

# LEGAL SERVICES

## Department Overview

The City Attorney and City Prosecutor Offices comprise Legal Services for the City of Springfield.

The City Attorney Office (CAO) is overseen directly by the City Council. CAO is responsible for attending all City Council and Planning Commission meetings and for supplying the City Council and staff with legal analysis and opinions regarding existing or proposed City operations and activities. All ordinances, resolutions, agreements, and activities having legal implications are reviewed and approved by CAO to assure compliance with the Springfield Charter and local, state, and federal laws as well as the possibility of liability exposure or litigation. CAO also participates on City staff projects and claim response teams to help develop strategy, ensure legal compliance, and minimize liability for City initiatives and claims.

The City Prosecutor services are managed via contract with local law firm Leahy Cox, LLP. The City Prosecutor represents the City of Springfield in Municipal Court and in appeals heard in Lane County Circuit Court. Prosecution services are provided for all misdemeanor criminal and traffic crimes and for any violation cases in which the defendant has retained counsel. Services include screening of reports filed, negotiations for settlement of cases, and representation of the City in trial by court or by jury. The City Prosecutor also recommends revisions to the Springfield Municipal Code and provides legal advice and training for the Springfield Police Department.

	FY21 Actuals	FY22 Actuals	FY23 Amended	FY24 Proposed
5 PERSONNEL SERVICES	432,103	476,484	509,120	520,050
6 MATERIALS & SERVICES	398,142	415,054	668,315	535,392
<b>Grand Total</b>	<b>\$ 830,245</b>	<b>\$ 891,538</b>	<b>\$ 1,177,435</b>	<b>\$ 1,055,442</b>

\*5 & 6 indicated in table above are the numeric categories used in the general ledger to represent the different expense types.

## Budget Summary – FY2024

### Staffing

CAO has three FTE including a City Attorney, Assistant City Attorney, and Paralegal.

The Prosecutor’s Office does not have FTE because the services are provided pursuant to a contract between the City and the law firm Leahy Cox, LLP.

### Department Funding

CAO is supported from general revenue sources.

The Prosecutor’s Office program is supported from the general revenue sources and the Police and Jail Local Option Levy Fund.

### Limited Duration Revenue Account

CAO has a limited duration revenue account created for the purpose of pursuing the appeal of the Climate Friendly and Equitable Communities (CFEC) administrative rules. The City of Springfield is sharing the

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cost of this litigation with thirteen other local jurisdictions, and the City is responsible for the administrative tasks. This revenue account reflects the fees paid by the other local jurisdictions and is offset by CAO's contractual services account. This account will be terminated at the conclusion of the litigation.

### **Service Level Changes**

No significant changes to these programs are expected.

## Accomplishments FY2023

- **Economic Development** – Assisted SEDA and the City with real property transactions to support economic development projects. Supported City Manager’s Office in providing a \$10,000,000 construction loan for the Blue McKenzie project in downtown Springfield. Also assisted in drafting and executing the Memorandum of Understanding with adjacent property owners and the request for proposals for the Master Plan work related to Glenwood Riverfront Area.
- **Climate Friendly and Equitable Communities Rules** – Coordinated with other affected local governments to hire special legal counsel and public communications consultant to assist with a joint appeal; drafted and executed intergovernmental agreement with thirteen other cities to jointly appeal rules to Oregon Court of Appeals; advised city staff regarding initial implementation of CFEC mandates.
- **HB 3115/Camping Code** – Facilitated Council deliberations on revising City’s camping code and sheltering efforts to be consistent with HB 3115 and recent court rulings.
- **Claim Response** – Assisted City staff and outside counsel to best position City for pending liability claims and assist with internal investigations and complaints.
- **Policy Review** – Assisted Human Resources and Police Department in development and review of internal policies for legal compliance and to minimize liability.
- **Police Operating Levy** – Provided advice on legal aspects of police levy.

