

Legal Services

County Counsel

Michael Ghizzoni
County Counsel



FY 2020-21
BUDGET WORKSHOPS

Key Challenges & Emerging Issues

Litigating major “non-standard” cases: Southern California Edison’s (SCE) Cross-Complaint; Main Jail’s “conditions of confinement;” Northern Branch Jail construction; opioids; and HVI Cat Canyon bankruptcy.

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Litigating “standard” portfolios: child protection; \$1.0 billion plus in property tax assessments; 31 other civil litigation cases; Medi-Cal audits; and conservatorships.

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Advisory support for “standard” items, plus: COVID-19 response; 1/9 Debris Flow disaster recovery; cannabis; “water issues;” \$328-plus million of capital projects; “Public Safety Power Shutoffs;” and emergency ambulance Request for Proposals (RFP).

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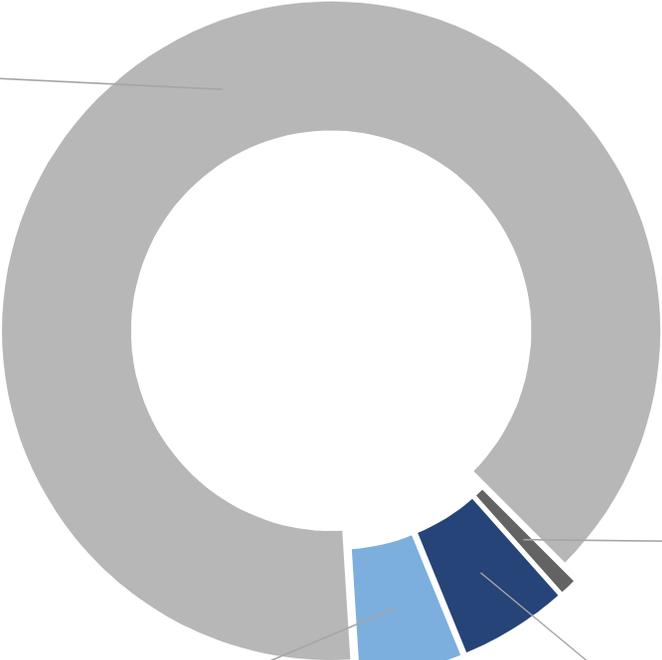
With triage, present attorney staffing is adequate for all of this, but we request 1.0 FTE more paralegal support.

Budget Summary

Operating Budget	\$ 9,935,300
Use of One-Time for Ongoing Operations	\$ 0 0%
Capital Budget	\$ 0
General Fund Contribution	\$ 8,793,400
Full-Time Equivalents	41
Service Level Reductions	\$ 0
Restoration Requests	\$ 0
Expansion Requests	\$ 133,800

Source of Funds

General Fund Contribution
\$8.8 M, 89%



Charges for Services
\$0.5 M, 5%

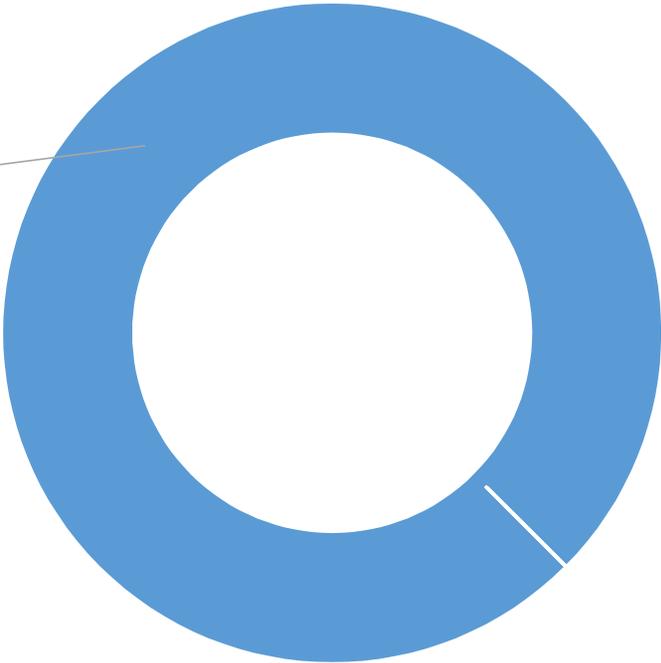
Licenses, Permits, & Franchises
\$0.1 M, 1%

