

DEPARTMENT OF LAW

City Attorney Nina R. Hickson

QUARTERLY REVIEW

December 11, 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 September 25, 2023.



Law Staff Accomplishments



Metrics



Revenue and Cost Recovery



Total Claims and
Settlement Payments



Outside Counsel Report
- Spending to Date



Appendix: Division Highlights



LAW STAFF ACCOMPLISHMENTS

as of Q1 (July 1-September 30, 2023)

LAW STAFF ACCOMPLISHMENTS



Attorney Vivica Brown

*International Municipal Lawyers Association (IMLA)
Annual Conference Moderator*

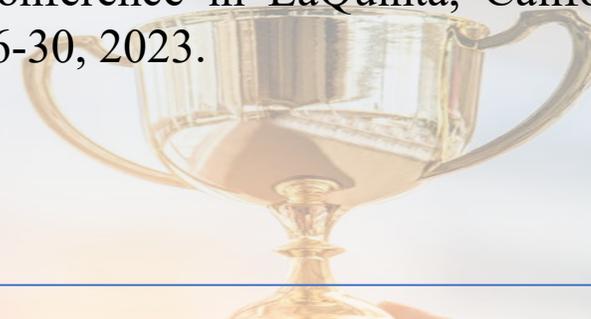
Attorney Vivica Brown moderated a 90-minute panel that provided an overview of Airport Law at the 2023 International Municipal Lawyers Association (IMLA) Annual Conference in LaQuinta, California on September 28, 2023.



Attorney Jesse Dagen

*International Municipal Lawyers Association (IMLA)
Attendee*

Jesse Dagen attended the conference and supported the panel on Airport Law at the 2023 International Municipal Lawyers Association (IMLA) Annual Conference in LaQuinta, California from September 26-30, 2023.





Attorney Jeffrey Norman

39th Annual American Association of Airport Executives (AAAE) Airport Law Workshop Attendee

Jeffrey Norman attended the 39th Annual American Association of Airport Executives (AAAE) Airport Law Workshop on October 15-17, 2023.



Attorney Ryan Albury-Hanna

39th Annual American Association of Airport Executives (AAAE) Airport Law Workshop Attendee

Ryan Albury-Hanna attended the 39th Annual American Association of Airport Executives (AAAE) Airport Law Workshop on October 15-17, 2023.

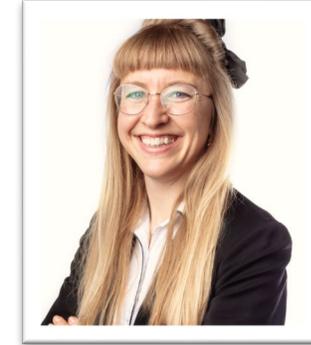




Attorney Stefanie Grant

2023 Intelligent Cities Summit Panelist

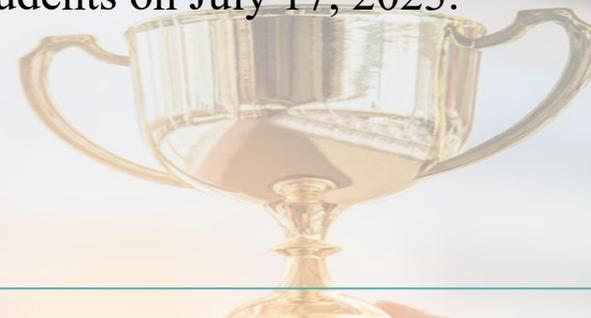
Stefanie Grant, Division Chief for the Transportation, Public Works and S.A.V.E. Team, was a panelist at the 2023 Intelligent Cities Summit in Toronto, Canada on October 24-25, 2023. The panel discussed successful initiatives implemented within the Department of Public Works to analyze performance and drive innovation.



Attorney Katherine "Kit" Jayne

Neighborhood Planning Unit (NPU) University Civic Academy Participant

Kit Jayne represented the Department of Law at the NPU University Civic Academy for high school students on July 17, 2023.



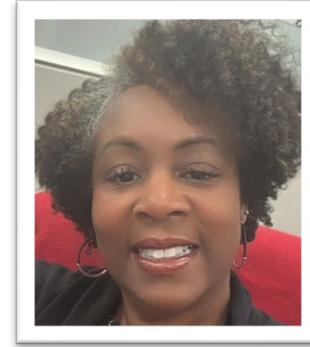
LAW STAFF ACCOMPLISHMENTS



Attorney Vivica Brown

Airports Council International (ACI) Annual Conference Panelist

Vivica Brown participated on a panel in Long Beach, California, on October 2, 2023, which was moderated by the Aviation General Manager regarding Public Safety in Airports.



Sandra Stevens, Corporate Legislative Analyst

Georgia Association of Paralegals (GAP) Conference Attendee

Sandra Stevens was awarded complimentary registration to attend the Georgia Association of Paralegals' 50th Anniversary Education and Leadership Conference on October 20, 2023, for her continued commitment to career development and volunteer efforts on behalf of GAP.

