



City Attorney's Office Performance Update Report

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City Council – Work Session

May 10, 2021



Overview

- Strategic Plan Alignment
- Covid-19 Response
- Litigation Division
- Transactional Division
- Prosecutors Division
- Open Records Division
- Key Deliverables
 - Workforce Development
 - Customer Service



Strategic Plan Alignment

Goal 6. Set the standard for sound governance and fiscal management.

- *Efficiency*
 - 6.7 Deliver effective and efficient processes to maximize value in obtaining goods and services.
- *Customer Service*
 - 6.5 Deliver services timely and effectively with focus on continual improvement.
- *Quality*
 - 6.10 Enhance the quality of decision making with legal representation and support.

Key Processes: COVID-19 Response



Key Highlights: COVID-19 Response



Drafted and revised of
19 Local Emergency
Directives &
Amendments

Extended, re-enacted and/or
amended **41** Emergency
Ordinances

Legal Review of **80** Local
Health Authority Orders

Presented **40**
COVID-19 PPT
Decks to City
Council

COVID 19 Response

- **135+ COVID related matters; 4,674 hours**
- Open Meetings Act
 - Protected Health Information Research
 - HR Issues
 - Facilities Management

Emergency Response

- Emergency Plan Activation
- Lab certification and expansion

Key Highlights: COVID-19 Response



Cares Contracts: 247 hours
*Review of legislation
*CDBG
*Consolidated Appropriations –
Emergency Rental Assistance
*Emergency Solutions Grants

Processed over 330
COVID-19 related
Contracts from Nov. 2020
– Feb. 2021

City Attorney participation in
daily
Executive Staff Meetings

HR Work:
*Policies created to protect our employees
*Furlough process and reinstatement of our employees
*Processed over 50 COVID-19 Employment Contracts
since Nov. 2020

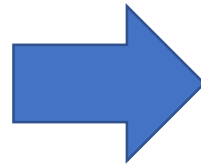
Drafted, reviewed, and provided legal advice on Mayor's Directives and Amendments
*Responded to all the COVID-19 FAQ's on EPStrong website
*Drafted and updated the FAQs with each Directive
*Respond to Citizen and Council inquiries of the applicability of COVID-19 rules

 **Total hours by CAO for all COVID-19 work since March 2020: 4,674 hours**

Litigation Key Processes

- Interactive Litigation Approach – Better Results
- Cross-Training
- Development of In-House Utility Expertise
- Hiring Experienced Litigators

100% Success Rate Last
Three Fiscal Years on
EEOC Discrimination
Complaints



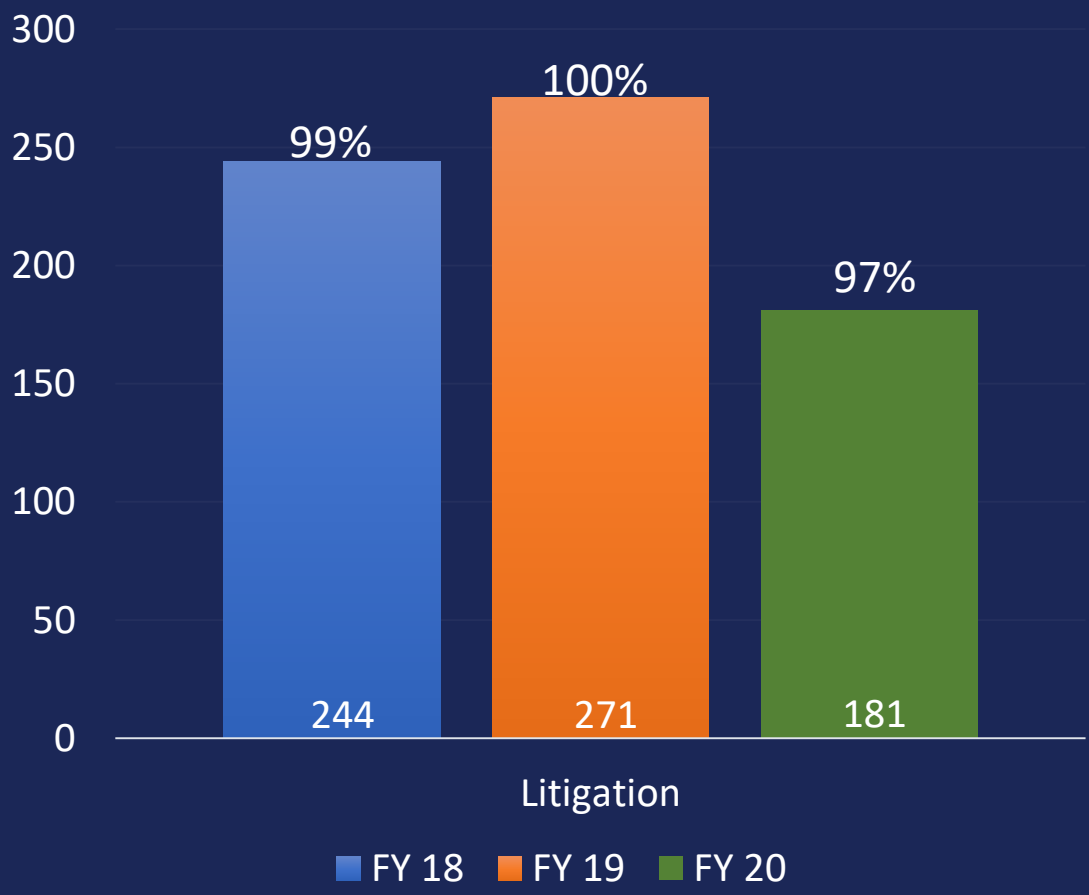
Estimated time to complete 1
EEOC response takes
approximately 3 months
depending on complexity of
the allegations

