

DEPARTMENT OF LAW

LEGAL ADMINISTRATIVE SERVICES	FUNCTION	1046
APPROPRIATIONS	\$	3,024,433
FRINGES	\$	678,173
TOTAL APPROPRIATIONS	\$	<u>3,702,605</u>
REVENUE	\$	<u>249,713</u>
NET	\$	<u><u>(3,452,892)</u></u>

DEPARTMENT OF LAW
Corporation Counsel
Division#05-1046

Goals

To provide comprehensive legal services to the Mayor, Common Council, Comptroller, City departments, agencies, the Board of Education and the Buffalo Sewer Authority, the Buffalo Water Board and the Buffalo Municipal Water Finance Authority.

1. To develop management systems and Departmental policies to ensure delivery of high quality legal services.
2. To modernize the Law Department in order to increase the efficiency of the daily operations
3. To increase intra departmental communication within City Hall
4. To help develop all staff and update their skill levels by cross training, mentoring and support systems

Activities

1. Acts as counsel to the Mayor, Comptroller, Common Council, Comptroller, City departments, agencies, the Board of Education, the Buffalo Sewer Authority, the Buffalo Water Board and the Buffalo Municipal Water Finance Authority.
2. Prosecutes and/or defends all actions or proceedings brought by or against the City and its agencies.
3. Studies, reviews and submits opinions to City and its agencies.
4. Prepares reports and/or resolutions requested by the Common Council or its committees.
5. Prepares and approves as to form, ordinances and local laws.
6. Keeps informed on the conduct and operations of all franchised public utilities.
7. Reviews and prepares all bargaining contracts or memoranda of agreement with employee representatives.
8. Examines and approves title to all real property acquired by the City, conducts condemnation proceedings on land required for public use, and prepares papers and proceedings of sale of City owned property.
9. Advises on the taxability of property, defends Certiorari proceedings on assessment reductions, collects delinquent taxes through foreclosures, and prosecutes for monies due the City.
10. Prepares foreclosure sale at public auction.
11. Examines accounts receivable, particularly in the areas of back taxes and demolition costs, and makes efforts to collect outstanding monies on behalf of the City. Processes and investigates all claims against the City, past due accounts of all City departments, and various employee claims which are paid from the Judgment and Claims account.

DEPARTMENT OF LAW
Corporation Counsel 05-1046

Work Program Statistics

	Actual 2009- 2010	Estimate 2010-2011
GENERAL		
Litigation matters	1,305	1,400
Transactional matters	1,563	1,650
In Rem- court cases filed	5,229	6,650
Housing court cases heard	1,050	1,200
Tax and Assessment--	110	120
Board of Education	49	56
Claims- new for fiscal year	704	750
Land use and development	74	94
Labor	180	225
Common Council meetings/other	250	265
Adm-legal opinions	450	500

CITY OF BUFFALO
CITY OF BUFFALO - GENERAL FUND
2010-2011 ADOPTED BUDGET

1000 GENERAL FUND	2007-2008 ACTUAL AMOUNT	2008-2009 ACTUAL AMOUNT	2009-2010 ADOPTED BUDGET	2009-2010 REVISED BUDGET	2009-2010 YTD 06/21/2010	2010-2011 ADOPTED BUDGET

05 LAW						

1046 LEGAL ADMINISTRATIVE SERVICE						

10546001 LEGAL ADMINISTRATIVE SERV						

411001 ANNUAL SALARY	1,325,295.54	1,398,265.54	1,736,177.00	1,489,583.53	1,362,080.70	1,952,337.00
412002 HOURLY SALARY	9,704.08	11,670.00	15,652.00	15,652.00	11,496.00	.00
413001 OVERTIME	568.44	13,558.77	4,000.00	4,000.00	7,190.94	.00
413003 ACTING TIME	161.39	1,032.91	.00	.00	11,937.83	6,702.58
414001 LONGEVITY	10,175.00	10,175.00	11,300.00	11,300.00	11,300.00	11,625.00
414007 PERFECT ATTENDANCE INCENTIVE	11,965.09	13,542.96	11,351.00	11,351.00	.00	11,692.00
415001 AUTOMOBILE ALLOWANCE	2,346.00	4,239.00	5,400.00	5,400.00	3,195.00	3,420.00
TOTAL 10546001 LEGAL ADMINISTRATIVE SERV	1,360,215.54	1,452,484.18	1,783,880.00	1,537,286.53	1,407,200.47	1,985,776.58
10546004 LEGAL ADMINISTRATIVE SERV						

