

BUDGET

Fiscal Years 2023 & 2024

CITY ATTORNEY

Farimah Faiz Brown

Ramonda Clarke

Kassandra Perez

Keith Nesbit

April 29, 2022

INTRODUCTION

- In November 2020, Berkeley voters approved Measure KK, updating the role and duties of the City Attorney.
- The City Attorney is the Chief Legal Officer of the City of Berkeley and Prescribes the Office's Responsibilities.
- Our Mission Statement is to provide the City with the highest caliber legal services and advice and to protect and defend the interests of this dynamic and vibrant city by all legal and ethical means.
- The Berkeley Charter Section 113 States: “Upon presentation of a proposed budget by the City Attorney, the Council shall provide funds sufficient to carry out the responsibilities of the office of City Attorney and for the City Attorney's department (subject to available resources), which shall be under the administrative control of the City Attorney.”

CITY ATTORNEY



Farimah Faiz Brown



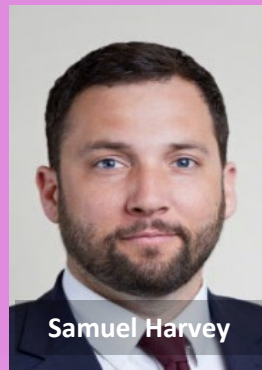
Brendan Darrow



Sara Stephens



Laura Iris Mattes



Samuel Harvey

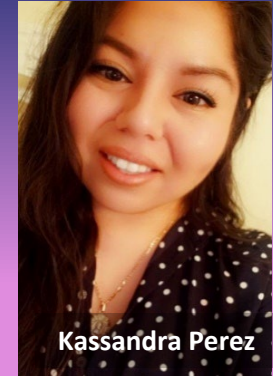


James Chang

ATTORNEYS



Ramonda Clarke



Kassandra Perez



Keith Nesbit



Rosanne Massimino

PARALEGALS & LEGAL SECRETARIES

OVERVIEW

The City Attorney's Office provides legal advice and support to all City departments, the City Council, the City Manager, and City boards and commissions, as well as the Library Board.



