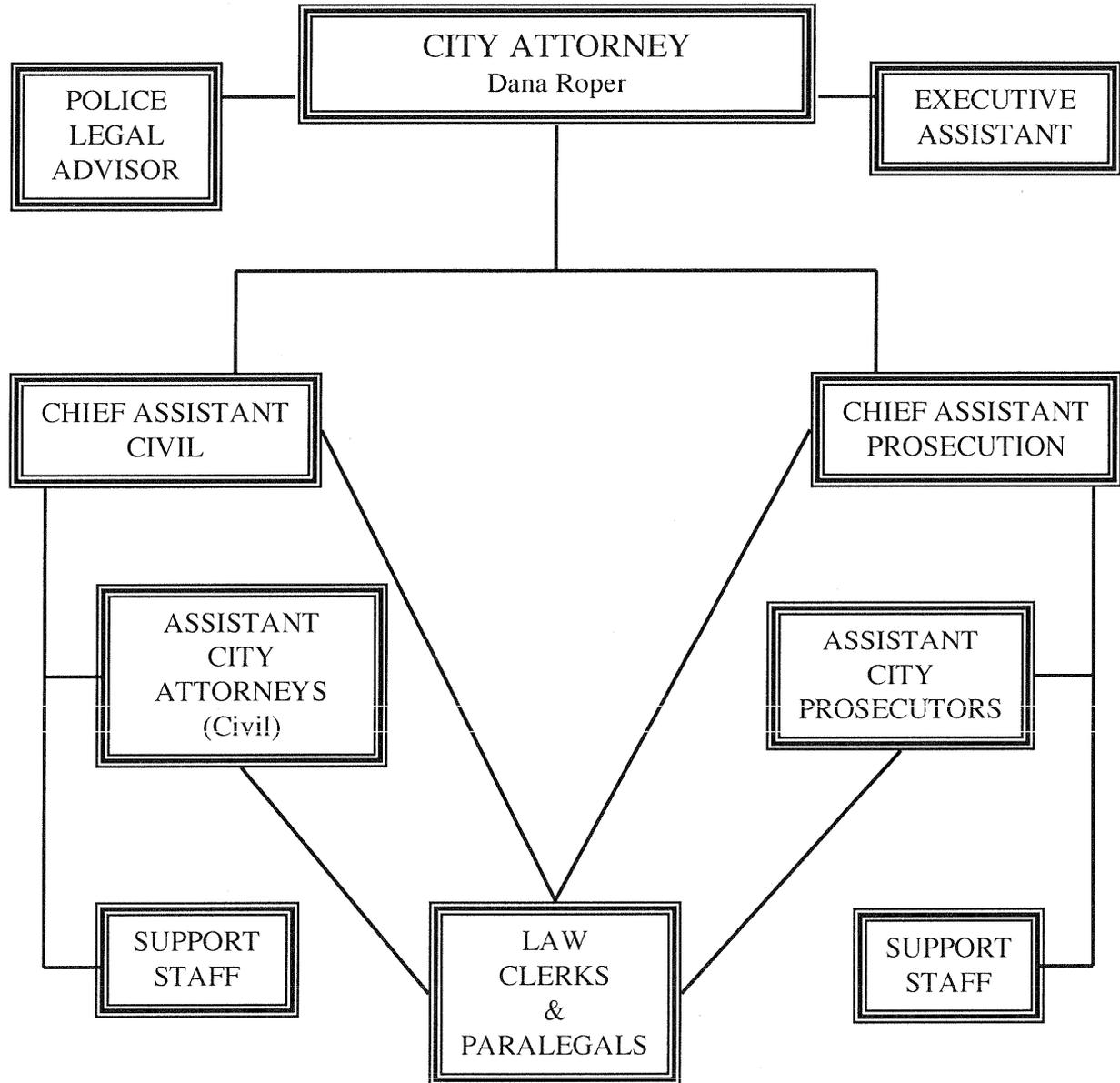


CITY LAW DEPARTMENT



LAW DEPARTMENT

GOAL: Provision of effective legal services to the Mayor, City Council, and executive levels of municipal government.

SIGNIFICANT CHANGES FOR THE LAST FIVE YEARS

- Redevelopment activities, including negotiation and drafting of option to Purchase Agreement, Redevelopment Agreement and Remediation Agreement with NDEQ.
- Development of Stormwater Drainage Criteria Manual.
- Development and zoning issues.
- Use permit – Primary negotiator in developing off-site transportation improvement agreements.
- Annexation – Primary negotiator in developing conditional annexation and zoning agreements
- Rewrite of Design Standards.
- Public Building Commission – Negotiation/acquisition of property for parking garage.

