

# Legal Department

## Mission Statement

It is the mission of the Legal Department to act as the legal representative for the City of Rockford, its officers, and its employees.

**Primary Function** → The primary function of the Legal Department is to provide a variety of legal services for administrative issues, legislative issues, and land acquisition programs.

COST CENTER	LEGAL DEPARTMENT					
	2010 BUDGET		INCREASE (DECREASE)		2011 BUDGET	
	PERSONNEL	BUDGET	PERSONNEL	BUDGET	PERSONNEL	BUDGET
LEGISLATIVE	2.065	\$236,119	0.00	(18,459)	2.065	\$217,660
ADMINISTRATIVE	2.245	296,390	0.00	(62,044)	2.245	234,346
LEGAL SERVICES	10.190	1,059,911	0.00	88,540	10.190	1,148,451
EEOC	1.000	99,476	0.00	10,098	1.000	109,574
PROPERTY	<u>1.500</u>	<u>149,517</u>	<u>0.00</u>	<u>19,529</u>	<u>1.500</u>	<u>169,046</u>
TOTAL	<u>17.00</u>	<u>\$1,841,413</u>	<u>0.00</u>	<u>\$37,664</u>	<u>17.00</u>	<u>\$1,879,077</u>

## 2010 Accomplishments →

- Performed all aspects of major litigation and obtained Summary Judgment and/or Dismissals in the following major litigation matters: Cooper v. City of Rockford [Officer-Involved Shooting Fatality], Lawson [False Arrest/Imprisonment], James Johnson v. Rockford Police Department, Anderson-Bey v. Martin, et al., and Jenkins v City of Rockford.
- Expanded resident participation in Weed and Seed coffee hour, garden projects and neighborhood outreach programs.
- Applied for and received Reentry Employment Initiative Technical Assistance Grant to receive in-depth training and technical assistance to address gang prevention and reentry efforts.
- Applied for and received Technical Assistance Grant for in-depth on-site training on Economic Development.
- Applied for and received Technical Assistance Grant for in-depth on-site training on Community Engagement and Sustainability.
- Assisted in program development and implementation that resulted in rehabilitation projects on 17 homes in the Ellis Heights and Kishwaukee Weed and Seed Sites.
- Developed draft legislation and a local initiative to target nuisance properties with local landlords through participation with Housing Task Force.
- Supervised and directed the implementation of a new City-wide system for Freedom of Information requests in compliance with the revised FOIA statute of 2010.
- Trained City employees in the new system to act as liaison officers or FILOs for direct contact with the public. The system is "paperless" and may be monitored in real-time with several dashboards.

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- On a daily interactive basis, performed function as City-wide FOIA officer, OMA Officer and de facto Local Records Act Officer. Oversaw implementation of the City-wide e-mail retention software.
- Supervised staff development and training in court representation for the police subpoena process.
- Continued online CLE for Legal Department staff resulting in an overall cost savings to the Department.
- Representation of the City disciplinary and contract grievances, interest arbitration with PB&PA Unit 6 and continuing labor relations matters with all City bargaining units.
- Continuing participation in the 17<sup>th</sup> Judicial Circuit Court's Truancy Advisory Board .
- Prosecution of driving under the influence and major traffic violations in Circuit Court.
- Assisted Loves Park and our retained lobbyist in the reauthorization of the Industrial Jobs Recovery Act, an incentive the City successfully used for many job creation and retention projects, most recently for the Wanxiang solar panel manufacturing plant and solar farm.
- Supported the successful application for 5 million dollars in grade crossing protection funding from the Illinois Commerce Commission, reducing present and future costs for the Morgan Street Bridge and local rail operations.

### **2011 Goals and Objectives →**

- Increase economic activity by supporting development projects.
- Finalize right of way acquisition for Morgan Street Bridge, North Main, Churchill Park storm water management and other infrastructure improvement projects.
- Support of Community Development through effective drafting and review of development and incentive agreements.
- Reduce crime by effective ordinance adoption and enforcement and support of Weed and Seed initiatives.
- Successful implementation of Solicitation Impound Ordinance.
- Support transition to geographic policing.
- Increase living wage jobs by continuing expansion of Minority Procurement Policy.
- Create a qualified and educated workforce by supporting Community Education Partnership Initiatives.

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- Develop partnership with District 205 to target and assist students reading below grade level.
- Create vibrant neighborhoods by supporting Code Enforcement, Weed and Seed Programs and Neighborhood Associations.
- With community partners, implement a re-entry program for parolees wherein they receive housing and job skills training.
- Create foreclosure database to track all foreclosures within the City and streamline foreclosure defense actions.
- Finalization and implementation of cable franchise renewal.
- Continue annual negotiation of animal control services intergovernmental agreement and reduction of city costs for animal services.
- Revision of City's towing and impound ordinance for improved cost recovery and protection from predatory towing practices.
- Maintain efficient services and control costs through support of labor negotiations.
- Transition out of DUI and traffic prosecutions.
- Explore outsourcing opportunities within the Legal Department and support outsourcing activities throughout the organization.