Litigation Measured Impact

Lawsuit Dismissals \$1.2 Million
ORR lawsuit victory \$1.3 Million
Utility Savings Ratepayers \$5.2 M

\$7.7 Million Savings

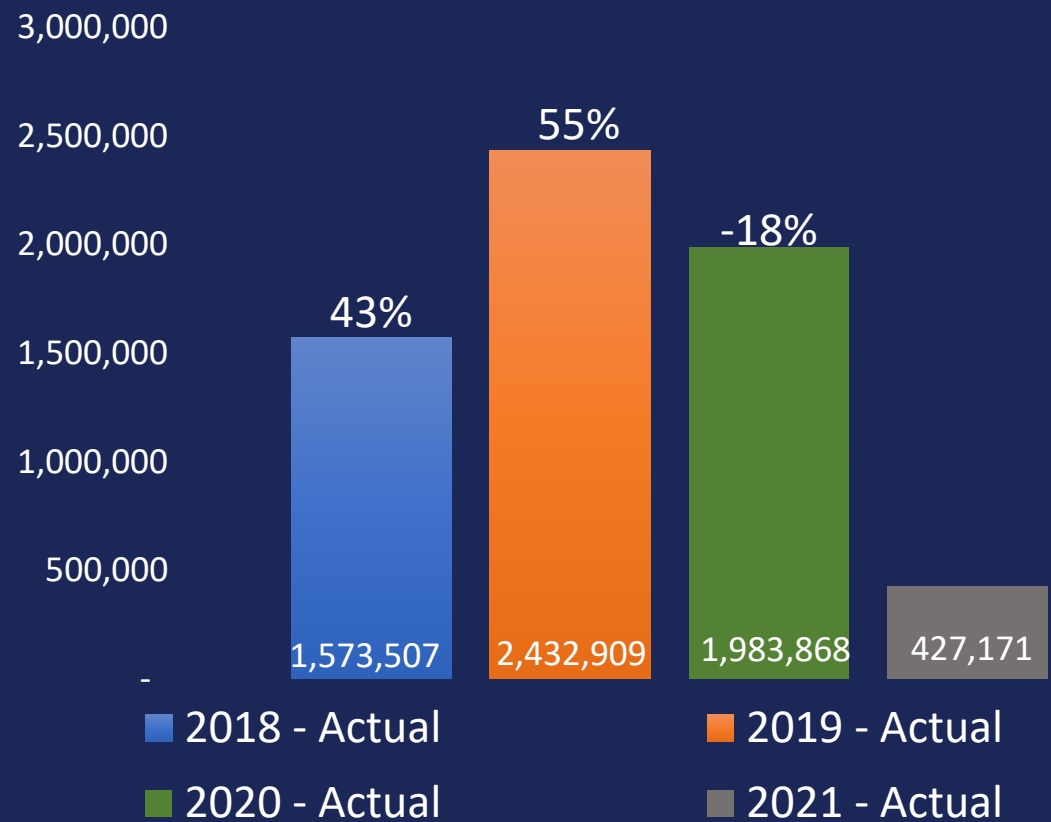
10 Working Day Turn Around



Outside Counsel

- Processing third party claims within 10 working days.
- Track implementation of legal recommendations to departments to determine success in mitigating future liabilities.
- Standard Operating Procedures for all litigation.
- Development of a Training Protocol for Municipal Litigation

