

County Counsel

Mike Ghizzoni

Department Head

Legal Services



FY 2019-20 BUDGET WORKSHOP

Key Challenges / Emerging Issues

Litigating major “non-standard” cases: Thomas Fire & 1/9 debris flow; Main Jail; Northern Branch Jail; and prescription opioids

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Litigating “standard” portfolios: child protection (emerging workload issue); \$2.8 **b**illion in property tax assessments; conservatorships; civil rights; torts; employment; land use; and \$2 million in Medi-Cal audits

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Advisory support for “standard” items, plus major projects: disaster recovery; cannabis; “water issues;” and \$325-plus million of construction

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Our current staffing is adequate for all of the above only if we triage legal support for the County’s *unplanned discretionary* projects

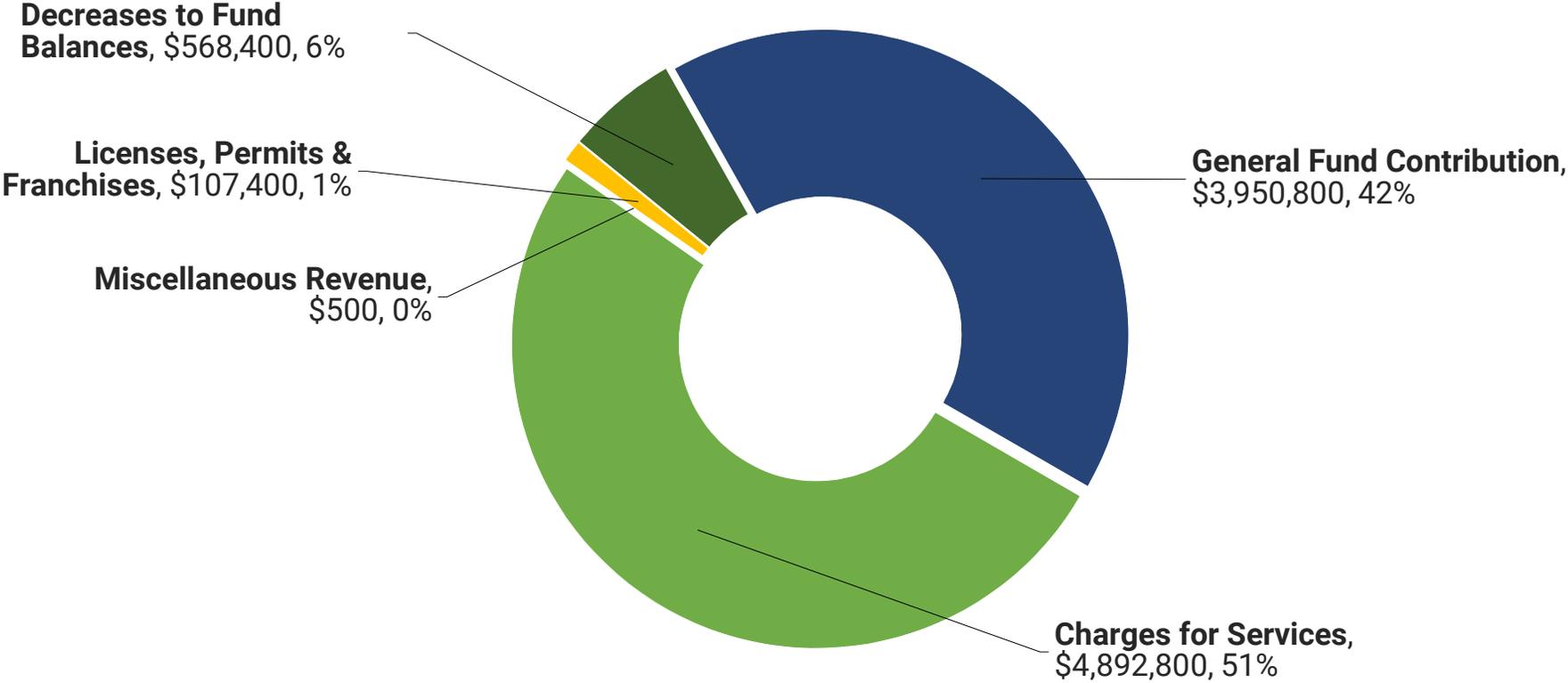


Summary

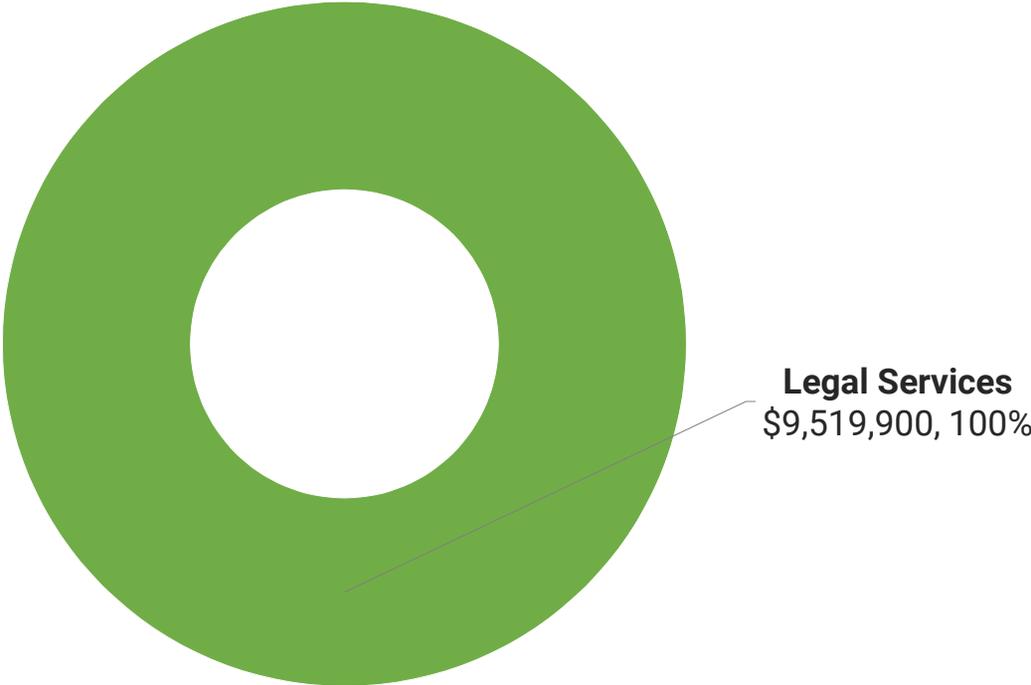
Operating	\$ 9,519,900
Capital	\$ 0
General Fund	\$ 3,950,800
FTEs	41.0
Use of One-Time for Ongoing Operations	\$ 0, 0%
Service Level Reductions	\$ 0
Restoration Requests	\$ 0
Expansion Requests	\$ 0



