



# DEPARTMENT OF LAW

City Attorney Nina R. Hickson

## QUARTERLY REVIEW

**September 12, 2022**

Presented to:

**PUBLIC SAFETY AND**

**LEGAL ADMINISTRATION COMMITTEE**

Council Member Dustin Hillis – Chair

Council Member Byron Amos

Council Member Michael Julian Bond

Council Member Andrea L. Boone

Council Member Mary Norwood

Council Member Marci Collier Overstreet

Council Member Keisha Sean Waites

# DEPARTMENT OF LAW UPDATES

SINCE June 27, 2022.

- Department & Staff Accomplishments
- Division Accomplishments & Highlights
- Revenue Recovery
- Total Claims and Settlement Payments
  - Quarterly Update
  - Calendar Year-To-Date Snapshot
- Outside Counsel Report
  - Spending to Date





# LAW DEPARTMENT & STAFF ACCOMPLISHMENTS



# **LAW STAFF ACCOMPLISHMENTS**

## **Atlanta Business League Recognition**

Martin Clarke was recognized as and received an award for Man of Influence by the Atlanta Business League.

## **Adjunct Professor Appointment**

Robert Moses has been appointed Adjunct Professor to teach Introduction to U.S. Law in the Master of Laws program at Georgia State University College of Law for Fall 2022.

## **Georgia Association of Women Lawyers Board Appointment**

Tyronia Smith was appointed to the Board of the Georgia Association of Women Lawyers and will serve as Chair of Special Events Committee.

## **State Bar of Georgia Chair Election**

Tyronia Smith was re-elected as Chair of the Client Security Fund for the State Bar of Georgia.

## **LAW STAFF ACCOMPLISHMENTS**

### **Georgia Women in Public Finance Board Membership**

- Tyronia Smith became a member of the Georgia Women in Public Finance Board.

### **The Links, Inc. Appointment**

- Donna Wilson was appointed to the Executive Council of The Links, Incorporated and Chairperson of the Legal Affairs Committee.

### **American Bar Association Presentation**

- Jonathan Futrell presented at an American Bar Association webinar regarding “Advancing Development Regulations and Building Codes to Encourage More Resilient Buildings”. As part of his presentation, Jonathan highlighted the City of Atlanta’s Electric Vehicle Infrastructure Ordinance which is part of the City’s building permitting process and promotes more electric vehicle charging stations throughout the City.

## PERSONNEL HIGHLIGHTS

- Martin Clarke joined the Airport Legal Division as Deputy Division Chief responsible for providing legal support to major construction and development to include the \$1.4B Concourse D widening project.
- Amber Robinson was promoted to the position of Special Counsel for Legislation, Policy, and Professional Development.
- Wallace Washington joined the Real Estate, Land Use and Parks team of the Business Services Division, responsible for providing leasing, land use/zoning, and aviation legal support.
- Jesse Dagen joined the Airport Legal Division as a Senior Attorney responsible for providing legal support to, among other areas, the DOA Safety and Security Division.

## PERSONNEL HIGHLIGHTS

- Eric Dec joined the Municipal Governance Team of the Business Services Division as Senior Attorney II, responsible for providing legal support areas of Finance, Pensions, Garnishments.
- Deputy City Attorney Kimberly Patrick celebrated her 25-year anniversary with the Department of Law.
- Corporate Legislative Analyst Sandra Stevens celebrated her 25-year anniversary with the Department of Law.



# LITIGATION DIVISION





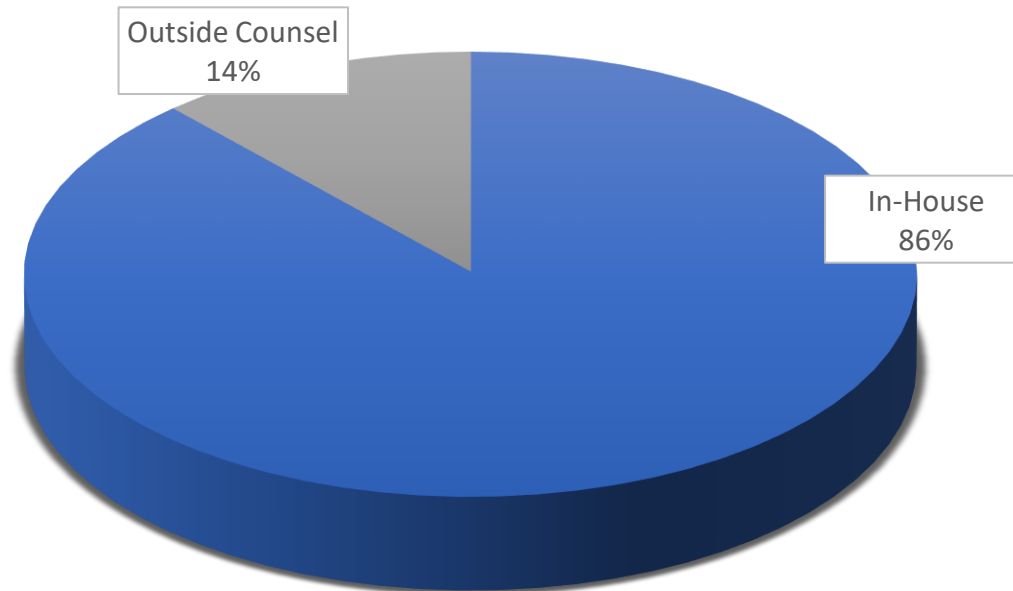
# LITIGATION DIVISION

The Litigation Division currently has a total of 971 open matters.

- 833 of the Litigation matters are being handled in-house (110 of these are quiet titles/interpleaders) .
- 138 of the Litigation matters have been outsourced to Outside Counsel.

## Litigation Matters

■ In-House ■ Outside Counsel



**LITIGATION DIVISION**  
**Appearances**

**The litigation attorneys made the following appearances for  
FY22Q4:**

<b>EVENT</b>	<b>NO. OF APPEARANCES</b>
<b>CIVIL SERVICE BOARD HEARINGS</b>	<b>12</b>
<b>DEPOSITIONS</b>	<b>58</b>
<b>HEARINGS</b>	<b>9</b>
<b>MEDIATIONS/SETTLEMENT CONFERENCES</b>	<b>21</b>
<b>STATUS CONFERENCES</b>	<b>19</b>
<b>TRIALS</b>	<b>4</b>
<b>TOTAL</b>	<b>123</b>

# BUSINESS SERVICES DIVISION





## **BUSINESS SERVICES DIVISION – CONTRACTS**

The Department of Law's Contracts team successfully drafted, reviewed, and negotiated the following matters in support of agency clients:

- Two contracts, on behalf of the Department of Parks and Recreation, supporting City summer youth programs: (1) A contract for the management and operation of a food service program offering free meals to children in low-income communities attending various City summer programs and (2) A contract providing transportation services for 2,500 children attending the City's 7-week Camp Best Friends Summer Program.
- A mission critical contract with eCivis, Inc., on behalf of the Department of Finance, to provide professional accounting services to assist the City in reducing costs and maximizing revenues from Federal and non-Federal grant programs from which the City is eligible for reimbursement of indirect costs.

