

TO: Personnel Committee
FROM: Kathleen M. McDaniel, City Attorney
RE: City Attorney's Office Update
DATE: November 6, 2016

In addition to drafting legislation as requested by City departments, the City Attorney's Office has worked on the following projects and initiatives since our last meeting:

Environmental Remediation

- Lemberger Landfill: The counsel to the LSRG, Brian Potts, left Foley & Lardner and joined Perkins Coie. The group made the decision to follow Attorney Potts to his new firm.
- Gravel Pit: Remediation discussions with DNR continue with the next meeting set for Tuesday, November 8. Quarterly sampling has been conducted and there are two new impacts on Thunder Ridge Court. The homeowners have been notified. An open house has been tentatively scheduled for Saturday, December 3.

Business Process Improvement

- No BPIs or RIPs were held in the last month.

Litigation and Prosecution

- Assist Fire Department with obtaining warrants for properties where garbage has become a health hazard
- 1512 Washington: Weekly meetings held with DPI and CDD to monitor progress on site.
- A Court of Appeals decision may invalidate our social host ordinance. The decision came down last week and we are reviewing the ordinance to determine compliance.

Insurance

- Reviewed claims filed against the City. A local plumbing contractor appears to be advising all his customers to file claims for lateral work.
- Property insurance renewal in progress. The premiums are expected to increase by 0.6%.
- Liability insurance renewal has been completed.

Open Records

- A citizen requested records relating to the carbon monoxide leak downtown.
- A local law firm requested records of a former employee.

Office Matters

- The Staff Attorney has returned from maternity leave and will resume her regular schedule of Mondays, Tuesdays, and Wednesday mornings.
- The City Attorney is using the remainder of her maternity leave as intermittent leave and is in the office on Mondays, Tuesdays, and Fridays.

Labor Matters

- Outside counsel represented the City at an arbitration regarding a grievance in the Fire Department. No decision has been received.
- Transit labor negotiations continue.
- Transit and Fire have grievances pending.

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Monthly Reporting

- Since my September 28, 2016 report:
 - 39 Requests for Legal Services were received, 37 were closed
 - 18 new litigation matters were opened, 3 were closed
 - 72 new citations were sent over for prosecution, 7 were closed, 3 were diverted. Pretrials were only held two Tuesdays in October due to staff maternity leaves.