

DEPARTMENT OF LAW

City Attorney Nina R. Hickson

QUARTERLY REVIEW

September 25, 2023

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 Antonio Lewis
Council Member Mary Norwood
Council Member Keisha Sean Waites



DEPARTMENT OF LAW UPDATES SINCE JULY 10, 2023.



Law Staff Accomplishments



Division Highlights



Revenue and Cost Recovery



Total Claims and
Settlement Payments



Outside Counsel Report
•Spending to Date



LAW STAFF ACCOMPLISHMENTS

as of Q4 (April 1-June 30, 2023)



City Attorney Nina R. Hickson

2023 Wellspring Living Honoree

City Attorney Nina R. Hickson is being honored by WellSpring Living for her efforts over the last 24 years to eradicate the child sex trafficking industry and advocate for survivors. She will receive one of two inaugural “Courage” awards. Georgia Attorney General Chris Carr will be the other honoree. The award ceremony will take place October 8, 2023, at the Intercontinental Hotel Buckhead.

Since 2001, Wellspring Living has provided domestic sex trafficking victims and those at risk (ages 12+) with comprehensive, trauma-informed, victim-centered recovery services through residential programs, community-based programs, and graduate services.





Attorney Vivica Brown

Airport Lawyers Association Conference Attendee

Attorney Vivica Brown attended the 13th edition of the Worldwide Airport Lawyers Association Conference, Supporting a Sustainable Future For Civil Aviation: The Airport of Tomorrow, which received over 150 delegates from 40 countries and every continent in the world. Among the topics introduced was the first expanded discussion of Urban Air Mobility (UAM). UAM is the use of small automated aircraft to carry passengers or cargo at lower altitudes in urban and suburban areas to combat traffic congestion.



Attorney Jesse Dagen

Panelist for Georgia Diversity Program High School Pipeline

Attorney Jesse Dagen served as a panelist for Georgia Diversity Program High School Pipeline discussion on public interest/public service legal careers.



LITIGATION DIVISION HIGHLIGHTS

as of Q4 (April 1-June 30, 2023)

Division Highlights: Litigation



The Litigation Division currently has a total of 1,361 open matters.



1,145 of the Litigation matters are being handled in-house.



202 of the open Litigation matters were outsourced to Outside Counsel.



108 Litigation matters were opened in Q4 of FY23.



61 Litigation matters were closed in Q4 of FY23.

BUSINESS SERVICES DIVISION HIGHLIGHTS

as of Q4 (April 1-June 30, 2023)

Division Highlights: Business Services – Contracts

The Department of Law’s Contracts Team handled a number of legislative, bid protest, and contract matters during Q4 including the following highlighted matters:



Hartsfield-Jackson Atlanta International Airport (H-JAIA) **Runway Asphalt Repair and Replacement**

On behalf of the Department of Aviation, the Contracts Team finalized an \$88M construction agreement with C.W. Matthews Contracting to perform a comprehensive 60-phase asphalt repair and replacement project on runways at the Hartsfield-Jackson Atlanta International Airport. The project will repair and replace runway and taxiway shoulders, which are vital in protecting the pavements from premature failure due to erosion from jet blasts, as well as safely accommodating aircraft landing gear should an aircraft momentarily leave the runway or taxiway pavement.

Community Navigator Program:

On behalf of the Mayor’s Office of International and Immigrant Affairs, the Contracts Team helped to support the City’s Community Navigator Program by finalizing service agreements to provide interpreters to conduct community needs assessments, report on program outputs and outcomes, inform residents of other essential city services and programs in their language, and organize and distribute grocery boxes and other essential items to residents, among other activities.



City Summer Food Program

The Contracts Team reviewed and finalized a services agreement on behalf of the Department of Parks and Recreation for operation of the City’s annual Summer Food Program, which provides nutritious meals to children in low-income communities participating in City summer programs. Meals are provided at participating City recreation centers through Camp Best Friends as well as other partner locations.

Protest Appeal:

The Contracts Team, on behalf of the Department of Aviation, prepared for and participated in the bid protest hearing that resulted in the successful defense of the cancellation and re-solicitation of a \$54M award for the Explosive Detection System against allegations of fraud.

Cartlanta Recyclables Processing Services

The Contracts Team negotiated a mission-critical services agreement valued at \$1.5M on behalf of the Department of Public Works to provide recyclables processing services in support of Cartlanta, the City’s single-stream recycling program that provides weekly curbside collection of recyclable materials to single-family residential customers.

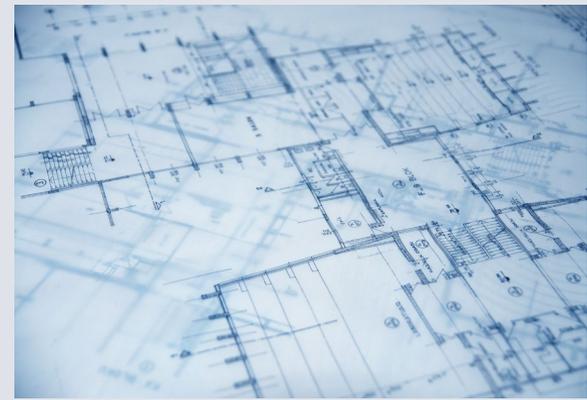
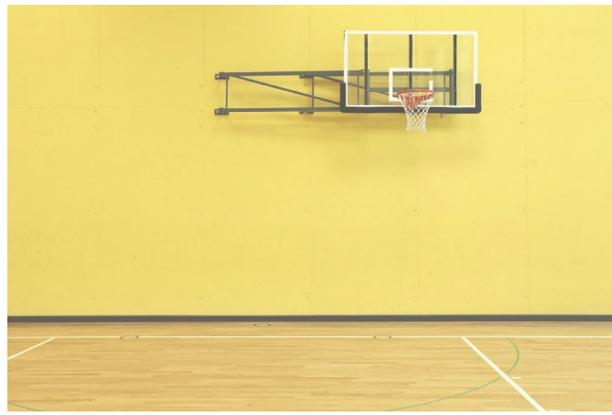
Summer Youth Employment Program

The Contracts Team helped to implement the City’s 2023 Summer Youth Employment Program that provides employment and educational enrichment programs for young people ages 14 to 24, by completing agreements with providers of supportive services such as facility rental, travel, transportation, outreach/branding, and other relevant services. The Program, which is a crucial component of the Mayor’s Year of the Youth initiative, provides Atlanta’s youth with a variety of paid employment and internship opportunities ranging from film and entertainment, financial literacy, de-escalation, STEM preparation, entrepreneurship, and retail among other areas.

Division Highlights: Business Services – Contracts (cont.)

Centers of Hope After-School Programs

The Contracts Team also finalized 14 separate agreements for after-school programming services at the City’s Centers of Hope facilities, which serve over 2,000 children and teens through structured activities which fully engage the youth while providing a healthy, and safe environment. The service providers have proven experience in providing youth with out-of-school programming services which focus on positive youth outcomes defined by four key programmatic pillars: Academic Enrichment, Character & Leadership Development, Health & Fitness, and Technology.



Accela Permitting and Licensing System

The Contracts Team successfully negotiated a key technology services agreement on behalf of the Department of Atlanta Information Management (“AIM”) with Accela for use of its permitting and licensing system, that facilitates online license and permit issuance, zoning reviews, building plan reviews, and allows the general public to schedule building, fire and code enforcement inspections and report suspected violations. The Accela platform is mission-critical for the Department of City Planning, Atlanta Police Department, and the Department of Watershed Management.

Midnight Basketball

The Contracts Team supported the fourth season of Midnight Basketball by completing three service agreements for officiating services, on behalf of the Department of Parks and Recreation. Midnight Basketball is a signature program of the Mayor's Year of the Youth initiative and provides participants ages 18 to 24 with the opportunity to engage in organized sports and explore a wide array of community services aimed at improving their overall lives.

PrimeTime Programming for Seniors

On behalf of the Department of Parks and Recreation, the Contracts Team finalized agreements to provide PrimeTime Programming activities and programs for active seniors at the City's recreation facilities, including arts and cultural experiences, dance, fitness and wellness classes, life-long learning opportunities, health and social services, and excursions.

Downtown Streets Resurfacing

The Contracts Team drafted legislation and completed a \$6M task order on behalf of the Department of Enterprise Asset Management with Astra Rohadfox JV for the necessary resurfacing and maintenance of downtown streets in the vicinity of City Hall, including pavement replacement and bicycle lane improvements.