## Initiatives FY2024

- **Economic Development** – Assist with bringing SEDA and the Council economic development projects to fruition in particular the master planning and associated development agreements for the Glenwood Riverfront Area.
- **Housing** – Provide legal advice about Governor’s Executive Orders addressing housing and homelessness, HB 2003(Housing Production Strategy) and anticipated legislation from 2023 Oregon Legislative 2023 Regular Session.
- **Comprehensive Planning Projects Support/Climate Friendly and Equitable Communities (CFEC) Litigation** – Coordinate with special counsel and coalition members regarding the ongoing appeal, advise City staff and coalition members on settlement negotiations with DLCDC as they arise, and advise City regarding efforts in Oregon Legislature to supersede CFEC rules. Also provide legal advice about the Comprehensive Plan Project and the MS4 Stormwater Permit.
- **Fire Governance Support** – Provide advice on process and substantive legal issues for intergovernmental fire governance discussions and meetings.
- **Liability Prevention/Claim Response** – Continue to invest in relationship with City County Insurance Services, advise Human Resources and Police Departments on new policies and process improvements in employment matters and continue to assist City staff and outside counsel to best position City for pending liability claims.

## Three Year Considerations FY2025-FY2027

- **Economic Development** – Continue to assist with legal aspects of economic development efforts in urban renewal areas and the revitalization of downtown, Glenwood and throughout the City.
- **Housing** – Advise and participate in City efforts to increase housing supply, address issues surrounding the unhoused, and the housing continuum.
- **Equity Lens** – Assist City with overall efforts to promote diversity, equity and inclusion in City policies, practices and procedures.
- **Climate Regulation** – Advise and participate in City efforts to respond to legislation and state rulemaking about climate change.

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- **Liability Prevention** – Assist Council and staff in minimizing City liability through revising and implementing City policies and providing legal advice to Human Resources and Police Departments.
- **Effective & Efficient City Services** – Continue to assist in streamlining and improving internal City processes and evaluating legal aspects of providing City services with new technologies, methods, and requirements.

## Financial Summary by Fund

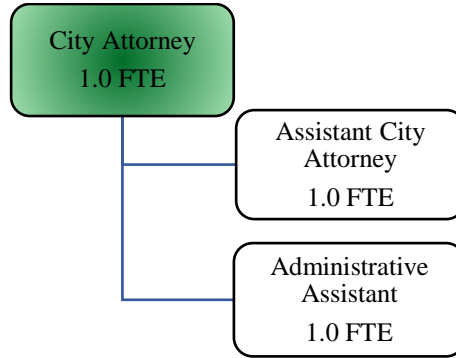
	FY21 Actuals	FY22 Actuals	FY23 Amended	FY24 Proposed
100 General Fund	741,325	801,993	1,087,735	959,862
236 Police Local Option Levy Fund	87,476	89,545	89,700	93,280
713 Vehicle & Equipment Fund	1,444	-	-	2,300
<b>Grand Total</b>	<b>\$ 830,245</b>	<b>\$ 891,538</b>	<b>\$ 1,177,435</b>	<b>\$ 1,055,442</b>

## Financial Summary by Program

		FY21 Actuals	FY22 Actuals	FY23 Amended	FY24 Proposed
Active Programs	1012 City Prosecutor	370,574	378,125	376,014	390,412
	7100 City Attorney	458,228	513,338	801,421	665,030
<b>Active Programs Total</b>		<b>828,801</b>	<b>891,463</b>	<b>1,177,435</b>	<b>1,055,442</b>
Inactive Programs	1012 City Prosecutor	-	5	-	-
	7000 Department Administration	-	70	-	-
	9000 Non-Program	1,444	-	-	-
<b>Inactive Programs Total</b>		<b>1,444</b>	<b>75</b>	<b>-</b>	<b>-</b>
<b>Grand Total</b>		<b>\$ 830,245</b>	<b>\$ 891,538</b>	<b>\$ 1,177,435</b>	<b>\$ 1,055,442</b>

# LEGAL SERVICES

## Organizational Structure



### Summary of Full-Time Equivalent by Position

	FY21 FTE	FY22 FTE	FY23 FTE	FY24 FTE
Assistant City Attorney	1.00	1.00	1.00	1.00
City Attorney	1.00	1.00	1.00	1.00
Legal Assistant	1.00	1.00	1.00	1.00
<b>Grand Total</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>

### Summary of Full-Time Equivalent by Fund

	FY21 FTE	FY22 FTE	FY23 FTE	FY24 FTE
100 General Fund	3.00	3.00	3.00	3.00
<b>Grand Total</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>

### Summary of Full-Time Equivalent by Program

	FY21 FTE	FY22 FTE	FY23 FTE	FY24 FTE
7100 City Attorney	3.00	3.00	3.00	3.00
<b>Grand Total</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>	<b>3.00</b>

## Performance Measures

CAO is still formulating performance measures for Legal Services.