OUTSIDE COUNSEL
FY18-FY21 Comparison



Transactional Division Key Highlights

City Assets

Mega Site
Contract



Conservation
Easements
Knapp Property
& Lost Dog
Trail

SMG
Agreement



Title 7 –
Groomer's
Ordinance



Sun Metro
turnaround

Economic Development

Project
Tollway
Hours: 162+



94 MCAD
Agreements
(October –
April 2021)

Boutique Air,
Inc.
Hours: 5.40

Butterfield
Trail Golf
Course
Agreement
Hours: 130+

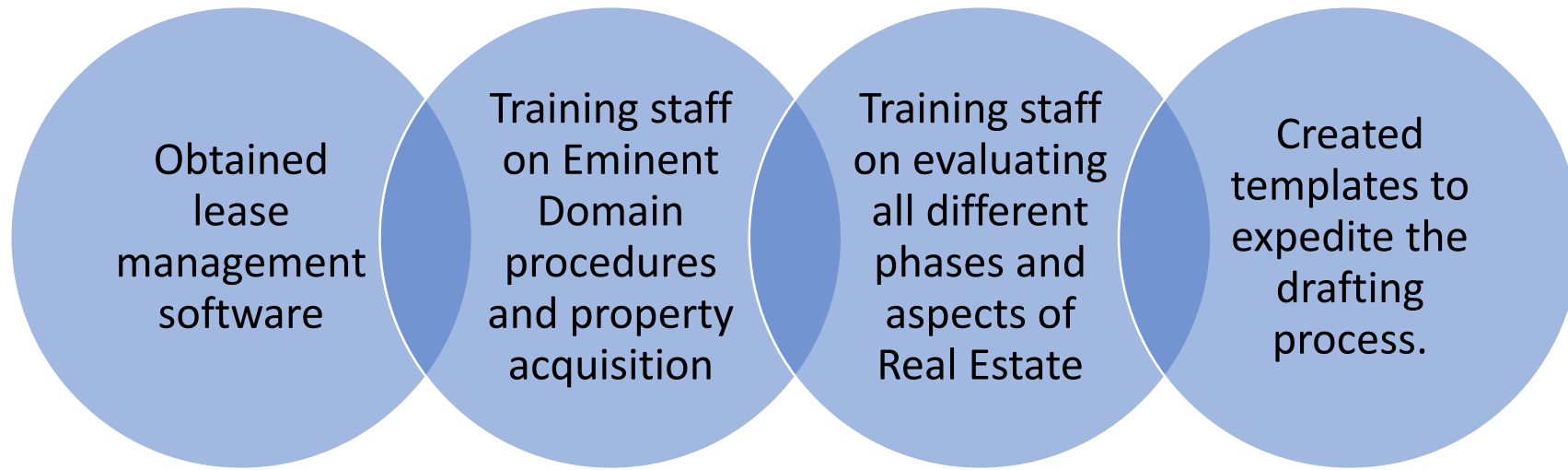
Council

Ethics
Ordinance

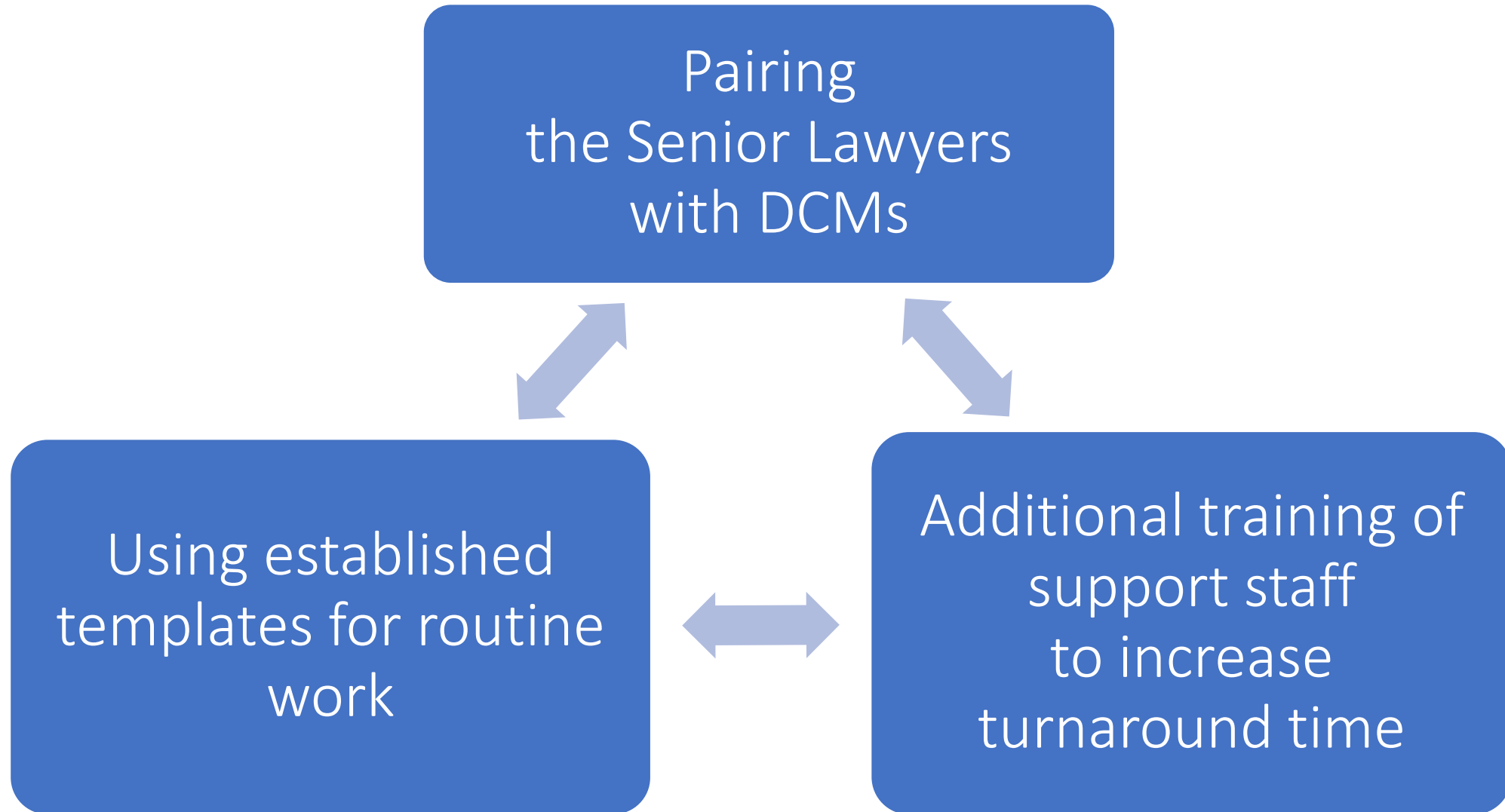
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Transactional Key Processes

