

# Year End Report

## EXECUTIVE SUMMARY

The OCA had a successful 2012. This memorandum reports on our activities based on each function we perform. As “law firm to the City,” our mission is to meet or exceed, in both quality and scope, the legal services available from the leading private law firms in the State.

As a full-service firm, the OCA undertakes at least 19 separate over-arching functions:

OFFICE FUNCTION	TASK	SUBTASK
<b>ADMINISTRATIVE</b>	INTERNAL OFFICE ADMINISTRATION	Manage “law firm” for City, and offer legal counsel and direction regarding various issues or matters of concern that arise for managers of other City departments.
<b>BOARD &amp; COMMITTEE ASSIGNMENTS</b>	STAFFING OF CITY BOARDS AND COMMISSIONS	Staff more than 25 standing Boards and Council committees on an on-going basis, providing legal review of and advice regarding the products and output of each.
<b>BWL</b>	OVERSEE LEGAL AFFAIRS	Supervise BWL General Counsel and legal staff in representation of Board’s legal affairs.
<b>CLAIMS</b>	CLAIMS REVIEW	Review, evaluate and administer claims against City for miscellaneous personal and property damage (e.g. sewer backup claims).
<b>COLLECTIONS &amp; BANKRUPTCY</b>	COLLECT DEBTS FOR CITY	Pursue collections and litigate on behalf of City in bankruptcies (between 25 and 50 matters at any given time and representing an estimated \$1 million in outstanding obligations to City).
<b>CONTRACTS</b>	REVIEW AND APPROVE AS TO FORM ALL CONTRACTS	Review and approve as to form all contracts on behalf of City, including all contracts for boards, commissions, and committees.
<b>DEVELOPMENT</b>	NEGOTIATE AND REVIEW CITY DEVELOPMENT	Review and negotiate proposed real estate transactions involving City property (approximately 20 major deals pending at any given time).
<b>DISTRICT COURT</b>	PROSECUTION	Prosecute all misdemeanor violations and civil infractions on behalf of the City, including administration of its Diversion program.

<b>FIRE</b>	ADVISE LFD	Provide legal advice to Fire Department on an ongoing basis.
<b>FOIA</b>	REVIEW AND ANSWER ALL REQUESTS	Answer in first instance all FOIA requests directed to City and review significant FOIA requests directed to Lansing Police Department.
<b>NEIGHBORHOODS</b>	LIAISON	Act as liaison between City and its citizens regarding housing and neighborhood concerns (approximately 50-75 major housing matters monthly and daily minor matters requiring calls, meetings, and correspondence).
<b>INSURANCE CLAIMS</b>	MANAGE ADMINISTRATION OF CLAIMS	Review all incoming claims against City and act as liaison with carrier to resolve claims that do not proceed to litigation.
<b>LITIGATION (INSIDE)</b>	IN-HOUSE REPRESENTATION	Provide in-house counsel to City on matters in pending or active litigation, including all appeals.
<b>LITIGATION (OUTSIDE)</b>	SUPERVISE OUTSIDE COUNSEL	Coordinate and oversee matters for which City retains outside counsel.
<b>MICHIGAN TAX TRIBUNAL</b>	REPRESENT CITY IN TAX APPEALS	Represent City in prosecution and defense of tax appeals before MTT.
<b>OPINIONS (FORMAL)</b>	ISSUE WRITTEN OPINIONS ON MAJOR QUESTIONS	Issue binding legal opinions on major questions.
<b>OPINIONS (INFORMAL)</b>	ISSUE VERBAL OPINIONS ON MINOR QUESTIONS	Provide oral opinions on questions as they arise.
<b>ORDINANCES/ RESOLUTIONS</b>	REVIEW AND APPROVE	Review and approve as to form all resolutions and ordinances (several hundred resolutions in 2007 and several major ordinances, including Wellhead Protection, Site Plan Review, Revised Housing Code, and Human Rights Ordinance).
<b>POLICE</b>	ADVISE LPD	Provide legal advice to Police Department on an ongoing basis, including through supervision of Assistant City Attorney/Police Legal Advisor).

The rest of this report will provide details on some of the more important tasks and subtasks the Office undertook within these functions as a Year in Review feature for 2011.

## THE YEAR IN REVIEW



The Office of the City Attorney (OCA) has become a digitized and modernized "public law firm" for the City, and has accomplished some truly amazing things on its behalf. Here are some highlights:

### **Administration**



### **City Attorney Continues to Push Forward with Enterprise Management Software (EMS)**

- With the first phase of EMS, electronic routing and approval for Council's resolutions, now complete, the City Attorney has turned to extending EMS City-wide, beginning with electronic contract routing.
- The City Attorney will also be moving to implement EMS as part of paperless prosecution in conjunction with the ongoing "Courts, Cops, and Counselors" working group he established.

## Collections and Bankruptcy



### OCA Collections

- The OCA collected \$44,851 in unpaid debts owed to the City.
- Assistant City Attorney Mark Leonard continues to do yeoman's work in a difficult task and we are all indebted to him.
- In these tough times, when every dollar counts, this "found" money is helping to cushion the blow from structural revenue reductions from property and income tax and State revenue sharing.

## Development



### Knapp's Building

- We assisted in closing on one of the more complex development deals in recent years in providing for the renovation of the historic Knapp's Building.
- Using a carefully balanced financing plan, including federal programmatic help, the art deco landmark will soon be a destination location again.

### Casino

- We successfully entered into an agreement for the development of mid Michigan's first urban casino with the Sault Ste. Marie Tribe of Chippewa Indians and Lansing Future, LLC.
- The project will provide 700 construction and 1,500 permanent jobs, with a hiring preference for Lansing residents and Tribal members.
- In addition, the project will provide fully funded 4-year scholarships for Lansing Public School graduates, and additional funds for other essential City services.

## Neighborhoods



### Neighbors First

- The OCA continues a proud tradition of responding to the most difficult neighborhood issues and has now taken the response online: forms for neighborhood complaints, as well as claims involving the City, are now available at the OCA website: [http://www.lansingmi.gov/forms\\_and\\_documents.jsp](http://www.lansingmi.gov/forms_and_documents.jsp)

## Prosecution



### Courts, Cops, and Counselors Working Group

- The City Attorney's monthly working group consisting of the District Court, LPD, the Office of the City Attorney, and the Prosecutor's Office, has improved horizontal and vertical communication among the agencies, and streamlined the process of providing justice quickly and correctly to our citizens.
- Through such communication, and through simple but important tweaks to interagency coordination, the City has saved over a quarter million dollars on Officer OT as part of the "Cops on Streets, Not in Seats" Program.