### **Budget Summary**

LEGAL DEPARTMENT BUDGET SUMMARY					
APPROPRIATION	2008 ACTUAL	2009 ACTUAL	2010 BUDGET	2011 BUDGET	INCREASE (DECREASE)
PERSONNEL	\$1,791,125	\$1,667,594	\$1,620,773	\$1,649,477	\$28,704
CONTRACTUAL	247,626	184,447	201,890	208,900	7,010
SUPPLIES	48,303	15,261	18,750	20,700	1,950
OTHER	0	0	0	0	0
CAPITAL	0	0	0	0	0
TOTAL	<u>\$2,087,054</u>	<u>\$1,867,302</u>	<u>\$1,841,413</u>	<u>\$1,879,077</u>	<u>\$37,664</u>
STAFFING REVIEW					
	2008	2009	2010	2011	INCREASE (DECREASE)
TOTAL	20.00	20.00	17.00	17.00	0.00
FUNDING SOURCE					
	2010 AMOUNT	2010 PERCENTAGE	2011 AMOUNT	2011 PERCENTAGE	
PROPERTY TAXES					
FRINGE BENEFIT REIMBURSEMENTS	\$229,451	10.6	\$221,397	11.8	
MAGISTRATE FINES	650,000	30.8	665,000	35.4	
PURCHASE OF SERVICES	497,100	23.2	521,700	27.8	
GENERAL REVENUES	464,862	35.4	470,980	25.0	
TOTAL	<u>\$1,841,413</u>	<u>100.0</u>	<u>\$1,879,077</u>	<u>100.0</u>	

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## Budget Analysis

The 2011 budget of \$1,879,077 is a \$37,664 (2.0%) increase from the 2010 budget. Personnel costs increased \$28,700 due to increased health insurance costs (\$32,000), retiree health insurance expense (\$15,000) and unemployment (\$2,000). Decreases that also contribute are the retirement and replacement of a City Attorney position (\$10,600) and decreased IMRF expense (\$10,000). The severance pay for the retiring City Attorney (\$53,873) is included in the retirement and replacement of the position.

Overall contractual expenses increase \$7,010. Increases consisted of building rental (\$6,000), service contracts (\$900) and education expense (\$2,000). The increases were partially offset by a decrease in telephone expense (\$2,500).

In 2009, the Legal Department spent \$1,867,301, or 100.3% of its budget allocation. For 2010, the spending is estimated to be 97.0% of the budget. Over the past several years, 96% to 104% of the budget has been spent.

## Capital Equipment

There are no capital items budgeted for 2011.

## Personnel Review

LEGAL DEPARTMENT				
BENEFITS AND SALARIES				
SALARY	2010 BUDGET	2011 BUDGET	INCREASE/ (DECREASE)	
PERMANENT	\$1,119,506	\$1,055,275	(\$64,231)	
TEMPORARY	0	0	0	
SEVERANCE	0	53,873	53,873	
OVERTIME	0	0	0	
MERIT PAY	0	0	0	
SALARY ADJUSTMENT	0	0	0	
TOTAL SALARIES	\$1,119,506	\$1,109,148	(\$10,358)	
BENEFITS				
ILLINOIS MUNICIPAL RETIREMENT	\$225,916	\$215,909	(\$10,007)	
UNEMPLOYMENT TAX	1,071	3,060	1,989	
WORKER'S COMPENSATION	2,464	2,428	(36)	
HEALTH INSURANCE	255,970	288,357	32,387	
LIFE INSURANCE	1,326	1,326	0	
RETIREE HEALTH INSURANCE	0	14,729	14,729	
PARKING BENEFITS	14,520	14,520	0	
TOTAL BENEFITS	\$501,267	\$540,329	\$39,062	
TOTAL COMPENSATION	\$1,620,773	\$1,649,477	\$28,704	
PERSONNEL				
POSITION TITLE	POSITION RANGE	2010 EMPLOYEES	2011 EMPLOYEES	INCREASE/ (DECREASE)
LEGAL DIRECTOR	E-14	1.00	1.00	0.00
CITY ATTORNEY	E-11	4.00	4.00	0.00
LAND TRANSACTIONS OFFICER	E-7	1.00	1.00	0.00
ASSISTANT CITY ATTORNEY I	E-8	2.00	2.00	0.00
DIVERSITY PROCUREMENT OFFICER	E-8	1.00	1.00	0.00
SR. ADMINISTRATIVE ASSISTANT	E-6	1.00	1.00	0.00
ADMINISTRATIVE ASSISTANT	E-5	5.00	5.00	0.00
OFFICE ASSISTANT	E-2	2.00	2.00	0.00
TOTAL PERSONNEL		17.00	17.00	0.00

# **Legal Department**

## **Performance Measurements**

	2008 Actual	2009 Actual	2010 Estimated	2011 Projected
Claims filed	568	310	225	225
Fines collected	\$1,229,982	\$1,252,606	\$1,200,000	\$1,200,000
Ordinance/traffic tickets issued/prosecuted	24,997	23,946	23,000	23,000
Ordinances drafted/presented	260	243	250	250
Resolutions drafted/presented	120	128	175	175