



Staff Report

City of Manhattan Beach

TO: Honorable Members of the City Council

FROM: Mayor Jim Aldinger
Mayor Pro Tem Richard Montgomery

DATE: May 20, 2008

SUBJECT: Consideration of Compensation Adjustment For City Attorney

RECOMMENDATION:

It is recommended that the City Attorney's Employment Agreement be amended to provide a compensation adjustment, effective January 1, 2008.

FISCAL IMPLICATION:

Funds are available for the recommended adjustments within the adopted budget.

DISCUSSION:

In 2007 the City Attorney budget increased only 3.6 % over the previous year. There are only 9 active litigation cases remaining at the end of 2007. The City Attorney's office continued to handle a substantial amount of the City's total litigation caseload in-house at considerable savings to the City. Out of a total of 16 cases active during the calendar year 5 (31%) were handled in-house and 11 (69%) by outside counsel. All cases other than tort, personnel or Federal civil rights cases were handled in-house. The City had no civil trials in 2007.

There were no judgments against the City and the total amount spent on liability settlements was substantially reduced for the second straight year as shown in the table below:

LITIGATION SETTLEMENTS

Calendar Year	No. of Cases Settled	Total Settlement Dollars	Average per Case
2000	3	\$173,500	\$57,833
2001	1	\$ 45,000	\$45,000
2002	3	\$127,824	\$42,600
2003	3	\$ 97,500	\$32,500
2004	4	\$223,500	\$55,875
2005	4	\$53,750	\$13,438
2006	2	\$18,000	\$9,000
2007	2	\$6,500	\$3,250

In the prosecution component of the City Attorney's office 110 misdemeanor complaints were filed in 2007 resulting in a conviction rate of 96%. There were no misdemeanor trials in 2007. The City Attorney's office also provided support to the Police Department in contested traffic cases.

CONCLUSION (Optional):

Based on this performance, this Committee recommends a salary adjustment of 6 % from \$191,700 to \$203,200. This increase in salary will result in the City Attorney earning a comparative salary to the market average for city attorneys in comparable cities.