

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.

2010 Accomplishments →

- Performed all aspects of major litigation and obtained summary judgment and/or dismissals in the following major litigation matters: Cooper v. City of Rockford [officer-involved shooting fatality], Lawson [false arrest/imprisonment], James Johnson v. Rockford Police Department [false arrest/imprisonment], Anderson-Bey v. Martin, et al.[failure to protect].
- Expanded resident participation in Weed and Seed coffee hour, garden projects and neighborhood outreach programs.
- Applied for and received Reentry Employment Initiative Technical Assistance Grant to receive in-depth training and technical assistance to address gang prevention and reentry efforts.
- Applied for and received Technical Assistance Grant for in-depth on-site training on Economic Development and Community Engagement and Sustainability.
- Assisted in program development and implementation that resulted in rehabilitation projects on 17 homes in the Ellis Heights and Kishwaukee Weed and Seed Sites.
- Developed draft legislation and a local initiative to target nuisance properties with local landlords through participation with Housing Task Force.
- Supervised and directed the implementation of a new City-wide system for Freedom of Information requests in compliance with the revised FOIA statute of 2010.
- Trained City employees in the new system to act as liaison officers or FILOs for direct contact with the public. The system is "paperless" and may be monitored in real-time with several dashboards.
- On a daily interactive basis, performed function as City-wide FOIA officer, OMA Officer and de facto Local Records Act Officer. Oversaw implementation of the City-wide e-mail retention software.
- Supervised staff development and training in court representation for the police subpoena process.
- Continued online CLE for Legal Department staff resulting in an overall cost savings to the Department.

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 .
- Prosecution of driving under the influence and major traffic violations in Circuit Court.
- Assisted Loves Park and our retained lobbyist in the reauthorization of the Industrial Jobs Recovery Act, an incentive the City successfully used for many job creation and retention projects, most recently for the Wanxiang solar panel manufacturing plant and solar farm.
- Supported the successful application for \$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.

2011 Goals and Objectives →

- Increase economic activity by supporting development projects.
- Finalize right of way acquisition for Morgan Street Bridge, 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.
- Successful implementation of Solicitation Impound Ordinance.
- 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.
- Develop partnership with District 205 to target and assist students reading below grade level.
- Create vibrant neighborhoods by supporting Code Enforcement, Weed and Seed Programs and Neighborhood Associations.
- With community partners, implement a re-entry program for parolees wherein they receive housing and job skills training.
- Create foreclosure database to track all foreclosures within the City and streamline foreclosure defense actions.

Legal Department

- Finalization and implementation of cable franchise renewal.
- Continue annual negotiation of animal control services intergovernmental agreement and reduction of City costs for animal services.
- Revision of City's towing and impound ordinance for improved cost recovery and protection from predatory towing practices.
- Maintain efficient services and control costs through support of labor negotiations.
- Transition driving under the influence and traffic prosecutions to the State's Attorney's office.
- Explore outsourcing opportunities within the Legal Department and support outsourcing activities throughout the organization.
- Systems analysis and improvement in City-wide debt collection practices.

Budget Summary

LEGAL DEPARTMENT BUDGET SUMMARY					
APPROPRIATION	2009 ACTUAL	2010 BUDGET	2010 ACTUAL	2011 BUDGET	INCREASE (DECREASE)
PERSONNEL	\$1,667,594	\$1,620,773	\$1,623,498	\$1,327,735	(\$293,038)
CONTRACTUAL	184,447	201,890	198,609	279,740	77,850
SUPPLIES	15,261	18,750	16,293	23,700	4,950
OTHER	0	0	0	0	0
CAPITAL	0	0	0	0	0
TOTAL	<u>\$1,867,302</u>	<u>\$1,841,413</u>	<u>\$1,838,400</u>	<u>\$1,631,175</u>	<u>(\$210,238)</u>
STAFFING REVIEW	2008	2009	2010	2011	INCREASE (DECREASE)
TOTAL	20.00	20.00	17.00	12.00	(5.00)
FUNDING SOURCE	2010 AMOUNT	2010 PERCENTAGE	2011 AMOUNT	2011 PERCENTAGE	
PROPERTY TAXES					
FRINGE BENEFIT REIMBURSEMENTS	\$229,451	12.5	\$179,846	11.0	
MAGISTRATE FINES	650,000	35.3	665,000	40.8	
PURCHASE OF SERVICES	497,100	27.0	534,100	32.7	
GENERAL REVENUES	464,862	25.2	252,229	15.5	
TOTAL	<u>\$1,841,413</u>	<u>100.0</u>	<u>\$1,631,175</u>	<u>100.0</u>	

