

COUNTY COUNSEL

COUNTY COUNSEL..... 1210

JEANINE B. NADEL, County Counsel

COUNTY COUNSEL'S BUDGET UNIT

County Counsel 1210

PROGRAM DISCUSSION

Programs: County Counsel is charged by State law with the responsibility to defend, or prosecute, all civil actions and proceedings that concern the County or any of its officers. County Counsel is required to provide legal advice and representation to the following: all County officers and departments, boards and commissions, Municipal Advisory Commissions, special districts governed by the Board of Supervisors, and the Mendocino County Grand Jury. The County Counsel acts as legal advisor on a fee for services basis to special districts, Redevelopment Agency, the Community Development Commission, Local Agency Formation Commission (LAFCO), Mendocino Transit Authority, Mendocino Council of Governments, Mendocino Solid Waste Management Authority, Fire Districts, Water Districts, Community Service Districts, Air Quality Management District, Resource Conservation District, Ukiah Valley Sanitation District and other Joint Powers Agencies.

Public Trust: It is the responsibility of County Counsel to act as representation to the Board in all legal matters, and therefore serve as the voice of the public for matters in which the Board brings forth action against another government body, public agency or private individual on behalf of public interest.

Practices: Advise the Board of Supervisors, Grand Jury, and County Departments. For a fee, advise Special Districts, Boards and Commissions.

People: Represent the County competently, thoughtfully and justly in all legal matters, and encourage staff to be diligent in their role as legal counsel.

MAJOR ACCOMPLISHMENTS IN F/Y 2009-10

Programs:

- CONSERVATORSHIPS AND PUBLIC ADMINISTRATOR CASES: represented the Public Guardian/Public Administrator in conservatorship and estate cases for the Social Services Branch of the Health & Human Services Agency.
- JUVENILE DEPENDENCY CASES: the two juvenile attorneys handled all phases of these cases from inception through appeal. These cases involved abused, neglected or abandoned children. The cases are resolved when the children are returned to their families, placed in long term foster care, placed in a guardianship, or adopted into a new family.

➤ FAMILY DEPENDENCY DRUG COURT: assisted the Health and Human Services Agency in the development of the family dependency drug court, including application for the federal drug court grant. Continues to participate in further development and implementation of this program.

➤ ELDER ABUSE PROGRAM: worked with the Health and Human Services Agency and the District Attorney's Office to develop a program to respond to incidents of financial elder abuse. An arrangement for a training session with the various County departments and countywide law enforcement agencies was successfully completed, and staff continues to work with these agencies on program development and implementation.

➤ LAW ENFORCEMENT: actively involved in assisting the Sheriff's Office, District Attorney's Office and the Mendocino County Board of Supervisors with all marijuana issues this past year, including, but not limited to, enforcement of the Marijuana Cultivation Ordinance.

➤ LEGAL OPINIONS: issued over 1,950 legal opinions (240 over last year) to date.

➤ LITIGATION: through aggressive and diligent work, maintained a successful litigation program.

➤ UKIAH VALLEY SANITATION DISTRICT: increased services to the Sanitation District.

➤ LAND USE LAW ENFORCEMENT CASES AND ADVISORY SUPPORT: provided advisory and litigation support in all building, planning, zoning, environmental health, and air quality projects and cases. Enhanced code enforcement support to Planning and Building Services and the Redevelopment Agency. Participated in the development of a Code Enforcement Nuisance Abatement Program with Planning and Building Services, which will bring revenue into the County.

➤ RISK MANAGEMENT TRAINING: provided Ethics, Brown Act and Public Records Training to County officials, Special Districts, Boards and Commissions, at no cost. In addition, provided Sexual Harassment Training for County Department Heads, Managers and Supervisors, thus minimizing risks and complying with State mandates.

➤ WORKED extensively to amend fee generating ordinances.