City of El Paso - CAO Real Estate Process Streamlining

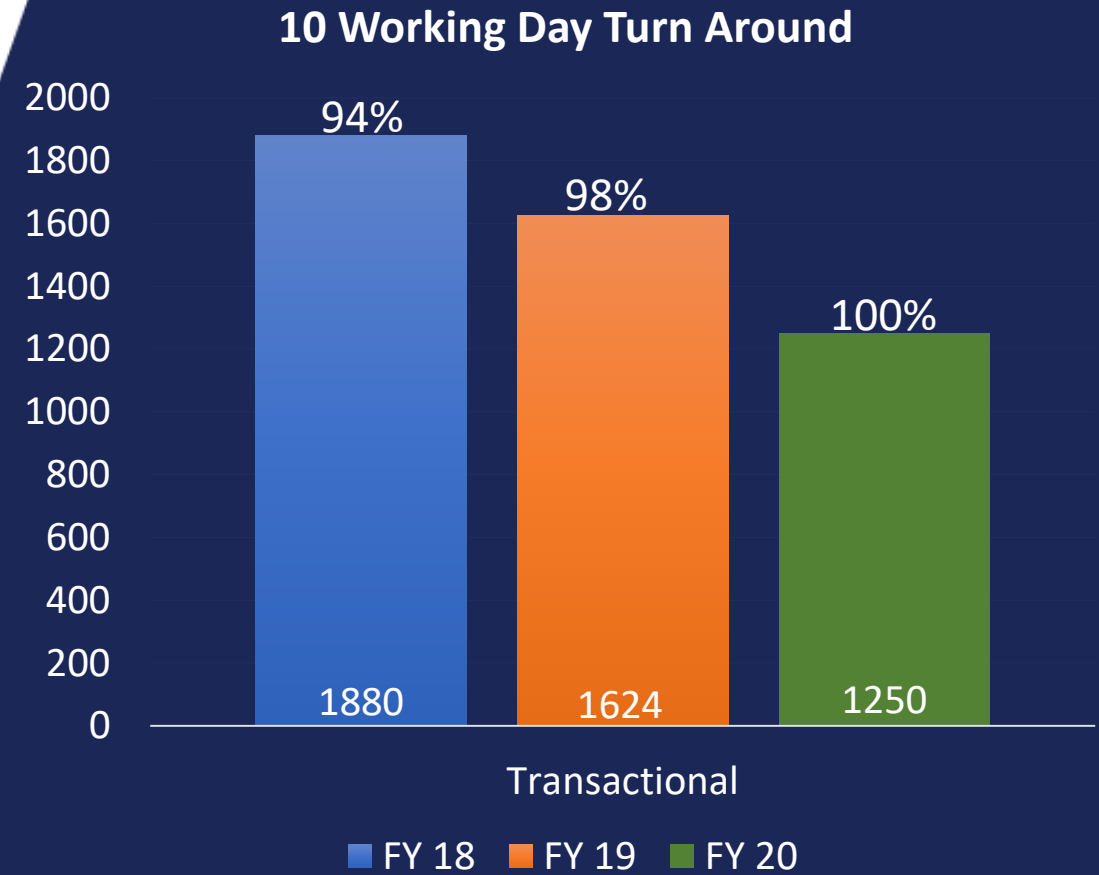


Transactional Key Processes



Transactional Measured Impact

- Create templates for efficiency
- Create dashboard for legal assignment & reporting
- Further cross-train for continuity of service & succession plan
- Meet 10-day turnaround for routine items
- Streamline legal processes for better customer service



