

Legal Department

Mission Statement

It is the mission of the Legal Department to act as the legal representative for the City of Rockford, its officers, and its employees.

Primary Function → The primary function of the Legal Department is to provide a variety of legal services for administrative issues, legislative issues, land acquisition programs, and support the City's EEO and diversity procurement functions.

2011 Accomplishments →

- Performed all aspects of major litigation and obtained summary judgment and/or dismissals in the following major litigation matters: Anderson-Bey [due process], Doig [auto accident], Gourneau [negligent inspection], Camelin [excessive force], Lewis [fail to maintain property], and McFadden [negligent tree removal/res ipsa loquitor].
- Supervised the City-wide system for Freedom of Information Requests in compliance with the revised FOIA statute of 2010 using SharePoint. The City-wide system processed nearly 2,500 requests during the past year. Researched and drafted responses to Requests for Review to Public Access Counselor.
- Assisted with development and implementation of the police towing and impoundment of vehicles used to flee from police.
- Continuing implementation of "Leads Online" for the recovery of stolen property from pawnbrokers.
- Complete revision of the General Order for the Evidence Division of the Rockford Police Department, including development of new protocol with the Coroner's Office for the processing of found property, evidence and its disposal in the event of the death of the suspect.
- Processed over 200 liability claims against the City.
- Served in a risk management capacity for all direct service departments.
- Supervised the police subpoena process and provided court representation when issues arose in the subpoena process.
- Prosecuted driving under the influence and traffic violations through March 4, 2011, in Circuit Court. Transitioned driving under the influence and traffic prosecution to the State's Attorney's Office. Continue to prosecute ordinance violations in Circuit Court. This provided for reduction in Legal department staffing costs without substantial reduction in revenues.
- On a daily interactive basis, performed function as City-wide FOIA officer, OMA Officer and Local Records Act Officer.

Legal Department

- Representation of the City disciplinary and contract grievances, interest arbitration with PB&PA Unit 6 and continuing labor relations matters with all City bargaining units.
- Continuing participation in the 17th Judicial Circuit Court's Truancy Advisory Board.
- Completed the acquisitions for the Morgan Street Bridge project and \$5 million in grade crossing protection funding from the Illinois Commerce Commission, reducing present and future costs for the Morgan Street Bridge and local rail operations.
- Drafted and assisted in the implementation of new outdoor design guidelines and festival zone vendors.
- Drafted and obtained several administrative search warrants to allow inspectors to secure dangerous properties and abate nuisances.
- Staffed the executive committees of each Weed and Seed site, which were successful in obtaining several training grants, extending the life of the grant and reallocating budgetary items to more effectively serve the communities.
- Created and co-chaired Rockford Alliance Against Sexual Exploitation aimed at reducing prostitution and the demand for purchased sex in our community.
- Participated in crime free multi housing training of land lords.
- In an effort to reduce the impacts of liquor establishments on neighborhoods, developed more stringent guidelines for conditions of approval of liquor licenses before the Liquor Advisory Board.

2012 Goals and Objectives →

- Increase economic activity by supporting development projects.
- Finalize right of way acquisition for North Main, Churchill Park storm water management and other infrastructure improvement projects.
- Support Community Development Department through effective drafting and review of development and incentive agreements.
- Reduce crime by effective ordinance adoption and enforcement and support of Weed and Seed initiatives.
- Support transition to geographic policing.
- Increase living wage jobs by continuing expansion of Minority Procurement Policy.
- Create a qualified and educated workforce by supporting Community Education Partnership Initiatives.

Legal Department

- Create vibrant neighborhoods by supporting Code Enforcement, Weed and Seed Programs and Neighborhood Associations.
- Continue annual negotiation of animal control services intergovernmental agreement and reduction of City costs for animal services.
- Maintain efficient services and control costs through support of labor negotiations.
- Explore outsourcing opportunities within the Legal Department and support outsourcing activities throughout the organization.
- Passage and implementation of revised City towing ordinances.
- Revision and implementation of new procedure for police tow vehicle impounds.
- Passage and implementation of administrative procedure for applications under the Public Safety Employee Benefits Act.

