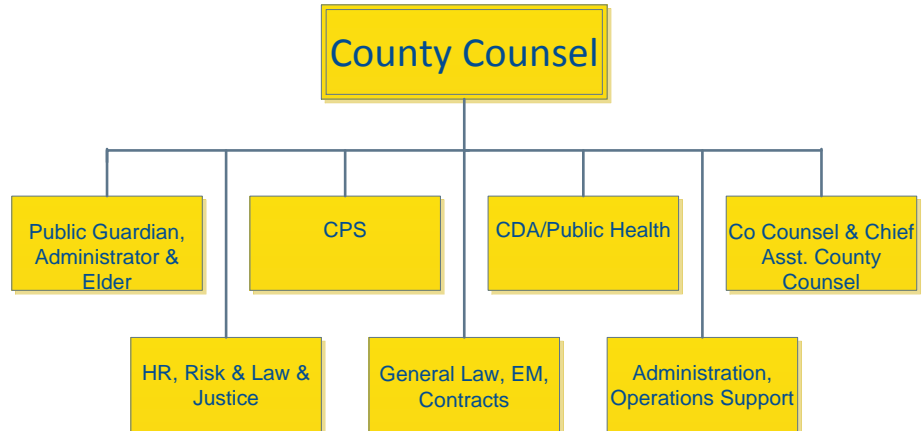




County Counsel

Organizational Chart



Goals

Assist the Board of Supervisors and appropriate County staff to identify feasible options that will implement and achieve the goals, policies, and objectives of the Board of Supervisors.

Interpret the law in a fair, reasonable, and objective manner which recognizes legal problems or restrictions but which helps the Board identify feasible options that will enable it to attain its policy goals to the maximum extent possible.

Provide consistent successful representation in litigation involving the County and its various agencies in a manner that is in the best interest of the County while always being mindful of the fact that litigation inevitably involves significant expenditures of public funds.

Practice the highest ethical standards of the legal profession.

Respect the public trust by being courteous to the public and mindful that government does business for the public, while never forgetting that our client is the County and the Board of Supervisors and not the general public.

Continue to improve the timeliness of responses to client inquiries and requests for services.

Department Overview

County Counsel is legal counsel in civil law matters for all County departments, boards, and commissions. General duties of the County Counsel include: representing the County in all civil legal proceedings and administrative hearings; preparing ordinances, resolutions and contracts for the County; advising the Board of Supervisors, other County officials, and department heads on legal issues; representing the Health and Human Services Agency in juvenile court dependency hearings and administrative hearings concerning eligibility; advising on legal issues regarding workers compensation, tort and liability cases; instituting conservatorships for probate and for gravely-disabled individuals, under the Lanterman-Petris-Short (LPS) Act.

2015-16 Summary of Department Programs				
	Appropriation	Revenue	Net County Cost	Staffing
Public Guardian & Elder Protection	\$388,342	\$120,000	\$268,342	2.00
Child Protective Services	\$397,908	\$0	\$397,908	2.00
CDA/Public Health	\$449,814	\$244,425	\$205,389	2.00
Co Counsel & Chief Asst. Co Co	\$504,249	\$0	\$504,249	2.00
HR, Risk and Law & Justice	\$642,019	\$50,000	\$592,019	3.00
General Law, EM & Contracts	\$180,817	\$43,600	\$137,217	1.00
Administration, Operations Support	\$503,638	\$0	\$503,638	5.00
TOTAL	\$3,066,787	\$458,025	\$2,608,762	17.00

Recommended Budget Highlights for County Counsel

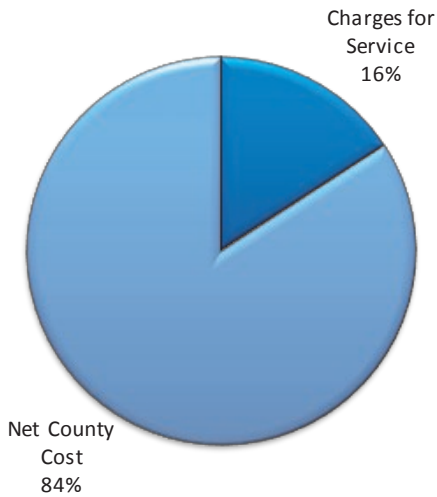
The Recommended Budget represents an overall decrease of \$22,975 or 5% in revenues and a decrease of \$92,882 or 3% in appropriations when compared to the FY 2014-15 approved budget. As a result, the Net County Cost has decreased \$69,907 or 3%.