Prosecutors Key Highlights

COVID-19 Support – Approximately 650 COVID-19 violation cases in the trial queue

- Hired 2 highly experienced felony prosecutors/former Assistant District Attorneys
 - Trial knowledge/cross training
 - Ability to efficiently and accurately analyze cases and handle large volume dockets right away
 - 38 years of combined prosecution experience in the Division
- High level specific preparation for COVID-19 violations
 - Drafted complaint language for 40+ violation types
 - Trained 200+ enforcement employees on all COVID-19 regulations
 - Provided real-time support to enforcement on questions of applicability
 - Developed plan to prepare prosecution of violations
 - Pretrial every COVID-19 set on trial docket

Prosecutors Key Processes

Updated Prosecutorial Strategy

Focus: Training; High Quality; Community safety

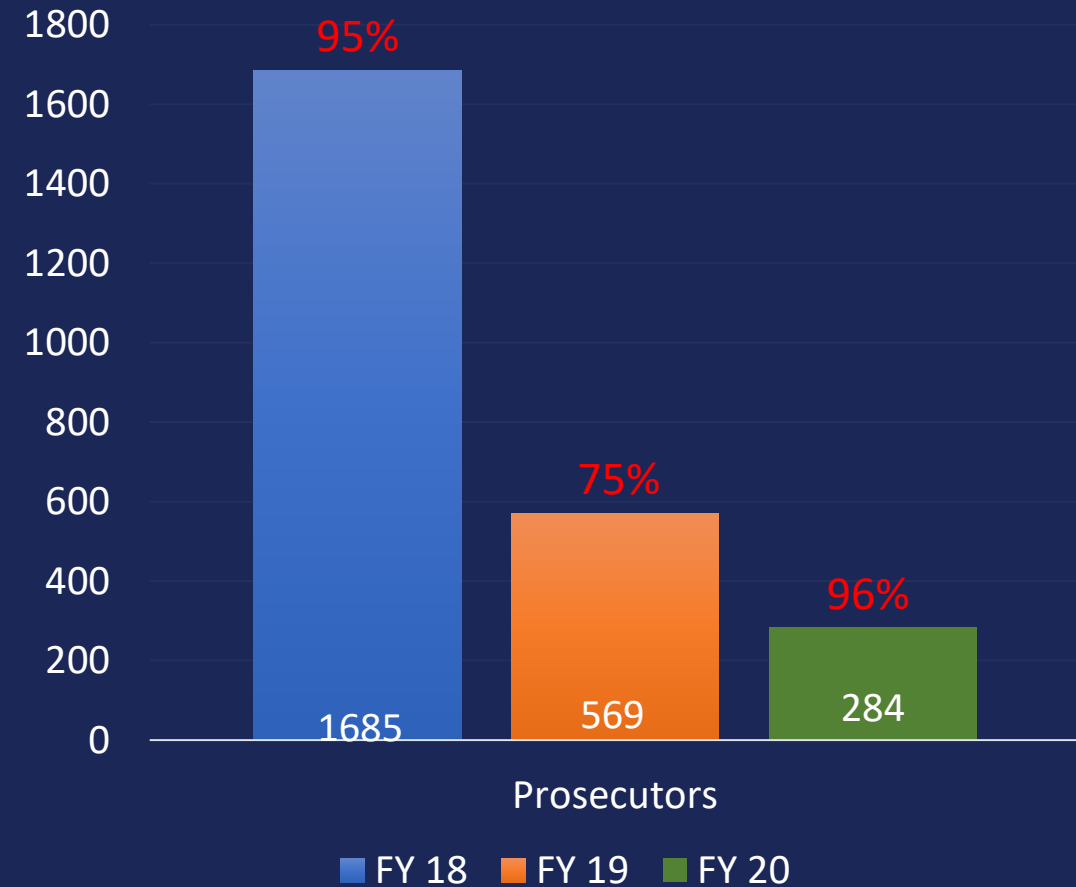
- Team approach to Prosecution
- Systematic approach to high volume court dockets
- Consistent handling of case types
- Internal Training program
- Developed COVID-19 prosecution procedure

Established strategies for effective, efficient, high quality, consistent prosecution of all cases – high volume (80-100 cases per docket- 150+ dockets per quarter during pandemic)

Prosecutors Measured Impact

- Trial Prep/Training on COVID-19 Violations for officers and prosecutors
 - 11 plea agreements negotiated through May 6
 - First trial May 6 – Found Guilty as of May 6
- Cross-training on routine prosecution to improve public safety and welfare
- Update Process for Citizen Complaints LSS Project
- Temporary Court Docket