LEGISLATION



LITIGATION



RISK MANAGEMENT



LEGAL REVIEW

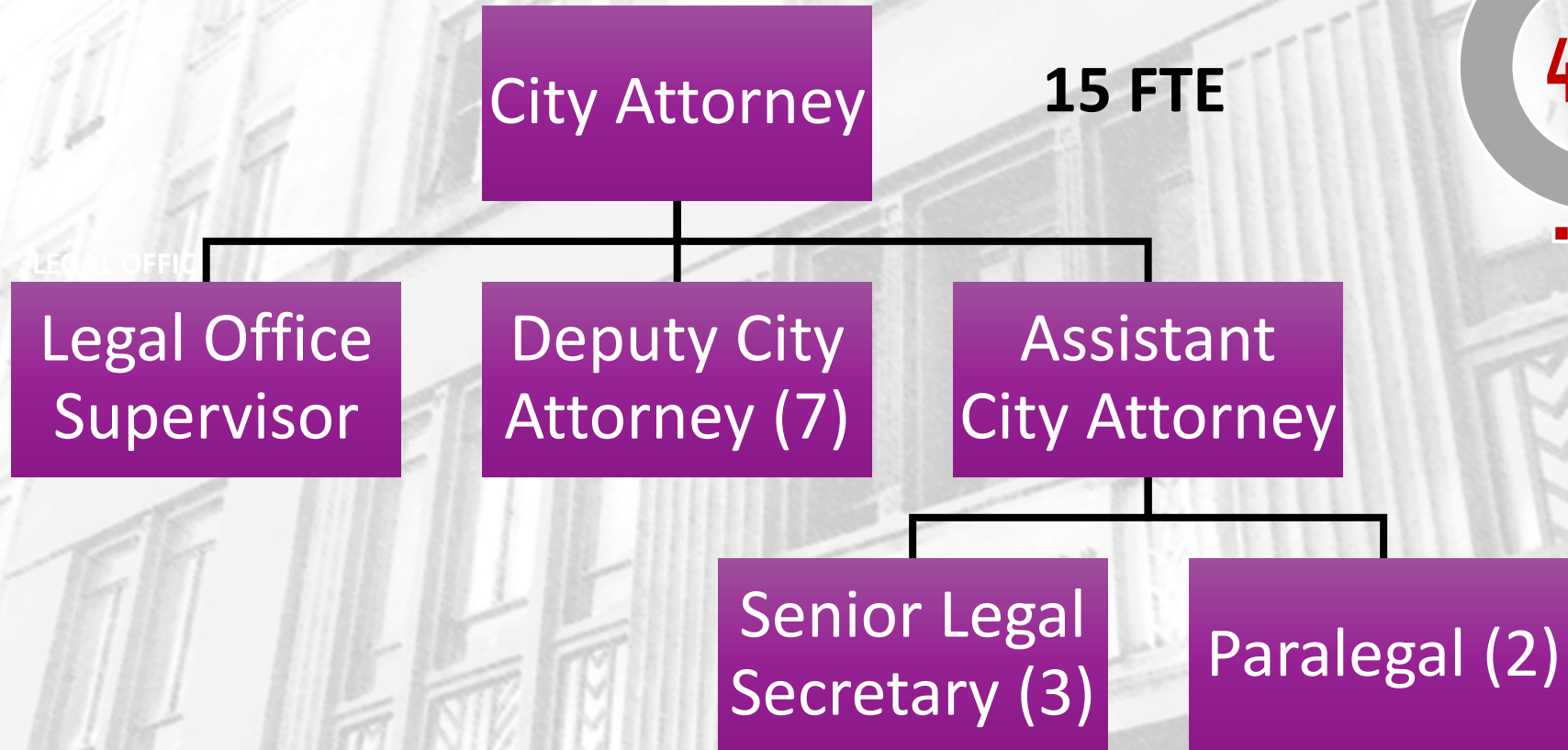


COMMISSION WORK

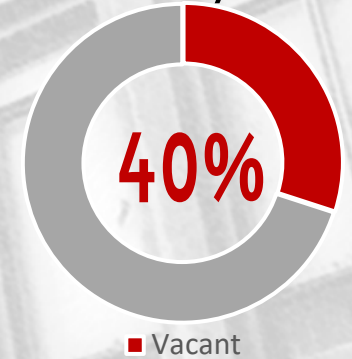


INFORMATION

CITY ATTORNEY OVERVIEW



Vacancy Rate



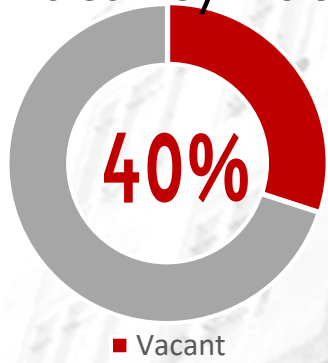
CITY ATTORNEY

STAFFING

	FISCAL YEAR 2022 ACTUAL	FISCAL YEAR 2022 ADOPTED	FISCAL YEAR 2023 REQUEST	FISCAL YEAR 2024 REQUEST
GENERAL FUND	13.25	13.25	15.75	15.75
PUBLIC LIABILITY FUND (comes from the General Fund)	1.75	1.75	1.25	1.25
TOTAL	15.00	17.00	17.00	17.00

CITY ATTORNEY VACANCY

Vacancy Rate



POSITION	GENERAL FUND (%)	STATUS
Assistant City Attorney	100	Currently Recruiting
Deputy City Attorney	100	Currently recruiting for three (3) Deputy City Attorneys
Senior Legal Secretary	100	Held vacant
Legal Office Supervisor	100	Held vacant



