

City Attorney's Office 2020 - 2021 Work Plan



About the City Attorney's Office:

The City Attorney's Office serves as legal counsel to the City of Mercer Island, and provides legal advice to the City Council, City Manager, staff, and Boards and Commissions. The City Attorney's Office provides legal guidance in a multitude of day-to-day operations and represents the City in all litigation, either directly or through outside counsel, before all courts and administrative agencies.

Work Item 1: Litigation

Description	Dept. Lead / Liaison	Staff Comments	Timeline				
Litigation <i>The City Attorney's Office represents the City in all pending matters in state and federal courts and administrative agencies. There are eleven (11) pending matters currently.</i>	Bio Park	High Priority	<table border="1"> <tr> <td>2020</td> <td>2021</td> </tr> <tr> <td>→ Q1 Q2 Q3 Q4</td> <td>Q1 Q2 Q3 Q4 →</td> </tr> </table>	2020	2021	→ Q1 Q2 Q3 Q4	Q1 Q2 Q3 Q4 →
2020	2021						
→ Q1 Q2 Q3 Q4	Q1 Q2 Q3 Q4 →						

Work Item 2: Claims and Incidents

Description	Dept. Lead / Liaison	Staff Comments	Timeline				
Claims and Incidents <i>The City Attorney's Office manages all administrative claims filed against the City and reviews all incident reports City-wide for potential liability. The city receives an average of twenty-three (23) claims and eighty (80) incident reports per year.</i>	Bio Park	High Priority	<table border="1"> <tr> <td>2020</td> <td>2021</td> </tr> <tr> <td>→ Q1 Q2 Q3 Q4</td> <td>Q1 Q2 Q3 Q4 →</td> </tr> </table>	2020	2021	→ Q1 Q2 Q3 Q4	Q1 Q2 Q3 Q4 →
2020	2021						
→ Q1 Q2 Q3 Q4	Q1 Q2 Q3 Q4 →						

Work Item 3: Council Priority 2 - Prepare for Light Rail and Improve On-and-Off Island Mobility

Description	Dept. Lead / Liaison	Staff Comments	Timeline				
Bus Intercept <i>Provide legal advice and assistance to the City Manager and City Council; manage outside legal counsel.</i>	Bio Park	High Priority	<table border="1"> <tr> <td>2020</td> <td>2021</td> </tr> <tr> <td>→ Q1 Q2 Q3 Q4</td> <td>Q1 Q2 Q3 Q4 →</td> </tr> </table>	2020	2021	→ Q1 Q2 Q3 Q4	Q1 Q2 Q3 Q4 →
2020	2021						
→ Q1 Q2 Q3 Q4	Q1 Q2 Q3 Q4 →						
Sound Transit Settlement Agreement <i>Monitor and enforce terms of settlement agreement; track expenses for reimbursement.</i>	Bio Park, Mary Swan, Kirsten Taylor	Medium Priority	→ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 →				
BP Reimbursement Agreement <i>Monitor Terms of settlement agreement; track environmental expenses and reimbursements from Atlantic Richfield Company</i>	Bio Park, Mary Swan, Kirsten Taylor	High Priority	→ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 →				

Work Item 3: Council Priority 2 - Prepare for Light Rail and Improve On-and-Off Island Mobility (Continued)

Description	Dept. Lead / Liaison	Staff Comments	Timeline									
MOU with Mainstreet <i>Provide legal advice and assistance to the City Manager and City Council; manage outside counsel.</i>	Bio Park	High Priority	2020				2021					
			⇒	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	⇒

Work Item 4: Code and Policy Amendments

Description	Dept. Lead / Liaison	Staff Comments	Timeline									
Sign Code Amendment <i>Provide legal assistance to CPD.</i>	Bio Park	Medium Priority	2020				2021					
			Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4		
Wireless Communication Facilities Code Amendments <i>Monitor litigation challenging FCC's rules; assist CPD with permanent code provisions.</i>	Bio Park	High Priority	⇒	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	⇒
Update Employee Handbook <i>Assist HR Department and provide legal review.</i>	Bio Park, Ali Spietz	High Priority	⇒	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	⇒
Franchise Agreements <i>Update Zayo, Verizon, and other franchise agreements for which the City can recover administrative costs.</i>	Bio Park	Low Priority	⇒	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	⇒

