



4.6

APPROVED  
BY THE CITY COUNCIL

OFFICE OF THE  
CITY ATTORNEY

SAMUEL L. JACKSON  
CITY ATTORNEY

WILLIAM P. CARNAZZO  
ASSISTANT CITY ATTORNEY

CITY OF SACRAMENTO  
CALIFORNIA

April 16, 1998

APR 21 1998  
900 NINTH STREET  
SACRAMENTO, CA  
95814-2736  
PH 916-264-5346  
FAX 916-264-7455

OFFICE OF THE  
CITY CLERK

DEPUTY CITY ATTORNEYS  
RICHARD E. ARCHIBALD  
DIANE B. BALTER  
DENNIS M. BEATY  
BRUCE C. CLINE  
SHANA S. FABER  
H. MICHON JOHNSON  
GUSTAVO L. MARTINEZ  
JOHN A. NAGEL  
JOHN C. PADRICK  
JOE ROBINSON  
ARNOLD D. SAMUEL  
ROBERT K. SANDMAN  
SANDRA G. TALBOTT  
ROBERT D. TOKUNAGA

City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT:** City Attorney's Request to Use FY 96-97 Budget Savings

**LOCATION AND COUNCIL DISTRICT:** All Districts

**RECOMMENDATION:** Approve resolution authorizing the City Attorney to use budget savings realized by that office during Fiscal Year 1996-97.

**CONTACT PERSON:** Samuel L. Jackson, City Attorney, 264-5346

**FOR COUNCIL MEETING OF:** April 21, 1998

**SUMMARY:** At the conclusion of Fiscal Year 1996-97, the City Attorney's Office had realized savings in the amount of \$263,000. These savings were realized as a result of delays in filling vacancies and under filling positions upon hiring. The specific reasons for achieving the savings were to generate funds for limited term technology staff, to upgrade computer hardware and software, and to hire limited term advisory and litigation staff to assist in handling increased workloads in both sections. The limited term staff will be hired for a period of one year and will be informed of the term of employment at the time of hiring. The use of our savings for automation upgrades and enhanced technology will assist in stabilizing our need to consistently increase human resources as the workload increases. The staff was anticipating the use of these savings to provide some relief from their extremely heavy work loads. We did not learn that these funds might be dedicated to the five-year budget plan until December 1997. It was at this time that we were informed that departments would be required to obtain Council approval to use budget savings. While we had anticipated trying to complete the current fiscal year without using the savings, our workload has increased substantially within the past sixty (60) days and is still increasing as a result of the creation of the Downtown Department, employment and vehicle pursuit-related cases, and other high profile city projects (including the Arden-Garden Connector project; the North Natomas comprehensive Drainage project; the Robla

City Council Report  
Re: City Attorney's Request to  
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April 16, 1998

Park project; the Downtown Hotel project; the two railyard projects; and Cal-EPA building project).

**BACKGROUND:** During Fiscal Year 1996-97, the City Attorney's Office devised a plan for achieving savings with the intent of dedicating such savings to improving the delivery legal services. These savings were realized by extending the length of vacancies and under filling positions in all classifications when hiring took place. The under filling occurred at the expense of the existing staff, especially the attorneys. There was a specific understanding that all staff would have to work harder and handle more assignments while new staff members were being trained to handle basic municipal law assignments. Everyone pitched in to achieve the savings with the specific intent that we would be able to implement some systems which would, on a long term basis, reduce our workload and stress. This plan was shared, in part, with the City Council during the annual review of the City Attorney. However, the City Attorney learned in December 1997 that the office would not be able to use the savings as planned because all savings would be dedicated to a five-year budget plan being developed by the City Manager. Had we known that our savings would not be carried-over for department use, we would have taken steps to encumber the anticipated savings and commenced our plan (set forth below) prior to the end of the 96-97 Fiscal Year. Every effort has been made, without success, to find ways to achieve our goals without these savings. However, the need to use these savings is compounded by a recent and sudden increase in workload as a result of employment and police automobile accident cases, Downtown Department work and other high profile City projects. We are currently working with SHRA for some relief.