PROJECTED CHANGES FOR THE NEXT FIVE YEARS

- Community growth and expansion of city services such as utilities, police and fire protection, and public property maintenance will result in additional litigation in the areas of civil rights, torts, personnel, environmental, and disaster assistance claims. Case law and expansion of federal law, state statutes, and local ordinances regarding municipal issues will continue to have an impact on city government. Recent Federal Court rules will have a significant impact on defending the City.
- Defense of challenges to ordinances – Impact Fees; Smoking Ordinance; Group Homes.
- Affirmative action and enforcement of housing, employment and equal opportunity protection will require additional legal assistance to the city's equal opportunity structures such as the rewrite of Title 11 (Human Rights Commission, Affirmative Action Officer, Police Community Relations, etc.).
- Personnel law such as discrimination; worker's compensation issues; labor negotiations; employee benefits continue to require expanded legal services.
- Regulatory Issues – (1) Telecommunications (2) Environmental (3) Natural gas (4) Liquor (5) Emergency Medical Services/Ambulance/Medicare/Health Reform - HIPPA compliance (6) Personnel/Employment - ADA, FMLA, FLSA, Drug Testing.
- Cable television franchise – Implementation of the franchise including the educational provider.
- Environmental Issues – (1) Water - Protection of City's Water Supply (2) NPDES - Solid Waste and Stormwater Permits (3) Recycling, Hazardous Waste, Solid Waste Management, Landfill, Air Pollution, etc. (4) Establishment of a wetlands bank, acquisition and drafting of conservation easements.
- Legal services and increased coordination between Council, Administration, and Problem Resolution Team on "Quality of Life" issues such as blight; graffiti; red tagging houses; wild parties, etc.
- Emphasis on public safety with the addition of police officers and increased pressure for visible results significantly affects Prosecution workload.
- Long-range Transportation Plan Update.
- Development and Zoning Issues (1) Implementation of the 2002 Comprehensive Plan long-range planning tasks (2) Annual Plan Status Report and Five-Year Plan Update (3) Acquisition of property as needed for new projects (4) New zoning and Subdivision Codes (5) Annexation Issues – Pine Lake SID (6) Redevelopment Projects (7) Impact Fees for paying cost of major infrastructure improvements (8) Antelope Valley (9) beltway Issues (10) collection on outstanding improvements (11) Protection of future right-of-way needs from premature development.
- Infrastructure Financing Options.

LAW DEPARTMENT

GENERAL FUND

PROGRAM STATEMENTS OBJECTIVES PERFORMANCE MEASURES	ACTUAL 2004-05	ESTIMATED 2005-06	PROJECTED 2006-07
1. As an in-house law department, provide prompt and authoritative legal services to the City.			
A. Provide legal representation in all administrative proceedings and litigation initiated by, or filed against, the City in all State and Federal courts and before various administrative bodies. Staff attorneys formulate case strategy, prepare motions, pleadings, discovery documents, and briefs as required, and attend and conduct interviews, negotiations, depositions, hearings, and trials, as necessary to represent the City.			
1. Cases filed by the City (Court Litigation Only)	23	30	30
2. Cases filed against the City (Court Litigation Only).	26	40	40
B. Provide legal advice to the Mayor, Council, Ombudsman and other city officers, as well as various boards, committees and commissions, including, but not limited to, the City Council, Board of Equalization, Planning Commission, Lincoln-Lancaster County Board of Health, Cable Advisory Board, Citizen's Police Advisory Board, Charter Revision Commission, Public Building Commission, and the Board of Zoning Appeals.			
1. Respond to all requests for legal direction orally and in writing.	As requested	As requested	As requested
2. Number of boards, committees, and commissions.	70	70	70
3. Monitor on-going regulations, case law, and statutory law at the local, state, and federal level, as it relates to City of Lincoln.	Ongoing	Ongoing	Ongoing
4. Review effect of bills introduced and adopted by the Nebraska Unicameral specific to Law Dept. as referred by the Mayor's Office.			
C. Draft or review legal documents.			
1. Contracts drafted or reviewed – Executive Orders processed.	1,863	2,000	2,000
2. Preparation/review of all municipal legislation – total Ordinances/Resolutions processed.	186/417	250/600	250/600
3. Prepare printed supplements for the Lincoln Municipal Code (LMC).	2	2	2
4. Update electronic copy of Lincoln Municipal Code on the INTERNET.	52	52	52
D. Handle all violations of the City Code referred to the Prosecution Div.			
1. Traffic and misdemeanor offenses processed.	72,195	70,000	80,000
2. Performance code (Building & Safety, Health, etc.) violations.	157	300	300
3. County Court sessions attended per week.	45	45	50
4. Appeals to higher courts.	19	35	35
5. Juvenile Court cases (formal and informal).	1,083	1,300	1,300
6. Training – review prosecution efforts with referring agencies.	4	6	8
E. Resources/Training – Provide adequate resources for staff to efficiently and effectively perform their responsibilities for the City of Lincoln, as well as training and experience opportunities for staff attorneys to enhance their skills in all areas of law pertaining to municipal government.			
1. Maintain adequate, in-house legal research multi-media library.	Daily	Daily	Daily
2. Basic legal research performed and memoranda prepared by paralegal and/or law clerk.	As needed	As needed	As needed
3. Continue to implement and enhance existing technological advancements to further our efficiency at all levels of the department.	Ongoing	Ongoing	Ongoing