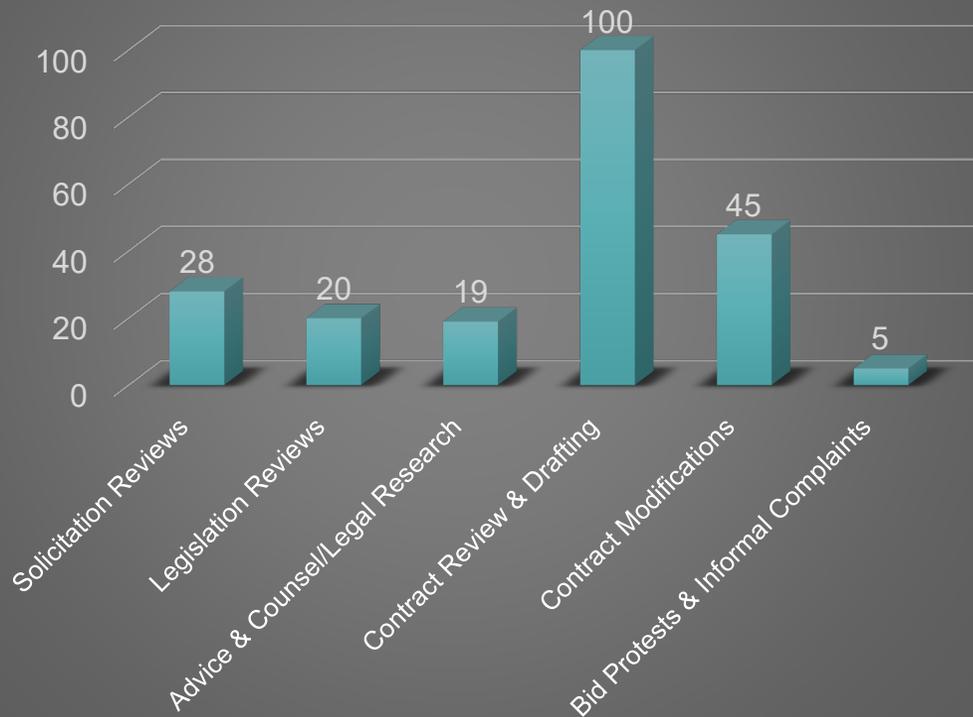
Housing and Urban Development (HUD) Entitlement Grant Agreements

On behalf of the Department of Grants and Community Development, the Contracts Team successfully completed 25 entitlement grant agreements awarding funding from the United States Department of Housing and Urban Development (HUD) to local civic organizations which provide shelter, meals, and employment assistance services to Atlanta residents in need.

Contracts Metrics as of Q4

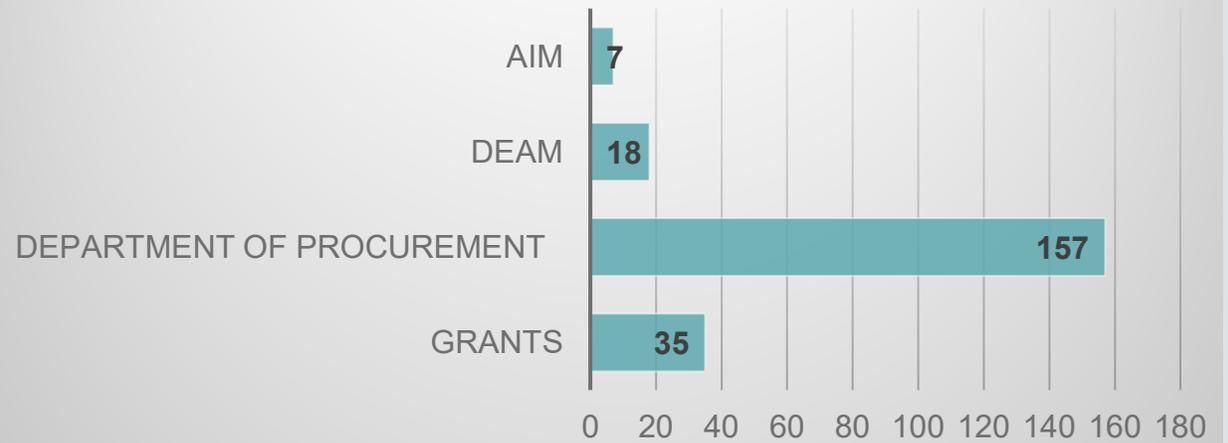
Contract Matters by Type

Total Matters: 217



Contract Matters by Client Department

Total Matters: 217



Division Highlights: Business Services – Real Estate

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

Troy Street Assemblage (Greensferry Stream Property)

The Real Estate and Land Use Team handled the closing on the acquisition of an 11 acre, 16 parcel assemblage of land in the Hunter Hills neighborhood of West Atlanta on behalf of the Department of Watershed Management (“DWM”). The property is being used by DWM as a “green infrastructure” project within the Proctor Creek Watershed Management Area (“Proctor Creek”) and is an essential component of DWM's “Greensferry” stream and floodplain restoration program (“Greensferry Project”). The Proctor Creek watershed project is designed to capture at least 55 million gallons of stormwater runoff annually, and the Greensferry Project will contribute more than 65% of that runoff reduction and will substantially mitigate flooding, improve water quality, and restore native habitat to the area by creating the **first public greenspace** within the Hunter Hills neighborhood.

PROCTOR CREEK STREAM RESTORATION AT HISTORIC HUNTER HILLS Atlanta, GA | April 2020



THE
CONSERVATION FUND



CITY OF ATLANTA DEPARTMENT OF
watershed
management

Jacobs

Chattahoochee Brick Company Memorial, Greenspace, and Park Board

The Real Estate and Land Use Team provided legal guidance to the Department of City Planning for the implementation of the inaugural meeting of the Chattahoochee Brick Company Memorial, Greenspace, and Park Board (“Board”). The Board was established to engage the community in a thoughtful, inclusive, and collaborative process for the visioning, planning, and designing of the historically significant 77-acre Chattahoochee Brick Company site.



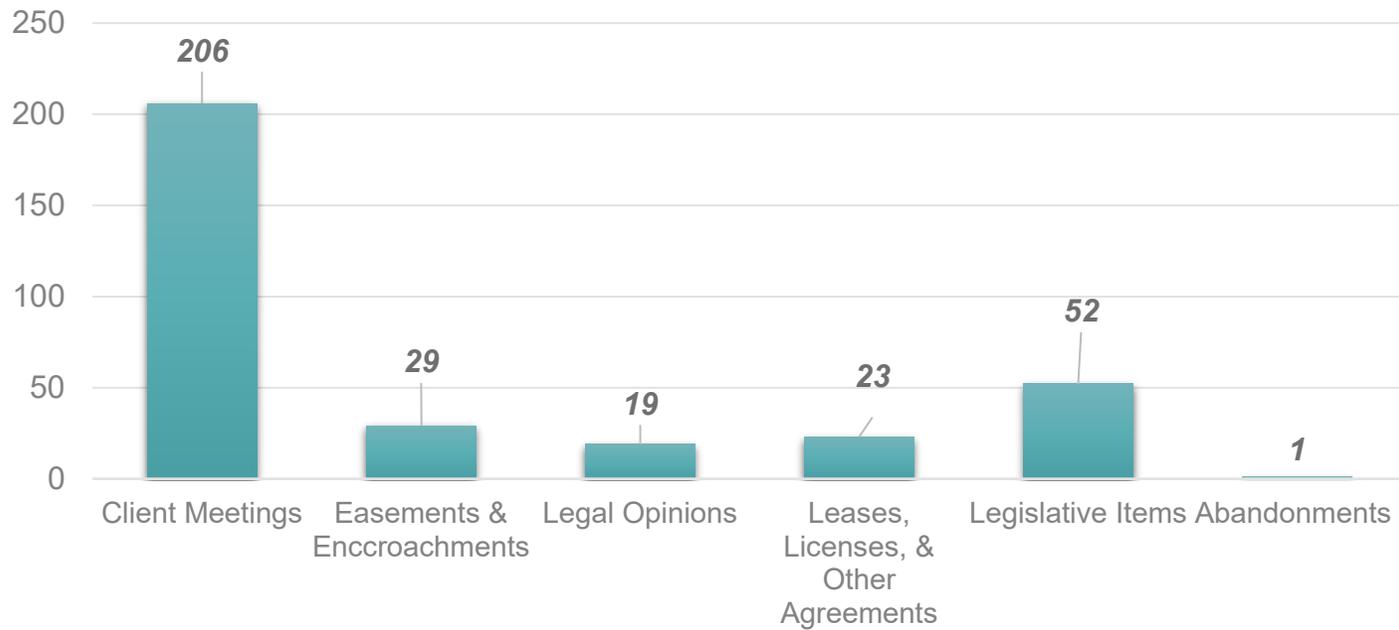
Zoning Ordinance - State House Bill 1405

The Real Estate and Land Use Team assisted the Department of City Planning in drafting an ordinance to amend the City's Zoning Code to bring it into compliance with the changes made to the state's Zoning Procedures Law, created by the adoption of HB 1405 in 2022.



