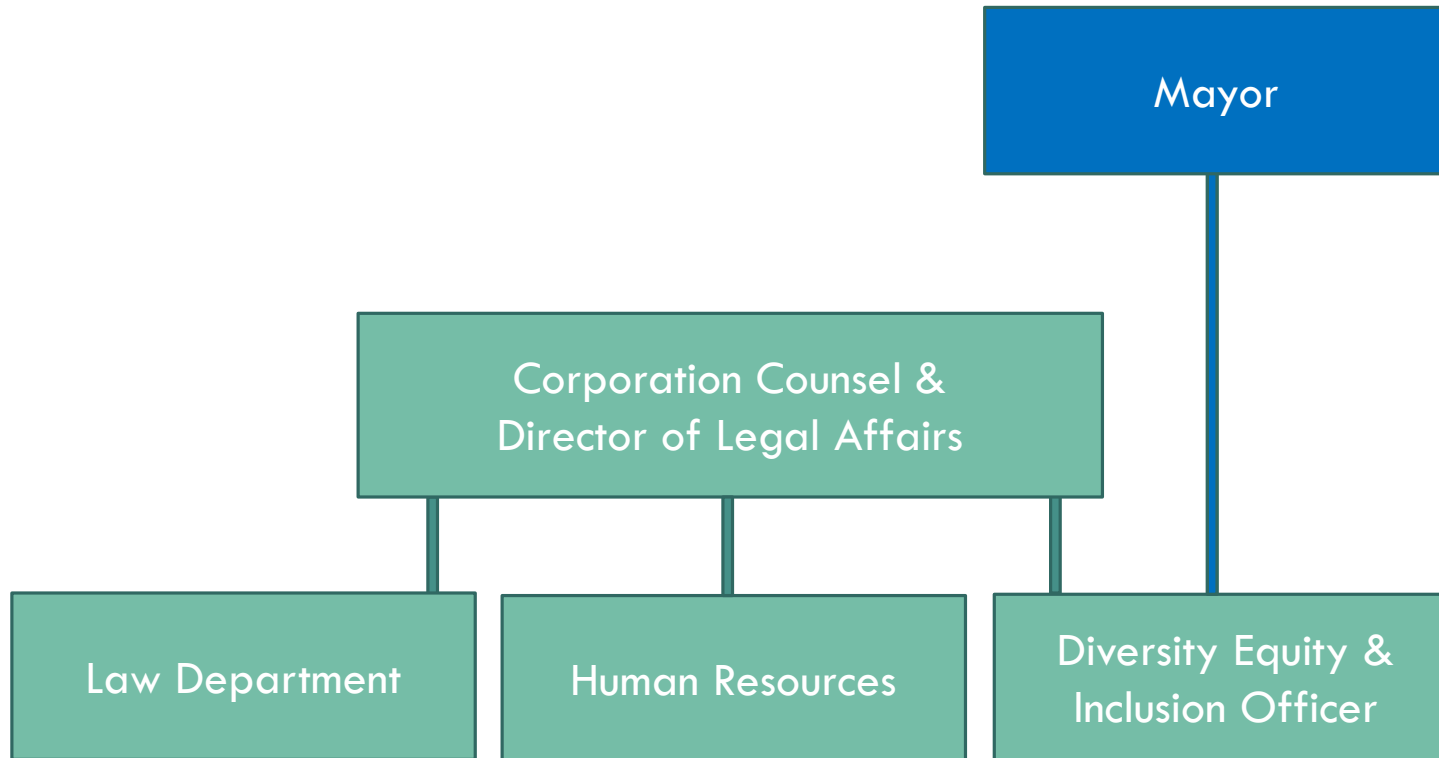


CITY OF STAMFORD

April 12, 2022
Office of Legal Affairs

Board of Finance Presentation

OFFICE OF LEGAL AFFAIRS



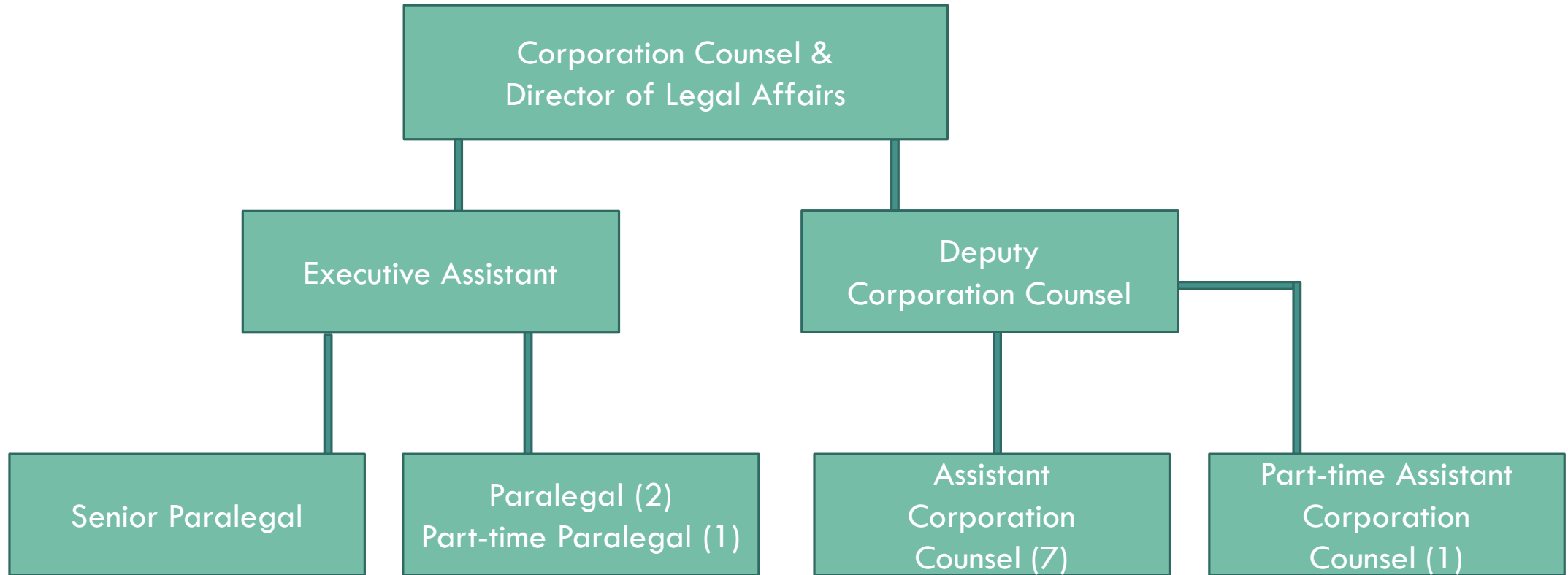
OFFICE OF LEGAL AFFAIRS MISSION STATEMENT

The Office of Legal Affairs provides legal services to all City officials, departments, boards, commissions and agencies. The Office of Legal Affairs also provides the professional human resources administration for the City of Stamford.

OFFICE OF LEGAL AFFAIRS FUNCTION

The Office of the Corporation Counsel represents the City in all actions and proceedings brought by or against the City. The Corporation Counsel's office prepares or reviews and approves, as to form, all contracts, leases and agreements. It represents the City in all actions and proceedings brought by or against the City. The office also renders formal and informal legal opinions.

LAW DEPARTMENT



REPRESENTATIVE DUTIES OF LEGAL STAFF

Assistant Corporation Counsels

- Negotiate real estate transactions (sale, purchase, lease, easements, etc)
- Represent City, employees, and boards and commissions and their members in litigation
- Negotiate and draft contracts, purchase orders, agreements
- Advise on procurement, competitive bidding and potential partnerships
- Advise all City boards on procedure, FOIA, charter compliance, open meetings
- Draft ordinances and other legal and legislative language
- Represent City before CT FOI Commission and CHRO
