

# City Attorney's Office



The City Attorney's Office is responsible for all City of Medford legal affairs and provides representation to its elected officials, departments, employees, boards, and commissions. The mission of the City Attorney's Office is to provide responsive, high quality, and cost effective legal services. Attorneys advocate and negotiate on behalf of the City. In fulfilling its purpose, the City Attorney's Office ensures that day-to-day operations of the City are lawful and that administrative decisions are legally appropriate. Legal counsel is provided on a broad range of matters including policy development, land use, public records, contracts, torts, employment, economic development, civil rights, grants, and legislation. The City Attorney's Office also prepares and publishes revisions to the Medford Municipal Code, prosecutes misdemeanor crimes that occur within the City of Medford, and defends the City in litigation matters. Additionally, the City Attorney's Office is responsible for Risk Management, which includes managing the self-insurance program for primary General Liability, the purchase of other insurance including Excess Liability and Property Insurance, risk management loss control efforts, and required administration and coordination of the City's efforts to comply with the Americans with Disabilities Act.

## ACCOMPLISHMENTS

- Settled two major components of ongoing retirement benefits litigation with a compromise settlement that avoided trial and limited potential liability.
- Obtained favorable arbitration opinion, preventing City liability.
- Obtained summary judgment in two lawsuits against Police, preventing liability.
- Successful receivership action for property located at 205 Chestnut Street.
- Reviewed and provided input on adoption and revision of City's Administrative Regulations.
- Prosecuted and settled cases in Municipal Court. Implemented victim rights and restitution notification.
- Assisted Police with the Neighborhood Livability Project.
- Assisted in resolving ongoing problems with a chronic nuisance property located at 412 N Columbus.
- Assisted the Planning Department with Urban Growth Boundary amendment.
- Drafted Construction Excise Tax Code.
- Worked with City Council and Planning to draft marijuana code pertaining to transportation and outdoor grow structures.
- Assisted Planning with the Chicken Ordinance.
- Assisted Public Works with Foothill Road condemnation.
- Assisted the Police Department in interpreting Ninth Circuit Court case law regarding prohibited camping.
- Assisted Innovation & Technology and Risk Management in handling a data breach.
- Assisted Finance in updating the contract manual.
- Assisted Utility Billing in handling bankruptcy cases.
- Drafted Surplus Property Code.
- Worked with Police and Fire in a contested estate case.
- Assisted in drafting a Hope Village Operational Agreement extension.
- Worked with Council to draft Transportation Network Company Ordinance.

- Drafted Shopping Cart Ordinance.
- Amended Downtown Exclusion Zone Code.
- Worked with Planning and Council to draft and pass a Transportation System Plan.
- Advanced progress of the City's interdepartmental ADA Action Plan for ADA Compliance work to update its self-evaluation and transition plan. This work demonstrated the City's responsiveness to prior period's Federal Highway Administration (FHWA) investigation, findings, and recommendations to the City.
- Coordinated collaborative relationship with FHWA regarding City's ADA compliance work, submitting required timely progress reports to FHWA quarterly.
- Worked with ADA Leadership partners in Public Works to participate in the self-evaluation of the City's programs and services as a part of the Public Works contract for self-evaluation and transition plan development with the consulting firm MIG.
- Expanded relationship of ADA Coordinator into the community of people with disabilities, service providers, and other interested persons, to foster desired and required public input in the ADA work of the City.
- Developed a community member ADA Focus Group for public input in the MIG ADA project an ongoing work of responding to the needs of the self-evaluation.
- Further equipped Certified ADA Coordinator through completing Professional Associate 3-year credential, growing expertise through ongoing periodic education to maintain credentials, and increase effectiveness in application of complex regulatory standards.
- Answered ADA public requests from people with disabilities by responding directly, or linking requests to applicable operating departments for resolution.
- Managed the City's self-insurance program for liability, along with its Property & Casualty Insurance Program and associated claims of all types.
- Coordinated claims work to recover damages to City vehicles or property caused by others.
- Provided Risk Management consulting for City operating departments in considering new programs, changes, or better ways to operate with reduced liability risk.
- Reviewed insurance provisions in contracts for City operating departments to enable the widest set of contractors with adequate insurance protection for the business of the City.