Our plan to use budget savings was and is two fold: (1) enhanced automation, and (2) the hiring of limited term staff, pursuant to the authority granted by the Council in January 1997, to provide backup and to handle overload assignments. The enhanced automation has four critical components (1) securing dedicated technology staff to research, develop, install and train staff in the use of software; (2) developing software specifically designed to address council concerns regarding tracking and obtaining status reports on code enforcement matters transmitted to the City Attorney; (3) purchasing and installing an automated system for calendaring and docketing litigation dates and producing litigation reports; (4) and researching, for purchase and installation, a system to handle automated research (CD-ROM). Every public and private law office in the Sacramento area of comparable size has been utilizing one or both of the latter two automated systems with success for several years.

Of the automation projects, we have given the code enforcement tracking system the highest priority. As promised during the City Attorney's annual appraisal, this system will be completed by the end of April. The system is substantially complete and will be

City Council Report  
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April 16, 1998

ready for a demonstration to Council within the next thirty (30) days. To acquire dedicated technology staff time to develop the system and to handle our other daily technology needs, we borrowed a portion of our current year's budget to secure a temporary position with the assistance of Administrative Services. The funds used for this staff position are dedicated for other expenditures prior to the end of the current fiscal year and will need to be restored to prevent budget deficits in those areas. The total expenditure for the limited term staff and the automation hardware and software is set forth in **Attachment A**. We must maintain and fiscally support the temporary technology staff position until we are able to work out a permanent technology staff solution with Administrative Services.

**FINANCIAL CONSIDERATIONS:** Our current need for the use of the Fiscal Year 96-97 budget savings is stated above. The amount we saved and are now seeking approval to spend is set forth in **Attachment A**. We are able to find a portion of the needed funds within the current budget. That portion is also shown in **Attachment A**.

The approval of this recommendation would authorize the release of the City Attorney's budget savings realized during Fiscal Year 1996-97 in the amount of \$263,000.00. The City Manager has stated his desire to use all budget savings to establish a five-year budget plan. We understand and support such a plan as prudent fiscal planning and we realize this authorization for release of the City Attorney's savings from Fiscal Year 96-97 will have some minimal impact on the City Manager's long range budget planning. **However, the approval of this recommendation will not result in a City Attorney budget increase. Instead, it will allow the City Attorney to fully utilize the Fiscal Year 96 - 97 approved budget to handle an increased workload.** This will ultimately result in budget savings to the general fund and the risk fund. The alternative is to rely solely on books rather than computers for research; continued manual tracking and processing of code enforcement assignments; and sending some existing complex and time-consuming cases to outside counsel. The increased cost of outside counsel alone for one Fiscal Year will far exceed \$263,000.

**ENVIRONMENTAL CONSIDERATIONS:** The subject of this report does not involve a project that requires compliance with the California Environmental Quality Act (CEQA), inasmuch as it does not involve an activity which may cause a direct or indirect change in the environment (Public Resources Code Section 21065).

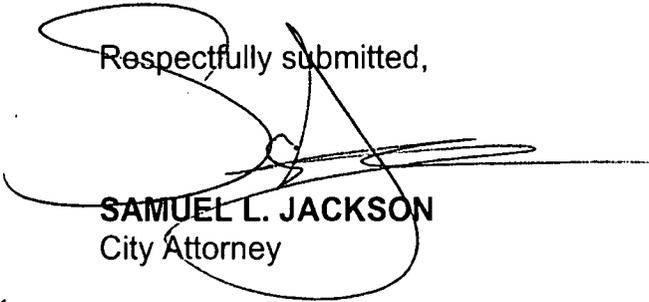
**POLICY CONSIDERATIONS:** The approval if this recommendation will have some minimal impact on the City Manager's five-year budget planning. However, it is consistent with the Council policies of timely and efficient handling of code enforcement matters and cost recovery associated with those matters; increasing reliance on automation to handle

City Council Report  
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more work without dramatically increasing labor costs; and reducing the City's litigation costs.

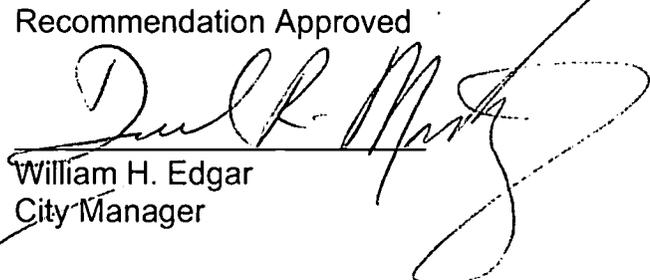
**MBE/WBE:** Since no goods or services are being purchased, this report does not impact the City's MBE/WBE policies.