Real Estate Metrics as of Q4

Total: 330



Division Highlights: Business Services – Municipal Governance

The Department of Law’s Municipal Governance Team made the following notable contributions last quarter:

EXECUTIVE OFFICE

Big Brothers Big Sisters of Metro Atlanta/Level Up Program Memorandum of Understanding (“MOU”)

The Municipal Governance Team drafted legislation and an MOU that authorized the City to donate \$7M to the Level Up Program. The City of Atlanta and Big Brothers Big Sisters of Metro Atlanta have partnered under Mayor Dickens Year of the Youth Initiative to increase one-to-one and group mentorship opportunities for high-risk Atlanta Public School students.

United Way/Atlanta Youth Fund Memorandum of Understanding (“MOU”)

The Municipal Governance Team drafted legislation and an MOU that authorized the City to donate \$500,000 to the United Way of Greater Atlanta in support of the Atlanta Youth Fund (“ATL Youth Fund”). The ATL Youth Fund exists to help youth-serving organizations and nonprofits expand and improve their services for young people, whether increasing the number of after-school program slots, improving early childhood education options for families, or recruiting more positive mentors for young people.

EXECUTIVE OFFICE (cont.)

GreenLight Fund Atlanta Memorandum of Understanding (“MOU”)

Drafted authorizing legislation and an MOU in support of the Mayor’s Office Year of the Youth Initiative between the City and GreenLight Fund Atlanta to accept an in-kind donation of \$55,000 for the Inner Explorer Youth Mindfulness Program. Inner Explorer will provide tools and resources to implement their stress reduction and learning readiness practices into Year of the Youth activities, including summer camps, events, and after school programs to improve student well-being and academic success.

WeatheRISE Atlanta Memorandum of Understanding (“MOU”)

The Municipal Governance Team drafted MOUs that authorized the City to donate American Rescue Plan Act funds to three nonprofit entities: National Association of Minority Contractors, Greenlink Analytics, Inc., and Social & Environmental Entrepreneurs, Inc. These MOUs support the WeatheRISE initiative, on behalf of the Mayor’s Office of Sustainability, to deliver energy efficiency audits, education, and interventions to 200 owner-occupied, single-family homes.

Gender Affirming Name Change Project Memorandum of Understanding (“MOU”)

The Municipal Governance Team drafted an MOU between the City and The Atlanta Legal Aid Society to provide a donation of \$10,000 to support Legal Aid’s efforts to cover legal and administrative expenses incurred for transgender, nonbinary, and gender expansive clients seeking legal assistance for a name change.

Metro Atlanta Chamber Technology Promotional Agreement

The Municipal Governance Team drafted a promotional and marketing agreement with the Metropolitan Atlanta Chamber of Commerce for \$250,000 in support of the Mayor’s Office’s focus on boosting Atlanta’s place in the national technology ecosystem. This partnership with the Metro Atlanta Chamber will work to expand the City’s technology, innovation, and growth for the metro Atlanta region.

Samuel Spencer Statue (“Spencer Statue”)

Drafted authorizing legislation for the Mayor’s Office of Cultural Affairs to execute a preservation, exhibition, and license agreement with the Atlanta History Center for the public display and enjoyment of the statue depicting, Samuel Spencer, the first president of the Southern Railway.

DEPARTMENT OF GRANTS & COMMUNITY DEVELOPMENT

Notice of Funds Availability (“NOFA”) Legislation

Drafted legislation to amend the City’s consolidated budgets to reprogram over \$69M in HUD entitlement funding, enabling efficient and timely expenditure of the City’s grant awards.

Southside Medical Center Legislation

Drafted authorizing legislation for loan forgiveness and an Amended Secured Note for Southside Medical Center on behalf of the Department of Grants. In the legislation, the City authorized loan forgiveness of \$125,000 and amended the loan repayment terms.

PUBLIC SAFETY

Atlanta/Fulton County Pre-Arrest Diversion Initiative, Inc. (PAD) Memorandum of Understanding (“MOU”)

Reviewed the third renewal of the MOU between the City and PAD. PAD seeks to reduce the number of people in the criminal justice system experiencing mental illness, substance use disorders, and extreme poverty by providing an immediate alternative to arrest and incarceration. This MOU allows Atlanta Police Department officers to offer consent-based and individually tailored social services instead of making an arrest, whereby officers initiate diversions and are met at the scene of the offense by PAD Inc.’s Harm Reduction team.

FINANCE

Intergovernmental Agreement (“IGA”) between the City of Atlanta and Invest Atlanta for Centennial Yards Project

The Municipal Governance Team drafted an IGA between the City and Invest Atlanta regarding the City’s desire to transfer \$23M to Invest Atlanta to initiate and administer additional programming. The IGA causes Invest Atlanta to create and distribute affordable housing, economic development, and workforce development programs to further the City’s One Atlanta - Centennial Yards Community Benefits plan.

Urban Residential Finance Authority (“URFA”) Housing Opportunity Program Bonds, Series 2023

The Team reviewed documentation related to the issuance of revenue bonds by URFA. The bonds that total \$100M will assist the Atlanta Housing Opportunity, Inc. in financing additional elements of the Housing Opportunity Program.

Division Highlights: Business Services – Municipal Governance (cont.)

Meetings Attended

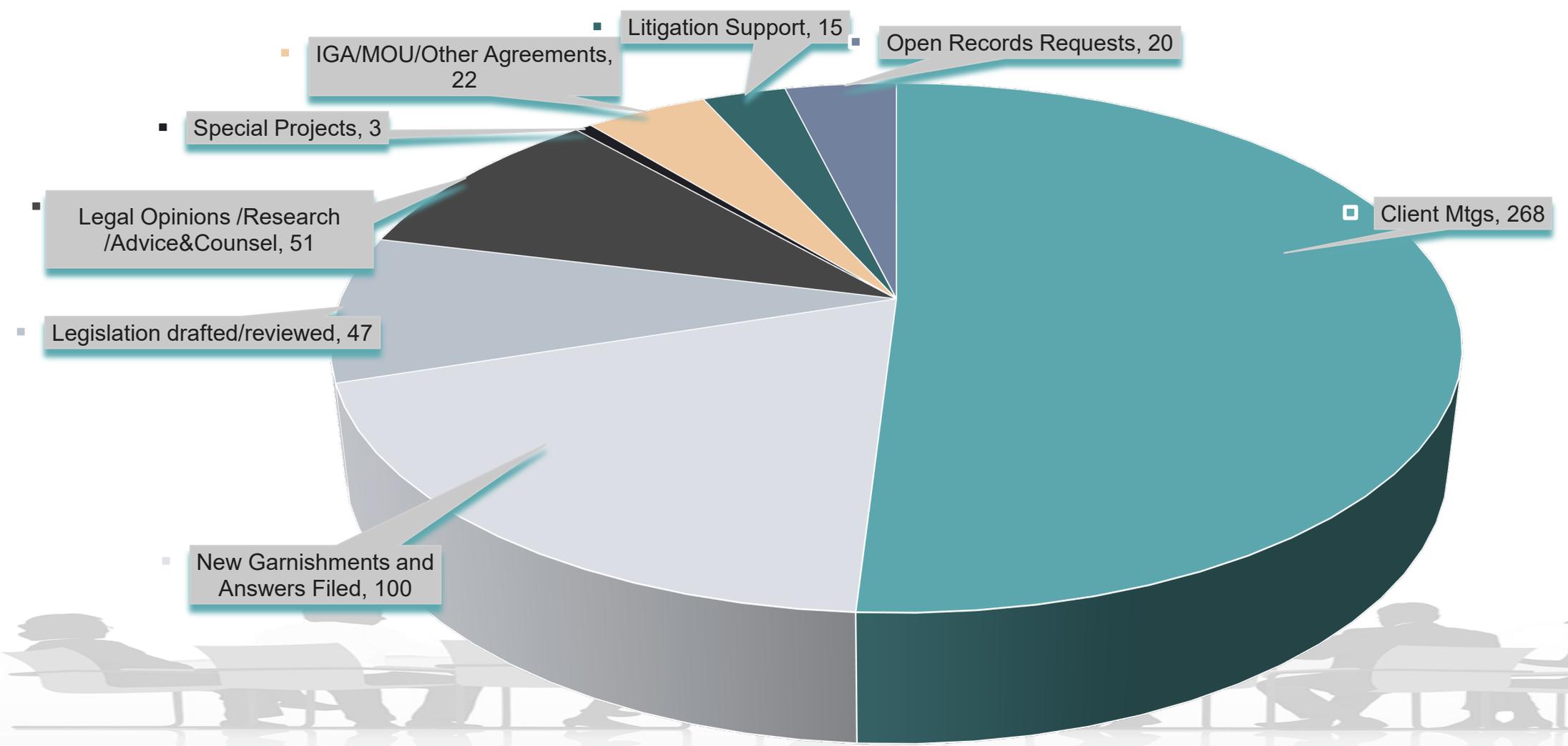
Total: 73

Board, Authority, Commission, Etc.	Total
Alcohol Technical Advisory Group III	3
COA - Finance Executive Committee	6
COA - Full Council	6
COA - Public Safety Legal Administration Committee	6
COA Pension Investment Board	3
Disciplinary Hearings	4
Firefighter's Pension Plan Administrative Committee	2
Friendship Club	3
General Employee's Pension Plan Administrative	3
Human Relations Committee	3
In Rem Review Board	2
Justice Policy Board	1
License Review Board	7
Nightlife Internal Working Group	13
Nuisance Properties Sub-Committee	2
Office of Contract Compliance (OCC) Hearing	1
Police Officer's Pension Plan Administrative Committee	2
Problem Properties: Inspections Working Group	3
Public Safety Training Center Advisory Board	3