## **BUSINESS SERVICES DIVISION – CONTRACTS (cont.)**

- A key service contract, on behalf of WorkSource Atlanta, for operation of the City's One-Stop Career Center in accordance with the requirements of the Workforce Innovation and Opportunity Act. The One-Stop Career Center provides access to a wide array of job training, education, and employment services in a single physical location.
- A \$131,339,445 technology services contract with Cleveland Electric-Uptime-Symphony, JV, on behalf of the Department of Aviation, for indoor and outdoor distributed antenna system upgrades and service expansion at Hartsfield-Jackson Atlanta International Airport. The system upgrades will help alleviate mobile disruption caused by isolated spots of poor coverage in the existing infrastructure.

## **BUSINESS SERVICES DIVISION – CONTRACTS (cont.)**

- A contract amendment, on behalf of the Department of City Planning (DCP), for consulting services to assist the City in rewriting existing zoning ordinances to satisfy requirements of the Georgia Planning Act of 1989 and necessary to maintain the City's eligibility for select state funding and permitting programs.
- On behalf of the Atlanta Police Department, a contract for towing services to be provided across all six City zones and the Hartsfield-Jackson Atlanta International Airport.
- Drafted key legislation on behalf of the Department of Enterprise Asset Management to facilitate installation of electrical vehicle charging system infrastructure in City facilities in accordance with the City's "EV Ready" aimed reducing both energy costs and transportation petroleum consumption.



# **BUSINESS SERVICES DIVISION – CONTRACTS (cont.)**

## **Matters Handled by Type (April 1 - June 30, 2022)**

<b>Matter Category</b>	<b>Number of Matters</b>
<b>Solicitation Reviews</b>	27
<b>Legislation Reviews</b>	18
<b>Advice &amp; Counsel/Legal Research</b>	18
<b>Contract Review &amp; Drafting</b>	67
<b>Amendment</b>	18
<b>Bid Protest/Contract Disputes</b>	6
<b>Total</b>	<b>154</b>

# **BUSINESS SERVICES DIVISION**

## **REAL ESTATE | LAND USE | PARKS & REC**

The Department of Law's Real Estate/Land Use team had the following notable highlight:

### **Negotiated Settlement Agreement**

#### **Exterior Sound Transmission Ordinance:**

- The Real Estate attorneys worked with the Office of Buildings and the Solicitor's Office to help negotiate a compliance settlement regarding a violation of the City's Exterior Sound Transmission Ordinance. In Midtown, neighboring property owners were concerned new HVAC equipment installed on a new development violated the City's code. The Office of Buildings and the Solicitor's Office commenced enforcement action, and the Real Estate team helped work through technical code analysis to help all parties reach a court-sanctioned settlement and compliance agreement.

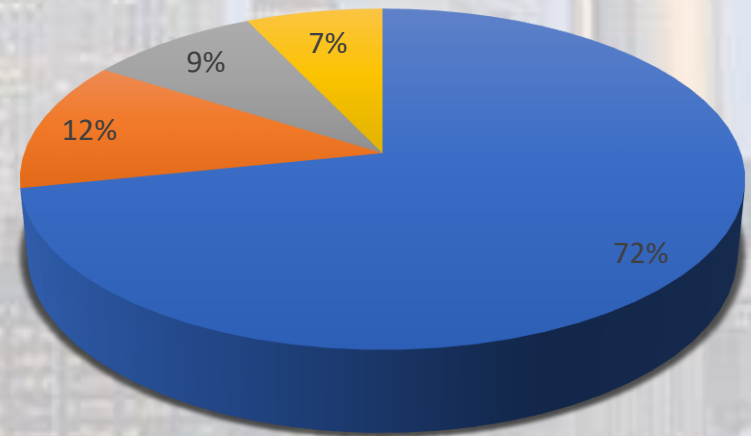
# **BUSINESS SERVICES DIVISION**

## **REAL ESTATE | LAND USE | PARKS & REC (cont.)**

The Department of Law provided the following Real Estate/Land Use support to the Department of Aviation, City Planning and Development, Enterprise Asset Management, Parks & Recreation, ATL/DOT, Public Works and DWM:

### **Real Estate & Land Use Team Metrics (April 1- June 31, 2022)**

<b>Client Meetings:</b>	<b>203</b>
<b>Legislative Items:</b>	<b>35</b>
<b>Easements &amp; Encroachments:</b>	<b>25</b>
<b>Leases, Licenses, &amp; Other Agreements:</b>	<b>20</b>



- Client Meetings**
- Legislative Items**
- Easements & Encroachments**
- Leases, Licenses, & Other Agreements**



## **BUSINESS SERVICES DIVISION** **MUNICIPAL GOVERNANCE**

The Department of Law's Municipal Governance team provided the following advice and counsel, training, and legal support to Clients:

### **EXECUTIVE OFFICES**

#### **Summer Youth Employment Program:**

- The team drafted the legislation for the program. The administration commitment to employing 3,000 youth across the City in over 300 positions. The City's partners include the Department of Law, Hartsfield-Jackson Atlanta International Airport, Department of Parks & Recreation, Department of Watershed Management, Atlanta Public Schools, The Georgia Aquarium, Coca-Cola Bottling UNITED, The Fox Theatre, MARTA, NCR, Accenture, AT&T, and IKEA.

# **BUSINESS SERVICES DIVISION**

## **MUNICIPAL GOVERNANCE (cont.)**

### **FINANCE**

#### **\$1.5 Billion Financing for Hartsfield-Jackson Airport**

- The team drafted legislation and oversaw all financial transactions, which included bonds and commercial papers valued at over \$1.5 billion dollars. In addition, the team was integral in supporting the refinancing of the 2014 bonds. It is anticipated that this refinancing will save the City over \$35 million in debt service expenses.

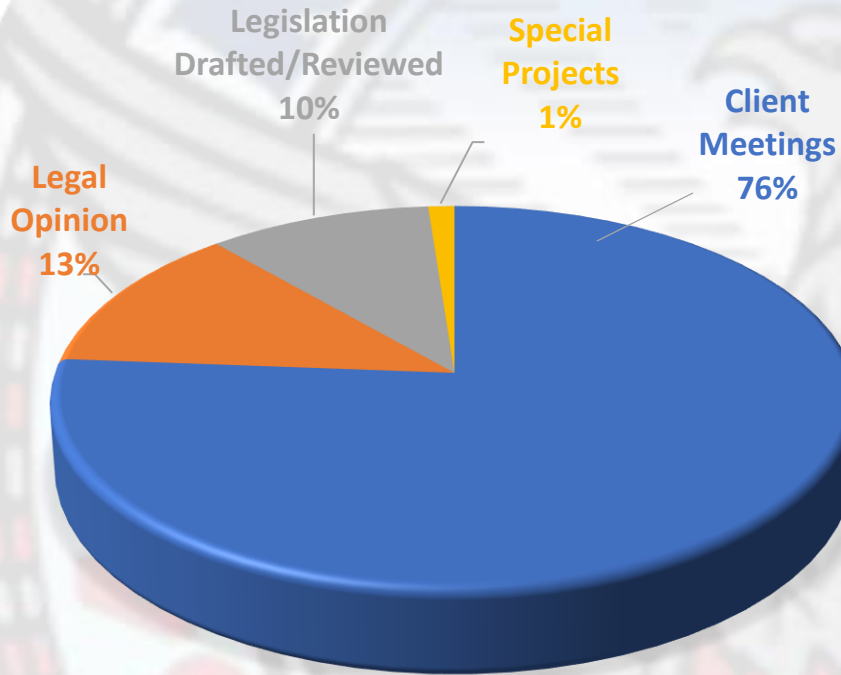
#### **Infrastructure/TSPLOST Referenda**

- The team provided legal guidance and support in drafting the TSPLOST referenda and the general obligation bonds. The citizens of Atlanta voted and approved the referenda, which will allow the City to use up \$700 million over the next five years for infrastructure.