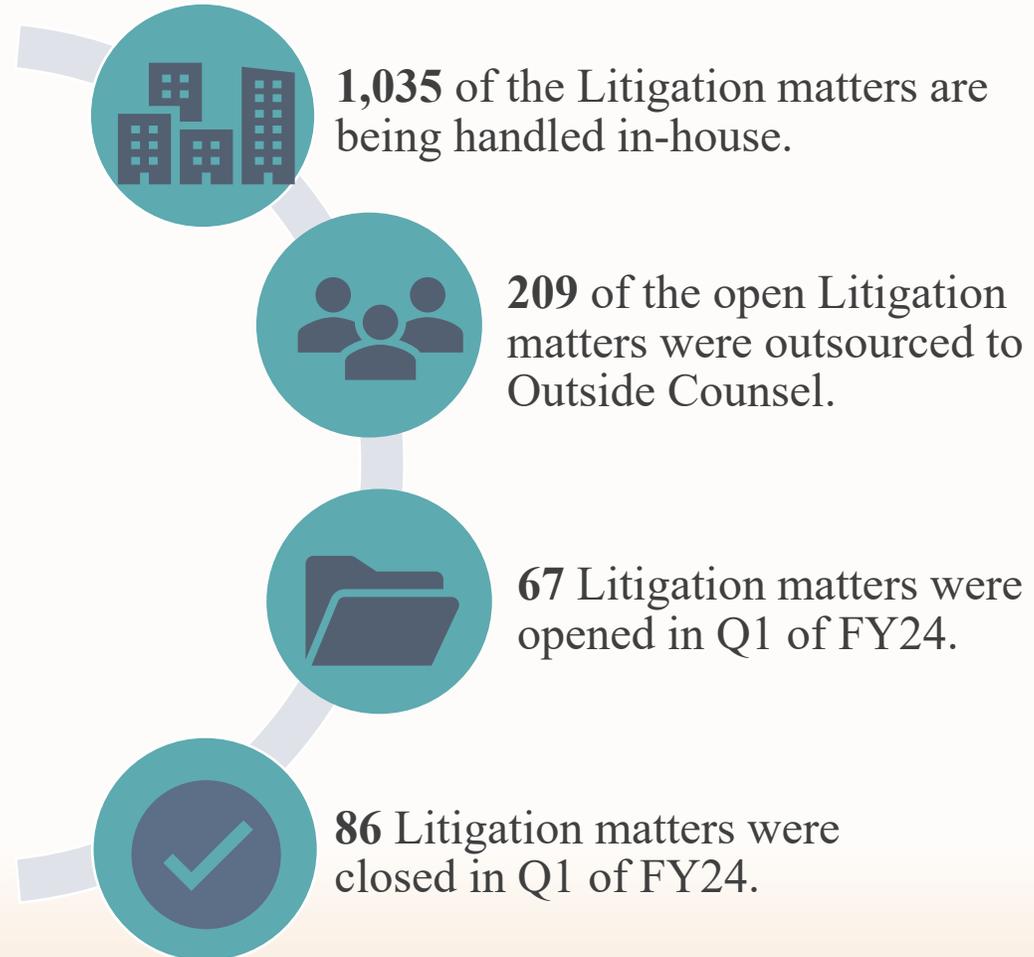
DIVISION METRICS

as of Q1 (July 1-September 30, 2023)



Litigation Team Metrics as of Q1

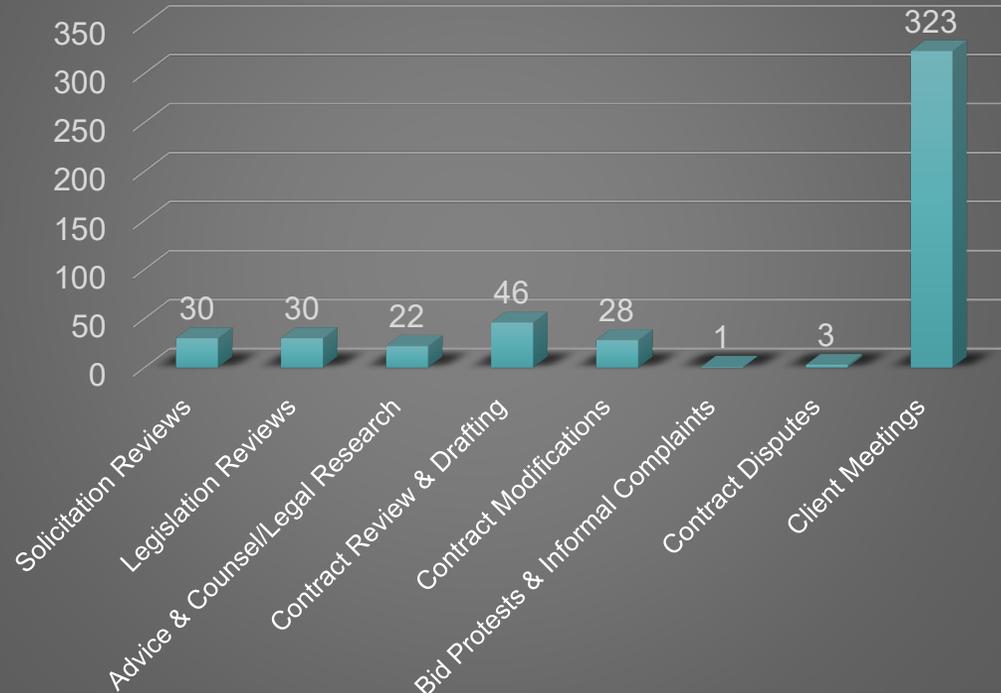
The Litigation Division currently has a total of 1,358 open matters.