10 Working Day Turn Around

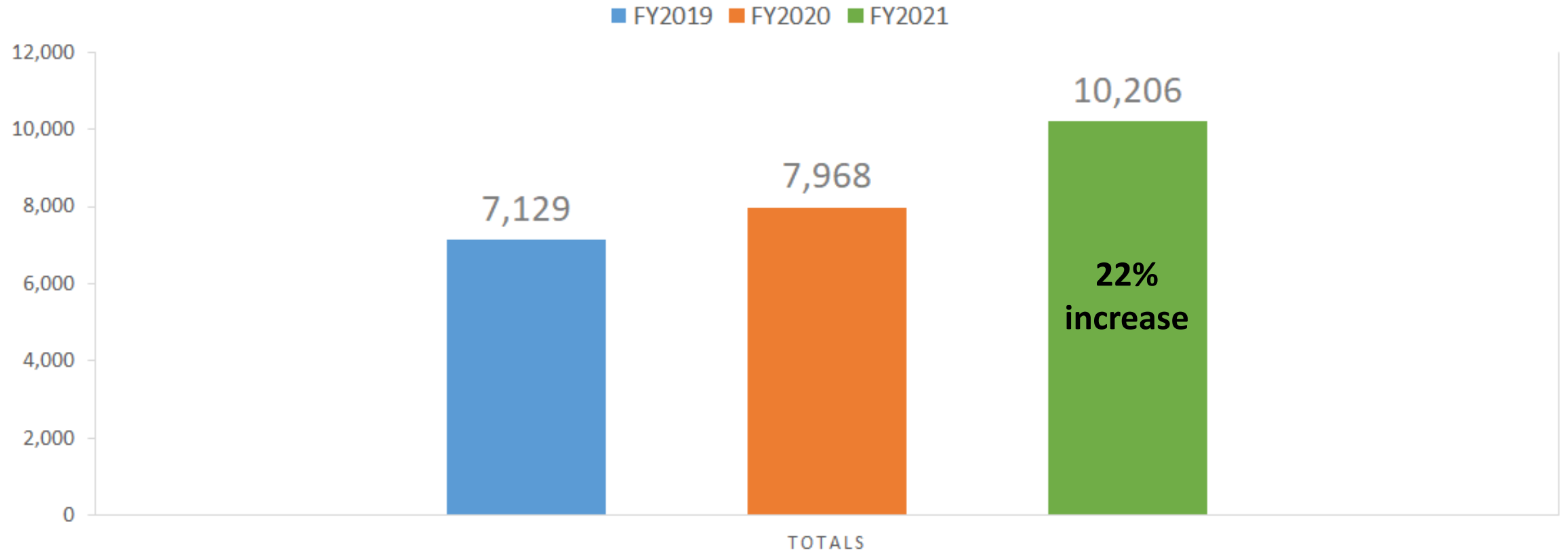


ORR Key Processes

- Followed Attorney General guidelines and rules on calculation of business days with a skeleton crew during COVID-19
- Processed 22% more ORR requests despite COVID challenges
 - Over 10,000 total requests since March 2020
- ORR training curriculum developed and implemented for key personnel city-wide
- Implementation of agreed redaction tool to facilitate faster turnaround to requestors