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- **WATER PROJECTS:** provided increased services to the Water Agency regarding investigation and development of water resources. Reviewing pleadings in Ninth Circuit Appeal to FERC's permit process related to Coast Permits.
- **WAVE ENERGY PROJECT:** was involved in newly developed Wave Energy issues and litigation.
- **RESEARCH** on amendments to the Clean Water Act. Monitoring Water Board activities related to Decision 1610, including, but not limited to, these projects.
- **MARINE LIFE PROTECTION ACT:** was involved in initiating the grant proposal for funding the local MLPA Group. Currently monitoring this program and will continue to attend meetings.
- **PLANNING & BUILDING SERVICES:** assisted the Planning & Building Services with numerous planning projects, including the Ukiah Valley Area Plan, General Plan processes, provided significant support regarding the Garden Gate Subdivision Development, Development Agreements, and negotiations related to this project.
- **TRANSPORTATION AND SURVEYOR:** provided significant support regarding Minor and Major Subdivision Agreements, and other issues surrounding subdivisions, road related issues, encroachment permits, and road vacation.
- **TREASURER/TAX COLLECTOR:** worked extensively with the Treasurer/Tax Collector's Office to amend the Business License Ordinance.
- **SIERRA WORLD MUSIC FESTIVAL:** renegotiated the Sierra World Music Festival Agreement on behalf of the Mendocino County Fair and Apple Show and the County of Mendocino. The festival generates revenue to the County.
- **NORTHERN CALIFORNIA HEALTH CARE AUTHORITY – LOCATED IN SONOMA COUNTY:** agreed to be working on a fee for service basis providing legal advice on their joint powers authority, writing bylaws, conflict of interest code, and assisting with legal issues.

Public Trust: Provided legal advice to County Board of Supervisors, department heads, staff, boards and commissions to enable them to meet the needs of the public.

Practices: Provided legal advice, advocacy and support to County officials and staffed Committee meetings, and provided legal services for the County in litigation initiated by and against the County.

People: Provided legal support to all County Departments and Agencies and to the Board of Supervisors.

GOALS/OBJECTIVES FOR F/Y 2010-11

Programs: Continue to assist the County with ongoing projects and legal obligations. Provide a sound program of preventative and proactive legal support through accurate and timely legal advice to the Board of Supervisors, County officers, departments, boards and commissions, as well as special districts governed by the Board of Supervisors.

Public Trust: Enforce mandated state, federal and local laws in the areas of planning, zoning, building, solid waste, water quality, environmental health and air quality.

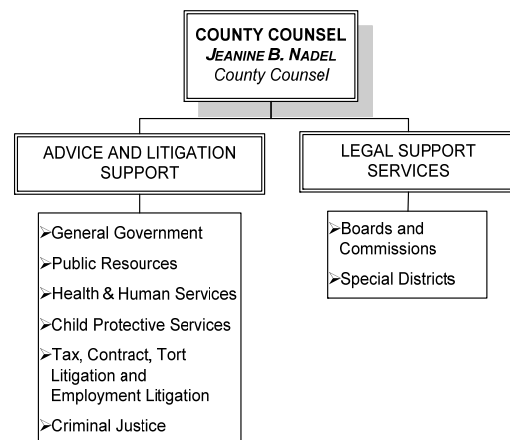
Practices: Provide the best possible legal services for the County in litigation initiated by and against the County. Deliver legal advocacy and collaborative support to all County Departments and Offices, Boards, Commissions and Special Districts.

People: Staff will continue to provide legal services to maintain the level of services currently provided to the Board of Supervisors, County Departments, Boards, Commissions and Special Districts. Continue to assist the County in reducing dependency upon outside counsel by retaining experienced staff counsel, secretarial and para-professional support through employee development and training.

CURRENT STAFFING

To view staffing levels for this budget unit, see the Position Allocation Table located in this document under the tab **L. Position Allocation Table**.

PROGRAM CHART



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SUMMARY OF MAJOR BUDGET ACCOUNTS

Salaries & Employee Benefits

- ✧ Acct. 1011 Provides funding for 9 full time positions.

Expenditure Transfer and Reimbursement

- ✧ Acct. 5380 Provides for direct billing for legal services to Social Services for 2-Attorneys for juvenile cases and 1-Legal Secretary (Confidential).

Revenues

- ✧ Acct. 6161 Provides for billing for special districts, retirement fund, and others. Provides for billing to Redevelopment Agency for code enforcement in the project areas.
- ✧ Acct. 6278 Provides for operating transfers from General Liability Insurance Fund.

CEO RECOMMENDED BUDGET COMMENTS

The CEO recommends funding as submitted by the department.