Division Highlights: Business Services – Municipal Governance (cont.)

Metrics: Client Matters

Total 526



OPERATIONS DIVISION HIGHLIGHTS

as of Q4 (April 1-June 30, 2023)

Division Highlights: Operations – Labor and Employment

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

Retention Incentive Payment Agreements

Pursuant to Ordinances 23-O-1328 and 23-O-1338 authorizing retention incentive payments to E911 employees and employees at pay grade 19 and below, respectively, L&E prepared the agreements to be signed by employees receiving the payments. L&E made sure that the agreements contained all the conditions for employees’ receipt of the incentive payment as required by the Ordinances. L&E crafted the language to ensure compliance with state and federal law, including the Fair Labor Standards Act, as well as consistency with the Ordinances. These agreements will help the City reward and retain its loyal, skilled, and hard-working employees.



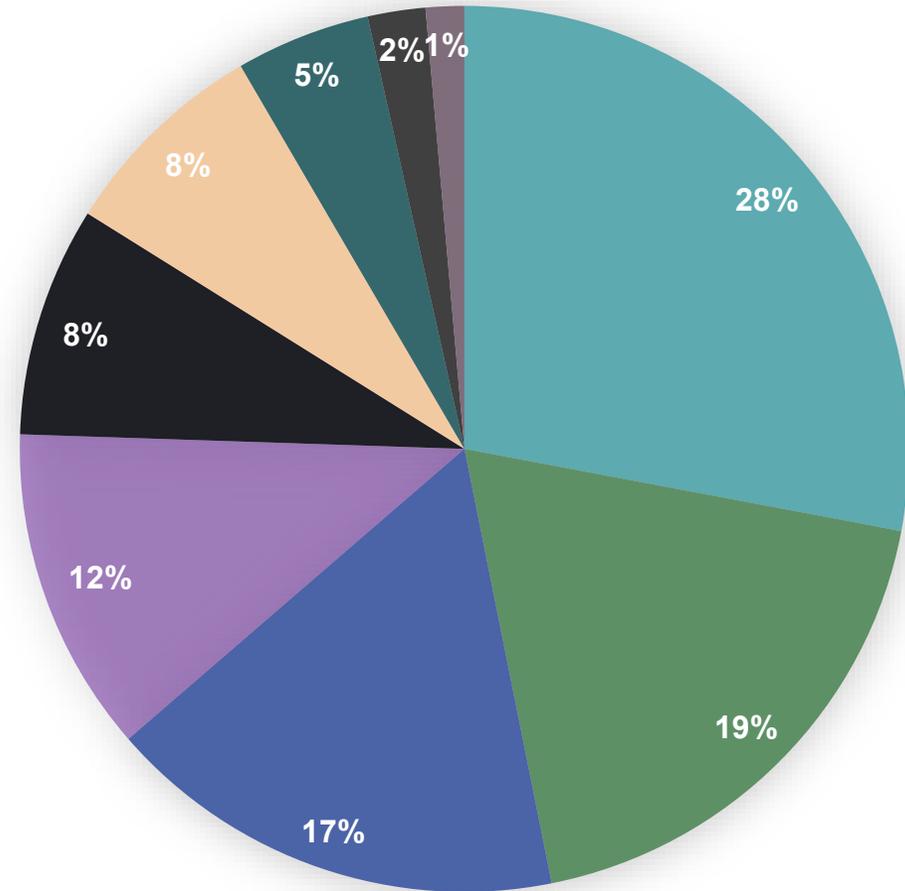


Review of HireRight Documents

L&E collaborated with the advice and counsel attorneys who support the Department of Procurement to analyze documents provided to the City for suggested use in conjunction with a new contract with HireRight to perform background checks on applicants for employment with the City. L&E’s review addressed whether the documents provided by HireRight were legally sufficient under the federal Fair Credit Reporting Act (“FCRA”) and were necessary for use by the City, as well as suggesting revisions to serve the specific needs of the City. The FCRA imposes obligations on employers who obtain “consumer reports” concerning applicants as part of the hiring process. L&E’s written review was provided to the Department of Procurement to guide them concerning the proper revisions to, and legal use of, appropriate HireRight documents and to help them proceed with the timely onboarding of HireRight to streamline and improve the City’s hiring process.

Labor and Employment Metrics as of Q4

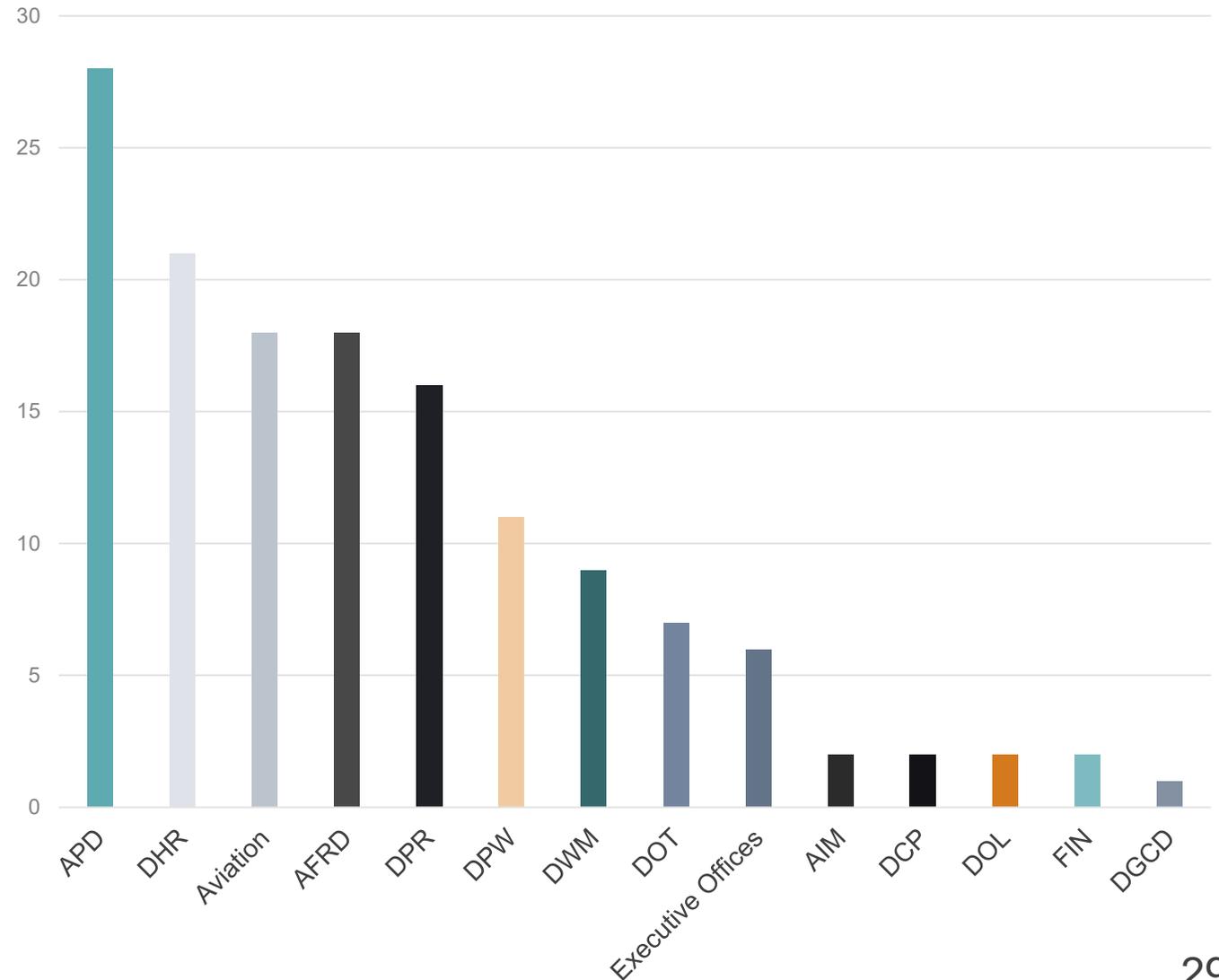
Advice Given at Client Meetings, Sorted by Subject