#### **General Obligation (GO) Bonds APS Dispute Resolved**

- A three-year-old lawsuit has been settled. The subject of the litigation centered around the collection of taxes through a tax allocation district.

# BUSINESS SERVICES DIVISION MUNICIPAL GOVERNANCE (cont.)



Client Meetings : 320  
 Legal Opinion: 52  
 Legislation drafted/reviewed: 43  
 Special Projects: 5

Board, Authority, Commission, Etc. (B.A.C.E)	No. of Meetings
Alcohol Technical Advisory Group III	3
Nightlife Internal Working Group	2
License Review Board	5
Public Safety Training Center Advisory Board	1
Police Officers' Pension Plan Administrative Committee	1
General Employees' Pension Plan Administrative	1
In Rem Review Board	3
Justice Policy Board	1
<b>Total</b>	<b>17</b>



# OPERATIONS DIVISION





**OPERATIONS DIVISION**  
**LABOR AND EMPLOYMENT GROUP**

The Department of Law’s Labor and Employment Group (“L&E”) provided the following legal support to Clients:

**Child and Youth Protection Policy**

In preparation for the Department of Parks and Recreation’s Summer 2022 Camp Best Friends, L&E recognized the necessity for a new policy setting forth the expectations and procedures for creating and maintaining a safe environment for children and youth while in the City’s care.

With assistance from HR, L&E expeditiously prepared a policy to safeguard the welfare of children and youth while they are in the City’s care and while the City is responsible for their supervision.



**OPERATIONS DIVISION**  
**LABOR AND EMPLOYMENT GROUP (cont.)**

**Training for Human Resources Professionals:**

L&E delivered three in-person training sessions on Americans with Disabilities Act (“ADA”) and Family and Medical Leave Act (“FMLA”) to the entire Department of Human Resources for the City of Atlanta.

This training was a four-hour interactive knowledge share about the federal laws and allowed the City’s HR professionals to discuss hypothetical scenarios and engage in role plays designed to mimic common ADA and FMLA issues at the City.

The attendees were provided workbooks to use during the training and will serve as an everyday reference for ADA and FMLA theory and matters.

## **OPERATIONS DIVISION** **LABOR AND EMPLOYMENT GROUP (cont.)**

### **Training for Human Resources Professionals:**

L&E created a Citywide HR database for ADA/FMLA templates designed to standardize HR's communications and ensure legal compliance. HR professionals were educated on how to access the files and the necessity for a uniform process.

In an effort to promote its goal of "One HR," L&E purposefully diversified class attendance and required each Department to send one-third of their group to each training.

Furthering cross functionality and networking, DHR leadership, including the Commissioner and the Deputy Commissioner, attended each training and participated in the first role play.

L&E is requesting certification of the four-hour class to allow for continuing education credits for all HR professionals who attended.





**OPERATIONS DIVISION**  
**LABOR AND EMPLOYMENT GROUP (cont.)**

**LGBTQ Resource Group:**

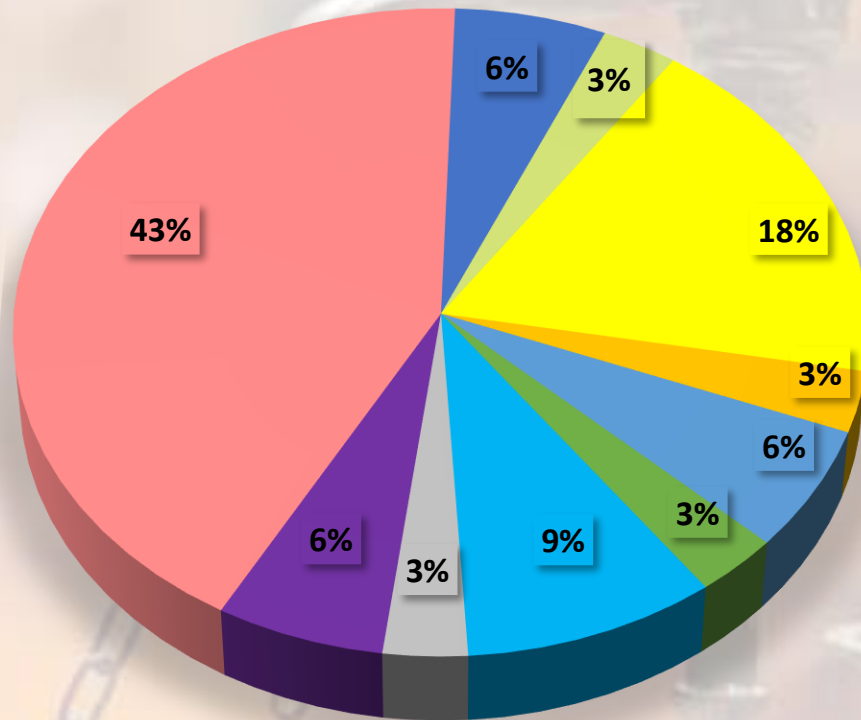
L&E assisted the Mayor's Division of LGBTQ Affairs with the creation and launch of the LGBTQ Resource Group whose goal is to create a safe and supportive space for LGBTQ employees.

While contemplating liability concerns and potential disparate treatment challenges, L&E collaborated to drive the communications, project plan, and determine the framework for all future Resource Groups.

Specific to LGBTQ, L&E implemented a process that ensured the confidentiality of members who wanted to find their community but might not be ready to be revealed as a member.

L&E was responsible for drafting the LGBTQ Resource Group Conditions of Participation in an effort to limit potential liability for the City of Atlanta.