458001 TRANSPORTATION	201.65	329.98	100.00	.00	.00	100.00
458002 MEALS & LODGING	294.00	.00	.00	.00	.00	.00
458003 REGISTRATION & MEMBERSHIP FE	2,210.00	.00	750.00	.00	.00	750.00
TOTAL 10546004 LEGAL ADMINISTRATIVE SERV	2,705.65	329.98	850.00	.00	.00	850.00
10546005 LEGAL ADMINISTRATIVE SERV						

461001 OFFICE SUPPLIES	4,726.18	2,743.13	3,000.00	7,487.33	7,487.33	2,000.00
461002 CONTRACT VENDOR SUPPLIES	1,263.24	4,311.80	3,000.00	.00	.00	1,500.00
461005 PHOTO & DRAFTING SUPPLIES	709.75	183.33	260.00	.00	.00	260.00
461400 POSTAGE	341.45	416.48	30.00	.00	.00	30.00
464000 PERIODICALS	43,990.46	45,350.00	34,000.00	53,497.51	46,146.99	24,000.00
TOTAL 10546005 LEGAL ADMINISTRATIVE SERV	51,031.08	53,004.74	40,290.00	60,984.84	53,634.32	27,790.00
10546006 LEGAL ADMINISTRATIVE SERV						

432002 MEDICAL SERVICES	3,622.78	26,799.44	20,000.00	19,976.18	19,405.37	20,000.00
432003 LEGAL SERVICES	1,089,395.96	875,569.34	700,000.00	1,109,462.99	1,097,789.23	700,000.00
432004 ENGINEER & TECHNICAL SERVICE	12,196.33	32,552.41	18,000.00	7,400.00	7,400.00	10,000.00

CITY OF BUFFALO
 CITY OF BUFFALO - GENERAL FUND
 2010-2011 ADOPTED BUDGET

1000 GENERAL FUND	2007-2008 ACTUAL AMOUNT	2008-2009 ACTUAL AMOUNT	2009-2010 ADOPTED BUDGET	2009-2010 REVISED BUDGET	2009-2010 YTD 06/21/2010	2010-2011 ADOPTED BUDGET
443301 MACHINERY & EQUIP REPAIRS	.00	.00	160.00	.00	.00	160.00
454000 ADVERTISING	379.27	.00	100.00	1,656.06	1,656.06	1,656.00
455000 PRINTING & BINDING	5,268.00	12,870.80	5,500.00	343.25	343.25	2,500.00
455100 INTERNAL PRINT SHOP	1,876.44	1,398.24	700.00	205.42	205.42	700.00
480000 OTHER SERVICES	416,758.70	457,632.18	420,000.00	476,030.26	475,886.35	275,000.00
490000 FREEZE FUNDS	.00	.00	.00	.00	.00	.00
TOTAL 10546006 LEGAL ADMINISTRATIVE SERV	1,529,497.48	1,406,822.41	1,164,460.00	1,615,074.16	1,602,685.68	1,010,016.00
10546007 LEGAL ADMINISTRATIVE SERV						
474100 EQUIPMENT	.00	.00	.00	.00	.00	.00
474200 VEHICLES	.00	.00	.00	.00	.00	.00
TOTAL 10546007 LEGAL ADMINISTRATIVE SERV	.00	.00	.00	.00	.00	.00
TOTAL 1046 LEGAL ADMINISTRATIVE SERVICE	2,943,449.75	2,912,641.31	2,989,480.00	3,213,345.53	3,063,520.47	3,024,432.58