The change in revenues represents a minor reduction in charges to departments for legal services based on current year actual activity. The decrease in appropriations is comprised of salary savings of \$7,565 for the currently vacant Chief Assistant County Counsel, the Sr. Deputy County Counsel who is currently on acting assignment with the Chief Administrative Office, and the elimination of one vacant Legal Secretary I/II position. Additionally, County Counsel has reduced services and supplies by \$80,021 which is primarily related to the completion of a billing and case management software system upgrade in FY 2014-15 and the reduction of contracted legal services. The department is not requesting any fixed assets at this time.

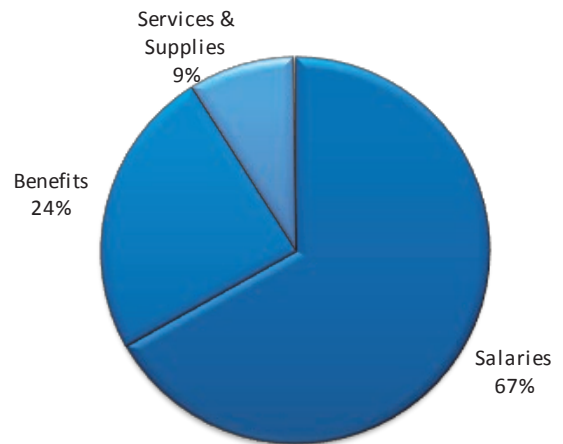
In an effort to minimize the service level impact of temporary position vacancies and the elimination of the 1.0 Legal Secretary position County Counsel has adjusted attorney workloads and continues to identify and implement operational efficiencies.

	12/13	13/14	14/15	15/16	15/16
	Actual	Actual	Projected	Dept Req	CAO Rec
Charges for Service	386,306	351,788	381,000	458,025	458,025
Misc.	-	15	-	-	-
Total Revenue	386,306	351,803	381,000	458,025	458,025
Salaries	1,766,338	1,831,807	2,016,885	2,050,099	2,050,099
Benefits	592,233	592,535	717,918	740,739	740,739
Services & Supplies	235,541	327,245	319,189	269,168	269,168
Intrafund Transfers	2,459	4,972	5,677	6,781	6,781
Total Appropriations	2,596,571	2,756,559	3,059,669	3,066,787	3,066,787
NCC	2,210,265	2,404,756	2,678,669	2,608,762	2,608,762
FTE's	18	18	18	17	17

Source of Funds



Use of Funds



Source of Funds—County Counsel

Charge for services (\$458,025): 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 Community Development Agency Transportation Division. The department also receives some revenues for legal services provided to conservatees. This revenue is projected at \$120,000.

Net County Cost (\$2,608,762): The department is primarily funded with discretionary General Fund tax dollars. These revenues are collected in Department 15 – General Fund Other Operations.