## FY22 Q4 Americans with Disabilities Act Matters Closed by Department

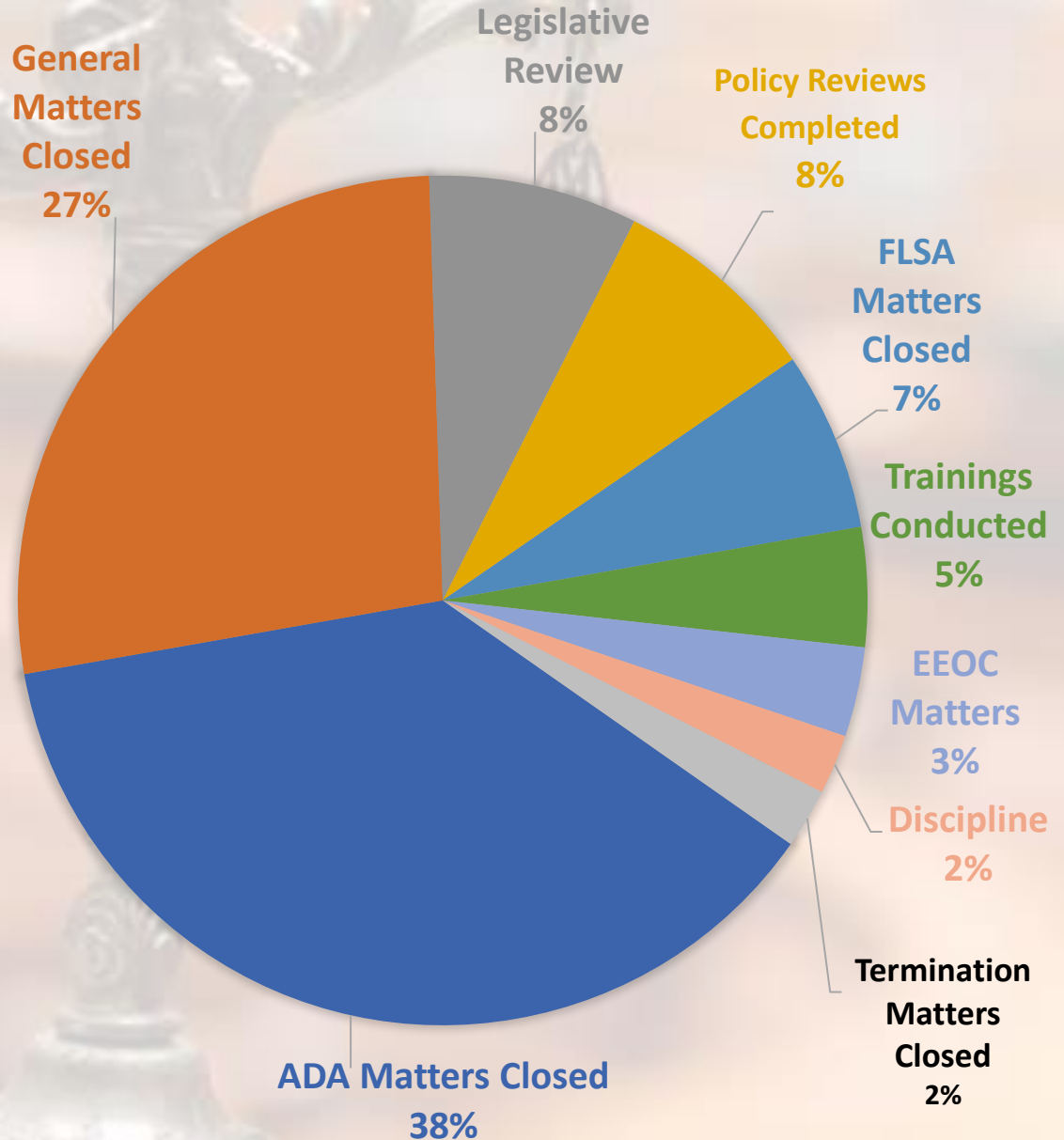


- City Planning
- Finance
- Human Resources
- Law
- Public Works
- Executive Offices
- General
- Judicial Agencies
- Procurement
- Watershed Management

Department	ADA Matters Closed
City Planning	2
Executive Offices	1
Finance	6
General	1
Human Resources	2
Judicial Agencies	1
Law	3
Procurement	1
Watershed	14
<b>Grand Total</b>	<b>31</b>

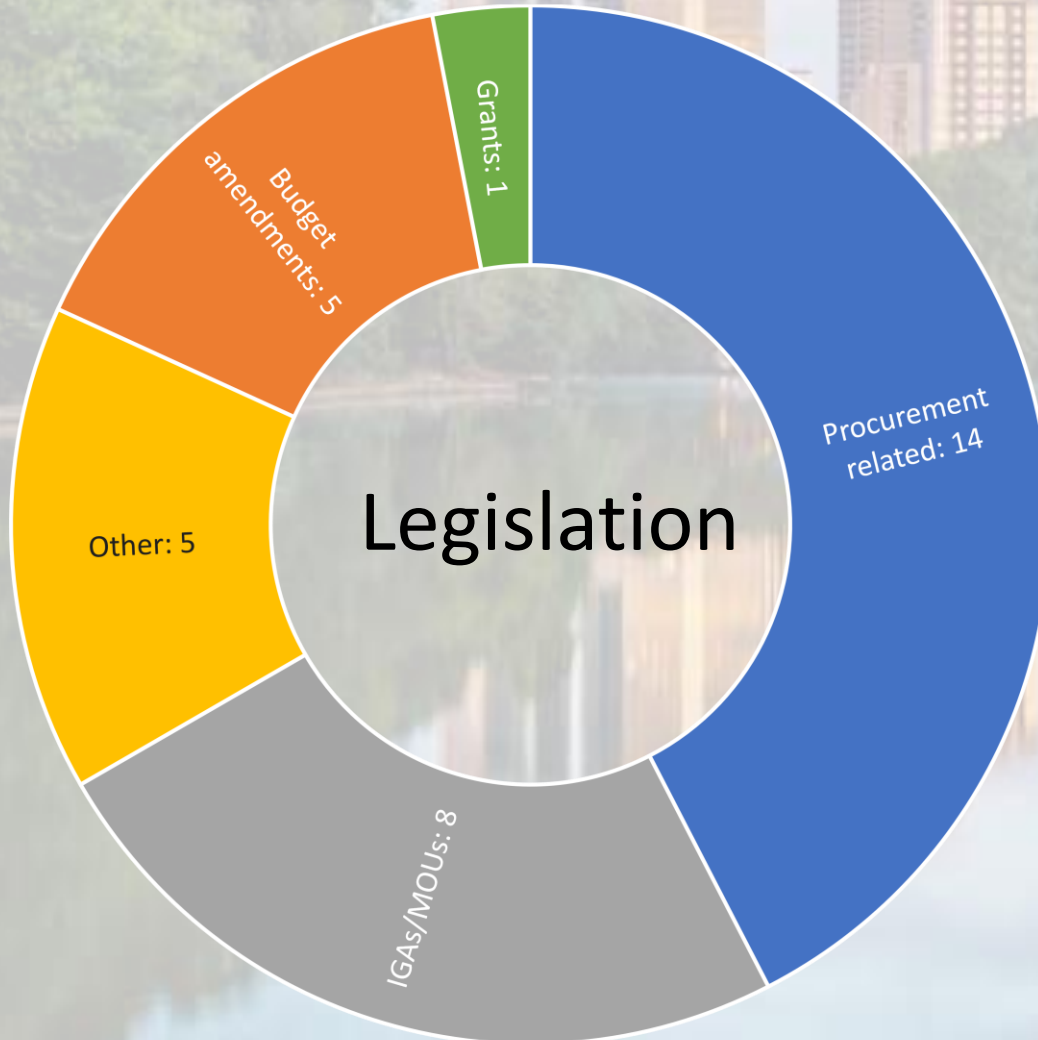
# FY22 Q4

Subject	Number
ADA Matters Closed	33
Discipline	2
EEOC Matters	3
FSLA Matters Closed	6
General Matters Closed	24
Legislative Review	7
Policy Reviews Completed	7
Termination Matters	2
Trainings Conducted	4
<b>Grand Total</b>	<b>88</b>