Contracts Team Metrics as of Q1

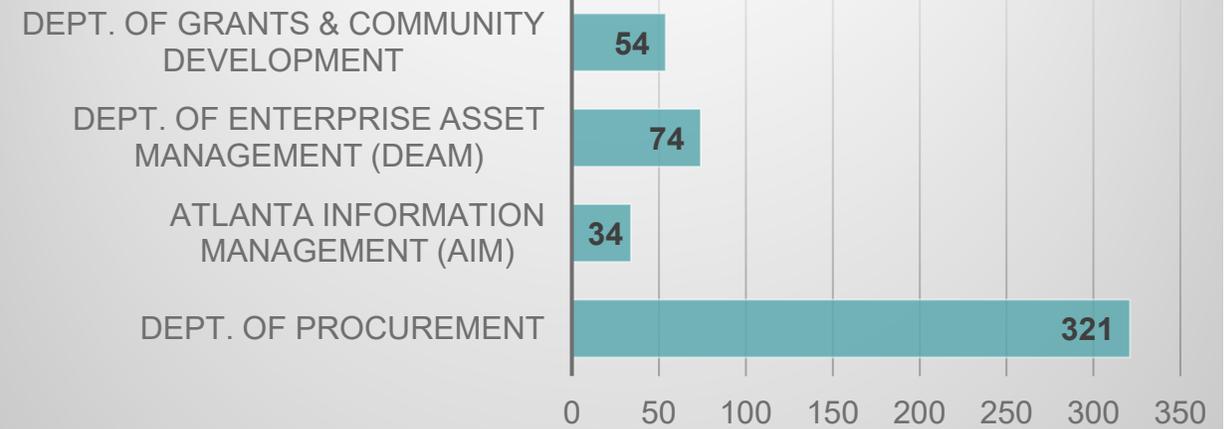
Contract Matters by Type

Total Matters: 483

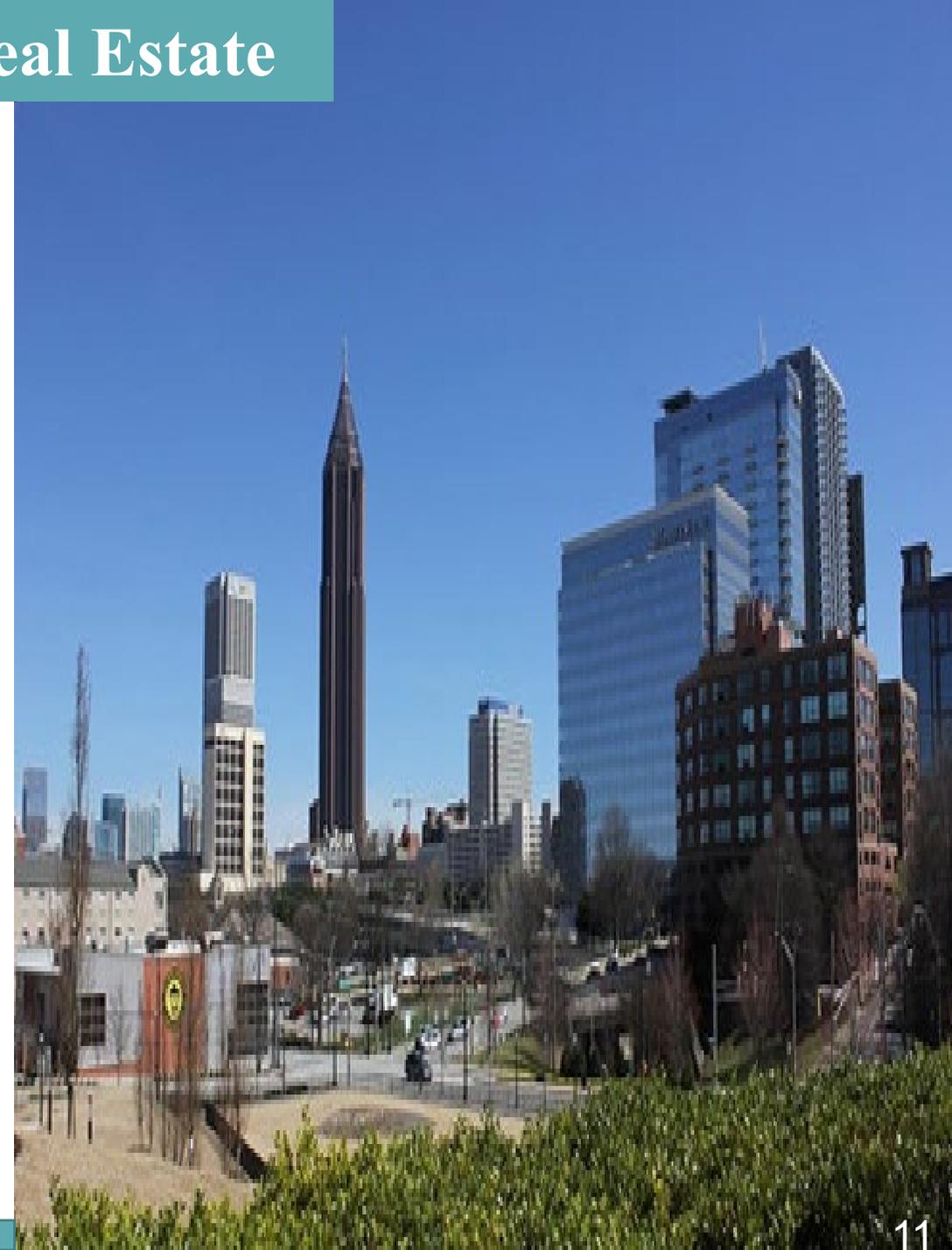
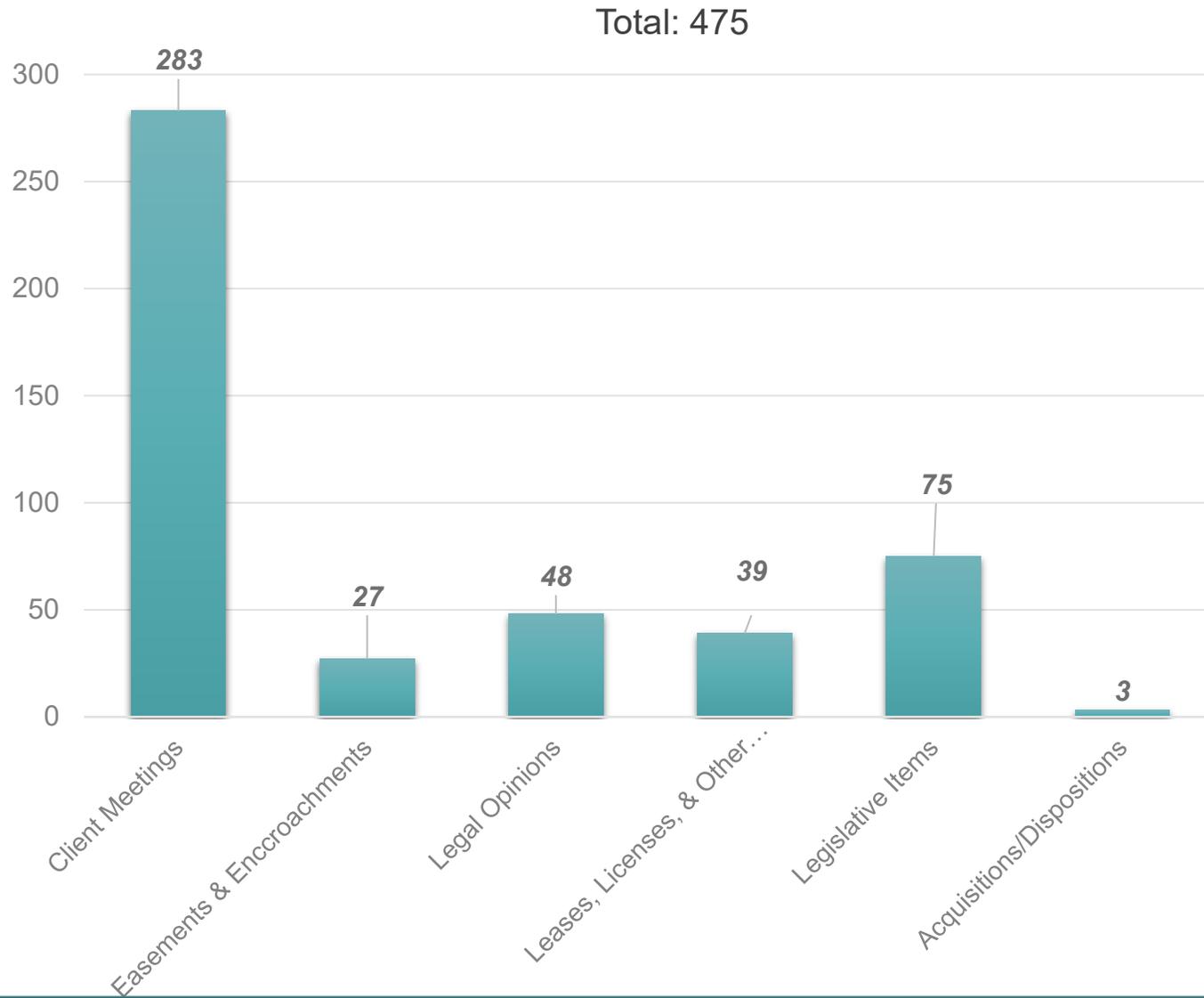