Work Item 6: Administration and Routine Operations

Description	Dept. Lead / Liaison	Staff Comments	Timeline									
Daily Operations and Interdepartmental Meetings <i>Provide advice on daily operations and attend various interdepartmental meetings in an advisory capacity.</i>	Bio Park, Mary Swan	Medium Priority	2020				2021					
			⇒	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	⇒
General Municipal Law <i>Advise staff on local government law, including finance and budgeting, taxation, legislation drafting, Open Public Meetings Act, inter/intra-governmental relations, elections.</i>	Bio Park, Mary Swan	Medium Priority	⇒	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	⇒
Legal Counsel to City Manager and City Council <i>City Council - Meeting preparation; research, review, and respond to legal inquiries; preparation of Executive Session materials; attend all</i>	Bio Park	Medium Priority	⇒	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	⇒
Land Use <i>Provide advice on permit applications, and counsel on zoning, planning, growth management, code enforcement, the State Environmental Policy Act, and acquisition of public property for open space, parks, and other public facilities.</i>	Bio Park	Medium Priority	⇒	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	⇒
Planning Commission <i>Attend meetings as needed. Provide legal advice and support to CPD.</i>	Bio Park	Medium Priority	⇒	Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	⇒

Work Item 6: Administration and Routine Operations (Continued)

Description	Dept. Lead / Liaison	Staff Comments	Timeline
Design Commission <i>Attend meetings as needed. Provide legal advice and support to CPD.</i>	Bio Park	Medium Priority	<div style="display: flex; justify-content: space-around; font-weight: bold;"> 2020 2021 </div> <div style="display: flex; justify-content: space-between; font-weight: bold;"> ⇒ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 ⇒ </div>
Contracts and Agreements <i>Legal review of interlocal agreements; contracts; contract amendments; change orders; legal advice and support to city staff regarding same; maintain updated contract forms for staff use.</i>	Bio Park	Medium Priority	<div style="display: flex; justify-content: space-between; font-weight: bold;"> ⇒ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 ⇒ </div>
Employment Law <i>Legal counsel on labor negotiations, civil service, and arbitration proceedings; personnel and labor issues; and personnel policies.</i>	Bio Park	Medium Priority	<div style="display: flex; justify-content: space-between; font-weight: bold;"> ⇒ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 ⇒ </div>
Environmental Protection <i>Provide counsel on broad range of environmental issues, including Shoreline Management Act, water resources, the Endangered Species Act, and long-term policy development.</i>	Bio Park	Medium Priority	<div style="display: flex; justify-content: space-between; font-weight: bold;"> ⇒ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 ⇒ </div>
Seminars and Training <i>Attend training and seminars to meet insurance pool and bar association requirements; participate in trainings and seminars for recent developments in municipal law.</i>	Bio Park, Mary Swan	Legal Requirement	<div style="display: flex; justify-content: space-between; font-weight: bold;"> ⇒ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 ⇒ </div>
Records Management <i>Manage and maintain City Attorney's Office records pursuant to Washington State Records Retention Schedules.</i>	Mary Swan	Legal Requirement	<div style="display: flex; justify-content: space-between; font-weight: bold;"> ⇒ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 ⇒ </div>
Organizational Assessment <i>Evaluate improvements to service delivery model, and reorganize accordingly.</i>	Bio Park	High Priority	<div style="display: flex; justify-content: space-between; font-weight: bold;"> ⇒ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 ⇒ </div>
2021-2022 Budget <i>Prepare proposed budget for department. Provide legal advice and assistance to City Manager and Finance Director on budget preparation.</i>	Bio Park	High Priority	<div style="display: flex; justify-content: space-between; font-weight: bold;"> Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 </div>

Work Item 7: Prosecution

Description	Dept. Lead / Liaison	Staff Comments	Timeline
Prosecution of Misdemeanor Cases <i>Oversee Prosecution and Indigent Services Contracts.</i>	Bio Park	Medium Priority	<div style="display: flex; justify-content: space-around; font-weight: bold;"> 2020 2021 </div> <div style="display: flex; justify-content: space-between; font-weight: bold;"> ⇒ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 ⇒ </div>

Work Item 8: Public Records			
Description	Dept. Lead / Liaison	Staff Comments	Timeline
Public Records Requests (NextRequest) <i>Respond to Public Records Requests; maintain NextRequest portal templates, settings and features. City receives approximately one thousand (1,000) public records requests per year.</i>	Mary Swan, Deb Estrada	Legal Requirement	2020 2021 ➡ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 ➡
Review of Public Records Response <i>Review public records denials and exemptions.</i>	Bio Park, Mary Swan	Legal Requirement	➡ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 ➡
Public Records Recordkeeping <i>Complete the annual Joint Legislative Audit and Review Commission Report required by Engrossed Senate House Bill 1594 to report 15 metrics on city public records, such as number of records requests received; number of requests closed with in five days; estimated cost to city; and more.</i>	Mary Swan, Deb Estrada	Legal Requirement	➡ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 ➡
Public Records Officer Training <i>Attend Public Records Officer trainings and seminars for recent developments in the Public Records Act and best practices.</i>	Mary Swan, Deb Estrada	Legal Requirement	➡ Q1 Q2 Q3 Q4 Q1 Q2 Q3 Q4 ➡