Use of Fund Balance
\$0.5 M, 5%

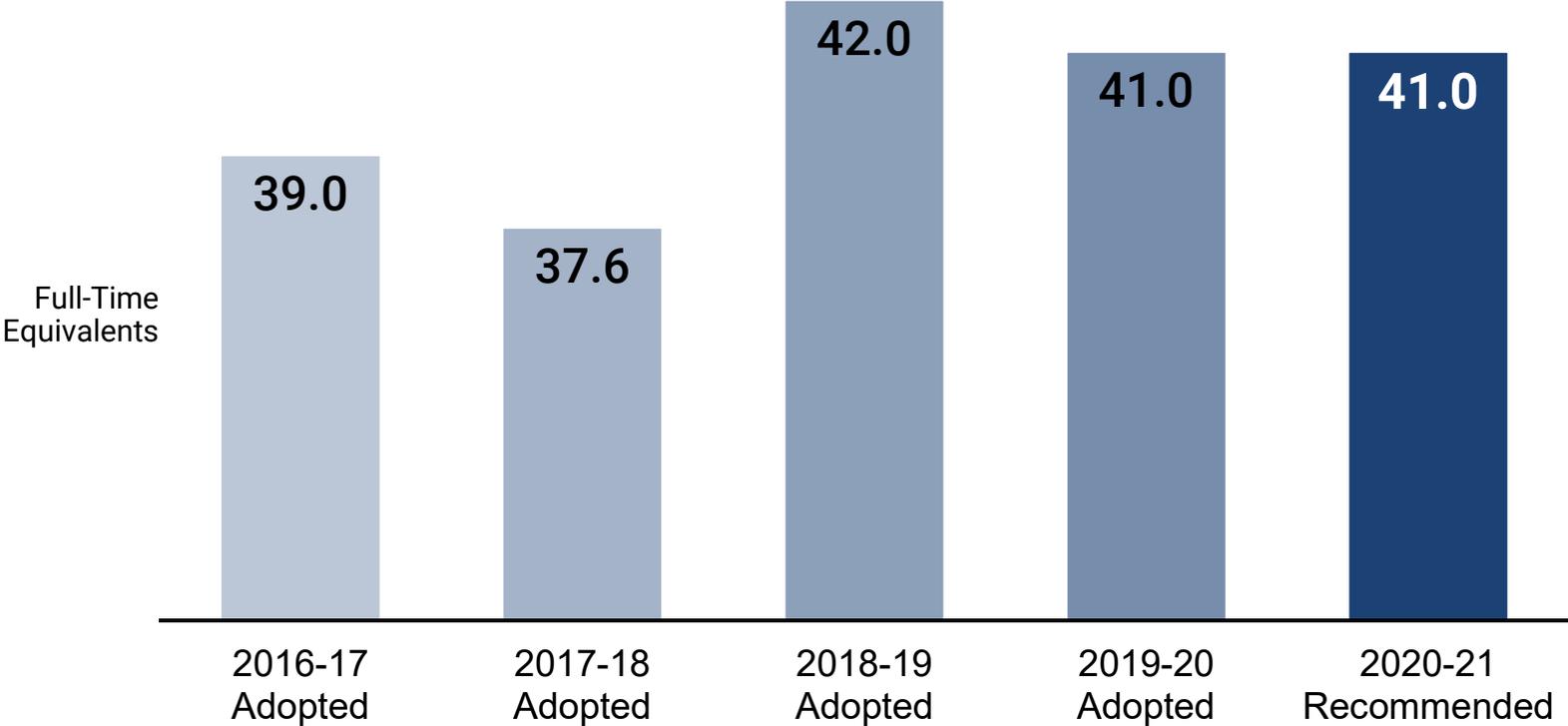
Use of Operating Funds

By Budget Program

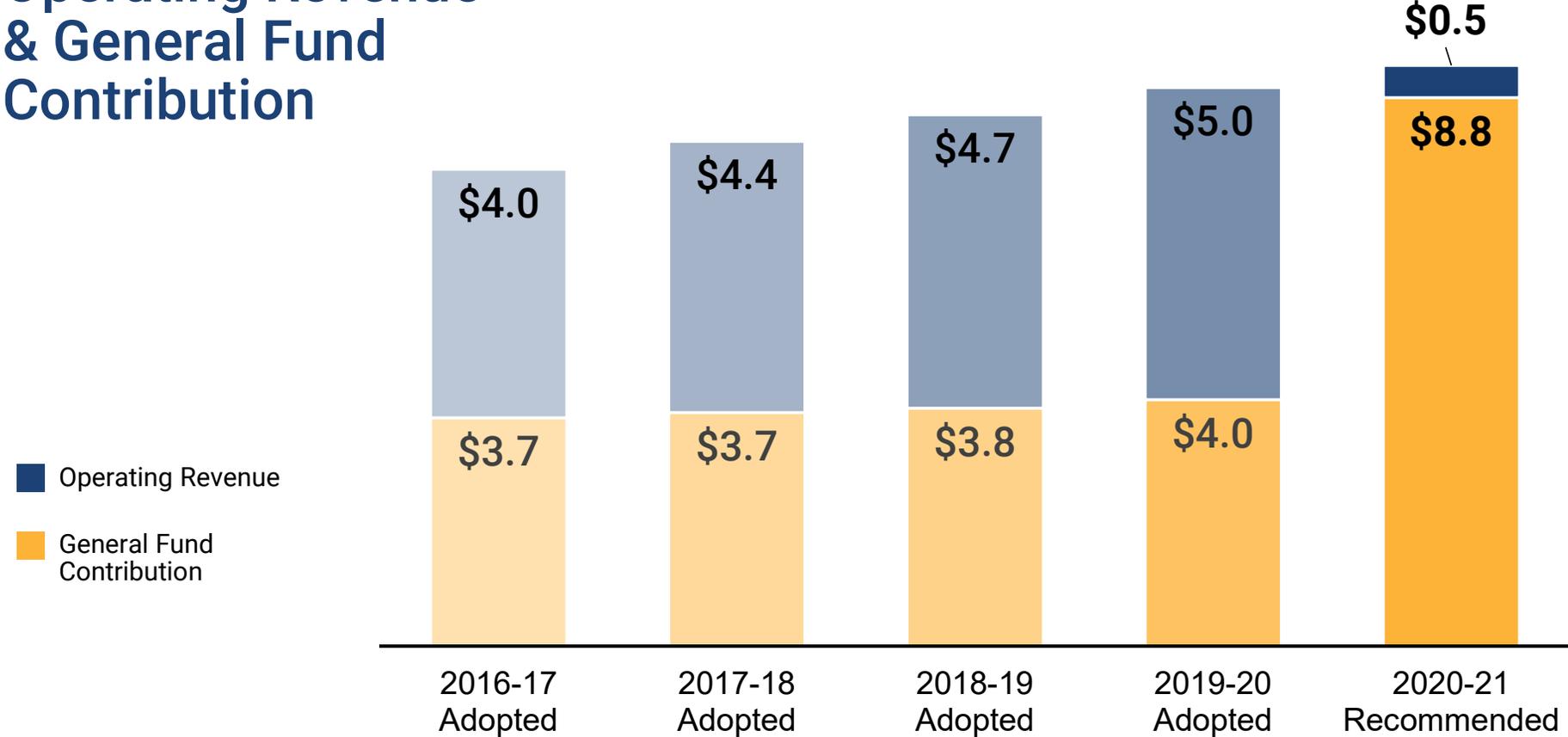
Legal Services
\$9.9 M, 100%



Staffing Summary



Operating Revenue & General Fund Contribution



FY 2019-20 Anticipated Accomplishments

- Recovered 1/9 Debris Flow disaster damages from SCE: \$28.1 million directly to County; plus \$22.9 million more escrowed to fully satisfy County's obligation to repay State and Federal Emergency Management Agency for disaster projects.
- Provided fast, coordinated and effective legal support for the County's COVID-19 response.
- Resolved 18 civil rights, tort, employment and property rights cases for less than \$1.1 million. 10 of those 18 cases resolved with no County payout.
- Prevailed in 7 of 8 Child Welfare Services appeals.
- Used new \$50,000 delegated settlement authority for defensive claims. County was more agile and saved time with fewer Closed Session items. 

 Renew '22
Departmental Initiative

FY 2019-20 Anticipated Accomplishments (Cont.)