Contract Matters by Client Department

Total Matters: 483



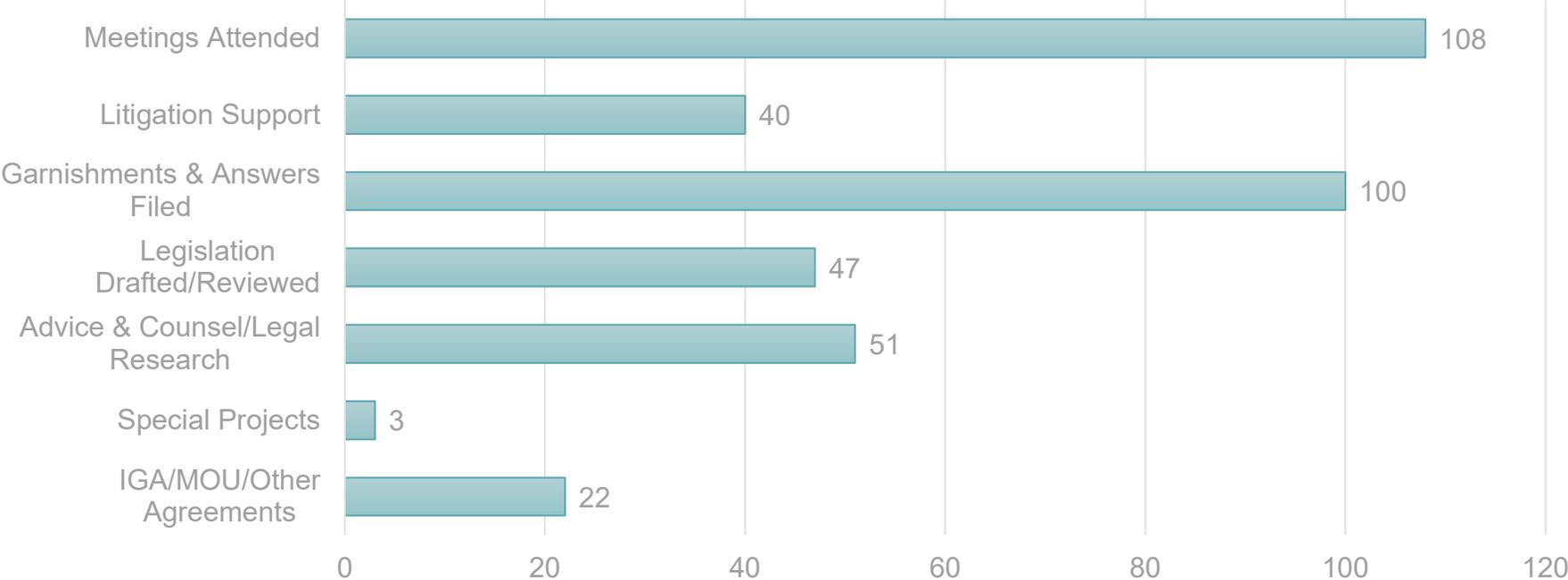
Real Estate Team Metrics as of Q1



Municipal Governance Team Metrics as of Q1

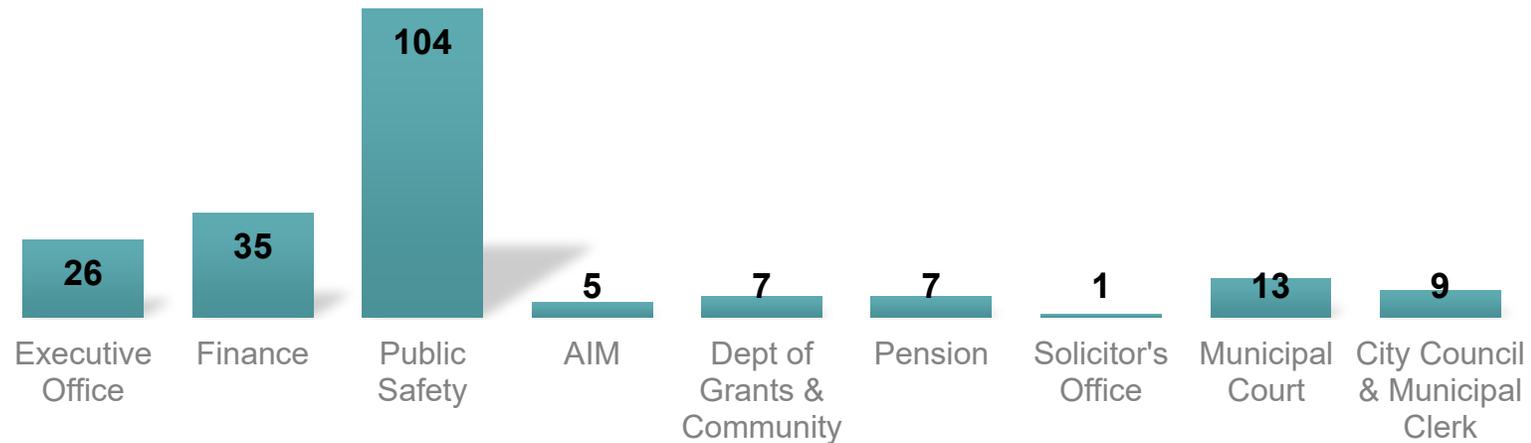
Municipal Governance Matters by Type