Respectfully submitted,



**SAMUEL L. JACKSON**  
City Attorney

Recommendation Approved



**William H. Edgar**  
City Manager

slj\budget98.rpt

## ATTACHMENT A

	<u>1997-98</u>	<u>1998-99</u>	<u>Total</u>
<b>TECHNOLOGY</b>			
Technology Staff Member (DDA II): Includes labor; supplies & services and office furnishings expenses:	\$ 31,344	\$ 39,617	\$ 70,961
Automation Upgrades:			
Hardware:	\$102,500		\$102,500
Complete CD ROM Law Library			
12 Pentium II computers			
Document management system			
Software:	\$ 58,000		\$ 58,000
Law Books on CD ROM			
Litigation Calendaring software			
Document management software			
Microsoft Office 97 and Word			
Training:	\$ 15,000		\$ 15,000
Technical support staff training (Novell/NT & Groupwise administration)			
Staff training for upgrades			
<b>Subtotal for automation upgrades only:</b>	<b>\$175,500<sup>1</sup></b>		
 <b>LIMITED TERM STAFFING<sup>2</sup></b>			
Includes labor, supplies & services and office furnishings expenses for:			
Two Deputy City Attorneys			
One Legal Secretary			
One Paralegal			
One Investigator			
One Typist Clerk	\$ 26,522	\$291,741	\$318,263
<b>Total Costs:</b>	<b>\$233,366</b>	<b>\$331,358</b>	<b>\$564,724</b>
 <b>SOURCE OF FUNDS:</b>			
1996-97 Savings	\$233,366	\$ 29,634	\$263,000
1997-98 Projected Savings <sup>3</sup>		\$292,124	\$292,124
CIP AB16		\$ 9,600	\$ 9,600
<b>Total Source of Funds:</b>	<b>\$233,366</b>	<b>\$331,358</b>	<b>\$564,724</b>

<sup>1</sup>CIP AB16 to be amended to include \$175,500 for automation upgrade costs.

<sup>2</sup>One-year limited term staffing to handle advisory backup, Downtown Department, SPD increased litigation and other increased litigation. Typist Clerk would provide data entry and document indexing support for the document management system.

<sup>3</sup>If savings are not realized during FY 97-98, costs savings will be realized during FY 98-99.

APPROVED  
BY THE CITY COUNCIL  
APR 21 1998  
OFFICE OF THE  
CITY CLERK

**RESOLUTION NO. 98-138**

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

**A RESOLUTION AUTHORIZING USE OF CITY ATTORNEY  
BUDGET SAVINGS FOR FISCAL YEAR 96-97**

**WHEREAS**, the City Attorney realized budget savings in the amount of \$263,000.00 During Fiscal year 1996-97; and

**WHEREAS**, the City Attorney has demonstrated to the satisfaction of the City Council the need to utilize such savings within the City Attorney's Office; and

**WHEREAS**, authorization to use such savings will not result in a City Attorney budget increase. Instead it will allow the City Attorney to fully utilize the Fiscal Year 96 - 97 approved budget to handle an increased workload.

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO that:**

1. That the City Attorney is authorized to utilize such savings to improve the efficiency of the office through technology and to hire limited term staff to handle an unanticipated increase in workload.
2. That the City Attorney's budget be amended to restore said savings to the City Attorney's budget and adjust staffing by 7.0 limited term FTE as identified in this report.
3. That Fiscal Year 1997 - 1998 savings be carried over as identified in this report.
4. That CIP AB16 be amended by \$175,500.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

**FOR CITY CLERK USE ONLY**

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_



4.6

OFFICE OF THE  
CITY ATTORNEY

SAMUEL L. JACKSON  
CITY ATTORNEY

WILLIAM P. CARNAZZO  
ASSISTANT CITY ATTORNEY

CITY OF SACRAMENTO  
CALIFORNIA

April 15, 1998

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TENTH FLOOR  
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City Council  
Sacramento, California

Honorable Members in Session:

**SUBJECT:** City Attorney's Request to Use FY 96-97 Budget Savings

**LOCATION AND COUNCIL DISTRICT:** All Districts

**RECOMMENDATION:** Approve resolution authorizing the City Attorney to use budget savings realized by that office during Fiscal Year 1996-97.