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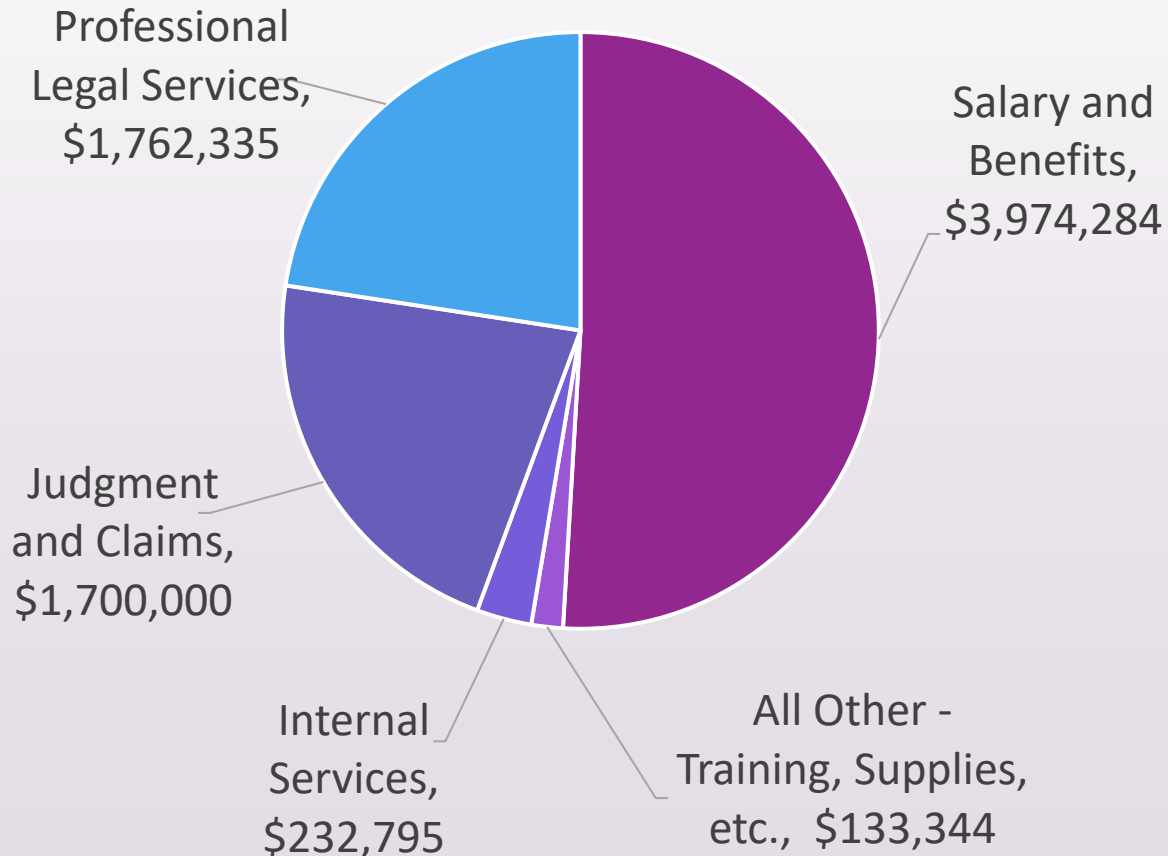
ACCOMPLISHMENTS

- ✓ Continued to support the City's COVID-19 Response
- ✓ Supported major projects such as the Bayer Development Agreement and settlement with the University of California over its Long-Range Development Plan
- ✓ Public Records Act Modernization and Accountability