Total Matters: 371



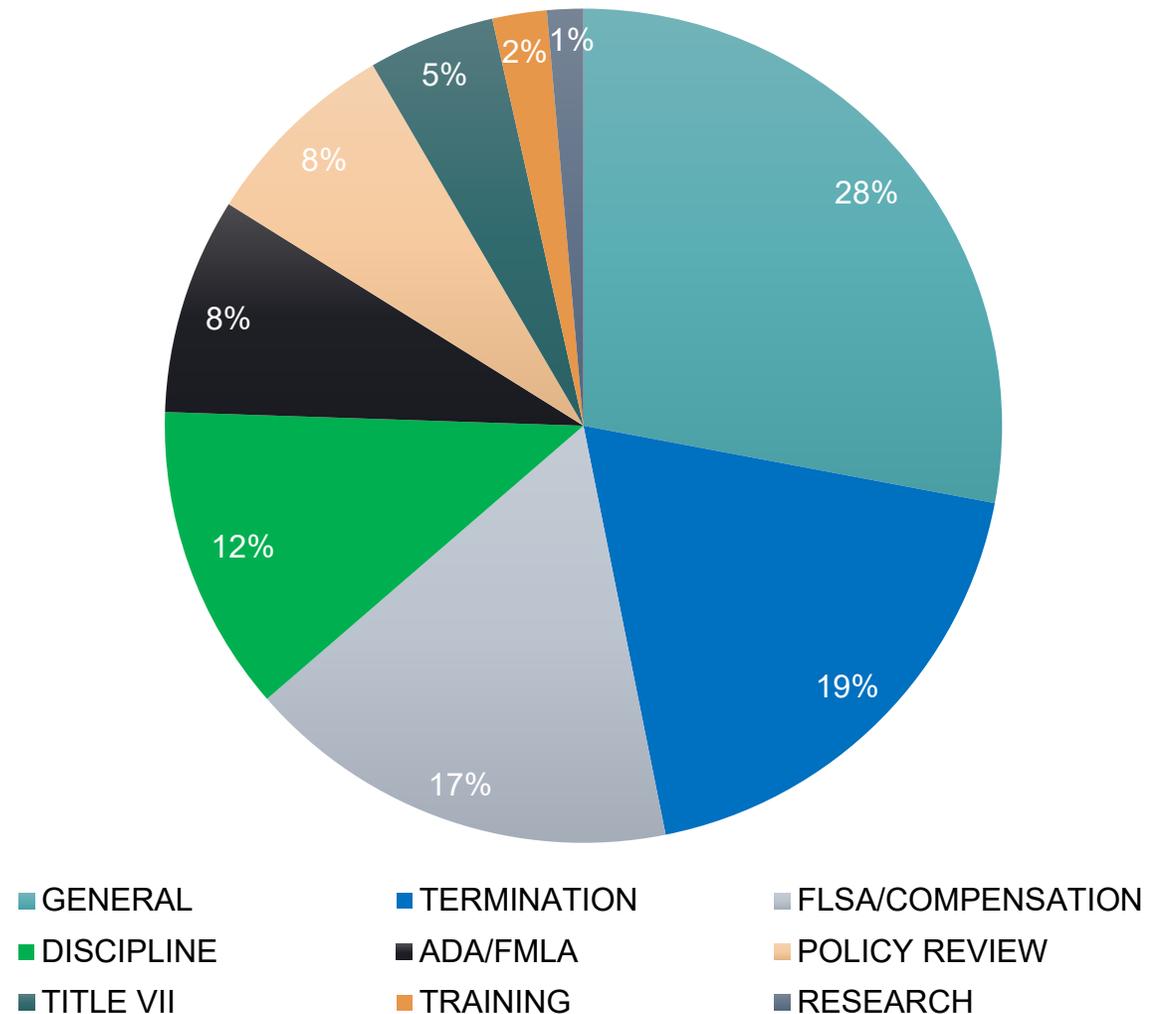
Municipal Governance Team Metrics as of Q1

**Municipal Governance
Matters by Client Department**
Total Matters: 207



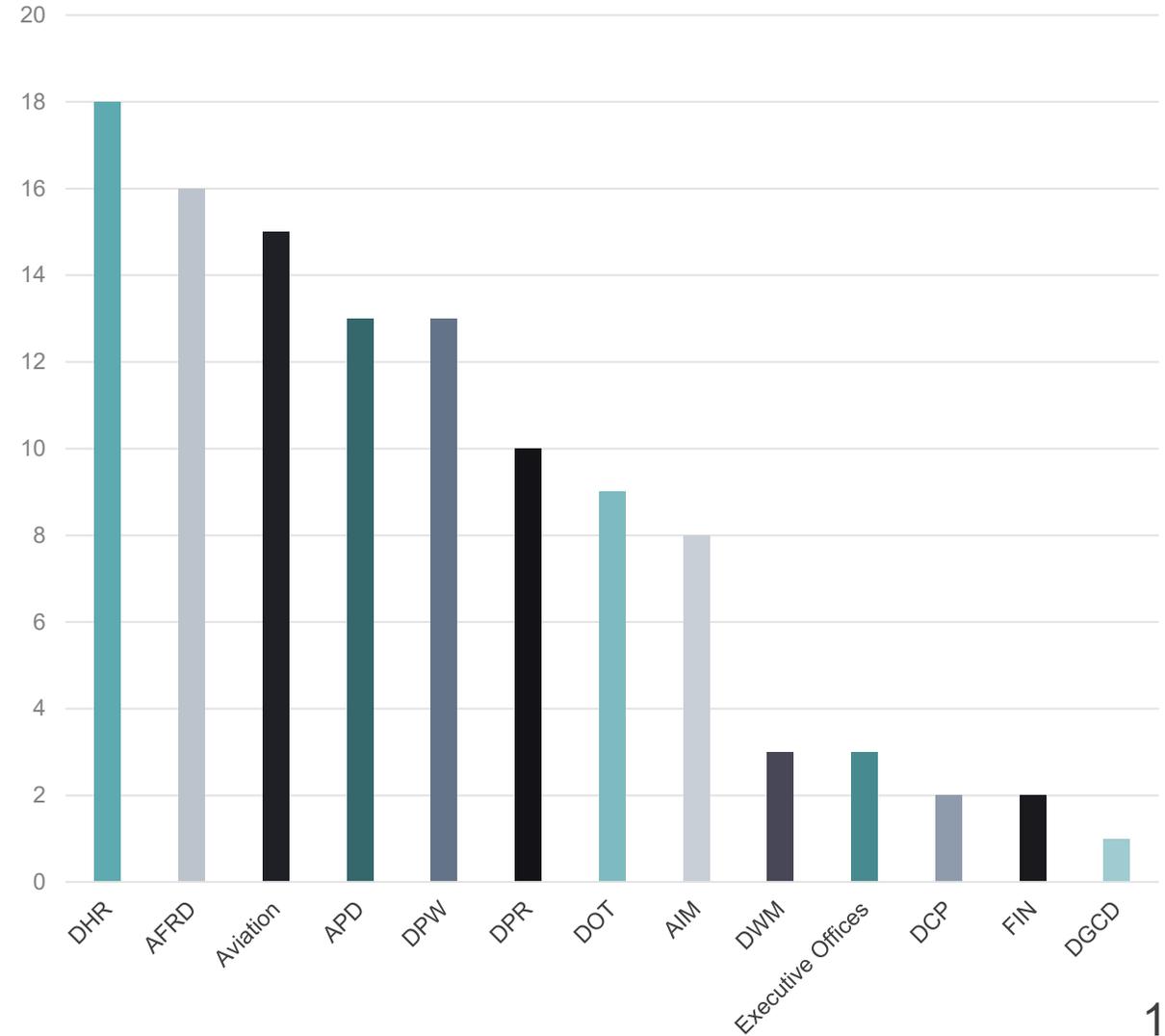
Labor and Employment Team Metrics as of Q1