## FUND DESCRIPTIONS

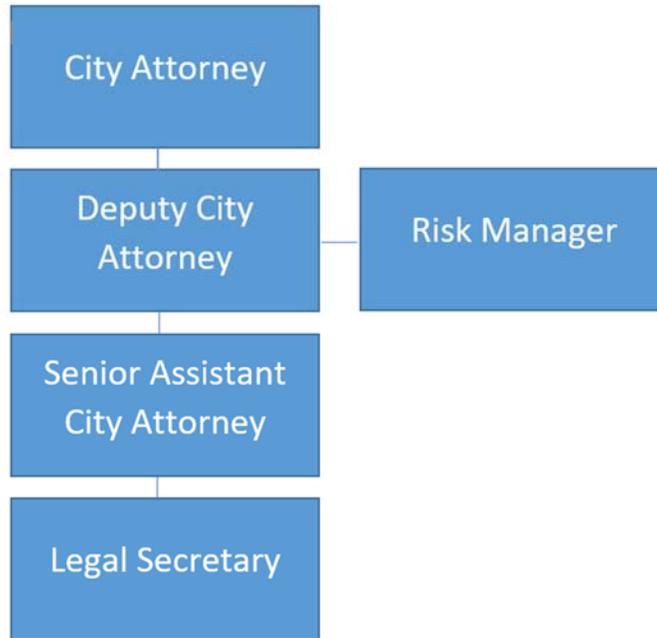
The City Attorney's Office is a General Fund department.

### Fund 700, Risk Management

The Risk Management Fund (700) is an internal service fund from which the City operates its Risk Management division to protect the City from various risks of loss related to torts; theft of, damage to, and destruction of assets; and errors and omissions. The revenue for the Risk Management Fund is derived through internal transfer of resources from all operating departments within the City, as well as external revenue from interest income on the risk fund reserves required to fund future self-insured liabilities. The amount of revenue required and the proportion transferred from each operating department is determined by actuary analysis for the City's self-insured liability program.

**ORGANIZATION**

The City Attorney’s Office is an internal services department that is structured as shown in the organizational chart below. The City Attorney oversees one Deputy City Attorney, two Senior Assistant City Attorneys, and one Legal Secretary. The Deputy City Attorney oversees the Risk Manager.



**Position Listing**

Position	13-15 Biennium Actual	15-17 Biennium Actual	17-19 Adjusted Budget	19-20 City Mgr Proposed	20-21 City Mgr Proposed	19-21 City Mgr Proposed
104 City Attorney	1	1	1	1	1	1
336 Deputy City Attorney	1	1	1	1	1	1
129 Senior Assistant City Attorney	1	1	2	2	2	2
172 Legal Secretary	1	1	1	1	1	1
244 Risk Manager	1	1	1	1	1	1

**OBJECTIVES AND PERFORMANCE MEASURES**

**City Attorney (1310):** The City Attorney’s Office endeavors to assist the City in minimizing its financial exposure to claims and lawsuits. This is accomplished by pursuing earlier legal involvement in decisions and policies which raise legal questions or risk. Educating other City departments regarding changes to laws and regulations, as well as ethics training for the City Manager, Mayor, Council, Commissions and Boards is crucial to reduce risk. The City Attorney’s Office desires to reduce the need for outside counsel by resolving cases in-house but also works with outside counsel on matters beyond our expertise or capacity. We endeavor to prosecute criminal cases successfully in Municipal Court. It is the City Attorney’s

Office’s aim to implement City Council goals by drafting code, providing legal advice, and responding to community concerns.

The following measures will be reported to assess progress in achieving key departmental objectives.