**CONTACT PERSON:** Samuel L. Jackson, City Attorney, 264-5346

**FOR COUNCIL MEETING OF:** April 21, 1998

**SUMMARY:** At the conclusion of Fiscal Year 1996-97, the City Attorney's Office had realized savings in the amount of approximately \$200,000. These savings were realized as a result of delays in filling vacancies and under filling positions upon hiring. The specific reasons for achieving the savings were to generate funds for limited term technology staff, to upgrade computer hardware and software, and to hire limited term advisory and litigation staff to assist in handling increased workloads in both sections. The limited term staff will be hired for a period of one year and will be informed of the term of employment at the time of hiring. The use of our savings for automation upgrades and enhanced technology will assist in stabilizing our need to consistently increase human resources as the workload increases. The staff was anticipating the use of these savings to provide some relief from their extremely heavy work loads. We did not learn that these funds might be dedicated to the five-year budget plan until December 1997. It was at this time that we were informed that departments would be required to obtain Council approval to use budget savings. While we had anticipated trying to complete the current fiscal year without using the savings, our workload has increased substantially within the past sixty (60) days and is still increasing as a result of the creation of the Downtown Department, employment and vehicle pursuit-related cases, and other high profile city projects (including the Arden-Garden Connector project; the North Natomas comprehensive Drainage project; the Robla

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Re: City Attorney's Request to  
Use FY 96-97 Budget Savings  
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Park project; the Downtown Hotel project; the two railyard projects; and Cal-EPA building project).

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City Council Report  
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Use FY 96-97 Budget Savings  
April 15, 1998

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The approval of this recommendation would authorize the release of the City Attorney's \$200,000 budget savings realized during Fiscal Year 1996-97. The City Manager has stated his desire to use all budget savings to establish a five-year budget plan. We understand and support such a plan as prudent fiscal planning and we realize this authorization for release of the City Attorney's savings from Fiscal Year 96-97 will have some minimal impact on the City Manager's long range budget planning. However, the approval of this recommendation will not result in a City Attorney budget increase. Instead, it will allow the City Attorney to fully utilize the Fiscal Year 96 - 97 approved budget to handle an increased workload through the use of technology. This will ultimately result in budget savings to the general fund and the risk fund. The alternative is to rely solely on books rather than computers for research; continued manual tracking and processing of code enforcement assignments; and sending some existing complex and time-consuming cases to outside counsel. The increased cost of outside counsel alone for one Fiscal Year will far exceed \$200,000.

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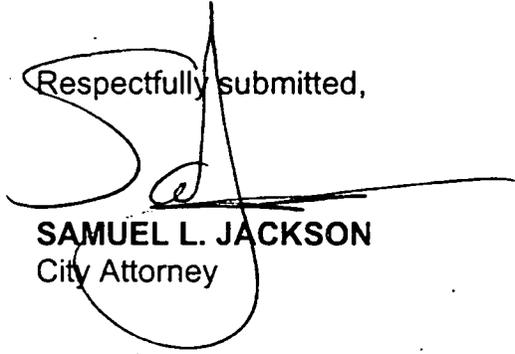
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City Council Report  
Re: City Attorney's Request to  
Use FY 96-97 Budget Savings  
April 15, 1998

more work without dramatically increasing labor costs; and reducing the City's litigation costs.

**MBE/WBE:** Since no goods or services are being purchased, this report does not impact the City's MBE/WBE policies.

Respectfully submitted,



**SAMUEL L. JACKSON**  
City Attorney

Recommendation Approved

---

William H. Edgar  
City Manager

slj\budget98.rpt

## ATTACHMENT A

### TECHNOLOGY

Technology Staff Member (DDA II): \$ 70,961  
Includes labor; supplies & services  
and office furnishings expenses:

Automation Upgrades:  
Hardware: 102,500

Complete CD ROM Law Library  
12 Pentium II computers  
Document management system

Software: 58,000

Law Books on CD ROM  
Litigation Calendaring software  
Document management software  
Microsoft Office 97 and Word

Training: 15,000

Technical support staff training  
(Novell/NT & Groupwise administration)  
Staff training for upgrades

### LIMITED TERM STAFFING<sup>1</sup>

Includes labor, supplies & services  
and office furnishings expenses for:

Two Deputy City Attorneys  
One Legal Secretary  
One Paralegal  
One Investigator  
One Typist Clerk

318,263

**TOTAL \$564,724**

### SAVINGS SOURCES:

CIP AB16 \$ 27,765  
Fiscal Year 96-97 Savings 200,000  
Fiscal Year 97-98 Anticipated Savings 200,000  
Fiscal Year 98-99 Projected Savings 136,959

**TOTAL \$564,724**

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<sup>1</sup>One-year limited term staffing to handle advisory backup, Downtown Department, SPD increased litigation and other increased litigation. Typist Clerk would provide data entry and document indexing support for the document management system.