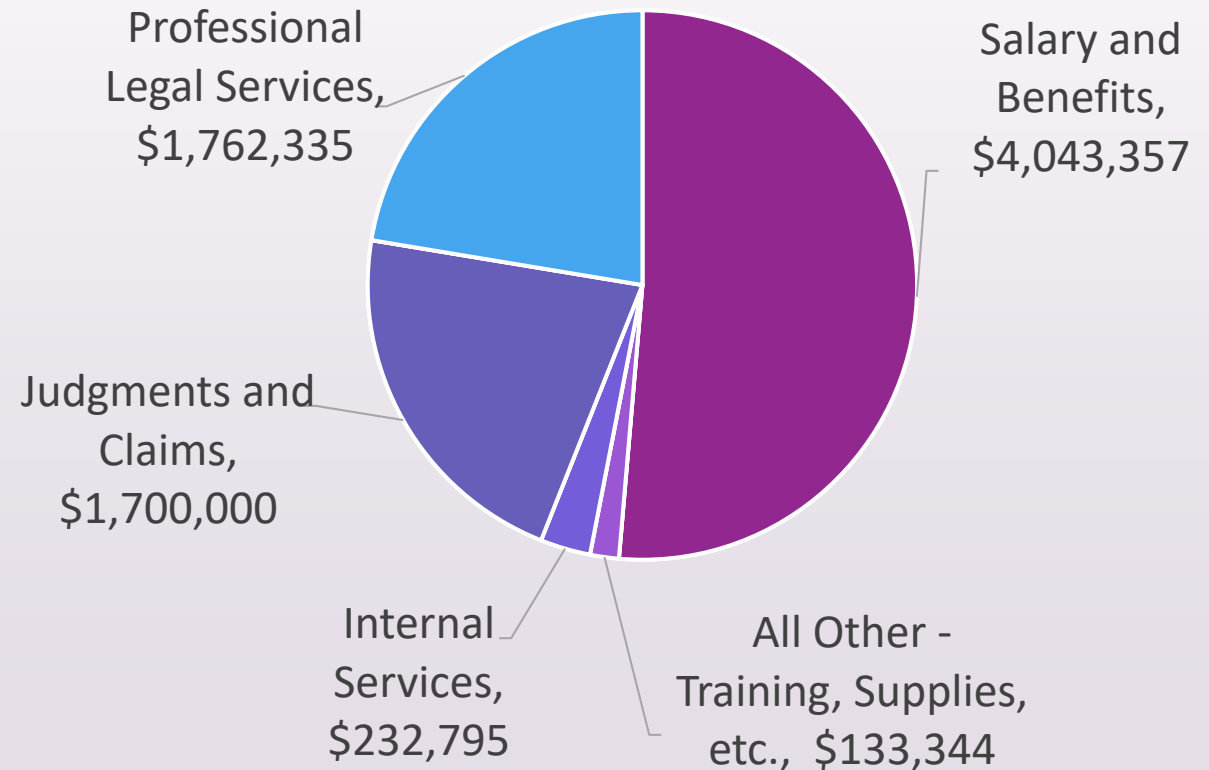
CITY ATTORNEY

OPERATING BUDGET BY EXPENDITURE TYPE

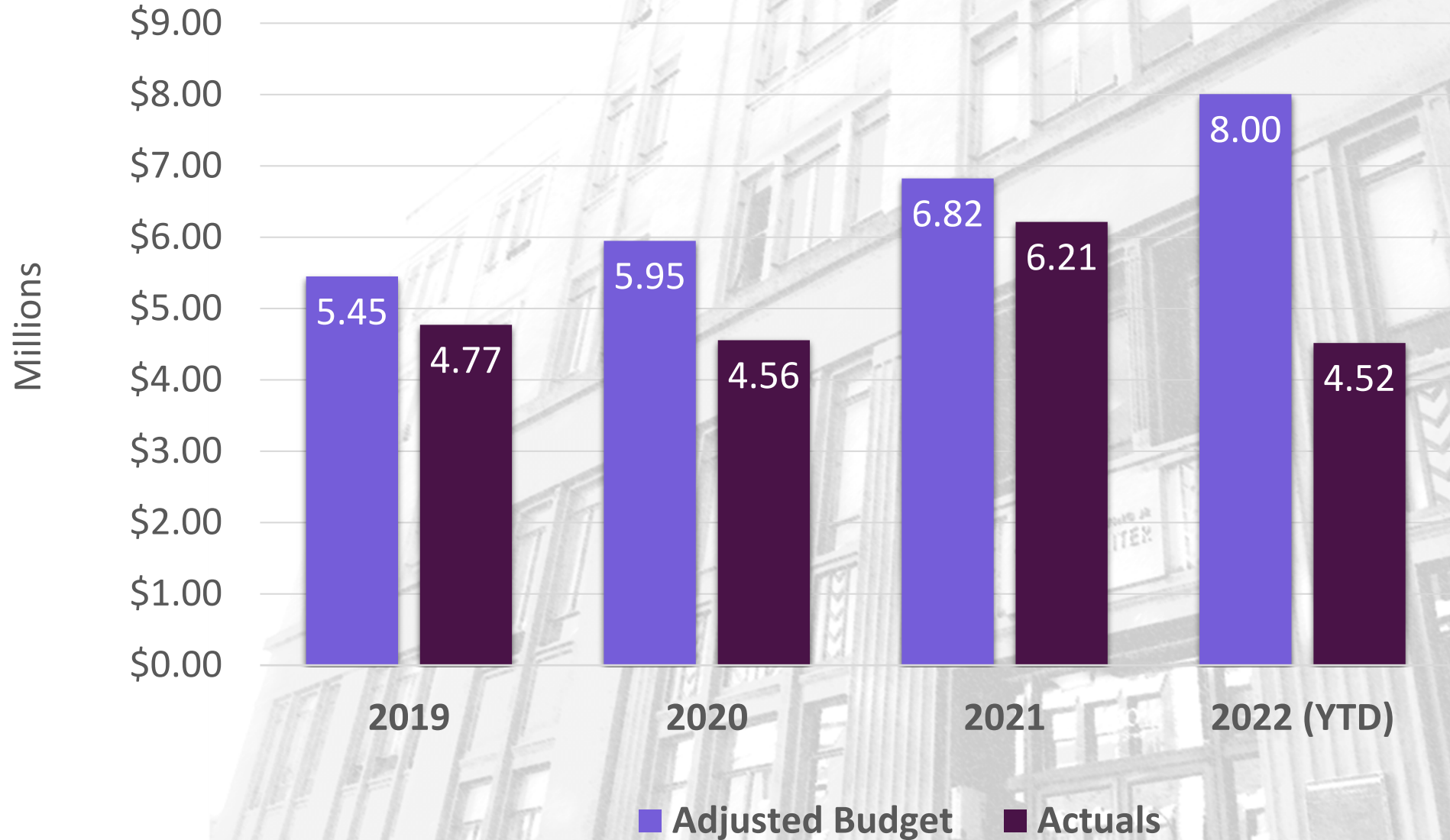
FY 23 Operating Budget
\$7,807,548



FY 24 Operating Budget
\$7,876,621



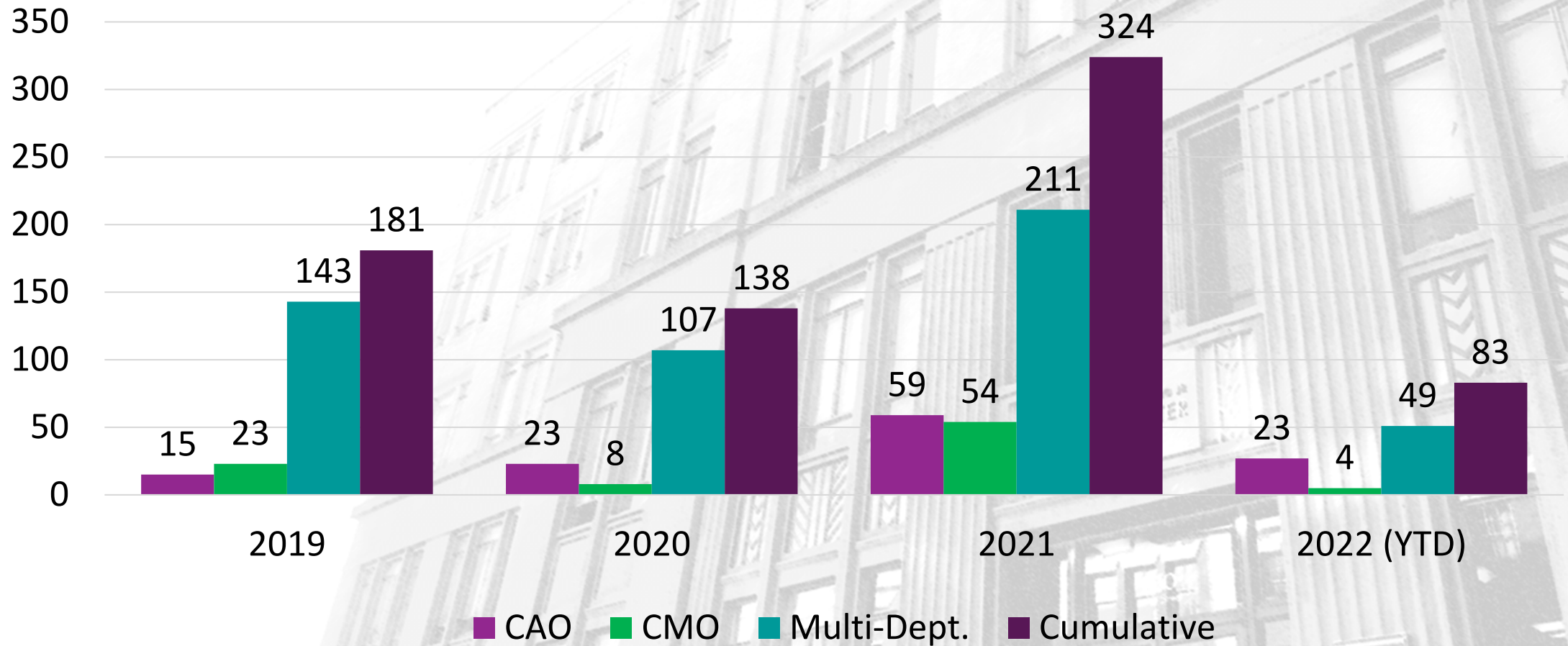
BUDGET V. ACTUALS



PERFORMANCE MEASURES

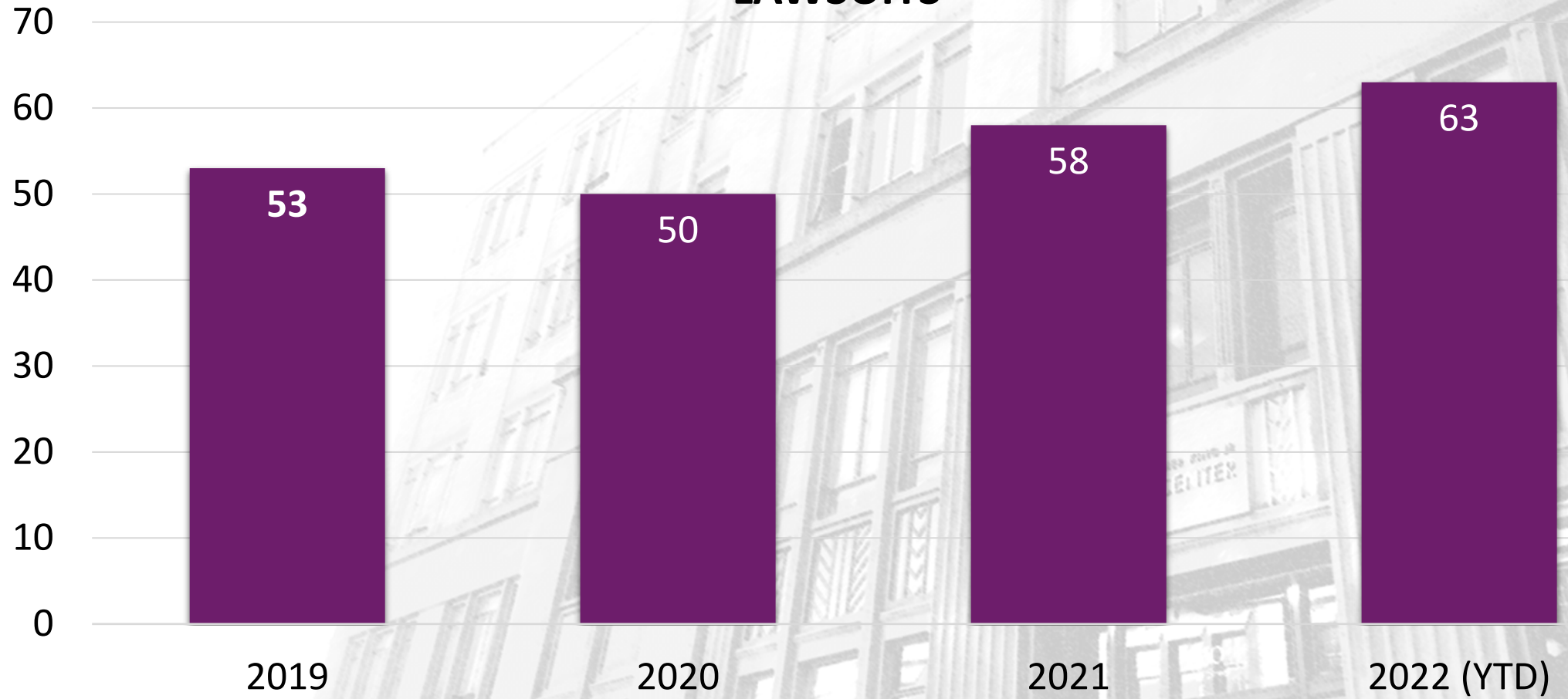
Measure	Number of Items
Number of active lawsuits (YTD)	56
City Council & Policy Committee meetings (2021)	110
Number of claims resolved (2021)	157
Public Records Act responses (2021)	324

PUBLIC RECORDS REQUESTS



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LAWSUITS



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CHANGES, CHALLENGES, OPPORTUNITIES

Increased Need to Support New and Groundbreaking Policy Initiatives