- Defend City in tax appeals

Paralegals

- Process claims against the City
- Manage collection of damages on behalf of City
- Manage delinquent real property tax collection
- Manage document review and discovery in litigation and enforcement matters
- Legal administrative support to attorneys in litigation and other matters

LAW DEPARTMENT HIGHLIGHTS 2021/2022

Internal

- \$118k collected for damage to City property – additional \$55K pending receipt
- Negotiations with major telecom companies for installation of 5G small cell equipment on City utility poles
- Summary Judgment awards and multiple favorable rulings at CHRO and FOI Commission
- Updating and modernization of civil service procedures
- Settlements in blight and land use enforcement cases favorable to neighborhood residents' quality of life

Outside Counsel

- Negotiation with Disney Studios for use of Westhill High School – cost to City \$6K – ROI \$172K
- Litigation involving mold in school buildings – seeking to recoup 10s of millions in \$ damages
- Victory in federal court lawsuit claiming discrimination in police promotions – summary judgment granted
- Mediation regarding police promotions – resolved promotion issue - HR to provide more detail
- Mediation regarding firefighter promotions – settlement would mean significant savings vs. litigation
- Negotiating with firefighters' union to resolve pending arbitrations over disciplinary cases

LAW DEPARTMENT FY 2022-23 REQUESTED BUDGET (FULL TIME SALARY)