# OPERATIONS DIVISION – WATERSHED

The Department of Law’s Watershed Division provided the following Legal support to Clients:



FY 2022 Q4

- Procurement related: 14
- Budget amendments: 5
- IGAs/MOUs: 8
- Other: 5
- Grants: 1
- Total: 33**



# **OPERATIONS DIVISION – WATERSHED (cont.)**

## Water & Sewer Appeals Board

April 1 – June 30, 2022

<b>Key Performance Indicator (KPI)</b>	<b>Totals</b>
<b>Appeal Requests Received by WSAB</b>	<b>240</b>
<b>Total Cases Scheduled/Heard by Board*</b>	<b>86</b>
<b>Accounts Adjusted by WSAB</b>	<b>30</b>

\*Watershed Team provides legal advice and support on all cases heard by WSAB

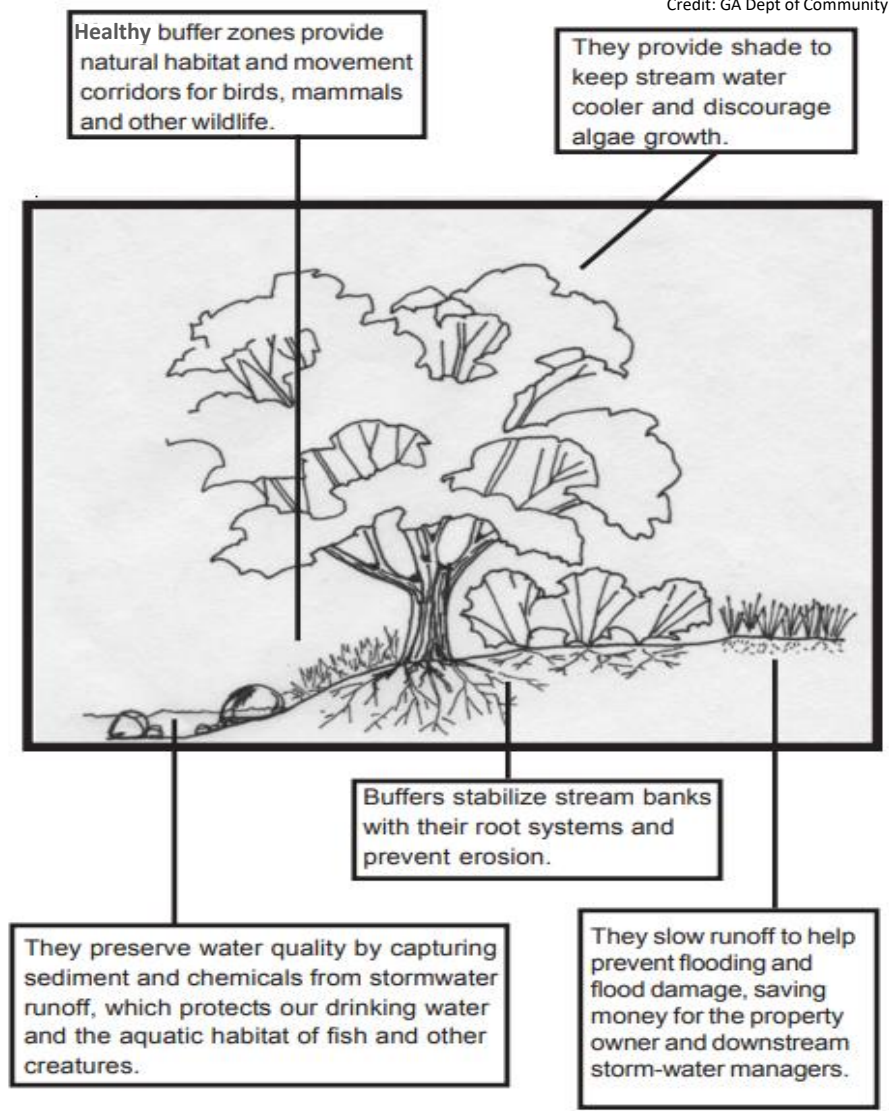
# OPERATIONS DIVISION – WATERSHED (cont.)

## Riparian Buffer Technical Panel

Credit: GA Dept of Community Affairs

Key Performance Indicator (KPI)	Totals
Total Hearings	6
Initial Applications Reviewed	22
Modified Applications Reviewed	27
Authorized Encroachments Granted	5
Hours of Hearings	4:16

The Panel meets in Committee Room 2. This facilitates the use of audio recording equipment and screens to display plans and documents.



# OPERATIONS DIVISION – WATERSHED (cont.)

## DWM “F.L.O.A.T.” Initiative

Flexible Levels, Options, & Affordable Terms (F.L.O.A.T.) Initiative Program  
Assists Single Family Residences With Past Due Account Balances



- Watershed Team assisted in establishing an “amnesty” program to assist customers with outstanding bills.
- Program runs from July 28 - December 2022 and provides:
  - account adjustments
  - interest-free payment plans
  - one-time grants and credits
  - service requests to correct meter issues
- Attorneys provided advice on legal authority to create/operate program, SOPs, council communications, and other issues.
- FLOAT events occur on multiple dates at 9 libraries across the city and City Hall.



# **OPERATIONS DIVISION**

## **TRANSPORTATION | PUBLIC WORKS| S.A.V.E.**

The Department of Law's Transportation, Public Works, S.A.V.E. team provided the following legal support to Clients:

### **Solid Waste Rate Change Ordinance and Charter Amendment**

- Provided ongoing legal support to DPW and the Council in the revision of the City's solid waste rates and charges with the passage of new Solid Waste Rate Ordinance and Charter Amendment.

Developed the proposed makeup and procedure of the Solid Waste Rate Appeals Board consistent with the new Solid Waste ordinance.

### **TSPLOST Oversight Legislation**

- Assisted with drafting critical legislation to facilitate the most effective use of TSPLOST 2.0 funds to ensure citizens that critical projects would be funded and completed in the spirit of this important voter-approved referendum.



## **OPERATIONS DIVISION** **TRANSPORTATION | PUBLIC WORKS | S.A.V.E. (cont.)**

### **CID Cooperation Agreement Revisions**

- Negotiated and revised Cooperation Agreements for Midtown CID, Downtown CID, Buckhead CID and Westside CID to manage and hold contracts for their own infrastructure project procurements.

### **Project Management Agreements**

- Negotiated and revised Project Management Agreements for three federally funded and three locally funded infrastructure project management agreements with Midtown CID.

### **MORE MARTA Program Support**

- Negotiated the final terms of the Campbellton Road Bus Rapid Transit Project Based Agreement (“PBA”) between ATLDOT and MARTA.