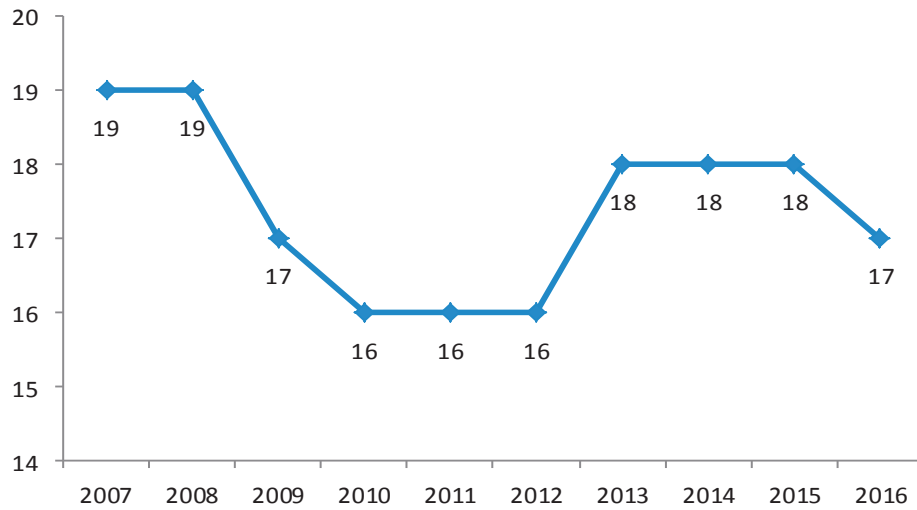
Use of Funds—County Counsel

Salaries and Benefits (\$2,790,838): Primarily comprised of general salaries and benefits (\$2,201,415), retirement (\$369,380), retiree health (\$18,490) workers’ compensation (\$19,291) and health insurance (\$182,262).

Services and Supplies (\$269,168): Major expenses include maintenance and updates to law library materials including code books and court updates (\$74,496), legal database subscription (\$26,088), office supplies (\$10,500), rent and lease equipment (\$9,004) contract attorney fees (\$60,000) for on-going litigation, and costs for staff training which is required by the California State Bar Association in order for the attorneys to maintain their license to practice law, Bar Association dues, and reimbursement for work related travel (\$48,755).

Intrafund Transfers (\$6,781): Intrafund transfers consist of charges from other departments for services such as mail service and stores supplies (\$5,571).

Staffing Trend for County Counsel



County Counsel staffing has remained relatively static over the past 10 years. A reduction from 18 FTE to 17 FTE is included in the FY 2015-16 Recommended Budget. All staff is located on the West Slope, with travel to South Lake Tahoe as needed.

Classification Title	2014-2015 Adjusted Allocation	2015-2016 Dept Request	2015-2016 CAO Recm'd	Diff from Adjusted
County Counsel	1.00	1.00	1.00	-
Chief Assistant County Counsel	1.00	1.00	1.00	-
Department Analyst I/II	1.00	1.00	1.00	-
Deputy County Counsel	6.00	6.00	6.00	-
Legal Secretary I/II	2.00	1.00	1.00	(1.00)
Principal Assistant County Counsel	1.00	1.00	1.00	-
Sr. Deputy County Counsel	3.00	3.00	3.00	-
Sr. Legal Secretary	3.00	3.00	3.00	-
Department Total	18.00	17.00	17.00	(1.00)

Public Guardian & Elder Protection Program

Program Summary:

These attorneys represent 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. These attorneys also represent the Health and Human Services Agency (HHS) in areas of Elder Protection which 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. Staff provides training and renders advice to the Deputy Public Guardian staff concerning clients. 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. 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 the staff in the District Attorney's office, the Health and Human Services Agency (HHS), and County Counsel working in collaboration. These attorneys may provide back up to the Child Protective Services (CPS) caseloads.

Child Protective Services Program

Program Summary:

The attorneys for Health and Human Services Agency and Child Protective Services represent the Agency 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 Agency personnel to improve case handling and outcomes including after hours consultations on warrants and placement of endangered minors. The cost of County Counsel representation for the Agency is allocated through the A-87 Cost Plan and is applied toward the County's match requirements for Social Services programs.