BUDGET PROJECTION 21011 CITY OF BUFFALO - BUDGET PROJECTION 2010-2011

ORG	OBJECT PROJ	ACCOUNT DESCRIPTION	CURRENT ADJ BUDGET	PROJECTED ACTUAL		PERCENT CHANGE
10546001411001	LAW	PS ANNUAL SAL	1,489,583.53	.00	1,952,337.00	31.07
	1000-05-1046-0000-1-00-0-40-411001-	CORPORATION COUNSEL IO 67 STP 5	1.00	99,143.00	99,143.00	
		SR DEPUTY CORPORATION COUNSEL IO 34 STP 5	1.00	84,564.00	84,564.00	
		ASSISTANT CORPORATION COUNSEL II - 6 @ step 5 A O88	6.00	80,247.00	481,482.00	
		ASSIST CORPORATION COUNSEL II @STEP 4 AO88	1.00	76,418.00	76,418.00	
		ASSIST CORPORATION COUNSEL II - 3@ STEP 3 AO 88	3.00	72,593.00	217,779.00	
		ASSIST CORPORATION COUNSEL II @STEP 13 AO88	1.00	70,042.00	70,042.00	
		MUNICIPAL ATTORNEYS 2@ STEP 12 AO77	3.00	55,273.00	165,819.00	
		MUNICIPAL ATTORNEY AT STEP 13 AO77	1.00	56,861.00	56,861.00	
		LEGAL STENOGRAPHER - @ STEP 5 AO22	1.00	40,337.00	40,337.00	
			3.00	39,010.00	117,030.00	
		LEGAL SECRETARY - 3 @ STEP 4 AO22	2.00	33,526.00	67,052.00	
		2 TYPISTS @ STEP 5 A OO2	2.00	42,921.00	85,842.00	
		LEGAL INVESTIGATORS - 2 @ STEP 5 AO32	1.00	36,212.00	36,212.00	
		SPECIAL ASSISTANT IO 10	1.00	47,232.00	47,232.00	
		PARALEGAL ASSISTANT A047 STEP 5	.00	46,083.00	.00	
		RESIDENCY INVESTIGATOR IO-17	1.00	43,065.00	43,065.00	
		Paralegal Assistant @ Step 13 AO 47	1.00	60,796.00	60,796.00	
		MUNICIPAL ATTORNEY AT STEP 4 AO 77	1.00	40,337.00	40,337.00	
		LEGAL SECRETARY @ STEP 5 AO22	1.00	80,000.00	80,000.00	
		Director of Employee Relations (I109)	1.00	82,326.00	82,326.00	
		Moved from Human Resources - Employee Relations				
		Deputy Corporation Counsel (Schedule I).				
		BUDGET CEILING:		.00		
		TOTALS:	1,489,583.53	.00	1,952,337.00	31.07

** END OF REPORT - Generated by bartosik,joe **

DEPARTMENT OF LAW

ADMINISTRATIVE ADJUDICATION	FUNCTION	1052
APPROPRIATIONS	\$	170,021
FRINGES	\$	75,289
TOTAL APPROPRIATIONS	\$	<u>245,310</u>
REVENUE	\$	24,340
NET	\$	<u><u>(220,970)</u></u>

Department of Law
Administrative Adjudication
Division#05-1052

Goals

Our department continues to strive toward improving and expanding our job performance through updated technology, streamlined operations and improved tracking and measurement functions. Additionally, we will strive toward improving quality of life issues by working with issuing departments to effect proper issuance of summonses and enforcement capabilities.

Quality of Life initiatives:

1. We are seeking Ordinance Compliance Officer position(s) as part of our initiative to improve quality of life issues in the City.
2. Improve efficiency in resolving Mayor's Call & Resolution Center complaints. With the addition of the Ordinance Compliance Officer position(s) complaint calls regarding quality of life violations can be routed to our office, ultimately reducing response time to within a day or two and freeing up inspectors and sanitation foreman to address other complaints.
3. We will undertake to work closely with Law Department to improve enforcement and handling of Illegal Dumping issues by establishing guidelines for proper issuance of summonses, investigative and witness information, and hearing procedures.
4. We will continue to work with issuing departments as well as the Law Department to identify and update outdated ordinances so that we may improve enforcement of violations, improving quality of life issues.
5. We will undertake to work with Inspections to reinstate the excessive call back charges for property inspections.
6. Conduct training sessions with issuing officers on the proper issuance of summonses. Training will improve the effectiveness of the summonses issued, increasing revenues, improving compliance of violations and hearing outcomes.