# RESOLUTION NO.

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF \_\_\_\_\_

## A RESOLUTION AUTHORIZING USE OF CITY ATTORNEY BUDGET SAVINGS FOR FISCAL YEAR 96-97

**WHEREAS**, the City Attorney realized budget savings in the amount of \$200,000.00 During Fiscal year 1996-97; and

**WHEREAS**, the City Attorney has demonstrated to the satisfaction of the City Council the need to utilize such saving

### BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO that:

1. That the City Attorney is authorized to utilize such savings to improve the efficiency of the office through technology and to hire limited term staff to handle an unanticipated increase in workload.
2. That said savings shall be transferred to the City Attorney's budget immediately.

\_\_\_\_\_  
MAYOR

ATTEST:

\_\_\_\_\_  
CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO. \_\_\_\_\_

DATE ADOPTED: \_\_\_\_\_

**City of Sacramento  
CITY COUNCIL AGENDA ITEM - TRANSMITTAL FORM**

*Agenda items are due to City Manager's Office by 3:00 PM Friday, 2 weeks (11 days) before the Council meeting*

<b>FROM</b> Department: City Attorney Contact Name/Phone #: Lynette x8205 COUNCIL MEETING DATE: 4/21/98	<b>REVIEWED BY (Initials):</b> 1) Dept Fiscal Officer _____ 2) Admin/Policy (Budget) _____ 3) City Clerk _____
--	---

**SUBJECT**

Staff Report - City Attorney's Request to Use FY 96 - 97 Budget Savings

**AGENDA PLACEMENT**

Time Needed for Item? 30 minutes  
*(Factor in Council questions and discussion)*  
*(Not applicable to Consent items)*

Controversial?  No  Yes..... Why?

Afternoon Meeting  
 Consent  
 Public Hearing  
 Staff Reports

Evening Meeting (Controversial/Public Concern)  
 Special Presentations  
 Public Hearing  
 Staff Reports

Committee Agenda:  
 Law & Legislative  
 P & P E  
 Other \_\_\_\_\_

Votes Required for Passage:  
 Majority  
 2/3  
 Other \_\_\_\_\_

Graphics Display System Needed  
 (Arrange with City Clerk)

FORM COMPLETED BY:  
  
 Name: \_\_\_\_\_ Date: 4/15/98 Phone #: x8205

**FISCAL IMPACT**

Budget Change? \$ \_\_\_\_\_  
 Contract Approval? \$ \_\_\_\_\_  
 Change Order? \$ \_\_\_\_\_  
 Change in FTE? \$ \_\_\_\_\_  
 Supplemental Agreement? \$ \_\_\_\_\_

