



**DEPARTMENT OF LAW
CITY ATTORNEY JEREMY BERRY**

**PUBLIC SAFETY AND LEGAL
ADMINISTRATION COMMITTEE
DEPARTMENTAL OVERVIEW/ BUDGET
PRESENTATION**

**Councilmember Andre Dickens - Chairman
Councilmember Michael Julian Bond
Councilmember Cleta Winslow
Councilmember C.T. Martin
Councilmember Yolanda Adrean
Councilmember Ivory Lee Young, Jr.
Councilmember Felicia A. Moore**

QUARTERLY BUDGET OVERVIEW

November 28, 2017



QUESTIONS AND TOPICS POSED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

- Update on claims and settlements since last report provided to the Committee on August 29, 2017

- CY17 Third Quarter highlights (July-September 2017)

- Outside Counsel report
 - Number of Outsourced Matters
 - Spending to Date



UPDATE ON CLAIMS & SETTLEMENTS CY17 v. CY16

❖ **Total Claims and Settlement Payments**

- There was no significant change from 853 to 852 in pending claims as of CY17 Q3 from CY17 Q2.
- In CY17, the City received demands of \$12,453,160 and paid \$5,427,717 in claims and settlements; 44% of the demand amount.
- In CY17 January-September, there was a 4% decrease in total claims and settlement payments from \$5,645,525 to \$5,427,717 compared to CY16 January-September.

Settlement update continued on next page.



UPDATE ON SETTLEMENTS CY17 Q3 v. CY16 Q3

❖ Police

- In CY17 Q3, there was a 19% increase from 16 to 19 in the total number of resolved police vehicular accidents compared to CY16 Q3, and a 21% increase from \$88,351 to \$106,761 in vehicular accident settlement payments. Of the 19 police vehicular accidents that were settled in CY17 Q3, 1 occurred in 2012, 2 occurred in 2014, 3 occurred in 2015 and 10 occurred in 2016 and 3 occurred in 2017.
- Includes Miller & Taylor (\$50,000) vehicular accident settlement payment.
- Excluding the Miller & Taylor settlement payment, there would be a 36% decrease from CY16 Q3.



UPDATE ON SETTLEMENTS CY17 Q3 v. CY16 Q3

❖ Public Works

- Road Design Defect – Kovalcik v. COA \$1,110,000.
- In CY17 Q3, there was a 22% decrease from 9 to 7 in the total number of resolved Public Works pothole/street defect settlements compared to CY16 Q3, and a 44% decrease from \$8,354 to \$4,685 in pothole/street defect settlement payments compared to CY16 Q3.



UPDATE ON SETTLEMENTS CY17 Q3 v. CY16 Q3

❖ Public Works (continued)

- In CY17 Q3, there was a 100% increase from 4 to 8 in the total number of resolved Public Works vehicular accidents compared to CY16 Q3, and an increase from \$4,969 to \$26,119 in vehicular accident settlement payments compared to CY16 Q3. Of the 8 Public Works vehicular accidents that were settled in CY17 Q3, 1 occurred in 2015, 5 occurred in 2016 and 2 occurred in 2017.
- The uptick in Public Works vehicular accident payments is due to a larger number of property damage claims.



UPDATE ON SETTLEMENTS CY17 Q3 v. CY16 Q3

❖ Watershed

- Water Meter Injury– Virgil v. COA \$237,500.
- In CY17 Q3, there was a 100% increase from 2 to 4 in the total number of water meter settlements compared to CY16 Q3, and a 10% increase from \$226,500 to \$250,000 in water meter settlement payments compared to CY16 Q3.
- In CY17 Q3, there was a 90% decrease from 10 to 1 in the total number of resolved Watershed vehicular accidents compared to CY16 Q3, and an 87% decrease from \$48,179 to \$6,500 in vehicular accident settlement payments.



HIGHLIGHTS OF CY17 Q3

➤ **Vanyo v. City of Atlanta**

Plaintiff alleged that the chiller units for the 911 center emitted excessive noise such that it created a nuisance and rendered her condo uninhabitable. The City's partial Motion to Dismiss was granted by the Court, and the remaining claims were dismissed through consent of all the parties. Plaintiff alleged damages in excess of \$800,000.



HIGHLIGHTS OF CY17 Q3

➤ **Airport WiFi Upgrade**

The Law Department worked with the Department of Aviation to prepare and negotiate a Cooperative Purchasing Agreement with AT&T valued at \$2.5 million dollars for the acquisition of equipment and services necessary to upgrade the wireless network at the Airport.



HIGHLIGHTS OF CY17 Q3

➤ **Zoo Atlanta Parking Facility**

The Law Department provided legal guidance on the issuance of \$30,390,000 in revenue bonds. The issuance was to fund the construction of a parking facility for Zoo Atlanta.



HIGHLIGHTS OF CY17 Q3

➤ **Atlanta Hawks Deal**

➤ **Civic Center**



OUTSIDE COUNSEL SPENDING REPORT YTD

	<u>FY18</u>	<u>FY17</u>	<u>% Chg</u>
➤ NUMBER OF OUTSOURCED MATTERS	87	53	64%
➤ SPENDING TO DATE			
➤ AVIATION FUND	1,186,377	2,562,591	-54%
➤ WATERSHED FUND	364,569	652,952	-44%
➤ <u>GENERAL FUND</u>	<u>1,073,080</u>	<u>373,144</u>	<u>188%</u>
➤ TOTAL COMBINED FUNDS	2,624,026	3,588,687	-27%



QUESTIONS