Improve and Expand Job Performance:

7. In October 2008 we completed our installation of a digital imaging system to streamline the processing of summonses. The digital imaging system not only affords us the ability to more quickly process summonses, but allows us to answer inquiries more efficiently giving us the capability of viewing summonses, photos and applicable documents from a digital file, without having to leave our desks. Furthermore, when we redesigned our summonses for scanning, we condensed several summons formats into one thereby allowing us to purchase summonses in bulk reducing our expenses.

Our next step toward updating our technology and streamlining our processes is to replace our current access database with Hansen, a web-based system. Although we are in the preliminary stages of researching its capabilities as it relates to our department, it appears that the Hansen system will allow us to share information electronically with other City departments, improve billing capability and streamline and improve work performance.

- Individuals or properties can be flagged, notifying departments that they have outstanding fines that must be paid prior to approving licenses or permits, disbursing refunds or claim settlements, or allowing individuals to purchase properties at auction.
 - Assist Inspections Department in preparing housing court cases, by including summons information.
 - Currently, notices go out in batches according to a set schedule, creating spikes in phone and walk-in inquiries. This system will allow us to control the late notices by summons, automatically sending out a late notice when each summons because delinquent. This will improve our collection rate and will help space out notices, reducing the spikes in inquiries.
 - Improve efficiency processing summonses, payments and hearing requests, increasing revenues.
 - Improve our billing process and collection effort.
 - Web-based system will allow respondent's to request or reschedule hearings on-line.
8. We are seeking clerical and/or legal aid positions in our department to improve efficiency.
 - Allow us to process greater volume of summonses and hearings.

- Allow us to more efficiently answer phone and walk-in inquiries and correspondence.
- Allow us to process summonses and conduct hearings more quickly, improving collection rate of revenues.
- Allow us to research mail returns for bad addresses and research unknown owners, increasing revenues that would otherwise go uncollected.

Initiative to Improve Collection Efforts:

9. In an effort to maximize collection efforts of summonses that have reached maturity, we are in the process of transferring outstanding balances to the Collections Department for internal collection and monitoring of the accounts, as well as continued referral to an outside collection agency.

Description Of Activities

1. Purchase, maintain, inventory and distribute Adjudication summonses to various city departments, including Street Sanitation, Police, License, Inspections, Dogs and Fire, including updating summonses as necessary to ensure that changes to fine structures and ordinances are accurate, as well as appropriate changes to improve sufficiency.
2. Enter and mail summonses issued by various city departments in accordance with legal requirements.
3. Compile and maintain complete and accurate records relating to all charges, dispositions and associated activities relating to summonses, avoidable alarms and excessive call back fees.
4. Process late notices and answer within a reasonable period of time, all relevant phone, walk-in or mail inquiries regarding summonses issued by various departments.
5. Process payments of fines, including researching payments sent in with insufficient information; reconcile payment errors from treasury and process appeal payments, appeal refunds and transfers and refunds for overpayment of summonses.
6. Accept pleas and set up and conduct hearings of Adjudication summonses issued for city code and ordinance violations, including coordinating of appearances of witnesses, police officers and ticket writers as necessary to improve disposition of hearings. Set up and conduct hearings before an Appeals Panel.
7. Enter and process notices for failure to appear at scheduled hearings.
8. Research and update ordinances for municipal code violations.
9. Accept testimony and to hear and determine disposition of fee disputes for excessive avoidable alarms and inspection excessive call back fees and answer within a reasonable time all relevant inquiries by an individual or business with respect to dispositions.
10. Research Mayor's Call & Resolution Center complaints and respond to same as appropriate.
11. Research illegal dumping allegations, compile information from witnesses and issuing officers, and coordinate attendance at hearing of witnesses, issuing officers, attorneys and Corporation Counsel.
12. Coordinate enforcement of municipal code violations with Public Works, Fire, License, Inspections, Dogs and Police Departments and other departments as appropriate, meeting with departments to determine methods to improve quality of life in the City of Buffalo.
13. Attend City Hall meetings as appropriate to this department.
14. Meet and discuss issues with various block clubs and organizations concerning ordinance violations.
15. Set up and maintain payment plans.
16. Work with Assessments Department to collect outstanding judgments from In Rem foreclosures.
17. Work with Collections Department to collect outstanding judgments from individuals purchasing City properties.
18. Work with Collections Department and Mercantile Adjustment Bureau with regard to referrals of outstanding summonses.
19. Research mail returns without forwarding addresses.
20. Work with MIS on proper operation of Adjudication system and Avoidable Alarm system, including updating technology to meet needs of department.
21. Compile status reports as necessary, including budget reports and monthly council reports.
22. Perform general office functions, including payroll entry, requisition entries and/or research and tracking of purchase orders and other accounting tasks, including balancing Mercantile billings.