The City Council created a set of Policy Committees to help navigate new policy initiatives. The City Attorney plays a central role in providing legal advice throughout the legislative process. The number and complexity of new ordinances and other policy initiatives by the City Council or by City boards or commissions require significant City Attorney staff time to assist with drafting legislation and navigating legal issues. The propensity of the City Council to pursue groundbreaking, innovative legislation requires significant research and analysis prior to the adoption of the legislation, and the City Attorney's Office is also responsible for defending legal challenges to the legislation.

Increasing Number of Complex Litigation Matters

An evolving legal landscape and the need to support City Council and staff priorities has resulted in an increasing number of complex litigation being handled by the City Attorney's Office. The City is also pursuing a number of initiatives proactively and has filed affirmative lawsuits to protect the City's interests. The prosecution and defense of these lawsuits requires additional resources and time for the legal staff. In addition, City Attorney staff has been heavily involved in navigating the legal issues surrounding the new UC Berkeley Long Range Development Plan.

Substantially Increased Volume of Public Records Act Requests

The number and scope of Public Records Act requests fielded by the City Attorney's Office has generally increased over the past seven years, with a substantial uptick in 2021 and 2022. Responding to these requests increasingly calls for the review and production of voluminous electronic records. With the advent of new Police Record Disclosure Laws, there is a new body of work that our office is supporting that did not exist previously.

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GENERAL FUND FUNDING REQUESTS

Description	Cost	Ongoing
Deputy City Attorney II/III	\$300,000	Yes
Assistant to the City Attorney	\$250,000	Yes
Implementation of Legal Calendaring, Case Management and Practice Management Software	\$55,340	No
Annual Maintenance of Legal Calendaring, Case Management and Practice Management Software	\$26,600	Yes
Office Updates	\$50,000	No
Additional Funding for employee training	\$39,800	Yes

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Thank you for your support!