Advice Given at Client Meetings Sorted by Types of Matters



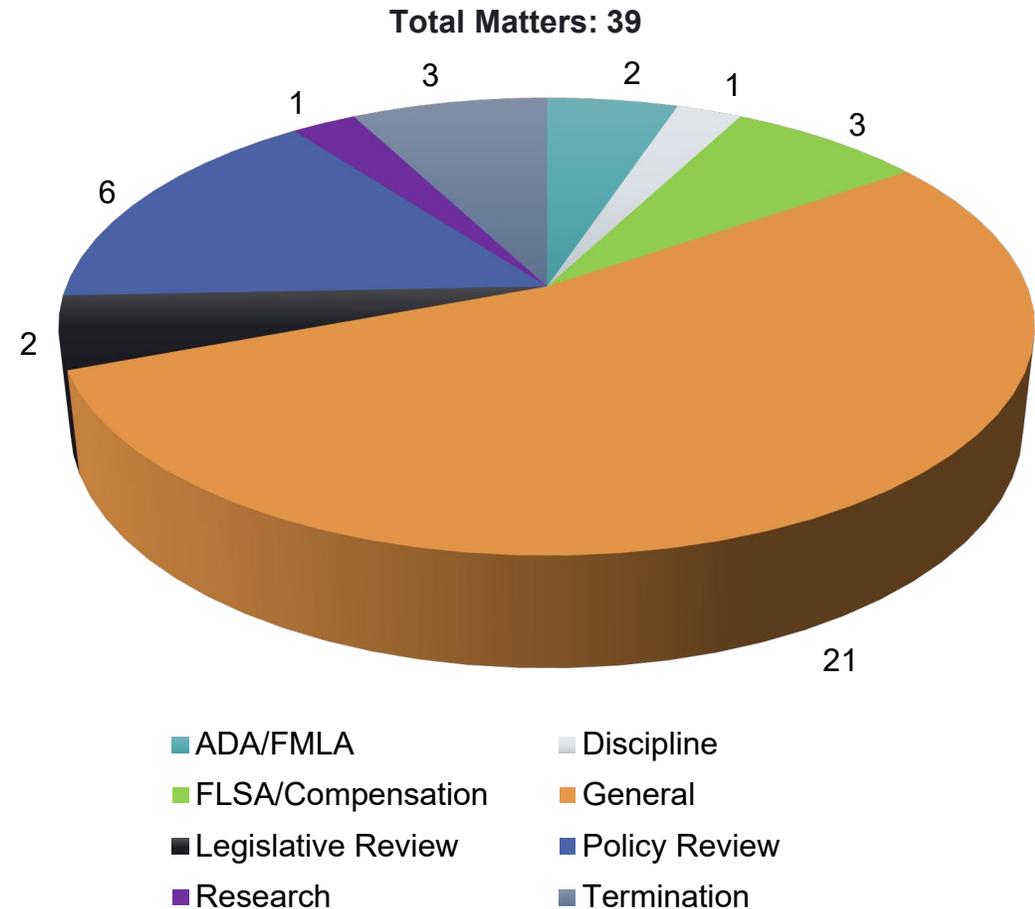
Labor and Employment Team Metrics as of Q1

Advice and Counsel, Sorted by Department



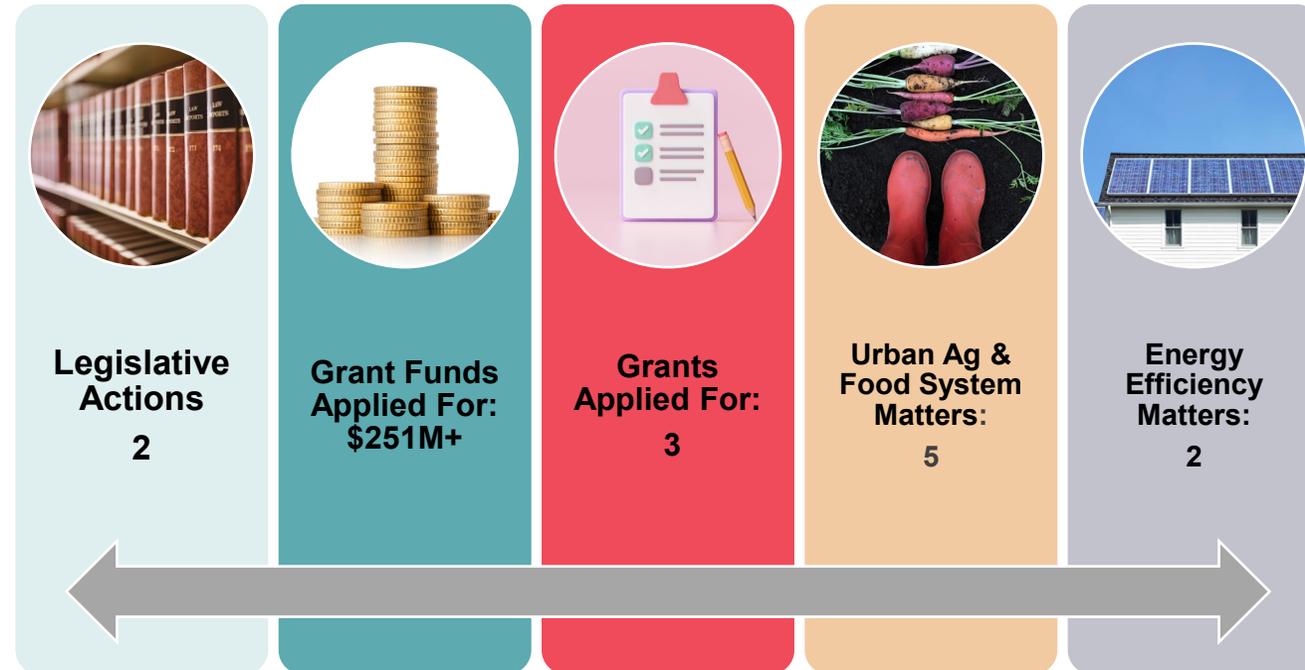
Labor and Employment Team Metrics as of Q1