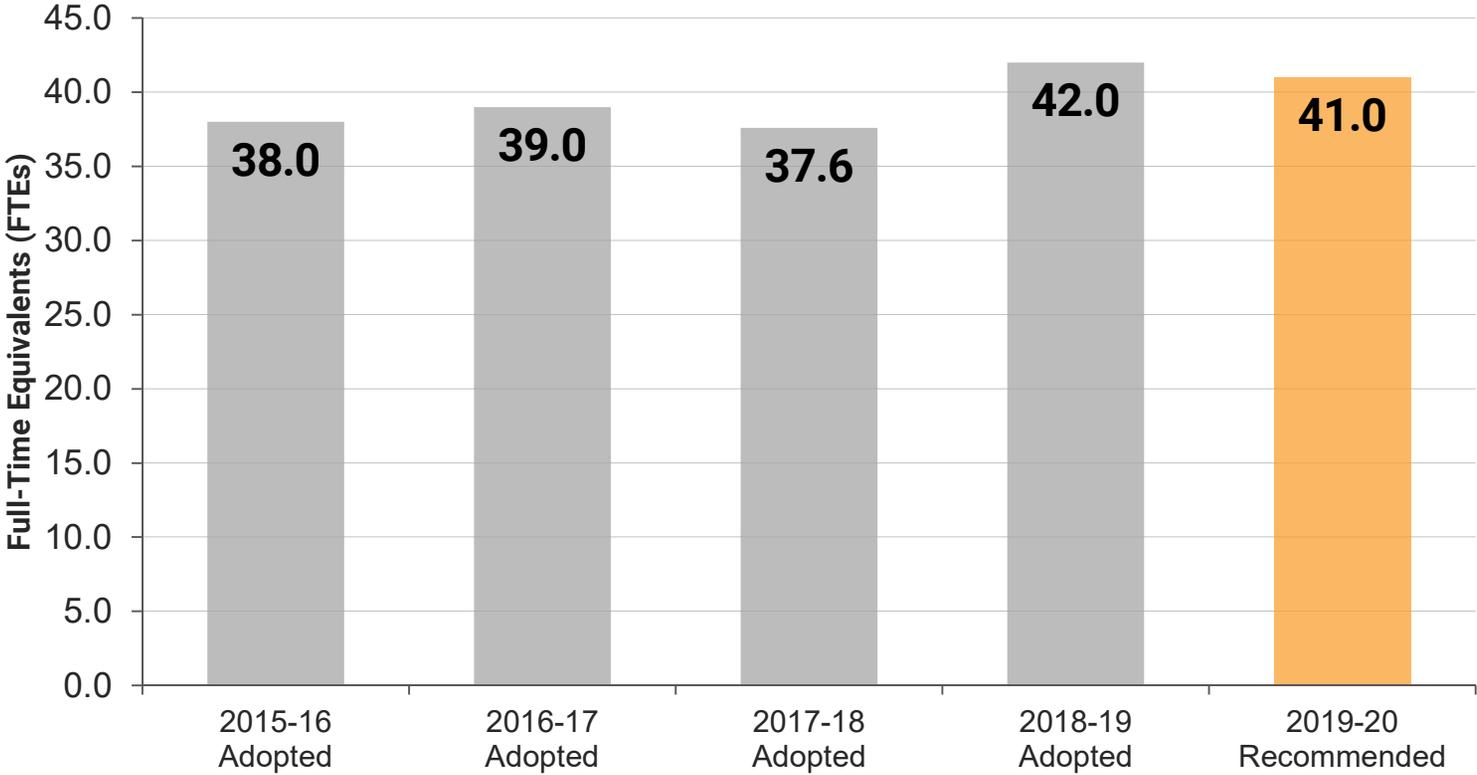
FY 2019-20 Source of Funds



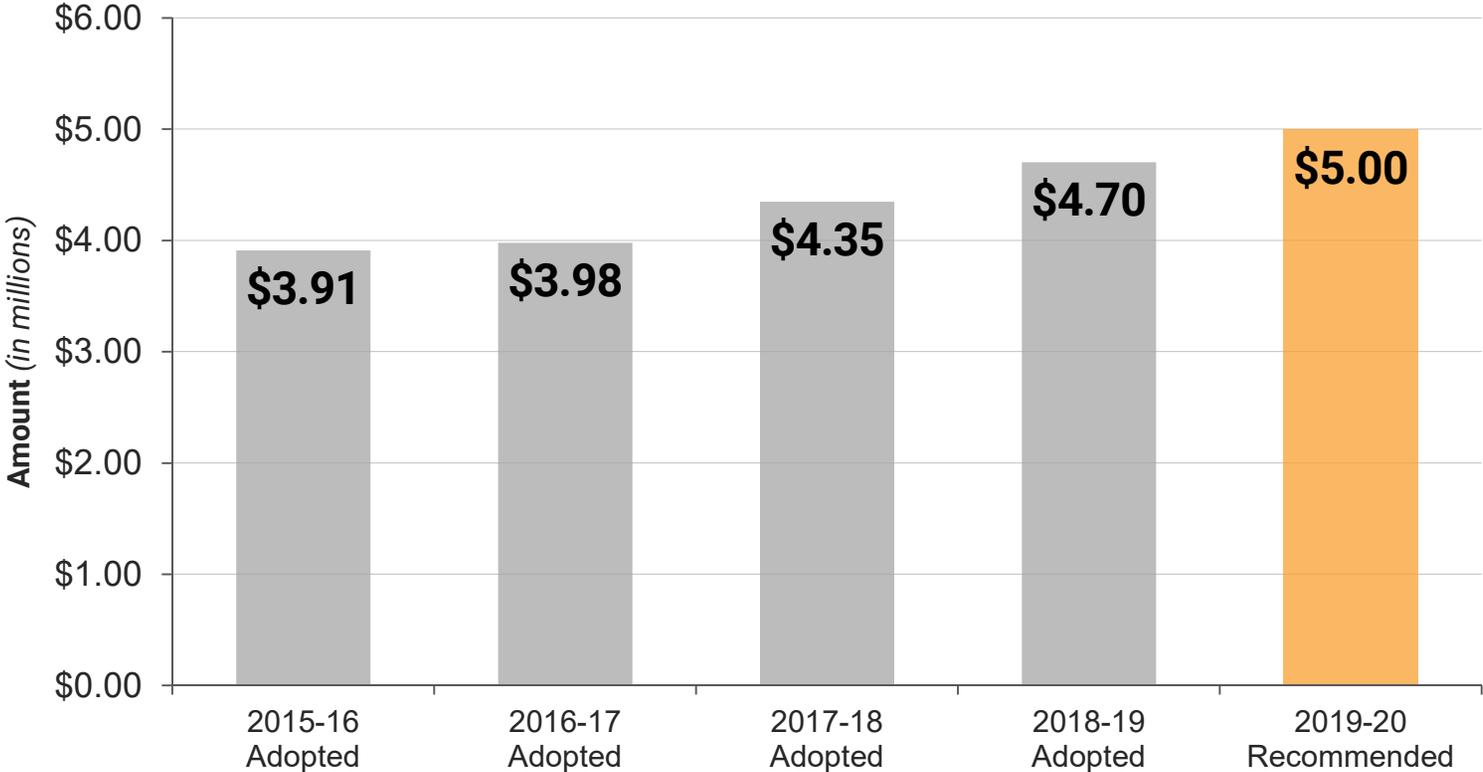
FY 2019-20 Use of Operating Funds



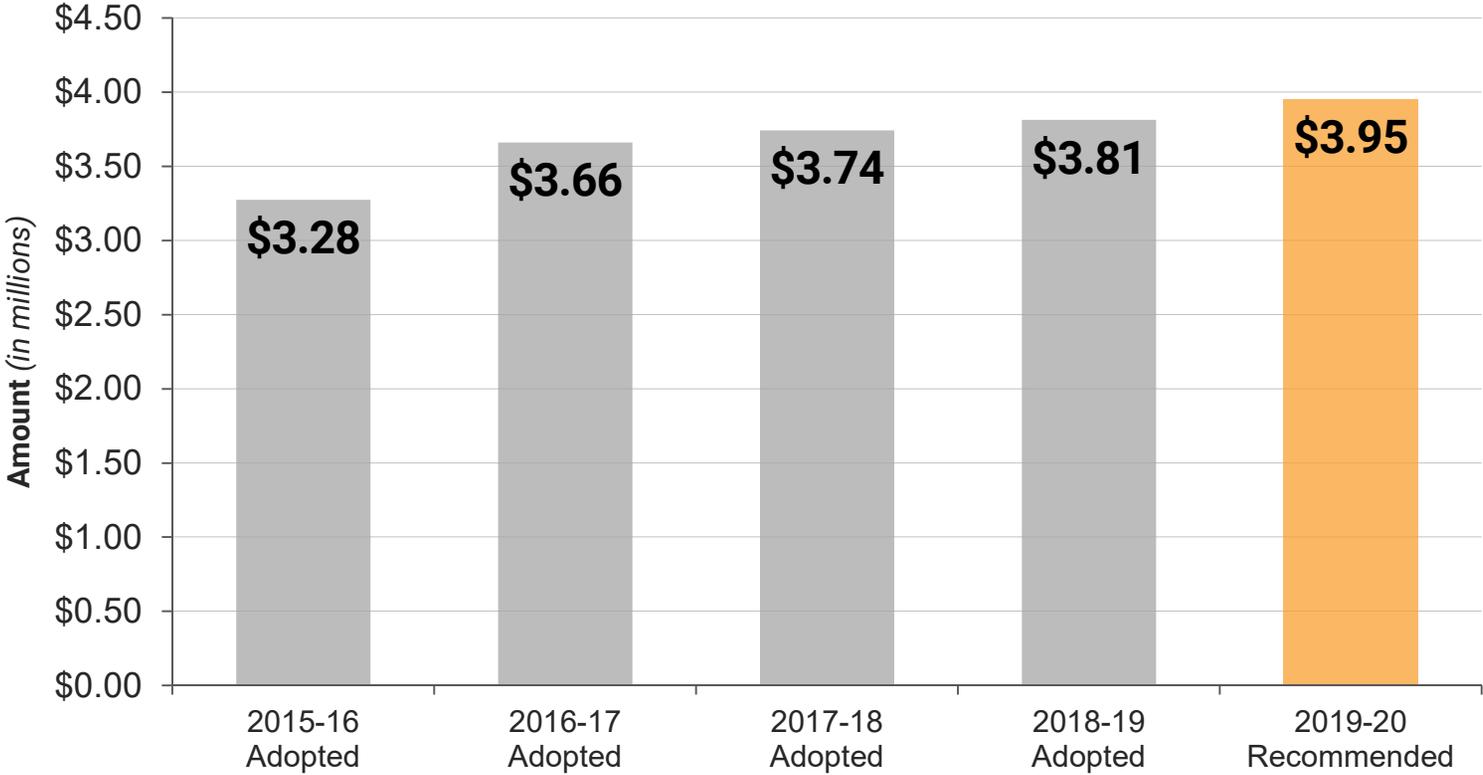
Staffing Summary



Operating Revenue | 5-Year Summary



GFC | 5-Year Summary



FY 2018-19 Anticipated Accomplishments

- After multi-year litigation against ERG, we obtained a stipulation that protected \$1.2 **b**illion in property tax assessed values; the one-time share for the General Fund and County Fire totaled about \$1.3 million
- Provided extensive legal support for the Thomas Fire disaster recovery, including: initiated litigation against Southern California Edison, to recover the County's \$15-plus million of unreimbursed damages; Like-for-Like ordinance; FEMA recovery maps; property acquisitions; and debris basin projects
- Recovered \$2.3 million through litigation of State Medi-Cal audits



FY 2018-19 Anticipated Accomplishments (Cont.)

- Fast and extensive legal support for cannabis regulation, including: zoning ordinances; business licensing; permitting; and enforcement
- Successfully resolved 26 civil rights, tort, employment and property rights cases with total payout of less than \$780,000, including 15 cases with no County payout at all
- Provided extensive legal support to the Revised Tajiguas Resource Recovery Project, for resolution of litigation and public financing



