

The City Attorney's Office is the legal advisor to the City Council, the city's boards and commissions, and all city officials. The City Attorney's Office also represents the city in civil litigation and prosecutes violations of the municipal code. Central Records maintains the official files for the city and provides copies of official actions of the city upon request. It also oversees records management for the city.



Department Overview

Administration

- Provides supervisory, secretarial, administrative and budget support for the Consultation and Advisory Services area and the Prosecution and Litigation Service area, including file maintenance, timekeeping and reporting, updating the municipal code, and development of the department budget. This area also funds required continuing legal education for staff attorneys, all equipment replacement, and law library and electronic legal research resources.

Consultation and Advisory

- Provides legal support for the City Council and the city's advisory boards and commissions. Provides general legal support for the operating departments, including compliance with the Colorado Open Records Act, elections law, Council agenda support, bond finance and tax matters, water rights defense, conflict of interest advice, the city's legislative agenda, and legal maintenance of the city's real estate and affordable housing portfolios. Provides real estate services to the departments of the city for the acquisition and disposition of land, leases, licenses and buildings.



Department Overview (Cont'd)

Prosecution and Civil Litigation

- Defends the city in civil litigation matters and challenges the actions of other persons and entities when those actions are contrary to the city's interests. Prosecuting violations of the Boulder Municipal Code is also a primary duty of this workgroup, as well as working closely with enforcement and other city staff to implement and enhance the city's enforcement strategies.

Central Records

- The records office oversees records management for the city, including on-line access, retention, and destruction. The office establishes and trains on best industry practices and physically houses documents of the City Council.

Table 7-01: City Attorney's Office Summary Budget

	2015 Actual	2016 Approved	2017 Recommended
STAFFING			
Administration	1.50	1.50	1.50
City Records Management	2.50	2.50	2.50
Consultation and Advisory	14.28	14.28	16.30
Prosecution and Civil Litigation	7.42	7.42	7.35
TOTAL STAFFING	25.70	25.70	27.65
EXPENDITURE			
Administration	\$ 499,088	\$ 448,750	\$ 420,039
City Records Management	238,810	240,371	320,273
Consultation and Advisory	1,557,315	1,565,842	1,956,750
Prosecution and Civil Litigation	680,000	861,338	783,205
TOTAL EXPENDITURE	\$ 2,975,213	\$ 3,116,301	\$ 3,480,267
FUND			
General	\$ 2,861,409	\$ 2,999,305	\$ 3,357,988
Property and Casualty Insurance	113,804	116,996	122,279
TOTAL FUNDING	\$ 2,975,213	\$ 3,116,301	\$ 3,480,267



2016 Accomplishments

- Supported the Boulder Energy Future project, serving on the executive team, leading the acquisition team, representing the city before the Public Utilities Commission and working with outside counsel before the Federal Energy Regulatory Commission. Our office, working with outside counsel, filed an application with the Public Utilities Commission for transfer of Xcel's assets necessary for the operation of a municipal electrical utility.
- Prosecuted municipal code violations, including new violations of the bear trash ordinance.
- Provided support to city boards and commissions, including providing attorney staffing at City Council, Planning Board, Landmarks Board, the Beverage Licensing Authority and the Board of Zoning Adjustments on a regular basis and as needed at the Open Space Board of Trustees, the Parks and Recreation Advisory Board, the Human Relations Commission and the Transportation Advisory Board.
- Drafted revisions to the mobile food truck code provisions.
- Drafted revisions to the city's recreational marijuana ordinance.
- Supported the Marijuana Advisory Panel.
- Successfully defended challenges to the city's marijuana code.
- Reached a settlement in *Habay v. City of Boulder*.
- Drafted an amendment to the Charter for council compensation.
- Drafted an amendment to the Charter to revise the Blue Line.
- Participated in Public Utilities Commission dockets.
- Advised departments regarding environmental issues relating to the Valmont Butte and the 13th Street groundwater matter.
- Supported the negotiations to purchase the Boulder Community Health Broadway campus.
- Supported Human Resources in several employment issues.
- Coordinated responses to Colorado Open Records Act requests.
- Prosecuted liquor license violations before the Beverage Licensing Authority.
- Worked on annexing city properties outside of the city.
- Drafted sign code changes to allow new signage at the Dairy Arts Center and to comply with *Reed v. Town of Gilbert*.
- Drafted the Cooperative Housing Ordinance.
- Organized and lead council executive sessions.
- Obtained dismissal in *Yarmouth Holdings v. City of Boulder*.
- Obtained summary judgment in *Whitney v. City of Boulder*.