Budget Analysis

The 2011 budget of \$1,631,175 is a \$210,238 (11.4%) decrease from the 2010 budget. Personnel costs decreased \$293,040 due to the retirement of a City Attorney and layoff of two Administrative Assistant positions, an Office Assistant and an Assistant City Attorney (\$215,440) as duties shifted to the State's Attorney's office, IMRF (\$50,740), workers compensation (\$500), health insurance (\$47,600), parking benefits (\$960) and life insurance (\$150) all decreased with the reduction in

Legal Department

staff. Increases that also contribute are the unemployment (\$1,630), retiree health insurance expense (\$15,000), and overtime expense (\$6,000).

Overall contractual expenses increased \$77,850. The primary increase was in legal professional fees (\$129,500) to compensate for the reduction in staff. Service contracts (\$900), travel (\$1,000) and education expense (\$4,500) also increased. The increases were partially offset by decreases in telephone expense (\$2,500) and building rental (\$6,000). Outside legal professional fees were reduced \$50,000 by an amendment from the City Council to seek outside legal counsel for their own use.

Supplies increased by \$4,950 due to increases in books expense (\$1,950) and computer supplies (\$3,000).

In 2010, the Legal Department worked with the Winnebago County State Attorney's Office to transition out of prosecuting DUI and traffic violations. This transition will also include the positions involved solely in the prosecutions to be eliminated from the Legal Department. The department anticipates a minimal reduction of revenue from the transition.

In 2010, the Legal Department spent \$1,838,400, or 99.8% 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 2011.

Legal Department

Personnel Review

LEGAL DEPARTMENT				
BENEFITS AND SALARIES				
	2010	2011	INCREASE/	
SALARY	BUDGET	BUDGET	(DECREASE)	
PERMANENT	\$1,119,506	\$953,105	(\$166,401)	
TEMPORARY	0	0	0	
SEVERANCE	0	53,873	53,873	
OVERTIME	0	6,000	6,000	
MERIT PAY	0	0	0	
SALARY ADJUSTMENT	0	(102,912)	(102,912)	
TOTAL SALARIES	\$1,119,506	\$910,066	(\$209,440)	
BENEFITS				
ILLINOIS MUNICIPAL RETIREMENT	\$225,916	\$175,177	(\$50,739)	
UNEMPLOYMENT TAX	1,071	2,700	1,629	
WORKER'S COMPENSATION	2,464	1,969	(495)	
HEALTH INSURANCE	255,970	208,364	(47,606)	
LIFE INSURANCE	1,326	1,170	(156)	
RETIREE HEALTH INSURANCE	0	14,729	14,729	
PARKING BENEFITS	14,520	13,560	(960)	
TOTAL BENEFITS	\$501,267	\$417,669	(\$83,598)	
TOTAL COMPENSATION	\$1,620,773	\$1,327,735	(\$293,038)	
	2010	2011	INCREASE/	
POSITION TITLE	EMPLOYEES	EMPLOYEES	(DECREASE)	
POSITION RANGE				
LEGAL DIRECTOR	E-14	1.00	1.00	0.00
CITY ATTORNEY	E-11	4.00	3.00	(1.00)
LAND TRANSACTIONS OFFICER	E-7	1.00	1.00	0.00
ASSISTANT CITY ATTORNEY I	E-8	2.00	2.00	0.00
DIVERSITY PROCUREMENT OFFICER	E-8	1.00	1.00	0.00
SR. ADMINISTRATIVE ASSISTANT	E-6	1.00	1.00	0.00
ADMINISTRATIVE ASSISTANT	E-5	5.00	4.00	(1.00)
OFFICE ASSISTANT	E-2	2.00	2.00	0.00
PERSONNEL ADJUSTMENT		0.00	(3.00)	(3.00)
TOTAL PERSONNEL		17.00	12.00	(5.00)

Performance Measurements

	2008 Actual	2009 Actual	2010 Actual	2011 Estimate
Claims filed	568	310	199	225
Fines collected	\$1,229,982	\$1,252,606	\$1,180,844	\$1,200,000
Ordinance/traffic tickets issued/prosecuted	24,997	23,946	23,000 *	23,000
Ordinances drafted/presented	260	243	153	250
Resolutions drafted/presented	120	128	167	175

*2010 Issued/prosecuted is estimated