

# 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, 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, the Community Development Commission, Local Agency Formation Commission (LAFCO), Mendocino Transit Authority, Mendocino Council of Governments, 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 2008-09

#### **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. Continued

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. Arrangements for a training session with the various County departments and countywide law enforcement agencies were successfully completed, and staff continued 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 1,710 legal opinions 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. 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.

- Water Projects: provided increased services to the Water Agency regarding investigation and development of water resources.

- Wave Energy Project: was involved in newly developed Wave Energy issues and litigation.

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- **Planning Team:** assisted the Planning Team with numerous planning projects, including the Ukiah Valley Area Plan and General Plan processes.
- **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 will generate 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 2009-10

**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.

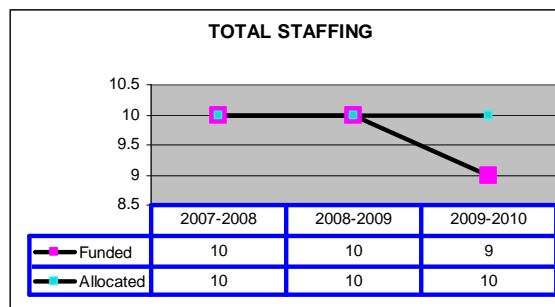
**Public Trust:** Enforce mandated state, federal and local laws in the areas of planning, zoning, building, solid waste, water quality, environmental health and air quality.

**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.

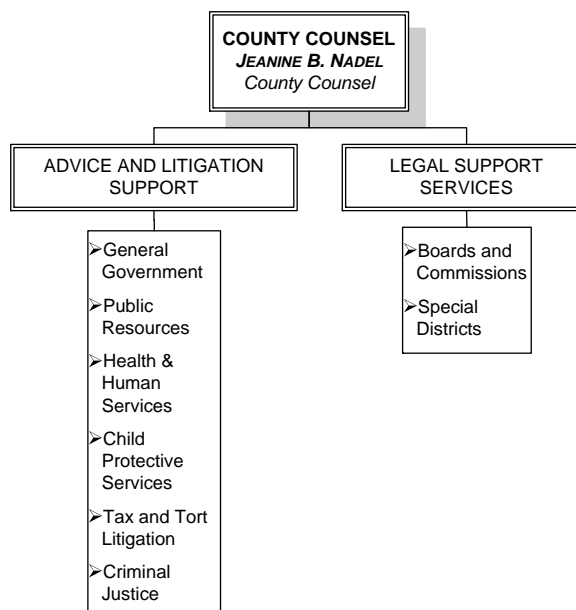
**People:** Staff will continue to provide legal services to maintain the level of services currently provided to the Board of Supervisors, County Departments, Boards,

Commissions and Special Districts. County Counsel hopes to fill a vacant attorney position in the near future to assist Planning and Building Services and the Sheriff’s Office with code enforcement activities. 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.

### STAFFING CHART



### PROGRAM CHART



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## SUMMARY OF MAJOR BUDGET ACCOUNTS

### *Salaries & Employee Benefits*

- ✧ Acct. 1011 Provides funding for 9 full time positions. Decrease of \$(71,612) from prior year.

### *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. This budget provides funding for 9 positions, including 1 vacant position, and salary savings this year. County Counsel salary is also reduced by 10%. The total reduction in Net County Cost is \$(76,143).

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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 2009-10

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	2007-08 Budget	2007-08 Actuals	2008-09 Budget	2008-09 Actuals	2009-10 Request	2009-10 Recommend	2009-10 Adopted
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