FY 2019-20 Objectives

- Provide timely legal support for: disaster recovery; cannabis ordinances, permitting and enforcement; and “water issues”
- Litigate: against Southern California Edison and its cross-complaint; Main Jail and Northern Branch Jail cases; prescription opioids; and our “standard” litigation portfolios, including \$2.8 **b**illion of property tax assessment appeals, and about \$2 million of Medi-Cal audits
- Support \$325-plus million of capital projects including: Northern Branch Jail; Revised Tajiguas Resource Recovery Project; Main Jail “conditions of confinement” improvements; and Laguna Sanitation District Plant Upgrade project



RENEW '22

MISSION STATEMENT: By statute, County Counsel is the legal advisor to the Board of Supervisors. We advance and defend the County's civil policies and actions by: looking ahead; advising and providing options; and litigating. We work closely with the Board of Supervisors and other County Officers to maintain the civil legal integrity of the County of Santa Barbara.

- Active Succession Planning.
- 5th year of "Stay Interviews" and responding to feedback.
- Weekly updates to staff and actively encourage collaboration.
- Strengthened internal training program.



- Working with CEO's Office to develop a steadier funding model for Office of County Counsel's budget for future years.

- Assist with Public Records Act training and Public Records Act software implementation.

- Limited delegation of litigation settlement authority to County Counsel, not to exceed \$50,000.



Performance Measures

Description	2016-17 Actual	2017-18 Actual	2018-19 Est. Actual	2019-20 Recommended
The percentage of litigated cases which resolve at 85% or less than the amount reserved by Risk: Target=85%.	85% 17 / 20	76% 16 / 21	91% 21 / 23	94% 30 / 32
The percentage of litigated cases resolved without payment to plaintiff: Target=60%.	67% 20 / 30	76% 16 / 24	58% 15 / 26	70% 21 / 30
Percent of departmental Employee Performance Reviews (EPRs) completed by the due date.	97% 36 / 37	87% 33 / 38	85% 35 / 41	100% 41 / 41



FY 2019-20 Service Level Reductions

NONE



Summary

It increases risk to cut legal support to:

- Litigating major “non-standard” cases: Thomas Fire & 1/9 debris flow; Main Jail; Northern Branch Jail; and prescription opioids
or
- Litigating “standard” portfolios: child protection; property tax appeals; employment; conservatorships; civil rights & torts; and land use
or
- Advisory support for “standard” items, plus major projects: disaster recovery; cannabis; “water issues;” and construction

Our current staffing is adequate for all of the above only if we triage legal support for the County's *unplanned discretionary* projects



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

Benjamin Franklin