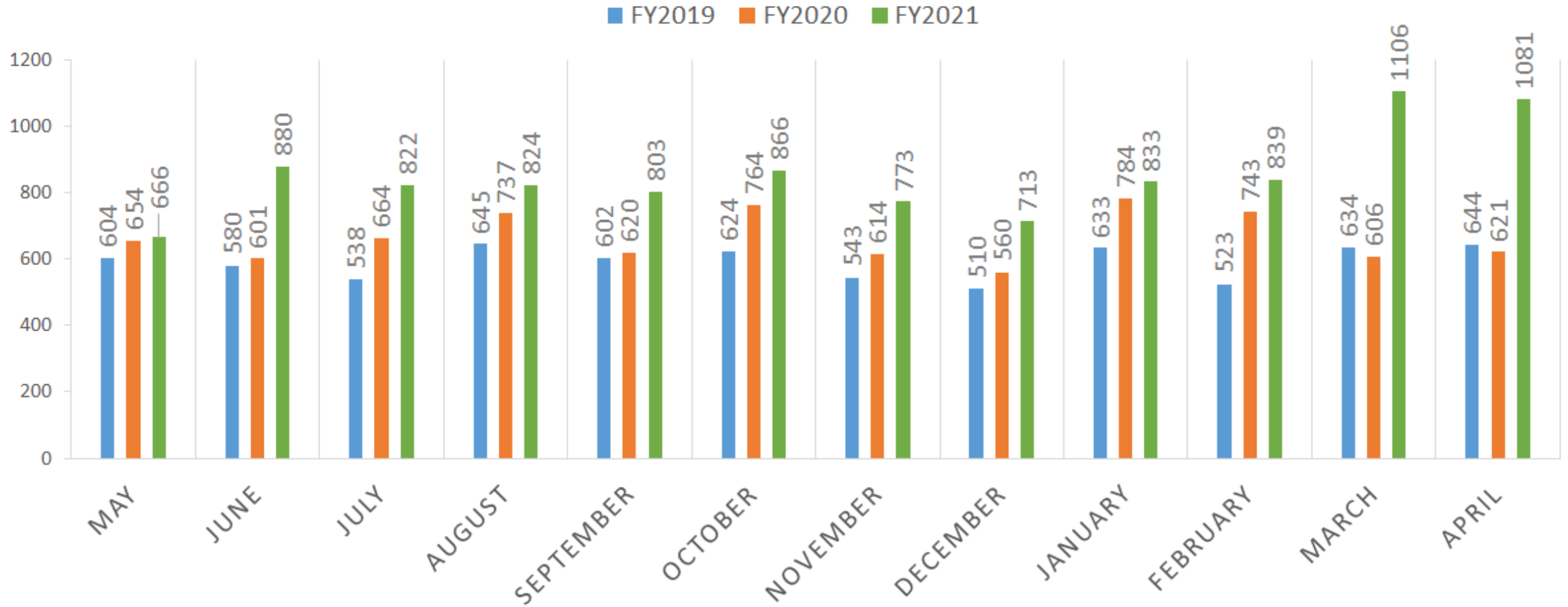
ORR Key Highlights: Total Monthly Requests