as of 5/31/09

Salaries & Employee Benefits

861011 Regular Employees	763,486	783,163	839,700	681,271	872,370	809,870	
861012 Extra Help	0	275	0	2,552	0	0	
861013 Overtime Reg Emp	0	0	0	270	0	0	
861021 Co Cont Retirement	120,116	106,650	116,976	90,470	100,547	95,112	
861022 Co Cont OASDI	44,984	44,068	46,681	37,104	48,354	45,824	
861023 Co Cont Medicare	11,078	10,837	11,817	9,504	12,203	11,611	
861024 Co Cont Retire Incr	49,578	42,325	48,890	37,792	36,316	34,322	
861030 Co Cont Health Ins	86,000	88,351	99,042	77,141	100,770	93,463	
861031 Co Cont Unemp Ins	1,003	1,003	510	510	510	741	
861035 Co Cont Workers Comp	7,775	7,775	8,945	8,945	8,945	10,006	
<b>Total Salaries &amp; Employee Benefit</b>	<b>1,084,020</b>	<b>1,084,447</b>	<b>1,172,561</b>	<b>945,561</b>	<b>1,180,015</b>	<b>1,100,949</b>	<b>0</b>

Services & Supplies

862060 Communications	15,000	5,009	15,000	3,893	12,000	12,000	
862061 Comm Lease	850	0	850	0	500	500	
862101 Insurance - General	2,866	2,866	2,503	2,503	2,503	2,226	
862120 Maint - Equip	2,000	290	2,000	0	2,000	2,000	
862150 Memberships	10,000	7,065	11,000	2,710	11,000	11,000	
862170 Office Expense	17,300	20,198	17,300	13,915	17,500	17,500	
862183 Legal Fees	10,000	0	10,000	0	10,000	10,000	
862187 Education & Training	6,000	809	6,000	452	6,000	6,000	
862189 Prof/Spec Svcs - Other	2,500	279	2,500	1,495	2,500	2,500	
862190 Publ/Legal Notice	500	0	1,500	0	500	500	
862230 Info Tech Equip	1,608	2,148	0	0	0	0	
862239 Spec Dept Expense	80,000	85,889	80,000	73,105	77,103	50,303	
862250 Trans/Travel	4,000	3,874	3,557	2,337	4,000	4,000	
862253 Travel Out of County	15,000	10,402	15,000	9,690	15,000	15,000	
<b>Total Services &amp; Supplies</b>	<b>167,624</b>	<b>138,828</b>	<b>167,210</b>	<b>110,100</b>	<b>160,606</b>	<b>133,529</b>	<b>0</b>

Fixed Assets

864370 Equipment	0	718	0	0	0	0	
<b>Total Fixed Assets</b>	<b>0</b>	<b>718</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>

Expend Transfer & Reimb

865380 Intrafund Transfers	(425,000)	(367,990)	(440,900)	(278,707)	(440,900)	(440,900)	
<b>Total Expend Transfer &amp; Reimb</b>	<b>(425,000)</b>	<b>(367,990)</b>	<b>(440,900)</b>	<b>(278,707)</b>	<b>(440,900)</b>	<b>(440,900)</b>	<b>0</b>

Total Net Appropriations

	826,644	856,003	898,871	776,953	899,721	793,578	0
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Financing Uses Classification	2007-08 Budget	2007-08 Actuals	2008-09 Budget	2008-09 Actuals	2009-10 Request	2009-10 Recommend	2009-10 Adopted
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
				as of 5/31/09			
Less: Revenues							
823204 Misc Court Fine	5,000	0	5,000	0	5,000	5,000	
826161 Legal Services	85,000	38,036	85,000	19,250	80,000	50,000	
826163 Legal Svcs Reimb	20,000	14,989	20,000	11,954	25,000	25,000	
826230 Estate Fee - Pub Admin	4,000	191	4,000	41,977	5,000	5,000	
826278 Interfund - Legal	212,481	212,481	239,700	239,700	239,700	239,700	
826390 Other Charges	150	265	150	1,840	900	900	
827600 Other Sales	600	535	600	272	500	500	
827700 Other	800	0	800	0	0	0	
<b>Total Revenues</b>	<b>328,031</b>	<b>266,497</b>	<b>355,250</b>	<b>314,993</b>	<b>356,100</b>	<b>326,100</b>	<b>0</b>
<b>Total Net County Cost</b>	<b>498,613</b>	<b>589,505</b>	<b>543,621</b>	<b>461,960</b>	<b>543,621</b>	<b>467,478</b>	<b>0</b>

# County of Mendocino

**2009-10**

*RECOMMENDED BUDGET*

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