

Council/Agency Meeting Held: _____	_____ City Clerk's Signature
Deferred/Continued to: _____	
<input type="checkbox"/> Approved <input type="checkbox"/> Conditionally Approved <input type="checkbox"/> Denied	
Council Meeting Date: 10/06/2008	Department ID Number: CA 08-11

**CITY OF HUNTINGTON BEACH
REQUEST FOR CITY COUNCIL ACTION**

SUBMITTED TO: MAYOR AND COUNCILMEMBERS
SUBMITTED BY: JENNIFER McGRATH, City Attorney
PREPARED BY: JENNIFER McGRATH, City Attorney
SUBJECT: Receive and File City Attorney's Quarterly Report

Statement of Issue, Funding Source, Recommended Action, Alternative Action(s), Analysis, Environmental Status, Attachment(s)

Statement of Issue: Receive and file the City Attorney's Quarterly Report for April 1, 2008 through June 30, 2008.

Funding Source: Not Applicable

Recommended Action: Motion to: Receive and file the City Attorney's Quarterly Report for April 1, 2008 through June 30, 2008.

Alternative Action(s): Do no receive and file the City Attorney's Quarterly Report.

Analysis: Not Applicable

Strategic Plan Goal: City Services (C-2) Provide quality services with the highest professional standards to meet community expectations and needs, assuring that the city is sufficiently staffed and equipped overall.

Environmental Status: Not Applicable

Attachment(s):

City Clerk's Page Number	No.	Description
16-5	1.	City Attorney's Quarterly Report for April 1, 2008 through June 30, 2008

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ATTACHMENT 1

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City Attorney's Quarterly Report

This report reflects the activities of the City Attorney's Office for April 1, 2008 through June 30, 2008.

Administration Division

The administration and support functions are performed under the supervision of the City Attorney. This includes personnel, clerical, financial, technology, training and development, and records management support. This function also includes attendance at regular council meetings as parliamentarian and advisor, and active participation in the executive management team to promote the strategic goals of the City Council.

Significant accomplishments for the Administration section include:

1. Preparation of City Attorney's Office First Quarter Report for 2008.
2. Implementation of a comprehensive training program on sexual harassment prevention and "Now You've Been Sued" training.

Advisory Division

The Advisory Division, comprised of three deputy city attorneys, is supervised by an Assistant City Attorney and provides legal assistance on all matters pertaining to the daily operation of the City to the City Council and City officers. It prepares all legal documents and opinions to ensure the City can accomplish its goals and objectives with little, if any, risk of litigation.

The Advisory Division received 143 requests for legal assistance and completed 174 requests. There are 118 outstanding requests for legal assistance.

Additionally, staff provided assistance with labor negotiations; reviewed and prepared 145 documents and contracts; drafted 48 ordinances and resolutions; made 37 appearances on criminal matters; and provided on-going advice related to the following:

- OVE Enterprise Fund
- Campaign Contribution Reform
- Settlement Agreements with Employees' Associations
- Measure "C" issues
- Retirement Benefits
- Parking Permit District "K"
- Reader Board Legislation

- Flood Control Channel Landscape Maintenance
- Collection of Property Tax Costs
- Housing Loan issues
- Pacific City and Senior Center

COMPLETED REQUEST FOR LEGAL SERVICES AS OF April – June 2008							
	Advice Memo & Opinion	Documents & Contracts	Public Records & Citizen Inquiry Requests	Criminal Pitches & Hearings	Resolution & Ordinance	Projects	Total
Administration	0	1	0	0	1	0	2
Building & Safety	0	0	0	1	0	0	1
City Attorney	3	1	2	1	3	1	11
City Clerk	0	0	0	0	1	0	1
City Treasurer	1	0	0	0	0	0	1
Community Services	7	10	0	0	1	1	19
Econ. Development	9	16	0	0	2	3	30
Finance	2	3	0	0	1	0	6
Fire	1	1	1	0	1	1	5
Info. Services	0	3	0	0	0	0	3
Human Resources	4	11	0	0	2	1	18
Planning	0	11	0	2	3	0	16
Police	0	3	0	19	2	1	25
Public Works	7	19	2	0	8	0	36
Total	34	79	5	23	25	8	174

Significant projects for the Advisory Division include:

1. Prepared five campaign contribution limitation options for Council's review
2. Prepared acceptance of Coastal Commission changes to LCPA 1-06 and codification of same.
3. Prepared Caltrans FTA Section 5310 Program Grant
4. Revised standard documents to comply with AB 886
5. Prepared agreements for the 2008 Pier Plaza Presents Concert Series
6. Prepared ordinance relating to campaign reform
7. Prepared Affordable Housing Fee Update 2008
8. Assisted, advised and prepared the ordinance to Amend Municipal Code to Add Requirement of Owners Abutting Drainage Channels to Properly Maintain Landscape Materials