FY 2019, 2020, 2021 COMPARISON

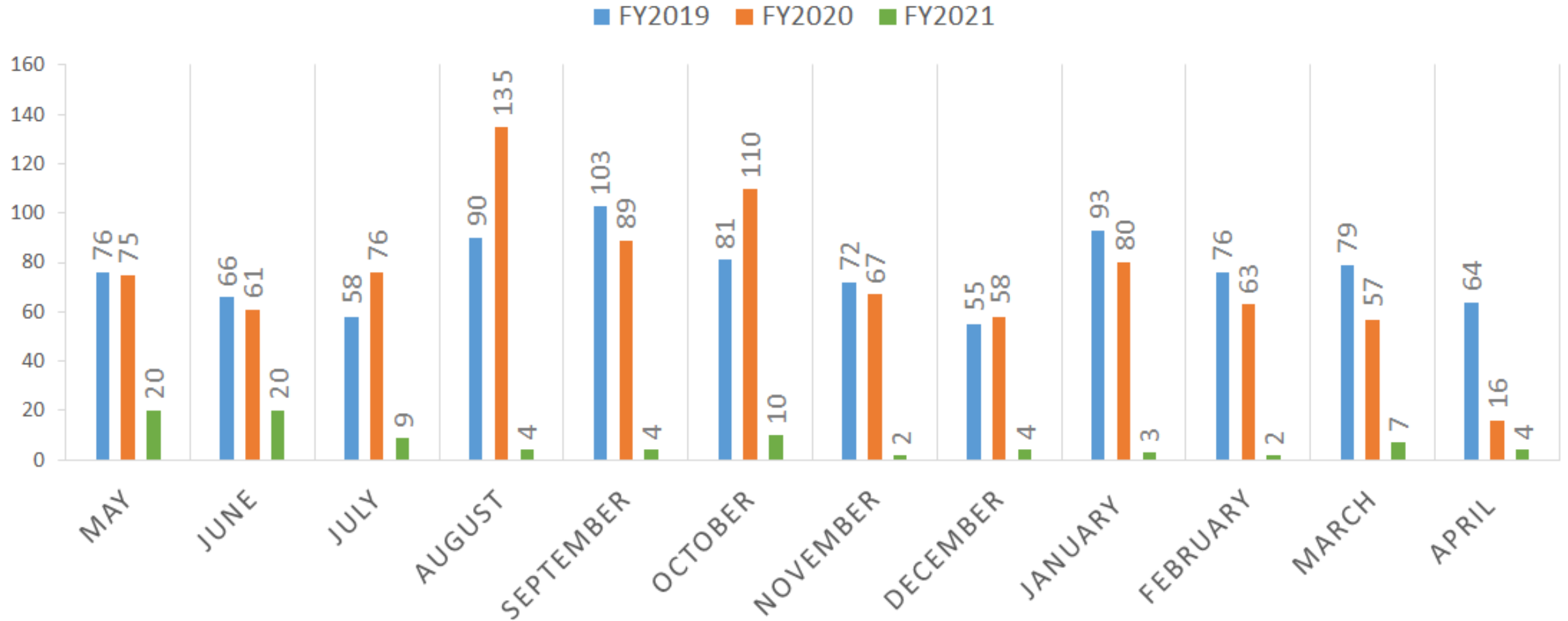


ORR Key Highlights: Total Monthly Requests

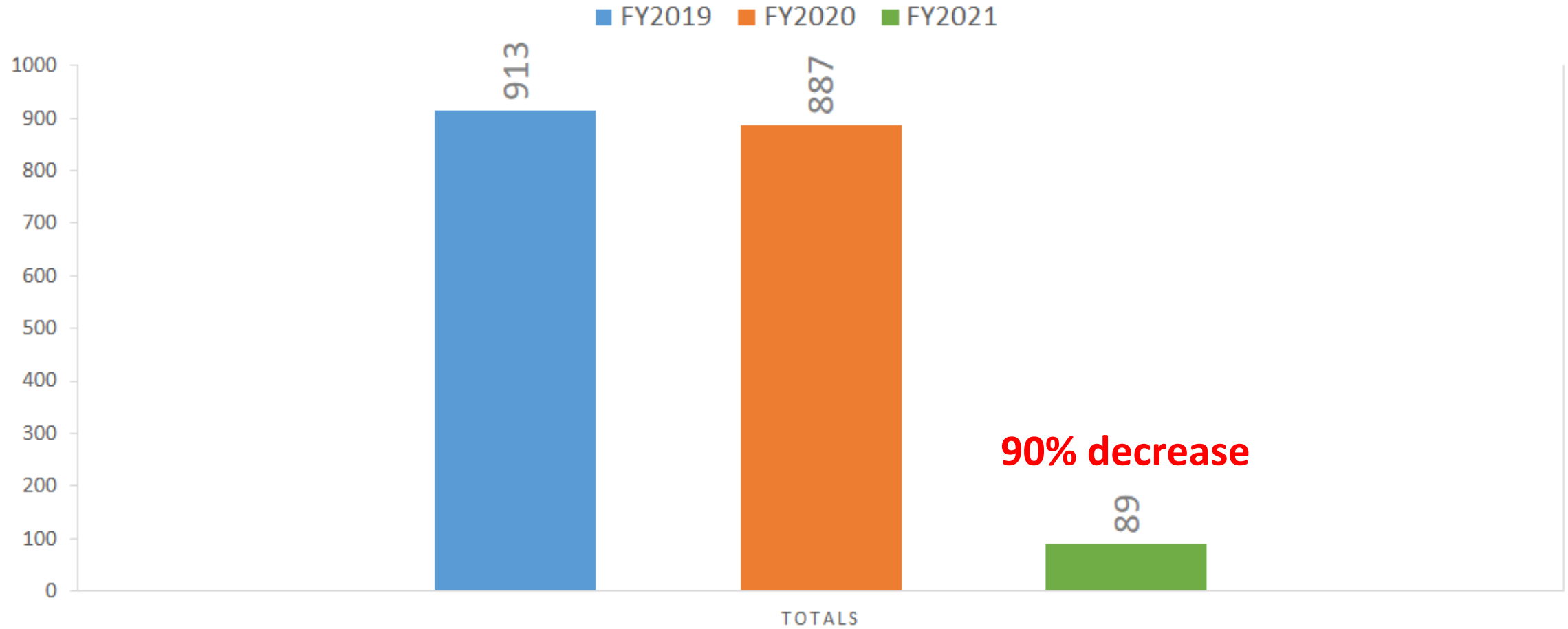
FY 2019, 2020, 2021 COMPARISON



ORR Key Highlights: Attorney General Opinion Requested



ORR Key Highlights: Attorney General Opinion Requested



Open Records Measured Impact

- Increased training with key personnel
- Reduced Attorney General Opinions requested by 90%
 - Decreases requestor wait time

22% increase in
total ORRs
processed from
FY2020 to FY2021



Key Deliverables – Workforce Development

1. Developing leaders – Baldrige, LLS, Leadership training

Category	FY 2019	FY 2020	FY 2021 (Thru Q2)	Total
External	25	60	23	108
HR	35	10	12	57
Internal	14	14	23	51

2. Developing succession planning

1. Training curriculum
2. Internship Program
3. Onboarding Attorney Program
4. Revised Staffing Table – Right Sizing for the Organization's Need

3. Hired expertise

Customer Service – Future Results

- Prolaw/High Q
- Ethics Ordinance/Interactive Training Curriculum Forthcoming
- Future – Community Safety ordinances
- Federal Financing Opportunities
- EPE /Utilities - Future collaborations
- Redistricting Commission
- Charter Amendments
- Strategic Planning



Mission

Deliver exceptional services to support a high quality of life and place for our community



Values

Integrity, **R**espect, **E**xcellence,
Accountability, **P**eople



Vision

Develop a vibrant regional economy, safe and beautiful neighborhoods and exceptional recreational, cultural and educational opportunities powered by a high performing government