Types of Matters Closed



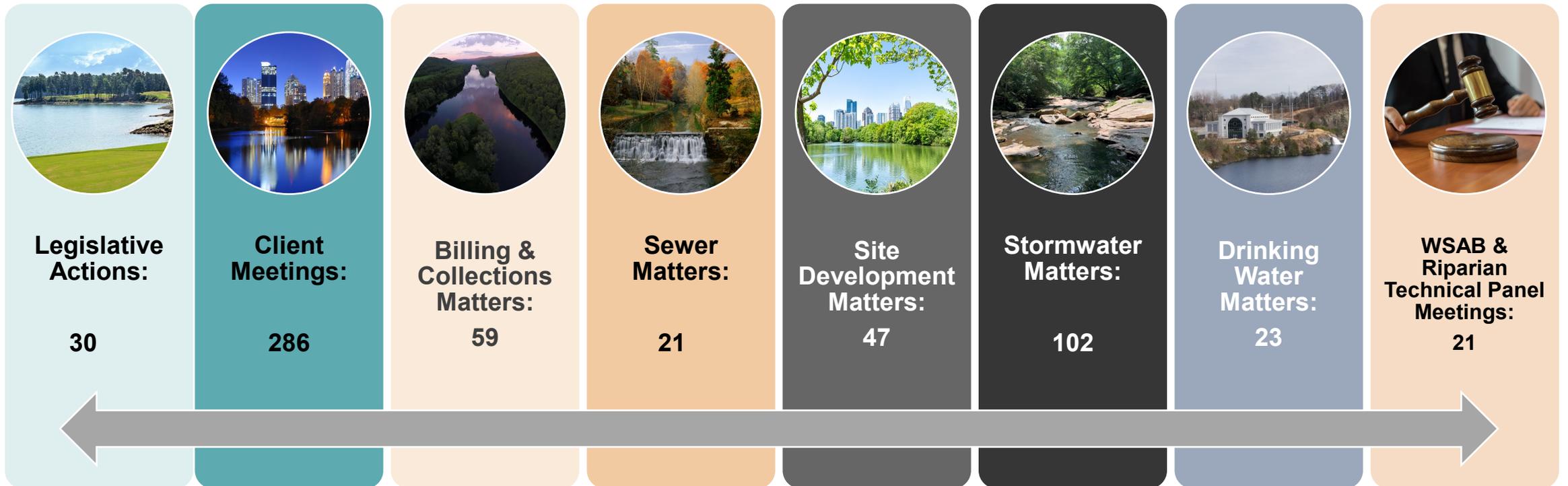
Watershed Team Metrics as of Q1

Legal Advice/Counsel Provided to Office of Sustainability and Resilience



Watershed Team Metrics as of Q1

Legal Advice Provided to DWM & Related Boards



Watershed Team Metrics as of Q1

Riparian Buffer Technical Panel

July 1 – September 30, 2023

Key Performance Indicator	Totals
Total Hearings	6
Initial Applications Reviewed	11
Modified Applications Reviewed	63
Authorized Encroachments Granted	4
Hours of Hearings	7h 38m



Watershed Team Metrics as of Q1

Water & Sewer Appeals Board

July 1 – September 30, 2023

Key Performance Indicator	Totals
Appeal Requests Received by WSAB	175
Total Cases Scheduled/Heard by Board*	85
Accounts Adjusted by WSAB	19