Key Initiatives for 2017

- Continue to provide legal support and direction for the Boulder Energy Future project.
- Continue to support the city's flood recovery efforts.
- Continue to support the City Council's initiatives.



**Table 7-02: City Attorney's Significant Changes
Between 2016 and 2017 Budget**

	2016 Approved Budget	2017 Recommended Budget	Total Change	2016 FTE	2017 FTE	FTE Change
GENERAL FUND						
Offsite Records Management	\$ 29,055	\$ 107,499	\$ 78,444	-	-	-
Total Changes, City Attorney's Office			\$ 78,444			-



**Table 7-03: City Attorney's Office
Department Detail**

	2015 Actual		2016 Approved Budget		2017 Recommended Budget		Variance - 2016 Approved to 2017 Recommended	
	Standard		Standard		Standard		Standard	
	FTE	Amount	FTE	Amount	FTE	Amount	FTE	Amount
STAFFING AND EXPENDITURE BY PROGRAM								
Administration								
	1.50	\$ 499,088	1.50	\$ 448,750	1.50	\$ 420,039	-	\$ (28,711)
Subtotal	1.50	\$ 499,088	1.50	\$ 448,750	1.50	\$ 420,039	-	\$ (28,711)
City Records Management								
	2.50	\$ 238,810	2.50	\$ 240,371	2.50	\$ 320,273	-	\$ 79,902
Subtotal	2.50	\$ 238,810	2.50	\$ 240,371	2.50	\$ 320,273	-	\$ 79,902
Consultation and Advisory								
	14.28	\$ 1,557,315	14.28	\$ 1,565,842	16.30	\$ 1,956,750	2.02	\$ 390,908
Subtotal	14.28	\$ 1,557,315	14.28	\$ 1,565,842	16.30	\$ 1,956,750	2.02	\$ 390,908
Prosecution and Civil Litigation¹								
	7.42	\$ 680,000	7.42	\$ 861,338	7.35	\$ 783,205	(0.07)	\$ (78,133)
Subtotal	7.42	\$ 680,000	7.42	\$ 861,338	7.35	\$ 783,205	(0.07)	\$ (78,133)
Total	25.70	\$ 2,975,213	25.70	\$ 3,116,301	27.65	\$ 3,480,267	1.95	\$ 363,966
EXPENDITURE BY CATEGORY								
Personnel		\$ 2,678,707		\$ 2,807,762		\$ 3,060,284		\$ 252,522
Operating		244,225		254,072		357,662		103,590
Interdepartmental Charges		52,281		54,467		62,321		7,854
Total		\$ 2,975,213		\$ 3,116,301		\$ 3,480,267		\$ 363,966
STAFFING AND EXPENDITURE BY FUND								
General	24.70	\$ 2,861,409	24.70	\$ 2,999,305	26.65	\$ 3,357,988	1.95	\$ 358,683
Property and Casualty Insurance	1.00	113,804	1.00	116,996	1.00	122,279	-	5,283
Total	25.70	\$ 2,975,213	25.70	\$ 3,116,301	27.65	\$ 3,480,267	1.95	\$ 363,966

Note:

¹Risk Management is a program within the Finance Department. However, internal litigation costs assigned to Risk Management's Property and Casualty Insurance Fund are related to FTE within City Attorney's Office (CAO) and reflected in the CAO budget within Prosecution and Litigation.