- Received \$677,000 so far in HVI Cat Canyon's bankruptcy, after venue shift to Santa Barbara.
- Provided extensive legal support to the Cannabis Program, including ordinance amendments.
- Delivered timely legal support for 1/9 Debris Flow disaster recovery, including: Debris Nets Project; debris basins; and longer price-gouging protection.
- Litigated the "new normal" of heavier caseloads of defined "Complex Case" property tax assessment appeals, and resolved 13 complex cases in 2019.
- Obtained initial improvements for "Public Safety Power Shutoffs," through California Public Utilities Commission, and with "Joint Local Governments."

FY 2020-21 Objectives

- Timely legal support for: COVID-19 response; 1/9 Debris Flow disaster recovery; cannabis ordinances, permitting and enforcement; “water issues;” more “Public Safety Power Shutoff” improvements; and emergency ambulance RFP.
- Litigate “standard” portfolios, plus major “non-standard” cases: SCE’s Cross-Complaint; Main Jail’s conditions of confinement; Northern Branch Jail construction; opioids; and HVI Cat Canyon bankruptcy.
- Support \$328-plus million of capital projects including: Northern Branch Jail; ReSource Center; Main Jail improvements; and Laguna Sanitation District Plant Upgrade.

RENEW '22 | Big Picture Goals

RE-DESIGN

- Identify and enroll appropriate employees in County-provided process improvement training.

RE-BALANCE

- Worked with CEO's office to develop a steadier funding model for County Counsel's budget. Completed, except for the Property Tax Administration Fee component, which is still in progress.
- Consolidated IT services with County Executive Officer, General Services, Human Resources, and First 5 for a cost savings to County Counsel of approximately \$74,000 per year. Completed.
- Increase County Counsel revenues by approximately \$30,000, per year, by recommending updated cost recovery fees for County Counsel legal services on planning and zoning permit applications. This would not become effective without a fee study and Board approval. In progress.

RENEW '22 | Big Picture Goals

RESPOND

- Conduct Internal Customer Survey, estimated June 2020.
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RETAIN

- 97% per year retention average over the past 3 years, excluding retirements.
 - 6th year of “Stay Interviews” and responding to feedback.
 - Weekly updates to staff and actively encouraging collaboration.
 - Management Training ongoing for all managers through Employee University and other sources.
 - Succession planning in place.
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Performance Measures

Description	2017-18 Actual	2018-19 Actual	2019-20 Est. Actual	2020-21 Recommended
The percentage of litigated cases which resolve at 85% or less than the amount reserved by Risk: Target=85%.	76% 16 / 21	84% 21 / 25	88% 14 / 16	86% 18 / 21
The percentage of litigated cases resolved without payment to plaintiff: Target=60%.	67% 16 / 24	62% 18 / 29	56% 10 / 18	60% 12 / 20
Percent of departmental Employee Performance Reviews (EPRs) completed by the due date: Target = 100%.	87% 33 / 38	78% 31 / 41	93% 37 / 41	100% 41 / 41

Service Level Reductions

NONE

Expansion Requests

Description	FTE(s)	GFC Amount	Non-GFC Amount
<p>We request a budget expansion for one additional Legal Office Professional (LOP) for a loaded and recurring cost of approximately \$133,766. The new LOP would support all four County Counsel managing attorneys: County Counsel, Chief Assistant County Counsel, and two Division Chiefs. All four currently do much of their own administrative work. The additional LOP would help us to reduce typical workweeks for our four County Counsel managing attorneys, from 6-plus days per week to 5-plus days per week.</p>	1.0	\$ 133,800*	\$
Total		\$ 133,800*	\$

* On-going Funding

Summary

If we triage legal work for unplanned discretionary items, our current attorney FTEs and specialty Outside Counsel budget are adequate for all of this:

- Advisory support for “standard” items, plus: COVID-19 response; 1/9 Debris Flow disaster recovery; cannabis; “water issues;” \$328-plus million of capital projects; “Public Safety Power Shutoffs;” and emergency ambulance RFP; and
- Litigating “standard” portfolios, plus major “non-standard” cases: SCE’s Cross-Complaint; Main Jail’s conditions of confinement; Northern Branch Jail construction; opioids; and HVI Cat Canyon’s bankruptcy.

But, we request 1.0 FTE additional paralegal support.

“ An ounce of prevention is worth a pound of cure.”

Benjamin Franklin



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