAFND: PC SUPPORT	4,800	4,800	2,400	2,400	-2,400
7231	INTRAFND: IS PROGRAMMING SUPPORT	1,500	1,500	750	750	-750
7232	INTRAFND: MAINT BLDG & IMPROVMNTS	600	600	600	600	0
7234	INTRAFND: NETWORK SUPPORT	19,836	19,836	19,836	20,487	651
CLASS: 72	INTRAFUND TRANSFERS	45,922	49,900	47,453	47,004	-2,896
7350	INTRFND ABATEMENTS: GF ONLY	-16,310	0	0	0	0
CLASS: 73	INTRAFUND ABATEMENT	-16,310	0	0	0	0
TYPE: E SUBTOTAL		2,647,405	2,824,331	2,657,029	2,595,610	-228,722
FUND TYPE: 10 SUBTOTAL		2,075,317	2,252,365	2,109,529	2,048,110	-204,256
DEPARTMENT: 07 SUBTOTAL		2,075,317	2,252,365	2,109,529	2,048,110	-204,256

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Personnel Allocation

Classification Title	2008-09 Adjusted Allocation	2009-10 Dept Request	2009-10 CAO Recm'd	Diff from Adjusted
County Counsel	1.00	1.00	1.00	0.00
Administrative Services Officer	1.00	1.00	1.00	0.00
Chief Assistant County Counsel	1.00	1.00	1.00	0.00
Deputy County Counsel I-IV	9.00	9.00	9.00	0.00
Legal Secretary I/II	4.00	4.00	4.00	0.00
Principal Assistant County Counsel	1.00	1.00	1.00	0.00
Department Total	17.00	17.00	17.00	0.00



COUNTY COUNSEL

Ten Year History

	00/01	01/02	02/03	03/04	04/05
	Actual	Actual	Actual	Actual	Actual
Salaries	1,219,719	1,373,595	1,328,305	1,403,404	1,122,707
Benefits	231,301	283,896	318,684	440,772	413,619
Services & Supplies	371,809	554,063	948,604	1,238,134	1,084,570
Other Charges	150	150	50	100	290
Fixed Assets	49,498	64,455	-	-	2,228
Intrafund Transfers	44,333	58,908	39,604	42,517	8,807
Total Appropriations	1,916,810	2,335,067	2,635,247	3,124,927	2,632,221
State	-	-	399	-	-
Charges for Service	364,218	392,553	331,515	489,475	337,855
Misc.	22,280	18,300	25,448	16,032	48
Total Revenue	386,498	410,853	357,362	505,507	337,903
NCC	1,530,312	1,924,214	2,277,885	2,619,420	2,294,318
FTE's	24	24	25	24	17

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	05/06	06/07	07/08	08/09	09/10
	Actual	Actual	Actual	Projected	Budget
Salaries	1,298,180	1,506,142	1,615,593	1,598,409	1,737,661
Benefits	516,660	548,554	580,491	639,204	566,987
Services & Supplies	1,142,939	554,217	300,197	311,014	243,958
Other Charges	240	240	-	-	-
Fixed Assets	-	37,879	-	-	-
Intrafund Transfers	11,858	17,434	(16,252)	29,612	47,004
Total Appropriations	2,969,877	2,664,466	2,480,029	2,578,239	2,595,610
State	-	-	-	-	-
Charges for Service	492,706	656,559	646,312	565,500	547,500
Misc.	-	-	-	6,588	-
Total Revenue	492,706	656,559	646,312	572,088	547,500
NCC	2,477,171	2,007,907	1,833,717	2,006,151	2,048,110
FTE's	18	19	19	19	17

10 Year Variance		
	\$ Change	% Change
Salaries	517,942	42%
Benefits	335,686	145%
Services & Supplies	(127,851)	-34%
Other Charges	(150)	-100%
Fixed Assets	(49,498)	-100%
Intrafund Transfers	2,671	6%
Total Appropriations	678,800	35%
Charges for Service	183,282	50%
Misc.	(22,280)	-100%
Total Revenue	161,002	42%
NCC	517,798	34%
FTE's	(7)	-28%

Notes

FY 2004-05 Revenue Recovery function moved to Treasurer-Tax Collector (5 FTE's)