### Performance Measures

Performance Measures	Actual 2017-18	Actual 2018-19	Target 2019-20	Target 2020-21
Percentage of cases utilizing internal counsel.	70% of cases	77% of cases	78% of cases	80% of cases
Administrative appeals resolved in favor of the City.	100% of cases	100% of cases	100% of cases	100% of cases
Training for the City Manager, Mayor, Council, Commissions, Boards, and employees regarding changing areas of law or reduction of risk of liability.	4 trainings	3 trainings	4 trainings	5 trainings
Survey clients regarding performance and satisfaction.	N/A	N/A	Create and send survey regarding performance and satisfaction of legal services received.	Create and implement an action plan based upon the results of the survey.
Obtain convictions in criminal cases that proceed to trial in Municipal Court.	N/A	N/A	75% of cases	80% of cases
Assist the Neighborhood Livability Project with livability issues.	N/A	N/A	Attend each Neighborhood Livability Project meeting. Report on how many properties the City Attorney’s Office has taken action on.	Attend each Neighborhood Livability Project meeting. Report on how many properties the City Attorney’s Office has taken action on.

**BUDGET SUMMARY – CITY ATTORNEY**

**CITY ATTORNEY (13)**

**DEPARTMENT-WIDE - ALL FUNDS**

EXPENSE DESCRIPTION	13-15	15-17	17-19	19-21	19-21	19-21
	BIENNIUM ACTUAL	BIENNIUM ACTUAL	ADJUSTED BUDGET	CITY MGR PROPOSED	BUD COMM APPROVED	COUNCIL ADOPTED
PERSONNEL SERVICES	1,125,501	1,153,006	1,355,200	1,748,070	1,748,070	1,748,070
MATERIALS & SERVICES	88,161	81,285	86,800	1,809,400	1,809,400	1,809,400
CAPITAL OUTLAY	-	993	-	-	-	-
CAPITAL IMPROVEMENT	-	-	-	-	-	-
<b>Grand Total</b>	<b>\$ 1,213,662</b>	<b>\$ 1,235,284</b>	<b>\$ 1,442,000</b>	<b>\$ 3,557,470</b>	<b>\$ 3,557,470</b>	<b>\$ 3,557,470</b>

**GENERAL FUND (100)**

EXPENSE DESCRIPTION	13-15	15-17	17-19	19-21	19-21	19-21
	BIENNIUM ACTUAL	BIENNIUM ACTUAL	ADJUSTED BUDGET	CITY MGR PROPOSED	BUD COMM APPROVED	COUNCIL ADOPTED
PERSONNEL SERVICES	1,125,501	1,153,006	1,355,200	1,458,320	1,458,320	1,458,320
MATERIALS & SERVICES	88,161	81,285	86,800	86,800	86,800	86,800
CAPITAL OUTLAY	-	993	-	-	-	-
CAPITAL IMPROVEMENT	-	-	-	-	-	-
<b>Grand Total</b>	<b>\$ 1,213,662</b>	<b>\$ 1,235,284</b>	<b>\$ 1,442,000</b>	<b>\$ 1,545,120</b>	<b>\$ 1,545,120</b>	<b>\$ 1,545,120</b>

**RISK MANAGEMENT FUND (700)**

EXPENSE DESCRIPTION	13-15	15-17	17-19	19-21	19-21	19-21
	BIENNIUM ACTUAL	BIENNIUM ACTUAL	ADJUSTED BUDGET	CITY MGR PROPOSED	BUD COMM APPROVED	COUNCIL ADOPTED
PERSONNEL SERVICES	-	-	-	289,750	289,750	289,750
MATERIALS & SERVICES	-	-	-	1,722,600	1,722,600	1,722,600
CAPITAL OUTLAY	-	-	-	-	-	-
CAPITAL IMPROVEMENT	-	-	-	-	-	-
<b>Grand Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>\$ 2,012,350</b>	<b>\$ 2,012,350</b>	<b>\$ 2,012,350</b>