CDA & Public Health Programs

Program Summary:

The attorneys for Transportation, Land Use and Planning represent the Community Development Agency in all aspects of Transportation and Land Use. These attorneys represent the County in regards to Capital Improvement Programs, including the coordination of these projects from the planning and design, to the right of way acquisition/condemnation and utility relocation phase, through construction and claims management, and resolution. Staff represents the County in administrative claims and civil litigation regarding project approval, facilities and complex project development. These attorneys provide legal advice and support for all aspects of work for the transportation department, inclusive of airports and trails. These duties include the preparation, implementation, review, and defense of the County's General Plan, Zoning and Use Permits, development denials and approvals and CEQA compliance issues; Staff 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, and reviews County CEQA documents for Capital Improvement Projects. These attorneys advise the Economic Development Coordinator on Land Use issues and Human Services on Affordable Housing issues. These attorneys oversee, participate in, and / or perform defense of administrative and writ proceedings on Land Use policies and approvals. These attorneys sit with and advise various Land Use commissions including the Planning Commission and the Agriculture Commission. These attorneys 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 involve the potential for significant liability (e.g. anti-trust violations).

County Counsel & Chief Assistant County Counsel Program

Program Summary:

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.

HR, Risk and Law & Justice Program

Program Summary:

These attorneys provide legal advice and support to all departments regarding personnel issues, grievances and disciplinary actions. These attorneys appear on behalf of departments at Civil Service Hearings, and represent the County at Public Employment Relations Board (PERB) hearings. These attorneys also sit as part of the County's Threat Assessment Team and advises on medical and disability issues in negotiations. Staff advise in labor negotiations including, Equal Employment Opportunity Commission (EEOC), Department of Fair Employment and Housing (DFEH). The attorney advising Risk Management advises in the implementation of the Affordable Care Act, health care and benefit contracts. As counsel for the Sheriff, in addition to advising on their personnel issues, this position reviews policy manuals and attends the Sheriff section meetings. On two occasions within the past several years one of our County Counsel attorneys has stepped into the position of Acting Director of Human Resources when requested by the Chief Administrative Office.

General Law, EM & Contracts Program

Program Summary:

The attorney in this assignment provides legal advice and support on a wide variety of legal issues that are encountered by any County Department. This may include the review of outside litigation claims and overseeing and assisting in directing the litigation being handled by outside counsel. Staff also review and develop responses to subpoenas and Public Record Act requests, and represent employees who have been subpoenaed as witnesses in various civil, criminal or administrative proceedings. This position represents various County Departments in writ proceedings in civil court, administrative proceedings including the State Department of Administrative Hearings, the Department of Housing and Urban Development, the Air District Hearing Board and the Assessment Appeals Board. In addition to litigation related duties, this attorney also provides support services for many County Departments and Agencies with contract review; review and advice on project bid reviews and advice regarding proposed rule adoption and ordinances. Staff also advises the Procurements and Contracts department and County Facilities Management.

Administration, Operation Support Program

Program Summary:

One Department Analyst provides administrative and fiscal support including budgeting, accounting, payroll, purchasing, and contract coordination. Three Sr. Legal Secretaries and one Legal Secretary II provide secretarial services for twelve 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, Child Protective Services, and General Government.

El Dorado County
 Detail of Financing Sources and Financing Uses
 Governmental Funds
 Fiscal Year 2015-16

Budget Unit **07 County Counsel**
 Function **General Government**
 Activity **Counsel**

Detail by Revenue Category and Expenditure Object	2013-14 Actual	2014-15 Actual <input type="checkbox"/> Estimated <input checked="" type="checkbox"/>	2015-16 Department Requested	2015-16 CAO Recommended
1	2	3	4	5

Charges for Services

1380 Legal Services	\$ 119,490	\$ 120,000	\$ 120,000	\$ 120,000
1810 Infrnd Rev: County Counsel	232,299	261,000	338,025	338,025
Total Charges for Services	\$ 351,788	\$ 381,000	\$ 458,025	\$ 458,025

Miscellaneous Revenues

1940 Miscellaneous Revenue	\$ 15	\$ -	\$ -	\$ -
Total Miscellaneous Revenues	\$ 15	\$ -	\$ -	\$ -

Total Revenue	\$ 351,803	\$ 381,000	\$ 458,025	\$ 458,025
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Salaries and Employee Benefits