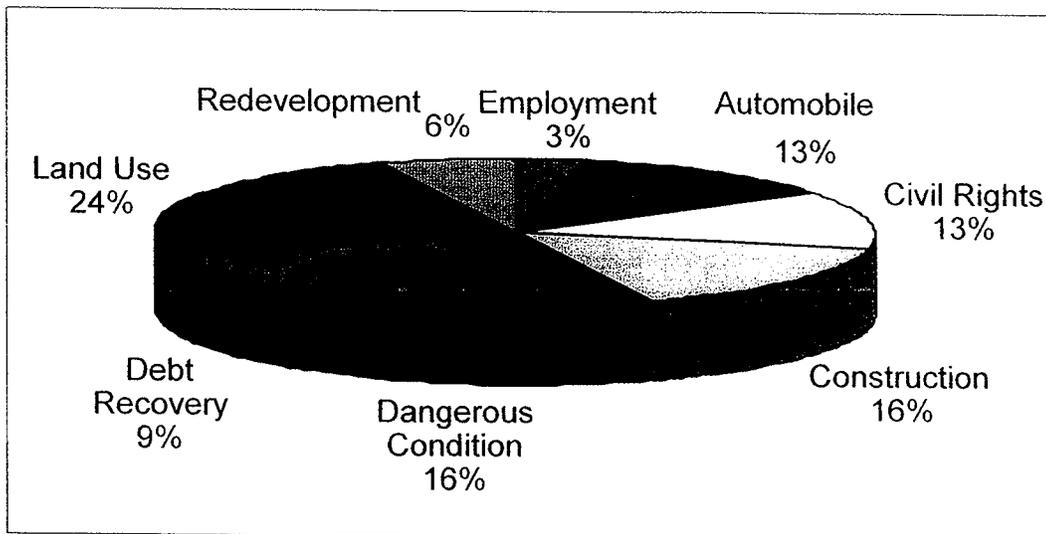
9. Worked with Public Works in adoption of the Water Management Plan
10. Prepared revisions to the telecommunications utility user tax ordinance to protect tax revenue
11. Prepared Surf City Nights Management agreement
12. Prepared lease transfer documents for Meadowlark Golf Course
13. Prepared sponsorship agreement for Adopt-A-Highway for trash receptacle
14. Prepared production agreement for Ocean Force TV Show
15. Revisions to the Centennial Event Committee ordinance
16. Actively participated with Ad Hoc Committee regarding temporary uses in the downtown area

Litigation Division

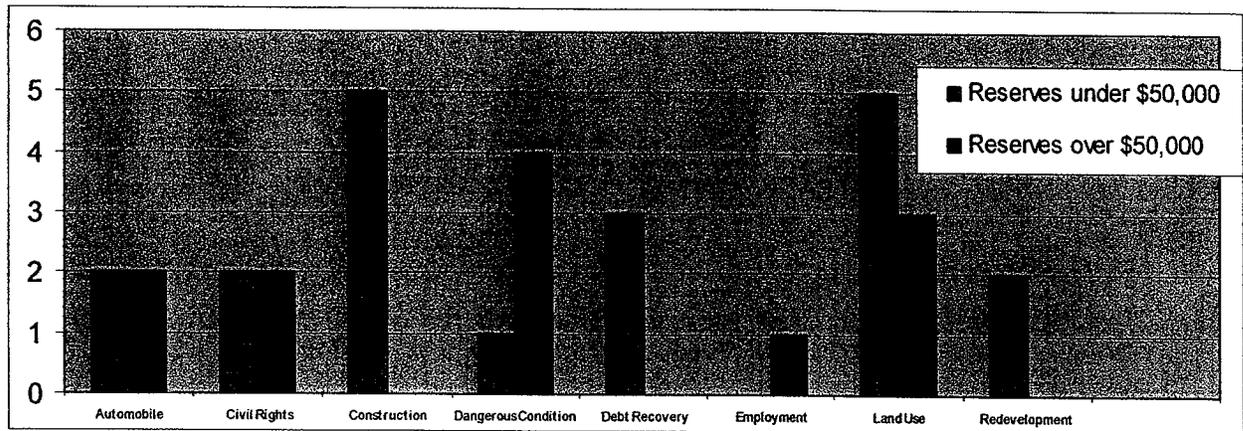
The Litigation Division, comprised of three deputy attorneys, is supervised by an Assistant City Attorney and handles all civil matters on behalf of the City and its employees and officials. All cases are handled by the in-house staff unless there is a conflict in representation or the outside counsel is paid by a third party.

The Litigation Division is currently handling 32 active cases. The City was served with 10 new cases and the City filed two new cases this quarter. The charts below identify the types of cases and the potential liability exposure of these cases.

Active Litigation Cases



POTENTIAL LIABILITY OF PENDING CASES



The Litigation Division resolved the following cases with no monies paid to the plaintiff:

1. Bicyclist slipped and crashed causing various injuries and a broken foot.

The Litigation Division also resolved the following matters:

1. HBPD Office injured in a traffic accident. He pursued a claim against the driver and City sought reimbursement of workers' compensation benefits paid to him.
2. Plaintiff tripped and fell on the curb/sidewalk adjacent to the skate park on Main Street.
3. Branch from a City tree fell on insured vehicle.