	FY 21/22		FY 22/23 (DEPT)		FY 22/23 (MAYOR)				
Job Title	Pos Count	Adopted Budget	Pos Count	Department Request	Funded Pos Count	Mayor's Proposed	Pos Var	\$Var Adpt.	%Var Adpt.
Assistant Corp Counsel	7	\$1,103,051	9	\$1,436,653	8	\$1,295,635	1	\$192,584	17.5%
Chargeback to BOE	0	\$-313,637	0	\$-324,727	0	\$-324,727	0	\$ -11,090	-3.5%
Deputy Corp. Counsel	1	\$168,078	1	\$176,768	1	\$176,768	0	\$ 8,690	5.2%
Director of Legal Affairs	1	\$176,950	1	\$180,843	1	\$180,843	0	\$ 3,893	2.2%
Diversity, Equity & Inclusion Officer	1	\$150,217	1	\$152,370	1	\$152,370	0	\$ 2,153	1.4%
Executive Assistant to Corp. Counsel	1	\$101,393	1	\$108,530	1	\$108,530	0	\$ 7,137	7.0%
Paralegal	2	\$133,192	2	\$158,711	2	\$158,711	0	\$ 25,519	19.2%
Senior Paralegal	1	\$ 92,541	1	\$ 96,783	1	\$ 96,783	0	\$ 4,242	4.6%
Total	14	\$1,611,785	16	\$1,985,931	15	\$1,844,913	1	\$233,128	14.5%

CHANGES FOR THE NEXT FISCAL YEAR

- Request for one new full-time attorney
- Majority of salary increases are driven by contractual obligations
- \$200K increase for Professional Consultants (i.e. outside counsel) from \$900K to \$1.1m. Actual expense has exceeded approved budget 4 of the last 5 years
- \$2K increase in sick time – payout of attorney sick time per contract
- \$2K increase in facility rental is for offsite storage of legal files

PROPOSED ADDITIONAL STAFF

Assistant Corporation Counsel (1)

- Represent City in land-use matters, zoning enforcement, and related litigation, with cross-support to legal team on other matters
- Put the City on a more equal footing with large developers
- Increase enforcement, litigation, and negotiation capacity, potentially reduce outside counsel expenses
- Currently 1 part-time attorney dedicated to land use
- Stamford is CT's second largest city – 10% increase vs. 1% statewide (WTBY 3.6%, BPT 3%, NH 3%, HTFD -3%)
- Higher attorney-to-population ratio than other cities
- Higher attorney-to-land-area ratio than other cities
- Failure to add this position will result in greater outside counsel expenses, longer lead time in providing opinions, and less internal capability to creatively and aggressively enforce zoning and other building, land-use, and housing regulations

BENCHMARK AGAINST OTHER TOWNS

	Stamford	New Haven	Hartford	Bridgeport	Waterbury
Population	135,470	134,023	121,054	148,654	114,403
Land Area	37.6	18.7	17.3	16	28.5
Total Attorneys	9.5*	11	9	11	10
Residents per Attorney	14,260	12,183	13,450	13,514	11,440
Attorneys Per Square Mile of Land Area	1/4	3/5	1/2	2/3	1/3
Total Staff	14	18	9	19	17
Budget for outside Professional Legal Services	\$900,000 (FY 21/22)	\$840,000 (FY 21/22)	\$1.46M (FY 21/22)	\$750,000 (FY 21/22)	\$500,00 (FY 21/22)

* includes approved position for Special Education Attorney for Board of Ed – starting 4/19/22 – will reduce BOE outside counsel expense

REPRESENTATIVE USES OF OUTSIDE COUNSEL

- Representation to seek compensation or damages for the City
- Defense of outside claims against the City
- Employee claims against the City
- HR investigations and other special investigations
- Conflict of interest (e.g. contractual duty to represent police officers, etc.)
- Out-of-state legal matters
- Freedom of Information cases
- Land use enforcement, including defense of enforcement actions
- Labor negotiations and other labor matters

STAMFORD, CT





CITY OF STAMFORD, CONNECTICUT
INTER-OFFICE CORRESPONDENCE

To: Board of Representatives Fiscal Committee
From: Douglas C. Dalena, Director of Legal Affairs & Corporation Counsel
CC: Valerie Rosenson, Legislative Officer, Board of Representatives
Date: April 8, 2022
Re: Summary of Office of Legal Affairs - FY 2022/23 Proposed Budget

The following information will provide context to my presentation on April 12th to the Board of Representatives Fiscal Committee Budget Meeting:

The proposed FY 2022/23 Office of Legal Affairs budget reflects the following significant changes from the current fiscal year:

- Contractual salary increases, including Asst. Corp. Counsel, Paralegal and MAA contract settlements made in 2021
- Request to add one full-time attorney position which would:
 - Represent city in property-related matters, including code enforcement, real estate contracts, litigation, and advice boards and officials
 - Increase enforcement, litigation, and negotiation capability
 - Add to the 1 part-time attorney dedicated to land use
 - Account for rapid population growth and put the City on a more even footing with large developers and property owners
- Professional Consulting line item increased to reflect actual annual costs more closely.
 - 2021-22: \$1,250,000 approved after Additional Appropriation, \$1,117,727 spent YTD as of 4/8/22 (\$900K budgeted)
 - 2020-21: \$1,415,818 (\$625K budgeted)
 - 2019-20: \$1,049,520 (\$575K budgeted)

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