# **OPERATIONS DIVISION**

## **TRANSPORTATION | PUBLIC WORKS | S.A.V.E. (cont.)**

### **Midtown Bike Lane Enhancement MOU**

- Drafted legislation authorizing a Memorandum of Understanding with Midtown Alliance for the installation and maintenance of nonstandard landscaping and streetscape elements to enhance bicycle lanes along certain Midtown corridors.

### **ROW Installations**

- Provided ongoing guidance to departmental clients and external partners focused on compliance with City rights-of-way policies and compensation schedule.

### **Legal Opinions**

- Prepared multiple legal opinions for ATLDOT concerning issues related to the City's regulation and permitting of scooters, including rider age requirements and operator permit term limits.

# **OPERATIONS DIVISION** **TRANSPORTATION | PUBLIC WORKS | S.A.V.E. (cont.)**

## **Transportation, Public Works and** **S.A.V.E. Trainings**

- The team members attended the two-day Local Administered Project (“LAP”) training provided by the Georgia Department of Transportation.
- The team members also attended procurement and budget hearing trainings hosted by Department of Law partners representing the Department of Procurement and the Department of Finance.





# **OPERATIONS DIVISION** **TRANSPORTATION | PUBLIC WORKS | S.A.V.E. (cont.)**

## **Team Highlight**

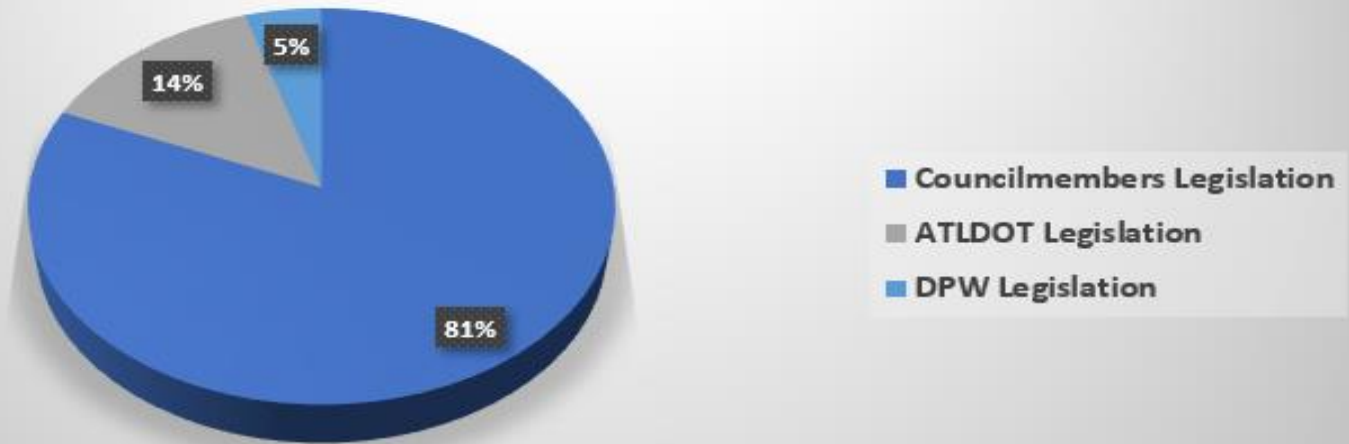
- The Transportation, Public Works and S.A.V.E. team recovered \$97,103 from Zayo Group, a telecom provider, for right-of-way franchise fee underpayments in FY 2021 and FY 2022.

<b>Year/Quarter</b>	<b>Amount</b>
2021 Q4 (Oct-Dec)	\$24,692.28
2022 Q1 (Jan-Mar)	\$43,085.50
2022 Q2 (Apr-Jun)	\$29,325.40
<b>TOTAL</b>	<b>\$97,103.18</b>



# OPERATIONS DIVISION TRANSPORTATION| PUBLIC WORKS| S.A.V.E. (cont.)

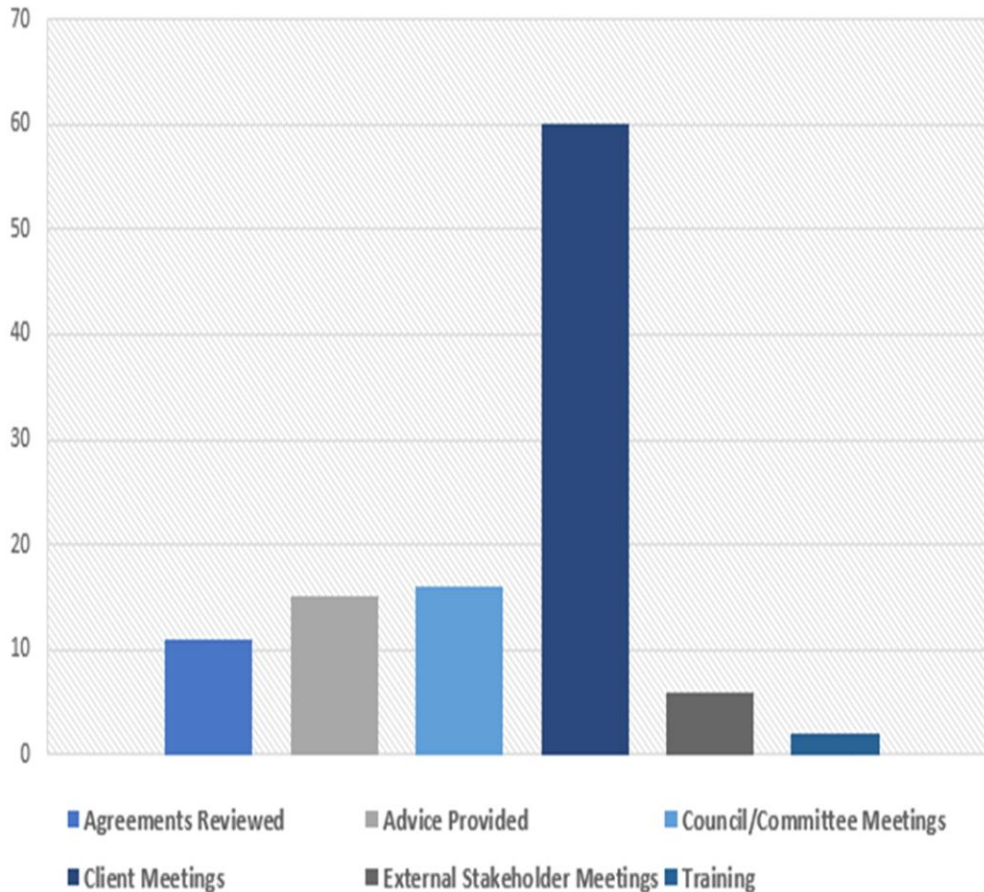
TPS LEGISLATION REVIEWED FY22 Q4:



Legislation Reviewed FY22 Q4 (Apr-Jun)	No. of:
Councilmembers Legislation	88
ATLDOT Legislation	15
DPW Legislation	5
<b>TOTAL Legislation</b>	<b>108</b>