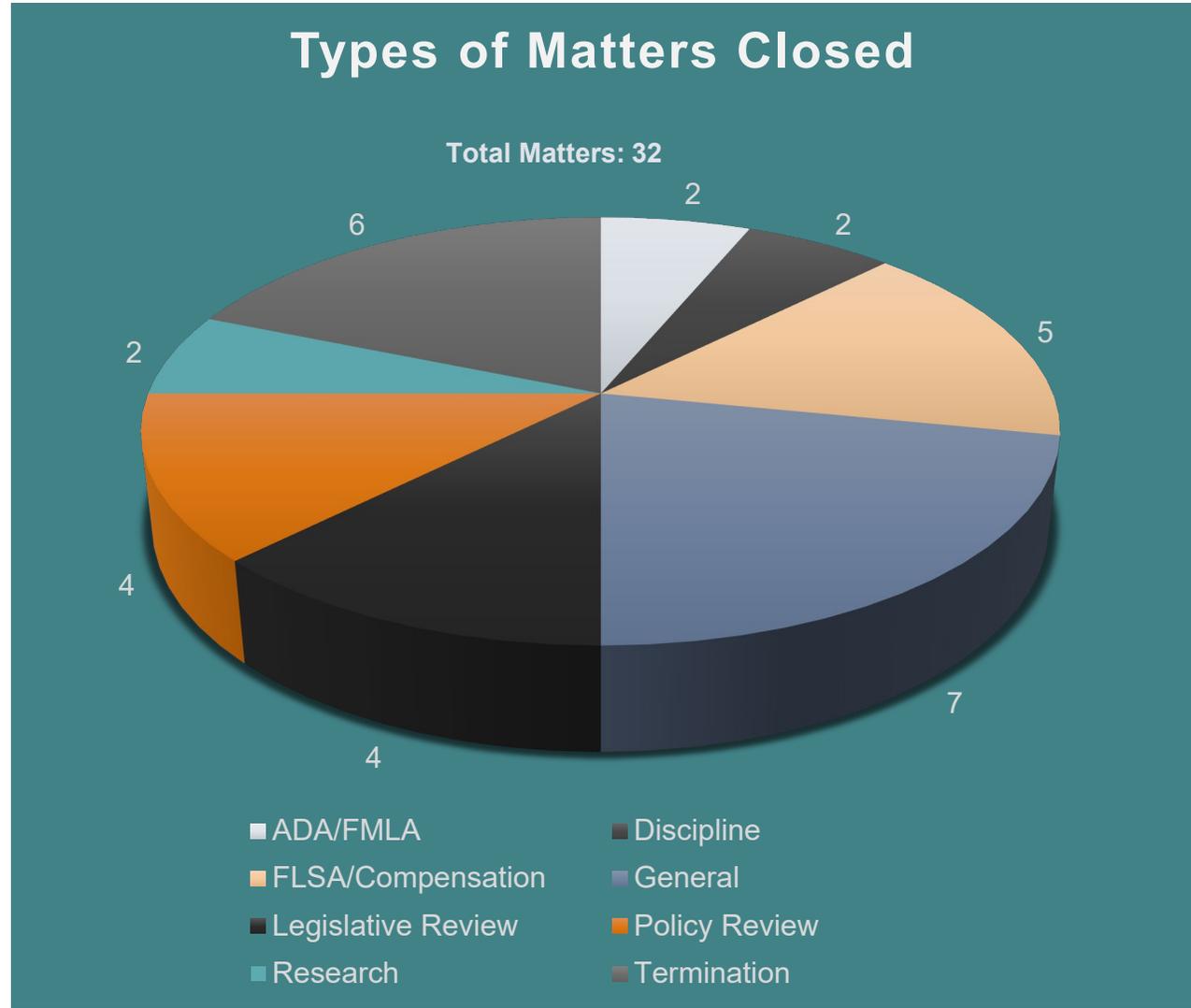
- GENERAL
- DISCIPLINE
- TITLE VII
- TERMINATION
- ADA/FMLA
- TRAINING
- FLSA/COMPENSATION
- POLICY REVIEW
- RESEARCH

Labor and Employment Metrics as of Q4

Advice Given to DHR, Sorted by Relevant Department



Labor and Employment Metrics as of Q4



Division Highlights: Operations – Watershed

The Department of Law’s Watershed Division provided the following legal support to clients:

Solar Atlanta Program Expansion

Assisted the Office of Resilience and Sustainability to expand the Solar Atlanta Program to double the number of COA facilities with solar generating arrays and negotiated ownership of the associated Renewable Energy Credits.

American Rescue Plan Act

Provided advice on the agreements to distribute American Rescue Plan Act funds to 3 subrecipients to implement the WeatheRise ATL program. WeatheRise ATL seeks to preserve affordable housing, decrease carbon emissions, and facilitate workforce development opportunities through the delivery of energy efficient home environments.

Connecting Groove Park with Westside Reservoir Park

Supported DWM in securing approval from the U.S. EPA to complete the construction of a multi-use trail connecting Groove Park with Westside Reservoir Park.



Watershed Metrics as of Q4

Legislative Support Provided to Clients

Total: 31



Division Highlights: Operations – Transportation, Public Works, S.A.V.E

The Department of Law’s Transportation, Public Works, S.A.V.E Team (TPS) provided the following legal support to clients:

Federal Funding Compliance

The TPS practice group led the City’s completion of the Federal Transit Administration (FTA) Federal Fiscal Year 2023 Certifications and Assurances package. The Annual Certifications and Assurances are required as a condition of receipt of FTA grant funding by the City of Atlanta during each Federal Fiscal Year.

Roadway Lighting Maintenance Agreement

The TPS practice group led negotiation of the terms and conditions of the City’s Roadway Lighting and Maintenance Agreement with the Georgia Power Company. The agreement assures the continued maintenance and repair of all interstate roadway segments within the City’s corporate boundaries.



Collaboration on Grant for Electric Vehicle Charging Infrastructure

Worked with members of ATLDOT, the Mayor’s Office of Sustainability and Resilience, and external partners to coordinate an application for the US Department of Transportation’s Charging and Fueling Infrastructure Grant Program, including drafting legislation authorizing the application for grant funds in two program categories.