**POLICY ISSUES**

MBE/WBE?  
 Environmental?  
 Legal?  
 Other? \_\_\_\_\_

**COMMENTS**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**SPECIAL INSTRUCTIONS TO CITY CLERK**

\_\_\_\_\_

RECEIVED  
 CITY CLERK'S OFFICE  
 CITY OF SACRAMENTO  
 APR 15 4 01 PM '98

>> Don't forget to review the checklist on back! Rev. 7/24/97

**This cover sheet must be completed and attached to the front of your City Council Agenda Item.**

## COUNCIL AGENDA ITEM CHECKLIST

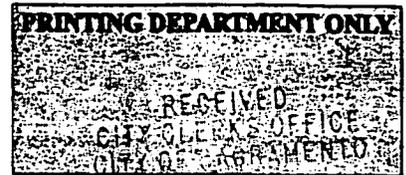
- Report and attachments run through  Spell Check and  Grammar Check
- Acronyms (e.g. EIR, STA, etc.) are defined
- Type size is 12 point
- Pages and attachments single-sided
- Pages numbered sequentially in lower right hand corner
- Standard Sections in this order (Major headings in bold, CAPS, no underline)
  - Subject (concise, complete, \$ amount included, plain English)
  - Location & Council District (O Council District is correct)
  - Staff Recommendation (O is consistent with resolution)
  - Contact Person (Shaded using "redline")
  - For the Council Meeting of:
    - Summary (Brief summary of report: purpose, issues and recommendations)
    - Committee / Commission Action
  - Background Information
  - Financial Considerations
  - Environmental Considerations
  - Policy Considerations
  - MBE/WBE Efforts
- Signatures
- Attachments (referenced in report)
  - Exhibits
  - Resolution/ordinance (original & two copies)
  - Contract/agreement (if applicable)
    - original & three copies with signature of:
      - other parties
      - City Attorney
- Printing requisition completed and attached



# PRINTING REQUISITION CITY OF SACRAMENTO

Mail Code 1336

SEND IN TOP 3 COPIES WITH ORDER - RETAIN BOTTOM COPY



APR 15 4 01 PM '98

### 1. ACCOUNT NUMBER (INVALID NUMBERS WILL BE REJECTED)

DATE 4/15/98 DATE DUE (NO A.S.A.P.) 4/17/98

FUND	AGENCY	ORG / CIP #	JOB NUMBER
101	0500	0500	

TITLE OF MATERIAL  
Staff Report - City Attorney's Request to Use FY 96 - 97 Budget Savings

AUTHORIZED SIGNATURE [Signature]  
ORGANIZATION NAME City Attorney

REQUESTED BY: Samuel L. Jackson Telephone # 5346

# OF ORIGINALS	# OF FINISHED COPIES SETS PADS	DO NOT FILL # OUT
<u>6</u>	<u>38</u> <u>39</u>	

Special Instructions: \_\_\_\_\_

### 2. PRINT PER SAMPLE

ONE-SIDED PAPER SIZE  
 TWO-SIDED 8 1/2 x 11

# INK

BLACK INK  RED INK  BROWN INK  GREEN INK  
 FULL COLOR  BLUE INK  YELLOW INK  OTHER \_\_\_\_\_

### 3. \*\*SEND COPY OF ORIGINAL WITH GRAPHIC EDIT DESCRIPTIONS.

GRAPHICS  CAMERA READY  LAYOUT  TEXT EDIT  COLOR EDIT  SCAN PRINT FROM DISK  
 TYPESET/PROOF  ADD CLIPART  IMAGE EDIT  HIGHLIGHT  HALFTONE

### 4. PAPER

20 lb Bond  67lb Card  BRIGHTS  Other

1st page  
Salmon  
Color \_\_\_\_\_ Color \_\_\_\_\_ Color \_\_\_\_\_ Type/Brand/Color \_\_\_\_\_

Standard Carbonless  Non-Standard Carbonless  
# of Parts \_\_\_\_\_ # of Parts \_\_\_\_\_ Color Sequence \_\_\_\_\_

### 5. BINDERY

COLLATE  1 STAPLE  2 STAPLE  3 HOLE DRILL  PAD IN 25'S  PAD IN 50'S  SPIRAL BIND  
 STACK  FOLD  CUT  Non-Standard DRILL  SHRINK WRAP  NUMBER  OTHER \_\_\_\_\_  
# \_\_\_\_\_ TYPE \_\_\_\_\_ SIZE \_\_\_\_\_ # HOLES \_\_\_\_\_ # \_\_\_\_\_ to # \_\_\_\_\_

### 6. SHIP TO

MAIL STOP # 0700

DISTRIBUTE TO:  
 Division Heads  Dept/Div. Heads  Per List

CALL WHEN READY  
Tel# \_\_\_\_\_

PRINTING DEPT. ONLY ROUTING	GRAPHICS	CALL WHEN READY	Q.C.	COST
A 1 B 2 C 3 D 4 E 5 Bindery Only	DATE _____ BY: _____ TIME: _____ COPYING DATE _____ BY: _____ TIME: _____ BINDERY DATE _____ BY: _____ TIME: _____	Date _____ Time _____ Spoke to: _____ <input type="checkbox"/> Left Voice Mail Message By: _____	BY: _____ Ship Date: _____ Pick-up by: _____ Date: _____	\$ _____ OTHER: _____ TOTAL \$ _____ JOB NO. _____