# OPERATIONS DIVISION TRANSPORTATION| PUBLIC WORKS| S.A.V.E. (cont.)

**TPS FY22 Q4 MATTERS**



<b>Matters FY22 Q4 (Apr-Jun)</b>	<b>No. of:</b>
Agreements Reviewed	11
Advice Provided	15
Council/Committee Meetings	16
Client Meetings	60
External Stakeholder Meetings	6
Training	2
<b>TOTAL Matters</b>	<b>110</b>

# AIRPORT LEGAL DIVISION





## AIRPORT LEGAL DIVISION

The Department of Law's Airport Legal Division provided the following support to Aviation:

- Finalized a long-term lease to support ongoing FBI presence at the Hartsfield-Jackson Atlanta International Airport.
- Developed an extensive draft of specific badging procedures for Airport Security.
- The Airport Legal Division, in consultation with consultant Cindy Olivares, conducted a 5-part weekly series on the federal Airport Concessions Disadvantaged Business Enterprise (ACDBE) program. Attendees included representatives from the Mayor's Office of Contract Compliance and the Department of Aviation.
- The Airport Legal Division advised the Department of Aviation and collaborated with the Municipal Governance Team in the Airport Refunding Bond transaction, which consisted of (i) \$400,000,000 in principal amount of the City's Airport Passenger Facility Charge and Subordinate Lien General Revenue Forward Delivery Refunding Bond, Series 2023FWD-A-1 (Non-AMT) and (ii) \$116,830,000 in principal amount of the City's Airport Passenger Facility Charge and Subordinate Lien General Revenue Forward Delivery Refunding Bond, Series 2023FWD-A-2 (Non-AMT).



## **AIRPORT LEGAL DIVISION (cont.)**

- The Airport Legal Division advised the Department of Aviation and collaborated with the Municipal Governance Team in the Airport New Money transaction, which consisted of (i) \$177,560,000 in aggregate principal amount of the City's Airport General Revenue Bonds, Series 2022A (Non-AMT) (the "Series 2022A Bonds"); (ii) \$204,810,000 in aggregate principal amount of the City's Airport General Revenue Bonds, Series 2022B (AMT) (the "Series 2022B Bonds"); (iii) \$107,530,000 in aggregate principal amount of the City's Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds, Series 2022C (Non-AMT) (the "Series 2022C Bonds"); and (iv) \$56,520,000 in aggregate principal amount of the City's Airport Passenger Facility Charge and Subordinate Lien General Revenue Bonds, Series 2022D (AMT).
- The Airport Legal Division assisted the Mayor's Office of Contract Compliance with the development of compliance review procedures for federally-funded contracts and subcontracts.
- Participated in protracted discussions regarding the ultimate termination of the Airport Hotel Project with Majestic Realty.

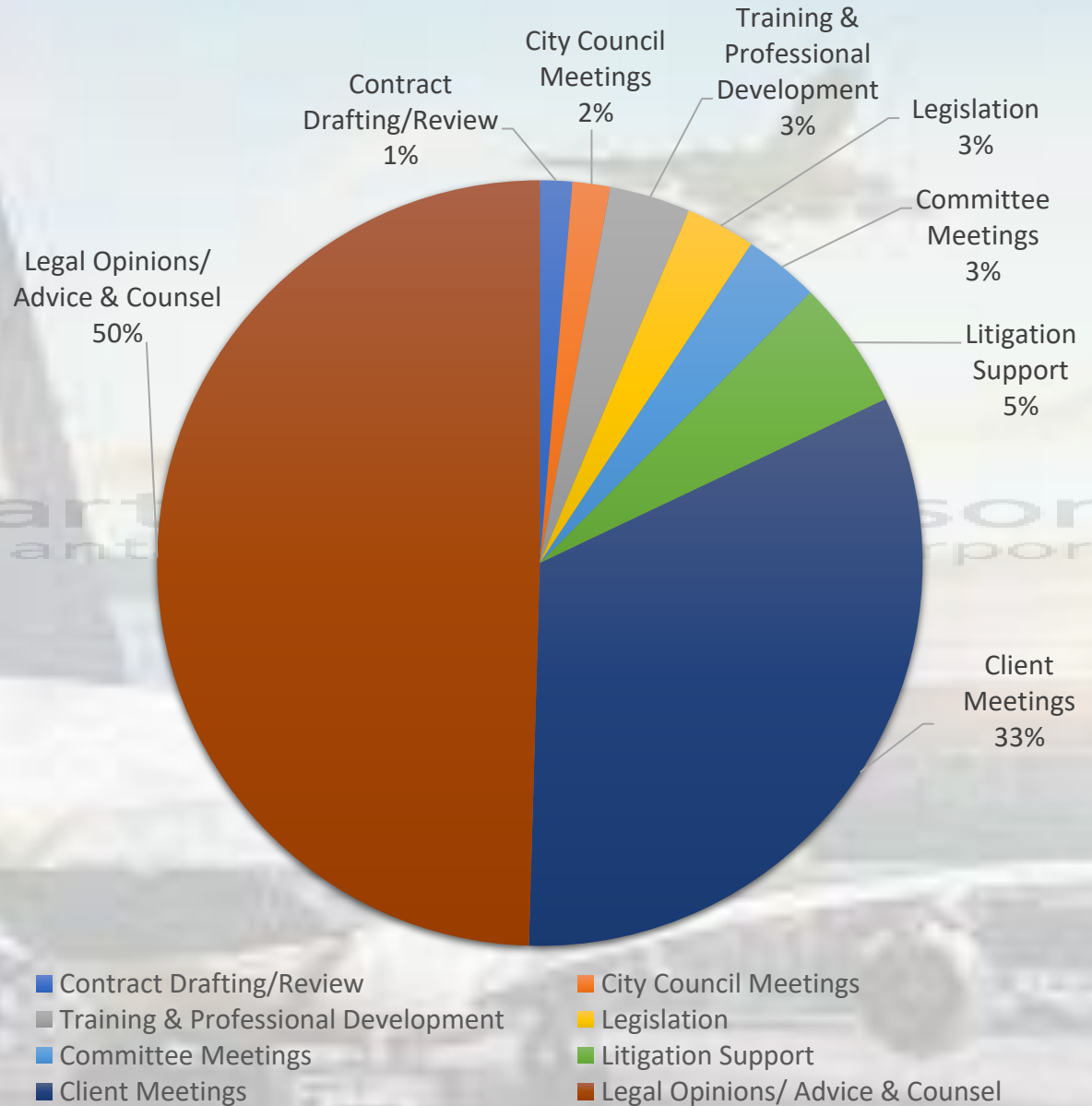
## **AIRPORT LEGAL DIVISION (cont.)**

- Finalized security protocols jointly with the Atlanta Police Department, Department of Aviation and the Transportation Security Administration for the handling of passengers with firearms at the airport security checkpoints.
- The Airport Legal Division advised the Department of Aviation and collaborated with the Municipal Governance Team with the sale by the City of the Airport's commercial paper notes, consisting of Series M Notes in the maximum aggregate principal amount of \$350,000,000 Series N Notes in the maximum aggregate principal amount of \$475,000 and Series O Notes in the maximum principal amount of \$125,000. The Series M/N/O Notes are a part a commercial paper program and are to be issued over a period of time by the City to, among other things, finance or refinance a portion of the cost of the planning, engineering, design, acquisition and construction of certain improvements to Hartsfield-Jackson Atlanta International Airport.
- The Airport Legal Division was part of a working group with DOP, DOA, OCC, and the Inspector General's Office to evaluate the City's procurement policies and procedures.