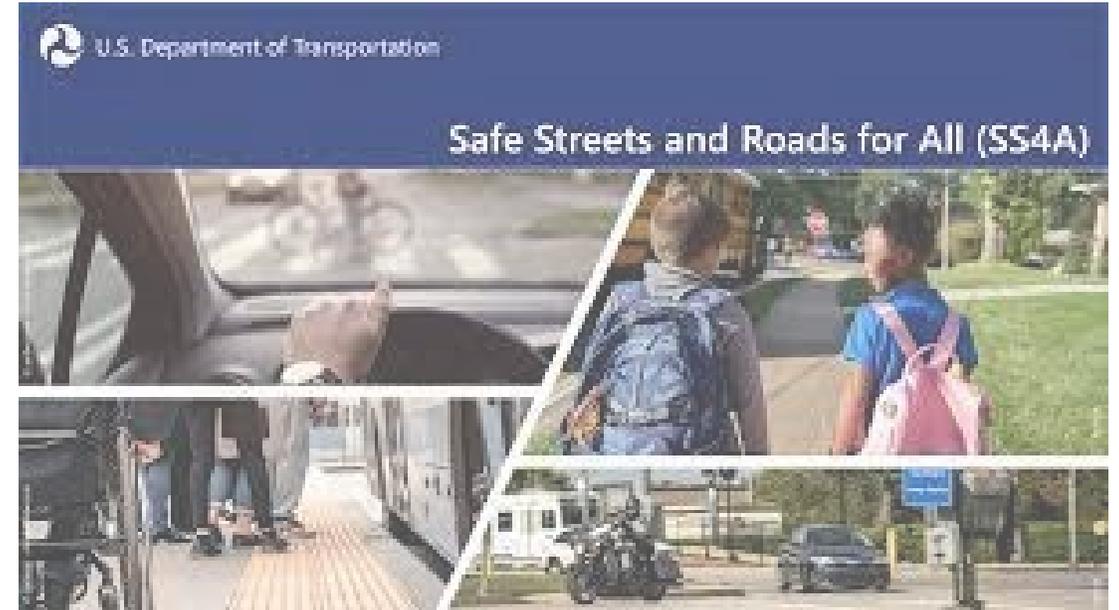
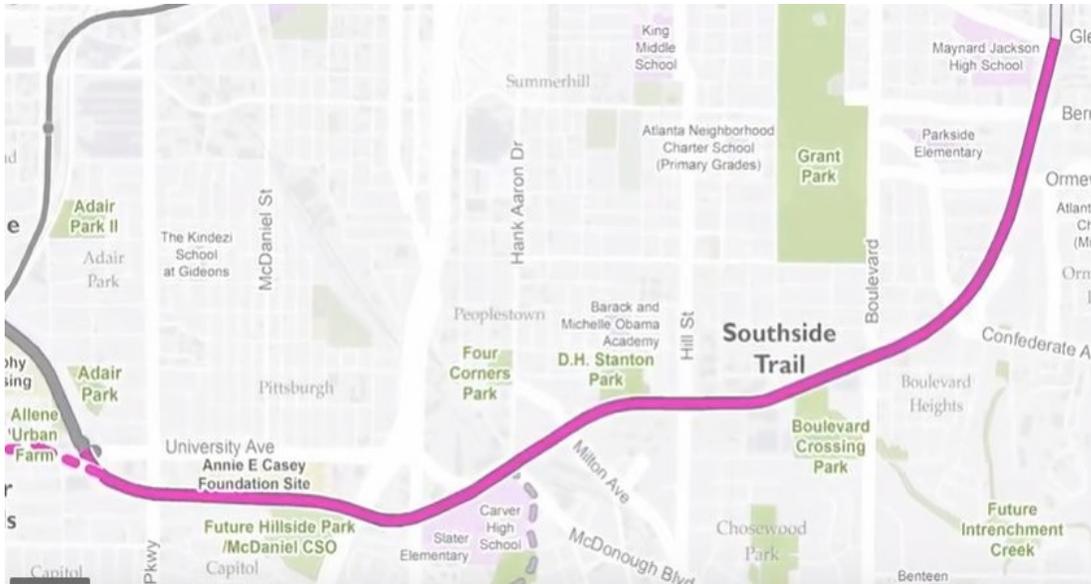
Atlanta Streets Alive Program

Addressed numerous client inquiries concerning the return of the Atlanta Streets Alive program, including drafting an agreement and corresponding legislation to accept program sponsorship for marketing and communications support.



Agreement under RAISE Grant Program

Assisted ATLDOT with review of RAISE Grant Agreement between the City, Georgia Department of Transportation (GDOT), and United States Department of Transportation (USDOT) in the amount of \$16,460,000 for construction of approximately 2 miles of the Southside Trail component of the Atlanta BeltLine.



Agreement under Safe Streets and Roads for All Grant Program

Assisted ATLDOT with review of Safe Streets and Roads for All Grant Agreement between the City and United States Department of Transportation (USDOT) for the implementation of the Pryor and Central Complete Street Project.

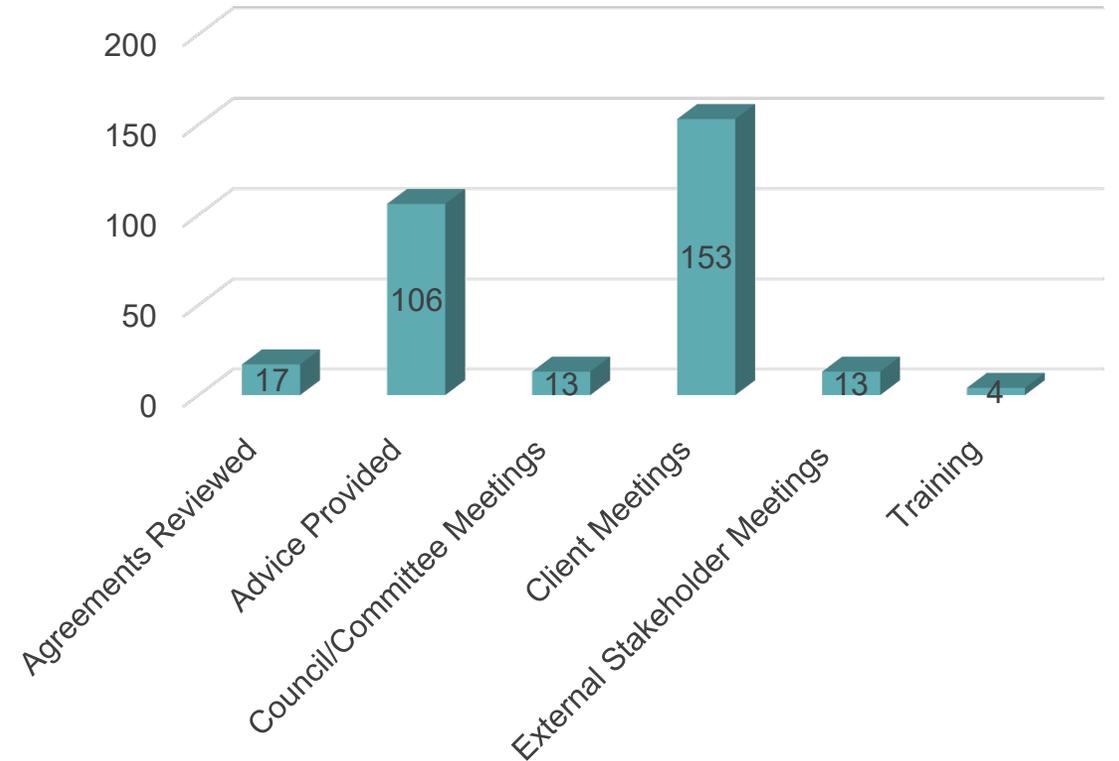
TPS Metrics as of Q4

of Legislative Matters Total Matters: 99



Types of Matters

■ # of Matters | Total Matters: 306



AIRPORT LEGAL DIVISION HIGHLIGHTS

as of Q4 (April 1-June 30, 2023)

Division Highlights: Airport Legal

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

United States Department of Justice's Civil Rights Division, Immigrant and Employee Rights Section

Coordinated with the United States Department of Justice's Civil Rights Division, Immigrant and Employee Rights Section, to provide an educational training seminar for employees of the Safety and Security Division regarding the application and badging process for refugee applicants at Hartsfield-Jackson Atlanta International Airport.

Integrated Distributed Antenna System (IODAS)

Partnered with the Department of Aviation to ensure that 5G network infrastructure and wireless network services are available at the airport for FIFA 2026 by negotiating contract extensions and new agreements with wireless carriers.



Hartsfield-Jackson Atlanta International Airport Training/Advice and Counsel

Title VI Compliance Review

Reviewed, counseled, and advised the Department of Aviation regarding the Title VI Compliance Review conducted by the FAA at Hartsfield-Jackson Atlanta International Airport.

ACDBE/DBE In-House Certification Program

Reviewed, counseled, and provided advice regarding a potential ACDBE/DBE in-house certification program.

First Amendment presentation

Developed a First Amendment presentation for the Department of Law's Senior Leadership Team detailing the status of federal law as it relates to the Airport's status as a non-public and limited public forum.

Federal FAA Reauthorization Act

Suggested several language approaches regarding a proposed legislative amendment to the Federal FAA Reauthorization Act.

Division Highlights: Airport Legal (cont.)

Wage Review

Provided legal review, counsel, and advice to the Department of Aviation on the facilitation of Davis Bacon wage review and examination of appropriate worker employee classifications for contracted vendors and subcontractors.

Hydrogen Fuel Sustainability Initiatives

Provided legal counsel and advice on a joint study collaborative effort among various parties to include the City, Airbus, and Delta Air Lines, Inc. to incorporate hydrogen fuel in aircraft as part of sustainability initiatives at Hartsfield-Jackson Atlanta International Airport.

Georgia State Road and Tollway Authority (SRTA)

Completed negotiations with counsel for the Georgia State Road and Tollway Authority (SRTA) to re-implement and install Georgia's PeachPass toll payment system at the airport's parking decks. The PeachPass system offers ATL passengers an alternative payment method for parking at ATL.



Child/Youth Protection Policy

Provided legal counsel and advice to the Department of Human Resources on the Child/Youth Protection Policy and associated training materials in anticipation of the commencement of the summer program at Hartsfield-Jackson Atlanta International Airport.