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State Controller
County Budget Act
(1985)

County of Mendocino
State of California
Budget Unit Financing Uses Detail
Recommended Budget for Fiscal Year 2010-11

County Budget Form
Schedule 9

Classification:

Function: 1 General Government

Budget Unit: 1210 County Counsel

Activity: 101 General - Legislative & Administrative

Fund: 1100 County General

Financing Uses Classification	2008-09 Budget	2008-09 Actuals	2009-10 Budget	2009-10 Actuals	2010-11 Request	2010-11 Recommend	2010-11 Adopted
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<i>as of 5/31/10</i>							
Salaries & Employee Benefits							
861011 Regular Employees	839,700	771,283	760,288	677,282	731,838	834,404	
861012 Extra Help	0	2,552	0	0	0	0	
861013 Overtime Reg Emp	0	270	0	0	0	0	
861021 Co Cont Retirement	116,976	102,603	94,499	78,714	101,261	101,261	
861022 Co Cont OASDI	46,681	42,499	43,312	36,994	46,142	46,142	
861023 Co Cont Medicare	11,817	10,766	10,900	9,419	11,614	11,614	
861024 Co Cont Retire Incr	48,890	42,801	34,097	28,645	45,256	45,256	
861030 Co Cont Health Ins	99,042	88,619	93,463	80,368	92,707	92,707	
861031 Co Cont Unemp Ins	510	510	741	741	2,886	2,886	
861035 Co Cont Workers Comp	8,945	8,945	10,006	10,006	11,144	11,144	
Total Salaries & Employee Benefits	1,172,561	1,070,849	1,047,306	922,169	1,042,848	1,145,414	0
Services & Supplies							
862060 Communications	15,000	5,844	12,000	4,587	10,000	10,000	
862061 Comm Lease	850	0	500	0	500	500	
862101 Insurance - General	2,503	2,503	2,226	2,226	2,343	2,343	
862120 Maint - Equip	2,000	0	2,000	161	1,200	1,200	
862150 Memberships	11,000	7,025	11,000	5,988	10,000	10,000	
862170 Office Expense	17,300	15,948	17,500	9,484	15,000	15,000	
862183 Legal Fees	10,000	0	0	0	0	0	
862187 Education & Training	6,000	492	6,000	777	5,000	5,000	
862189 Prof/Spec Svcs - Other	2,500	1,495	2,500	0	2,500	2,500	
862190 Publ/Legal Notice	1,500	0	500	374	300	300	
862230 Info Tech Equip	0	0	0	0	0	0	
862239 Spec Dept Expense	80,000	82,300	66,003	56,745	67,000	67,000	
862250 Trans/Travel	3,557	3,887	4,000	3,700	4,000	4,000	
862253 Travel Out of County	15,000	9,283	15,000	2,986	12,000	12,000	
Total Services & Supplies	167,210	128,777	139,229	87,027	129,843	129,843	0
Fixed Assets							
864370 Equipment	0	0	0	0	0	0	
Total Fixed Assets	0	0	0	0	0	0	0
Expend Transfer & Reimb							
865380 Intrafund Transfers	(440,900)	(374,591)	(440,900)	(275,650)	(445,309)	(445,309)	
Total Expend Transfer & Reimb	(440,900)	(374,591)	(440,900)	(275,650)	(445,309)	(445,309)	0
Total Net Appropriations	898,871	825,035	745,635	733,546	727,382	829,948	0

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Financing Uses Classification	2008-09 Budget	2008-09 Actuals	2009-10 Budget	2009-10 Actuals	2010-11 Request	2010-11 Recommend	2010-11 Adopted
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

as of 5/31/10

<i>Less: Revenues</i>							
823204 Misc Court Fine	5,000	0	5,000	0	5,000	5,000	
826161 Legal Services	85,000	33,075	50,000	35,101	50,000	50,000	
826163 Legal Svcs Reimb	20,000	15,103	25,000	6,642	20,000	20,000	
826230 Estate Fee - Pub Admin	4,000	41,977	5,000	9,629	9,000	9,000	
826278 Interfund - Legal	239,700	239,700	239,700	239,700	263,700	263,700	
826390 Other Charges	150	1,840	900	11,900	1,000	1,000	
827600 Other Sales	600	288	500	651	600	600	
827700 Other	800	0	0	0	500	500	
Total Revenues	<u>355,250</u>	<u>331,984</u>	<u>326,100</u>	<u>303,623</u>	<u>349,800</u>	<u>349,800</u>	<u>0</u>
 Total Net County Cost	 <u>543,621</u>	 <u>493,051</u>	 <u>419,535</u>	 <u>429,923</u>	 <u>377,582</u>	 <u>480,148</u>	 <u>0</u>

County of Mendocino

2010-11

RECOMMENDED BUDGET