LAW DEPARTMENT

GENERAL FUND

COMMENTS:

- The reduction in this budget is due to budgeting for 26 rather than 27 pay periods for 2006-07, reducing media, codification, software, schools & conferences and printing line items and turnover savings.

EQUIPMENT DETAIL			ACTUAL	BUDGET	MAYOR	COUNCIL	
			2004-05	2005-06	2006-07	2006-07	
	MAYOR	COUNCIL	EXPENDITURE SUMMARY				
	<u>2006-07</u>	<u>2006-07</u>					
MICRO FUND:			PERSONNEL	1,761,553	1,912,772	1,845,055	1,845,055
Mobile Projector	2,000	2,000	SUPPLIES	41,710	39,400	38,500	38,500
Laptop	2,000	2,000	SERVICES	151,507	160,481	143,337	143,337
			EQUIPMENT	0	0	0	0
			TRANSFERS	0	0	0	0
			TOTAL	1,954,770	2,112,653	2,026,892	2,026,892
			REVENUE SUMMARY				
			GENERAL FUND	2,112,653	2,026,892	2,026,892	2,026,892
			TOTAL	2,112,653	2,026,892	2,026,892	2,026,892
			SERVICES SUMMARY				
			Contractual	17,502	21,992	18,770	18,770
			Travel/Mileage	14,743	15,400	400	400
			Print/Copying	5,866	7,250	6,750	6,750
			Insurance	3,338	3,925	4,336	4,336
			Utilities	11,847	12,000	12,000	12,000
			Maint./Repair	2,380	2,494	2,497	2,497
			Rentals	86,917	88,905	89,809	89,809
			Miscellaneous	8,915	8,515	8,775	8,775
	4,000	4,000	TOTAL	151,507	160,481	143,337	143,337

			PERSONNEL DETAIL					
CLASS			EMPLOYEES		BUDGET	MAYOR	COUNCIL	
<u>CODE</u>	<u>CLASS</u>	<u>PAY RANGE</u>	<u>05-06</u>	<u>06-07</u>	<u>2005-06</u>	<u>2006-07</u>	<u>2006-07</u>	
X	0024	Prosecution Assistant	27,066-38,190	4.00	4.00	153,045	148,009	150,549
X	0026	Legal Secretary II	31,058-43,632	3.00	3.00	131,649	127,589	129,773
X	0028	Paralegal	31,058-43,632	2.00	2.00	75,035	74,471	75,766
X	0032	Excluded Senior Office Assistant	25,265-35,735	2.00	2.00	54,520	54,313	55,263
M	0633	Executive Assistant	46,081-78,872	1.00	1.00	67,439	66,556	67,221
M	0705	Attorney I	47,516-96,906	6.00	3.00	396,641	174,889	176,638
M	0706	Attorney II	59,590-116,200	7.00	10.00	663,668	836,618	844,985
M	0708	Chief Asst. City Attorney	59,590-116,200	2.00	2.00	240,407	232,853	235,181
D	0710	City Attorney	53,177-125,987	1.00	1.00	110,833	109,396	110,489
U	4904	Professional/Technical Worker	\$11.40-19.38/hr.	0.50	0.50	17,280	15,600	15,600
		Salary Adjustment					21,171	
		Vacancy/Turnover Savings					-18,615	-18,615
		Fringe Benefits (Workers' Compensation)				2,255	2,205	2,205
		TOTAL		28.50	28.50	1,912,772	1,845,055	1,845,055