3000 Permanent Employees / Elected Officials	\$ 1,747,355	\$ 1,802,076	\$ 1,998,714	\$ 1,998,714
3001 Temporary Employees	7,439	-	-	-
3004 Other Compensation	77,013	214,809	51,385	51,385
3020 Employer Share - Employee Retirement	280,010	334,804	369,380	369,380
3022 Employer Share - Medi Care	26,986	29,268	28,910	28,910
3040 Employer Share - Health Insurance	208,799	185,454	182,262	182,262
3041 Employer Share - Unemployment Insurance	1,858	-	-	-
3042 Employer Share - Long Term Disab Insurance	2,965	4,984	4,984	4,984
3043 Employer Share - Deferred Compensation	19,142	21,080	15,422	15,422
3046 Retiree Health - Defined Contributions	15,560	17,584	18,490	18,490
3060 Employer Share - Workers' Compensation	8,097	16,744	19,291	19,291
3080 Flexible Benefits	29,119	108,000	102,000	102,000
Total Salaries and Employee Benefits	\$ 2,424,342	\$ 2,734,803	\$ 2,790,838	\$ 2,790,838

Services and Supplies

4041 Cnty Pass thru Telephone Chrges to Depts	\$ 262	\$ 456	\$ 456	\$ 456
4100 Insurance - Premium	6,502	12,733	12,627	12,627
4141 Maintenance - Office Equipment	53	285	285	285
4144 Maintenance - Computer System Supplies	3,772	4,350	4,350	4,350
4220 Memberships	10,426	10,609	11,075	11,075
4221 Memberships - Legislative Advocacy	2,285	2,519	2,602	2,602
4260 Office Expense	8,460	10,500	10,500	10,500
4261 Postage	1,578	2,170	2,170	2,170
4263 Subscription / Newspaper / Journals	1,649	1,985	1,785	1,785
4265 Law Books	69,055	74,496	74,496	74,496
4266 Printing / Duplicating	170	500	500	500
4267 On-Line Subscriptions	23,484	24,852	26,088	26,088
4300 Professional and Specialized Services	33,294	24,800	13,300	13,300
4315 Contract Legal Attorney	129,018	100,000	60,000	60,000
4400 Publication and Legal Notices	3,056	1,000	1,000	1,000
4420 Rents and Leases - Equipment	9,377	9,004	9,004	9,004
4461 Minor Equipment	459	-	-	-
4462 Minor Computer Equipment	402	-	-	-
4500 Special Departmental Expense	30	500	500	500
4503 Staff Development	5,701	7,680	7,680	7,680

El Dorado County
 Detail of Financing Sources and Financing Uses
 Governmental Funds
 Fiscal Year 2015-16

Budget Unit **07 County Counsel**
 Function **General Government**
 Activity **Counsel**

Detail by Revenue Category and Expenditure Object	2013-14 Actual	2014-15 Actual <input type="checkbox"/> Estimated <input checked="" type="checkbox"/>	2015-16 Department Requested	2015-16 CAO Recommended
1	2	3	4	5
4540 Staff Development	150	-	-	-
4600 Transportation and Travel	2,850	8,400	8,400	8,400
4602 Employee - Private Auto Mileage	10,765	13,200	13,200	13,200
4605 Vehicle - Rent or Lease	349	450	450	450
4606 Fuel Purchases	184	300	300	300
4608 Hotel Accommodations	3,914	8,400	8,400	8,400
Total Services and Supplies	\$ 327,245	\$ 319,189	\$ 269,168	\$ 269,168
Intrafund Transfers				
7210 Intrafund: Collections	\$ -	\$ 250	\$ 250	\$ 250
7223 Intrafund: Mail Service	4,580	4,854	5,341	5,341
7224 Intrafund: Stores Support	146	173	230	230
7231 Intrafund: IS Programming Support	-	-	560	560
7232 Intrafund: Maint Bldg & Improvments	245	400	400	400
Total Intrafund Transfers	\$ 4,972	\$ 5,677	\$ 6,781	\$ 6,781
Total Expenditures/Appropriations	\$ 2,756,559	\$ 3,059,669	\$ 3,066,787	\$ 3,066,787
Net Cost	\$ (2,404,756)	\$ (2,678,669)	\$ (2,608,762)	\$ (2,608,762)