Budget Summary

LEGAL DEPARTMENT BUDGET SUMMARY					
APPROPRIATION	2010 ACTUAL	2011 BUDGET	2011 ACTUAL	2012 BUDGET	INCREASE (DECREASE)
PERSONNEL	\$1,623,498	\$1,327,735	\$1,362,464	\$1,220,965	(\$106,770)
CONTRACTUAL	198,609	279,740	197,916	364,220	84,480
SUPPLIES	16,293	23,700	14,777	23,700	0
OTHER	0	0	0	0	0
CAPITAL	0	0	0	0	0
TOTAL	<u>\$1,838,400</u>	<u>\$1,631,175</u>	<u>\$1,575,157</u>	<u>\$1,608,885</u>	<u>(\$22,290)</u>

STAFFING REVIEW	2009	2010	2011	2012	INCREASE (DECREASE)
TOTAL	20.00	17.00	12.00	12.00	0.00

FUNDING SOURCE	2011 AMOUNT	2011 PERCENTAGE	2012 AMOUNT	2012 PERCENTAGE
PROPERTY TAXES				
FRINGE BENEFIT REIMBURSEMENTS	\$179,846	11.0	\$169,365	10.5
MAGISTRATE FINES	665,000	40.8	665,000	41.3
PURCHASE OF SERVICES	534,100	32.7	666,100	41.4
GENERAL REVENUES	<u>252,229</u>	<u>15.5</u>	<u>108,420</u>	<u>6.8</u>
TOTAL	<u>\$1,631,175</u>	<u>100.0</u>	<u>\$1,608,885</u>	<u>100.0</u>

Budget Analysis

The 2012 budget of \$1,608,885 is a \$22,290 (1.4%) decrease from the 2011 budget. Personnel costs decreased \$106,770 due to the reversal of severance pay for retiring City Attorney (\$53,873),

Legal Department

reduction in overtime (\$6,000), and elimination of Assistant City Attorney position (\$128,760). This is offset by an increase in health insurance premiums (\$23,140).

Overall contractual expenses increased \$84,480. The primary increases were in risk management (\$56,170) and professional legal fees (\$12,200). Supplies remained the same.

In 2011, the Legal Department spent \$1,575,157, or 96.6% of its budgeted allocation. Over the past several years, 96% to 104% of the budget has been spent.

Capital Equipment

There are no capital items budgeted for 2012.

Personnel Review

LEGAL DEPARTMENT				
BENEFITS AND SALARIES		2011	2012	INCREASE/ (DECREASE)
SALARY		BUDGET	BUDGET	(DECREASE)
PERMANENT		\$953,105	\$792,064	(\$161,041)
TEMPORARY		0	0	0
SEVERANCE		53,873	0	(53,873)
OVERTIME		6,000	0	(6,000)
MERIT PAY		0	0	0
SALARY ADJUSTMENT		(102,912)	0	102,912
TOTAL SALARIES		\$910,066	\$792,064	(\$118,002)
BENEFITS				
ILLINOIS MUNICIPAL RETIREMENT		\$175,177	\$164,987	(\$10,190)
UNEMPLOYMENT TAX		2,700	2,160	(540)
WORKER'S COMPENSATION		1,969	2,218	249
HEALTH INSURANCE		208,364	231,504	23,140
LIFE INSURANCE		1,170	936	(234)
RETIREE HEALTH INSURANCE		14,729	16,848	2,119
PARKING BENEFITS		13,560	10,248	(3,312)
TOTAL BENEFITS		\$417,669	\$428,901	\$11,232
TOTAL COMPENSATION		\$1,327,735	\$1,220,965	(\$106,770)
	POSITION	2011	2012	INCREASE/ (DECREASE)
POSITION TITLE	RANGE	EMPLOYEES	EMPLOYEES	(DECREASE)
LEGAL DIRECTOR	E-14	1.00	1.00	0.00
CITY ATTORNEY	E-11	3.00	3.00	0.00
LAND TRANSACTIONS OFFICER	E-7	1.00	1.00	0.00
ASSISTANT CITY ATTORNEY I	E-8	2.00	1.00	(1.00)
DIVERSITY PROCUREMENT OFFICER	E-8	1.00	1.00	0.00
SR. ADMINISTRATIVE ASSISTANT	E-6	1.00	0.00	(1.00)
ADMINISTRATIVE ASSISTANT	E-5	4.00	4.00	0.00
OFFICE ASSISTANT	E-2	2.00	1.00	(1.00)
PERSONNEL ADJUSTMENT		(3.00)	0.00	3.00
TOTAL PERSONNEL		12.00	12.00	0.00