ADMINISTRATIVE ADJUDICATION

Work Program Statistics

Once a summons has been issued, the issuing department turns the summons over to Administrative Adjudication for handling. Our department maintains the summonses and supporting documents and handles all phone inquiries, correspondence, payments, refunds, hearing requests, hearings, appeals, late notices, complaints, council requests, and collection efforts. The issuing department relinquishes control over a summons once it has been issued. Our department also handles waiver requests for Avoidable Alarm Fees and \$75 Excessive Call Back Inspection Fees. Following are the work program statistics for our department:

Summonses Issued and Revenues Received during FY by Issuing Department:

Issuing Department	2007/2008 Actual		2008/2009 (1 st Half)		2009/2010 Projections	
	Summonses Issued	Revenues Received	Summonses Issued	Revenues Received	Summonses Issued	Revenues Received
Ordinance Compliance Officer	777	\$ 56,742	2	\$1,959	0	\$ 0.00
Street Sanitation Department	2,371	129,445	1,062	57,736	1,900	100,000
Police Department	6,538	265,526	12,601	351,731	20,000	700,000
License Department	126	16,148	55	3,814	120	10,000
Inspections Department	1,209	67,639	318	27,919	640	55,000
Dog Summons (Exp. License)	1,241	21,555	1,462	14,508	2,300	25,000
Fire Prevention	9	1,300	1	0	0	0.00
TOTALS:	12,271	\$558,355	15,501	\$457,667	29,960	\$890,000

	Actual 2007/2008	Actual 1st Half 2008/2009	Projections 2009/2010
<u>Number of Summonses Adjudicated (Hearings Held):</u>			
Administrative Adjudication	283	2	0
Street Sanitation Department	551	212	500
Police Department	1,174	1,272	5,400
License Department	30	9	25
Inspections Department	236	160	320
Dog Summons (Exp License)	60	22	80
Fire Prevention	0	1	0
TOTALS	2,334	1,677	6,325
<u>Notices Generated:</u>			
Courtesy	10,255	16,587	31,000
First (Late Notice)	5,300	8,341	10,000
Alertograms	3,901	5,355	7,000
Final Notices	4,297	3,007	6,000
Hearing Notices	2,121	2,460	6,500*
Dismissal Notices	464	4,098	600
FA Notices	469	374	1,000
TOTALS	26,807	40,222	62,100
Number of Appeal Hearings Held	29	13	40
Number of Phone Inquiries (estimates)	9,500	12,000	20,000
Number of Citizen Service Complaints Referred to Dept	877	307	50
Number of Summons Payments Processed	5,848	4,997	9,900
TOTALS	16,254	17,317	29,964

*This number will increase or decrease depending on the ability to hire more ALJs to preside over hearings. This will also depend on additional staffing to schedule and prepare the hearing cases.

Administrative Adjudication (Civil Service) Manpower:

1 Assistant Director; 1 Legal Aid; 1 Legal Secretary (budgeted under Law Dept); 1 Collection Officer (shared with and located in Law Dept); and 1 Ordinance Officer (position unfilled)

CITY OF BUFFALO
CITY OF BUFFALO - GENERAL FUND
2010-2011 ADOPTED BUDGET

1000 GENERAL FUND	2007-2008 ACTUAL AMOUNT	2008-2009 ACTUAL AMOUNT	2009-2010 ADOPTED BUDGET	2009-2010 REVISED BUDGET	2009-2010 YTD 06/21/2010	2010-2011 ADOPTED BUDGET