SUMMER YOUTH EMPLOYMENT PROGRAM

INVESTING IN OUR FUTURE



ATL 2023
Year of
the Youth

NUMBER OF STUDENTS
119 (LARGEST CLASS EVER)

NUMBER OF CAPTAINS
7

TOTAL DEPARTMENTS
31

TOTAL MENTORS
92

EIGHT-WEEK PROGRAM

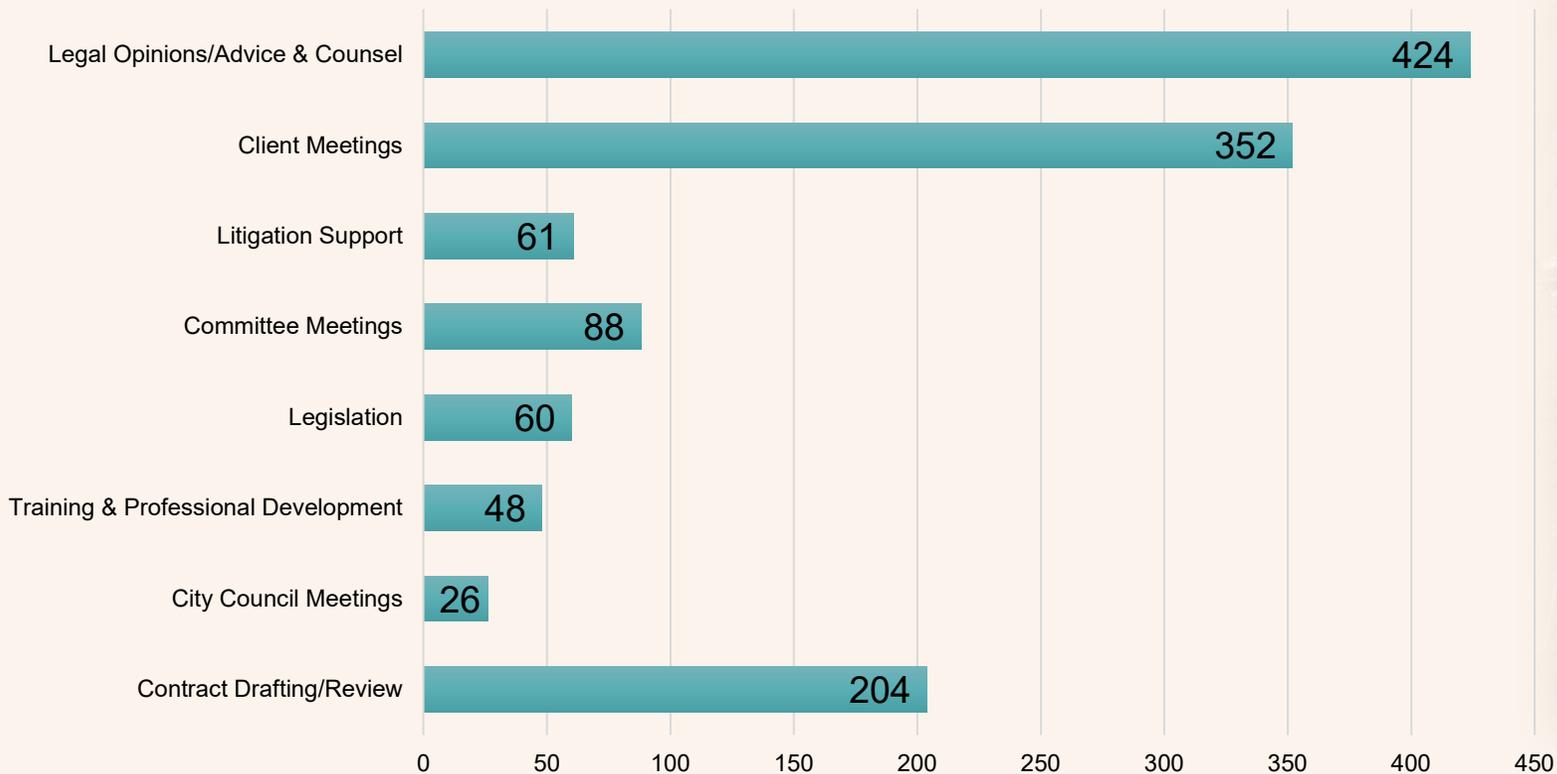
PROFESSIONAL DEVELOPMENT

- Teamwork
- Conflict Resolution
- Intrinsic Motivation
- Etiquette
- Time Management
- Confidence and Assertiveness

Airport Legal Metrics as of Q4

Total Matters: 1,263

Number of Matters



REVENUE AND COST RECOVERY

as of Q4 (April 1-June 30, 2023)

Litigation Division

Between April 1 – June 30, 2023, the Litigation Division was served with 75 Quiet Title and Interpleader petitions. In response, the City filed 68 claims for payment totaling \$532,670. During this time period, the City collected \$135,188 in payment of delinquent ad valorem taxes, delinquent solid waste bills, delinquent water bills and unpaid demolition lien costs.

TOTAL CLAIMS AND SETTLEMENT PAYMENTS

as of Q4 (April 1-June 30, 2023)

Q4 Pending Claims

- The Department of Law maintained 703 pending claims from April 1, 2023, to June 30, 2023.

Q4 New Claims

- The Department of Law received 149 new claims from April 1, 2023, to June 30, 2023, an average of 50 new claims per month.

Q4 Resolved Claims

- The Claims Team has resolved 191 claims during the past quarter, an average of 64 claims per month.



Itemized Claims and Settlement Payments by Department

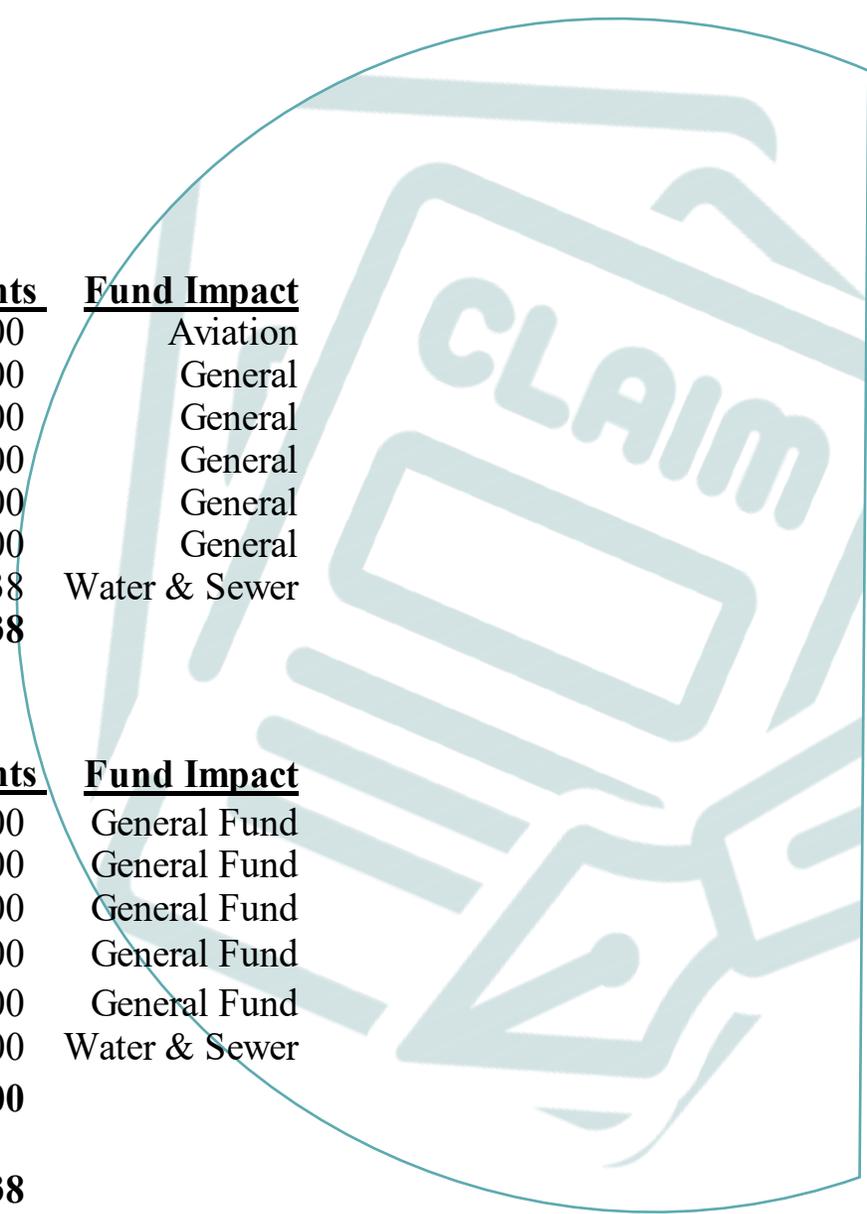
FY23 (Q4) Litigation Cases Settlement Totals