# AIRPORT LEGAL DIVISION (cont.)

## Statistics April-June 2022

Type of Requests	Number of Requests
Contract Drafting/Review	12
City Council Meetings	14
Training & Professional Development	30
Legislation	26
Committee Meetings	28
Litigation Support	48
Client Meetings	286
Legal Opinions/ Advice & Counsel	436





# REVENUE RECOVERY





## **REVENUE RECOVERY – \$569,331**

### **Litigation Division Revenue Recovery**

- During the period April 1, 2022 – June 30, 2022, the Litigation Division was served with 72 Quiet Title cases and 38 Interpleader cases for a total of 110 petitions received. In response, the City filed 58 claims for payment totaling \$345,071 and recovered \$ 247,080 in payment of unpaid demolition lien costs and delinquent water bills.
- Litigation Division recouped \$322,251 in outstanding water bills from a multi-family property who filed an action to declare that the City's water bill liens were not rightfully held.

# PENDING, NEW AND RESOLVED CLAIMS UPDATE

Q4



# UPDATE ON PENDING, NEW & RESOLVED CLAIMS – Q4

## Q4 Pending Claims

- The Department of Law maintained 609 pending claims from April 1, 2022, to June 30, 2022.

## Q4 New Claims

- The Department of Law received 112 new claims from April 1, 2022, to June 30, 2022, an average of 37 new claims per month.

## Q4 Resolved Claims

- The Claims Team has resolved 367 claims during the past quarter, an average of 122 claims per month.

# UPDATE ON CLAIMS & SETTLEMENTS

## FY22 Q4

### Itemized Claims and Settlement Payments by Department

#### FY22 (Q4) Litigation Cases Settlement Totals

<u>Department</u>	<u>Demand</u>	<u>Payments</u>	<u>Fund Impact</u>
Aviation	\$22,864	\$7,500	Aviation
Police	\$2,110,000	\$629,000	General Fund
Public Works	\$1,100,000,000	\$101,000	General Fund
Transportation	\$225,000	\$93,000	General Fund
Watershed Management (Storm Water)	\$300,000	\$115,000	General Fund
Watershed Management	\$3,000	\$2,400	Water & Sewer
<b>TOTAL LITIGATION SETTLEMENTS</b>	<b>\$1,102,660,864</b>	<b>\$947,900</b>	

#### FY22 (Q4) Claims Settlement Totals

<u>Department</u>	<u>Demand</u>	<u>Payments</u>	<u>Fund Impact</u>
Fire Rescue	\$3,484	\$3,484	General Fund
Police	\$295,255	\$59,450	General Fund
Public Works	\$1,005,024	\$12,377	General Fund
Transportation	\$5,606	\$3,914	General Fund
Watershed Management (Storm Water)	\$4,906	\$4,906	General Fund
Watershed Management	\$87,015	\$17,932	Water & Sewer
<b>TOTAL CLAIM SETTLEMENTS</b>	<b>\$1,401,291</b>	<b>\$102,065</b>	

#### **TOTAL FY22 LITIGATION & CLAIM TOTALS**

**\$1,104,062,155      \$1,049,965**



# UPDATE ON CLAIMS & SETTLEMENTS

## CONSOLIDATED FY22 Q1-Q4

### Itemized Claims and Settlement Payments by Department

#### **FY22 (Q1-4) Litigation Cases Settlement Totals**

<u>Department</u>	<u>Demand</u>	<u>Payments</u>	<u>Fund Impact</u>
Aviation	\$22,864	\$7,500	Aviation
City Planning	\$4,000,000	\$28,000	General Fund
Human Resources	\$9,924	\$9,924	General Fund
Fire Rescue	\$97,371	\$41,871	General Fund
Parks and Recreation	\$133,821	\$53,500	General Fund
Police	\$8,044,805	\$3,217,600	General Fund
Procurement	\$7,616	\$7,616	General Fund
Public Works	\$81,156,796	\$19,134,999	General Fund
Transportation	\$1,710,000	\$932,000	General Fund
Watershed Management (Storm Water)	\$323,948	\$122,500	General Fund
Watershed Management	\$1,316,230	\$642,900	Water & Sewer
<b>TOTAL LITIGATION SETTLEMENTS</b>	<b>\$96,823,375</b>	<b>\$24,198,410</b>	

#### **FY22 (Q1-4) Claim Settlement Totals**

<u>Department</u>	<u>Demand</u>	<u>Payments</u>	<u>Fund Impact</u>
Fire Rescue	\$8,650	\$7,832	General Fund
City Planning	\$11,939	\$5,000	General Fund
Parks & Recreation	\$13,213	\$12,846	General Fund
Police	\$435,035	\$104,357	General Fund
Public Works	\$2,041,690	\$27,212	General Fund
Transportation	\$15,970	\$12,321	General Fund
Watershed Management (Storm Water)	\$11,161	\$8,013	General Fund
Watershed Management	\$205,579	\$71,732	Water & Sewer
<b>TOTAL CLAIM SETTLEMENTS</b>	<b>\$2,743,237</b>	<b>\$249,312</b>	

**TOTAL FY22 LITIGATION & CLAIM  
TOTALS**

**\$99,566,611      \$24,447,722**

# UPDATE ON CONSOLIDATED CLAIMS & SETTLEMENTS Q1-Q4

- The Department of Law has successfully and effectively litigated case settlements in FY22 Q1-4 that resulted in the City only paying \$24,198,410 when the demand amount was \$96,823,376.
- The Department of Law has successfully and effectively negotiated claims settlements in FY22 Q1-4 that resulted in the City only paying \$249,312 when the demand amount was \$2,743,237.

# OUTSIDE COUNSEL SPENDING REPORT

## FY22 FISCAL YEAR-TO-DATE ACTUALS

	FY21	FY22	
	<u>July – Sept. 2021</u>	<u>July – Sept. 2022</u>	<u>% Chg.</u>
<u>SPENDING TO DATE</u>			
AVIATION FUND	118,334	23,025	-80%
WATERSHED FUND	50,945	51,735	2%
GENERAL FUND	398,175	347,929	-12%
<b>TOTAL SPENDING COMBINED FUNDS<sub>1</sub></b>	<b>\$567,454</b>	<b>\$422,689</b>	<b>-26%</b>

<sub>1</sub>Total Spending Combined Funds excludes DOJ Investigation expenses.

- There is currently a decrease overall of 26% in FY22 July – Sept. 2022 outside counsel spending compared to FY21 July – Sept. 2021. In terms of the Enterprise Funds, there is a decrease of 80% in Aviation Fund outside counsel spending due to fewer outsourced matters and a slight increase of 2% in Watershed outside counsel spending. In terms of the General Fund, there is currently a decrease of 12% in General Fund outside counsel spending compared to FY21 July – Sept. 2021.

# QUESTIONS