1052 ADMIN ADJUD DIV GENERAL OFC						

10552001 LAW ADJUD PS						

411001 ANNUAL SALARY	132,874.26	125,970.86	161,948.00	125,683.73	83,933.76	122,491.00
412002 HOURLY SALARY	4,317.50	5,761.25	13,640.00	13,640.00	6,861.25	11,880.00
413001 OVERTIME	.00	21,344.21	20,000.00	20,000.00	12,559.09	16,400.00
414001 LONGEVITY	2,825.00	3,150.00	3,475.00	3,475.00	3,475.00	4,125.00
414007 PERFECT ATTENDANCE INCENTIVE	1,400.64	1,153.91	1,257.00	1,257.00	.00	1,446.35
415001 AUTOMOBILE ALLOWANCE	.00	.00	.00	.00	.00	.00
415002 CLOTHING ALLOWANCE	50.00	.00	150.00	150.00	.00	150.00
TOTAL 10552001 LAW ADJUD PS	141,467.40	157,380.23	200,470.00	164,205.73	106,829.10	156,492.35
10552005 LAW ADJUD SP						

461002 CONTRACT VENDOR SUPPLIES	430.36	338.88	400.00	665.15	657.26	400.00
461005 PHOTO & DRAFTING SUPPLIES	.00	.00	.00	.00	.00	.00
461201 CLOTHING & UNIFORMS	331.10	.00	305.70	.00	.00	305.70
461400 POSTAGE	.00	.00	.00	.00	.00	.00
TOTAL 10552005 LAW ADJUD SP	761.46	338.88	705.70	665.15	657.26	705.70
10552006 LAW ADJUD SV						

432001 AUDITING SERVICES	11,326.07	4,388.10	6,000.00	13,409.45	13,409.45	5,000.00
443303 VEHICLE DRIVETRAIN REPAIRS	.00	.00	.00	.00	.00	.00
443400 EQUIP MAINTENANCE CONTRACTS	584.25	3,019.23	2,228.76	2,207.70	2,207.70	2,689.12
455000 PRINTING & BINDING	855.00	4,318.35	8,222.50	8,367.88	8,367.88	4,733.75
455100 INTERNAL PRINT SHOP	233.08	75.00	250.00	235.80	305.80	400.00
480000 OTHER SERVICES	.00	.00	.00	.00	.00	.00
490000 FREEZE FUNDS	.00	.00	.00	693.31	.00	.00
TOTAL 10552006 LAW ADJUD SV	12,998.40	11,800.68	16,701.26	24,914.14	24,290.83	12,822.87
TOTAL 1052 ADMIN ADJUD DIV GENERAL OFC	155,227.26	169,519.79	217,876.96	189,785.02	131,777.19	170,020.92
TOTAL 05 LAW	3,098,677.01	3,082,161.10	3,207,356.96	3,403,130.55	3,195,297.66	3,194,453.50
TOTAL 1000 GENERAL FUND	3,098,677.01	3,082,161.10	3,207,356.96	3,403,130.55	3,195,297.66	3,194,453.50

BUDGET PROJECTION 21011 CITY OF BUFFALO - BUDGET PROJECTION 2010-2011

ORG	OBJECT PROJ	ACCOUNT DESCRIPTION	CURRENT ADJ BUDGET	PROJECTED ACTUAL	PERCENT CHANGE
10552001411001		LAW ADJUD PS ANNUAL SAL	125,683.73	.00	122,491.00 -2.54
	1000-05-1052-0000-1-00-0-40-411001-	LEGAL AIDE BUREAU ADMIN ADJUD A005 -	1.00	35,127.00	35,127.00
		Step 5			
		ASSIST DIR ADMIN ADJUDICATION A064 STEP	1.00	53,829.00	53,829.00
		5			
		ASSISTANT COLLECTION OFFICER A048 -	.00	44,687.00	.00
		STEP 5			
		ORDINANCE COMPLIANCE OFFICER B041 -	1.00	33,535.00	33,535.00
		STEP 2			
		BUDGET CEILING:			.00
		TOTALS:	125,683.73	.00	122,491.00 -2.54

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