<u>Department</u>	<u>Demand</u>	<u>Payments</u>	<u>Fund Impact</u>
Aviation	\$ 350,000.00	\$ 325,000.00	Aviation
Fire & Rescue	\$ 600,000.00	\$ 62,500.00	General
Police	\$ 1,248,785.67	\$ 744,075.00	General
Public Works	\$ 650,000.00	\$ 74,000.00	General
Transportation	\$ 125,000.00	\$ 175,000.00	General
Watershed Management (Storm Water)	0.00	0.00	General
Watershed Management	\$ 2,161,845.11	\$ 154,934.38	Water & Sewer
TOTAL LITIGATION SETTLEMENTS	\$ 5,135,630.78	\$ 1,535,509.38	

FY23 (Q4) Claims Settlement Totals

<u>Department</u>	<u>Demand</u>	<u>Payments</u>	<u>Fund Impact</u>
Fire Rescue	\$ 12,471.00	\$ 12,222.00	General Fund
Police	\$ 535,303.00	\$ 43,845.00	General Fund
Public Works	\$ 1,245,594.00	\$ 44,299.00	General Fund
Transportation	\$ 9,991.00	\$ 8,995.00	General Fund
Watershed Management (Storm Water)	0.00	0.00	General Fund
Watershed Management	\$ 198,296.00	\$ 109,599.00	Water & Sewer
TOTAL CLAIM SETTLEMENTS	\$ 2,001,655.00	\$ 218,960.00	

TOTAL FY23 LITIGATION & CLAIM TOTALS \$ 7,137,285.78 \$ 1,754,469.38



Itemized Claims and Settlement Payments by Department

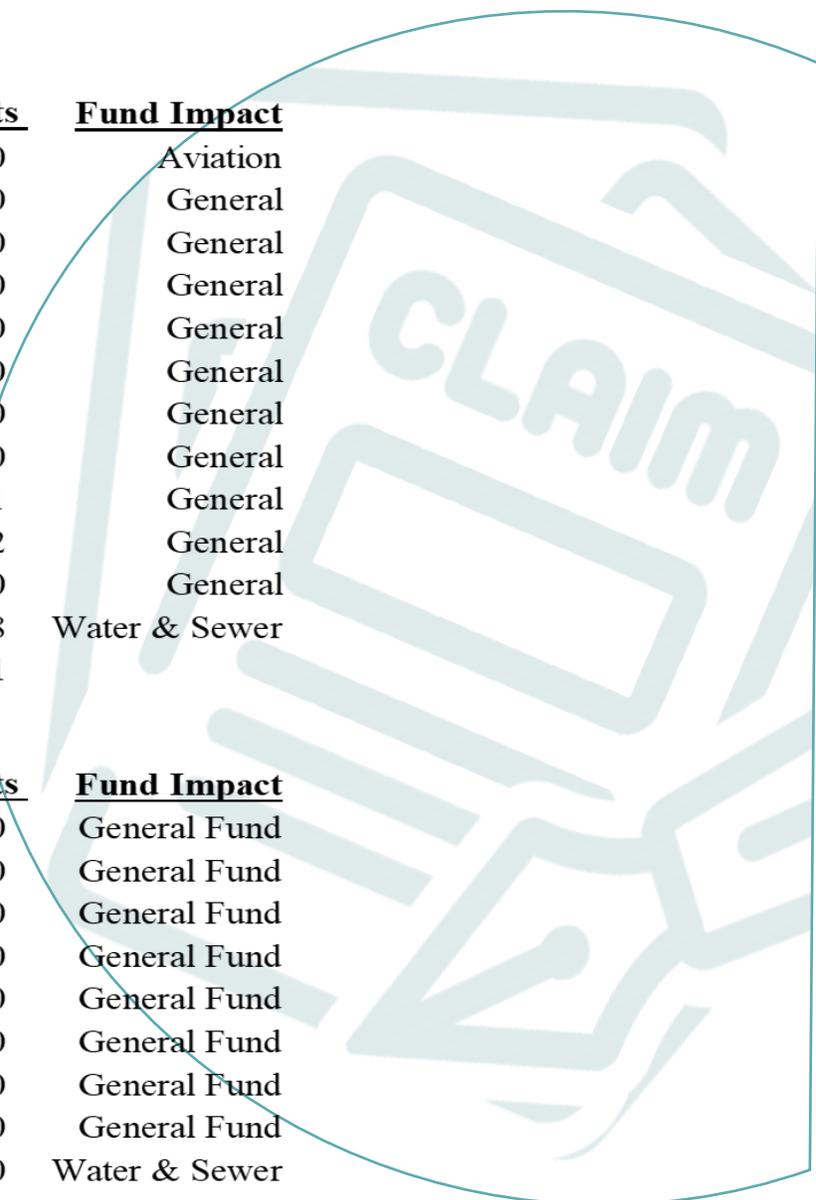
FY23 (Q1-4) Litigation Cases Settlement Totals

<u>Department</u>	<u>Demand</u>	<u>Payments</u>	<u>Fund Impact</u>
Aviation	\$ 350,000.00	\$ 325,000.00	Aviation
ATL311	\$ 50,000.00	\$ 20,000.00	General
DEAM	\$ 250,000.00	\$ 130,000.00	General
Fire & Rescue	\$ 600,000.00	\$ 62,500.00	General
Law	\$ 350,000.00	\$ 65,000.00	General
Parks & Recreation	\$ 199,000.00	\$ 94,000.00	General
Police	\$ 49,984,178.65	\$ 4,460,375.00	General
Procurement	\$ 3,465.80	\$ 500.00	General
Public Works	\$ 5,972,231.28	\$ 1,521,346.11	General
Transportation	\$ 13,910,429.11	\$ 3,761,285.32	General
Watershed Management (Storm Water)	\$ 3,150,000.00	\$ 944,000.00	General
Watershed Management	\$ 3,994,303.71	\$ 504,934.38	Water & Sewer
TOTAL LITIGATION SETTLEMENTS	\$ 78,813,608.55	\$ 11,888,940.81	

FY23 (Q1-4) Claim Settlement Totals

<u>Department</u>	<u>Demand</u>	<u>Payments</u>	<u>Fund Impact</u>
Aviation	\$ 1,800.00	\$ 1,046.00	General Fund
City Planning	\$ 1,535.00	\$ 1,535.00	General Fund
Fire Rescue	\$ 37,356.00	\$ 31,628.00	General Fund
Parks & Recreation	\$ 11,260.00	\$ 9,130.00	General Fund
Police	\$ 1,087,246.00	\$ 168,928.00	General Fund
Public Works	\$ 4,110,772.00	\$ 97,929.00	General Fund
Transportation	\$ 150,845.00	\$ 63,564.00	General Fund
Watershed Management (Storm Water)	0.00	0.00	General Fund
Watershed Management	\$ 998,681.00	\$ 385,808.00	Water & Sewer
TOTAL CLAIM SETTLEMENTS	\$ 6,399,495.00	\$ 759,568.00	

TOTAL FY23 LITIGATION & CLAIM TOTALS \$ 85,213,103.55 \$ 12,648,508.81



- The Department of Law has successfully and effectively litigated case settlements in FY23 Q4 that resulted in the City only paying \$1,535,509 when the demand amount was \$5,135,631.
- The Department of Law has successfully and effectively negotiated claims settlements in FY23 Q4 that resulted in the City only paying \$218,960 when the demand amount was \$2,001,960.



Outside Counsel Report: Spending to Date



	FY23 <u>July – Sept. 2022</u>	FY24 <u>July – Sept. 2023</u>	<u>%Chg.</u>
<u>SPENDING TO DATE</u>			
AVIATION FUND	26,073	9,245	-65%
WATERSHED FUND	233,084	237,119	2%
GENERAL FUND	905,066	1,074,383	19%
TOTAL SPENDING COMBINED FUNDS ₁	\$1,164,223	\$1,320,747	13%

₁Total Spending Combined Funds excludes DOJ Investigation expenses.

- There is currently an increase overall of 13% in FY24 July - Sept. 2023 outside counsel spending compared to FY23 July - Sept. 2022. In terms of the Enterprise Funds, there is a decrease of 65% in Aviation Fund outside counsel spending and an increase of 2% in Watershed Fund outside counsel spending due to the EPA SEP Stipulated Penalty Demand. In terms of the General Fund, there is currently an increase of 19% in General Fund outside counsel spending compared to FY23 July – Sept. 2022 due to the Referendum.

QUESTIONS