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

Transportation, Public Works, S.A.V.E. Team Metrics as of Q1

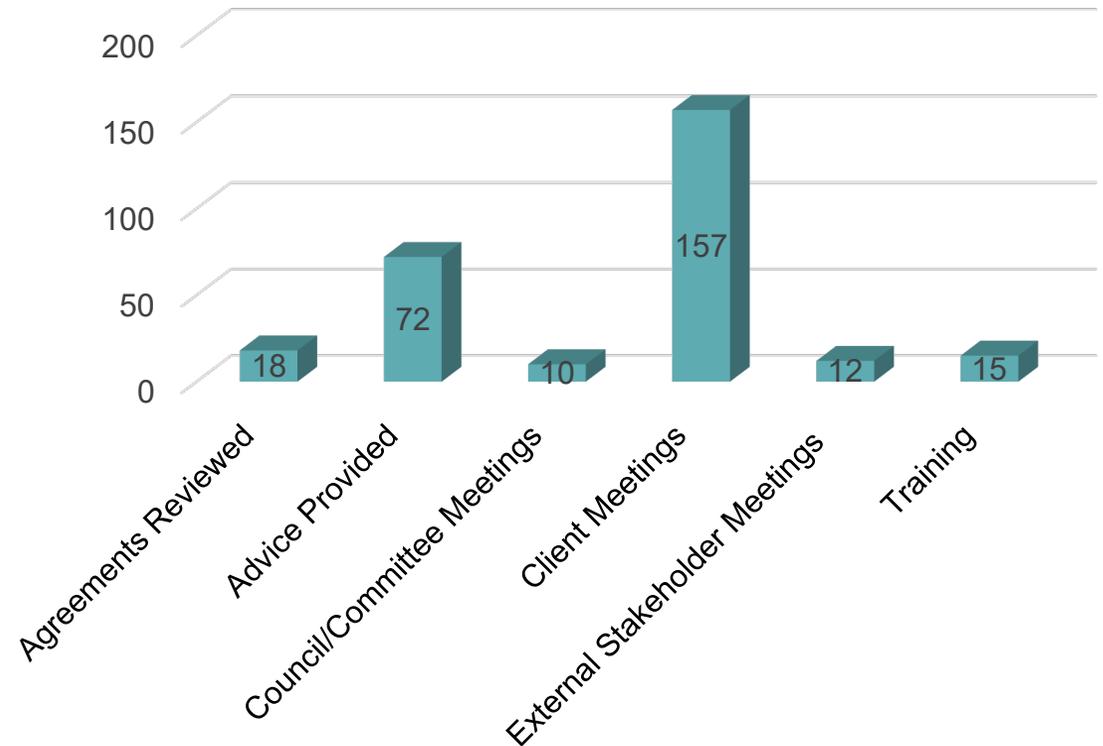
Legislative Matters

Total Matters: 106



Types of Matters

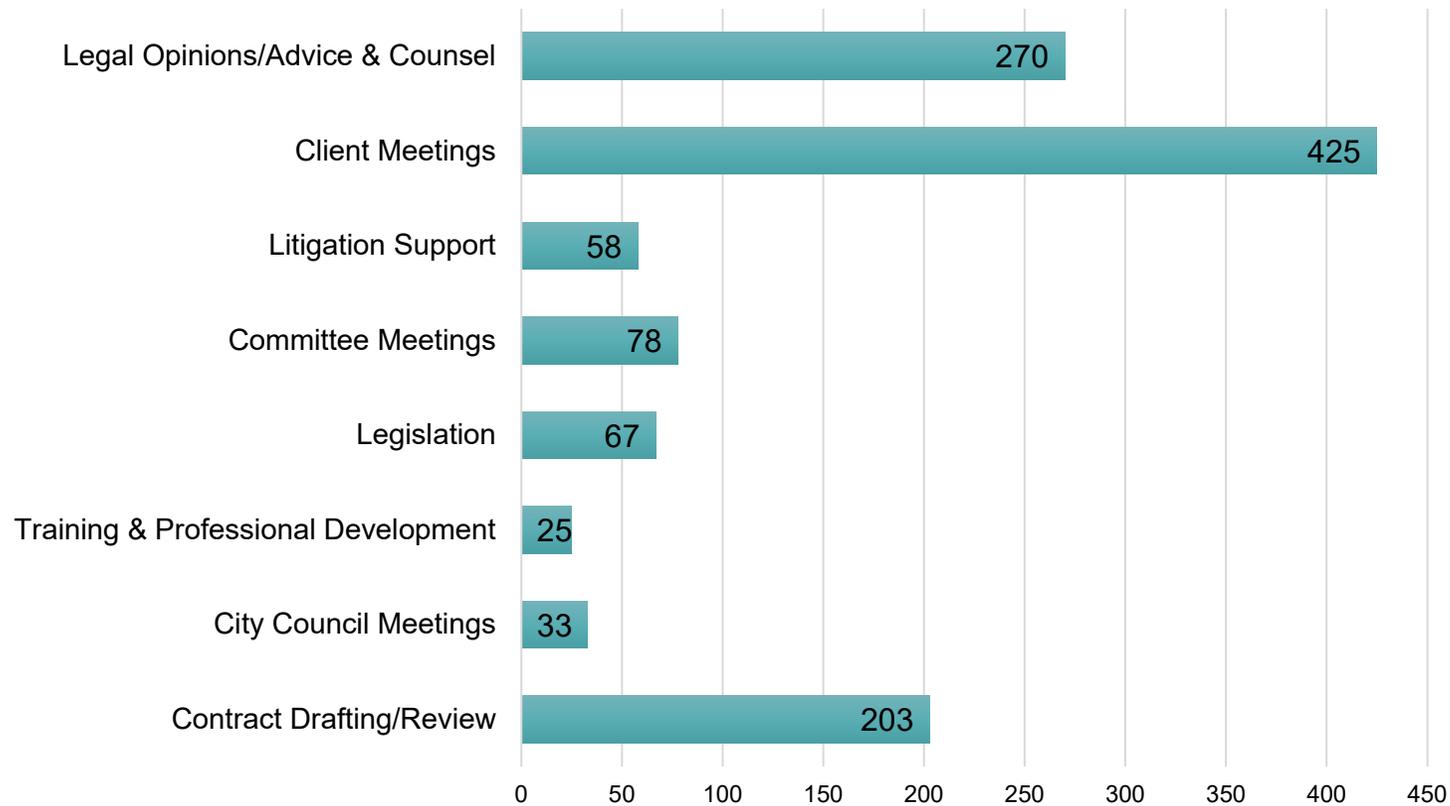
Total Matters: 284



Airport Legal Team Metrics as of Q1

Number of Matters

Total Matters: 1,159



REVENUE AND COST RECOVERY

as of Q1 (July 1-September 30, 2023)

Litigation Division

Between July 1 – September 30, 2023, the Litigation Division was served with 59 Quiet Title and Interpleader petitions. In response, the City filed 43 claims for payment totaling \$398,200. During this time period, the City collected \$182,599 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 Q1 (July 1-September 30, 2023)

Q1 Pending Claims

- The Department of Law maintained 853 pending claims from July 1, 2023, to September 30, 2023.

Q1 New Claims

- The Department of Law received 298 new claims from July 1, 2023, to September 30, 2023, an average of 99 new claims per month.

Q1 Resolved Claims

- The Claims Team has resolved 220 claims during the past quarter, an average of 73 claims per month.



UPDATE ON CLAIMS & SETTLEMENTS - FY24 Q1

Itemized Claims and Settlement Payments by Department

FY24 (Q1) Litigation Cases Settlement Totals

<u>Department</u>	<u>Demand</u>	<u>Payments</u>	<u>Fund Impact</u>
Human Resources	\$695,000.00	\$105,000.00	General Fund
Parks & Recreation	\$6,349.87	\$5,079.89	General Fund
Police	\$4,330,000.00	\$2,171,499.99	General Fund
Public Works	\$100,000.00	\$14,500.00	General Fund
Transportation	\$250,000.00	\$45,000.00	General Fund
TOTALS	\$5,381,349.87	\$2,341,079.88	

FY24 (Q1) Claim Settlement Totals

<u>Department</u>	<u>Demand</u>	<u>Payments</u>	<u>Fund Impact</u>
Fire Rescue	\$14,226	\$14,226	General Fund
Parks & Recreation	\$19,027	\$9,635	General Fund
Police	\$7,370,207	\$88,816	General Fund
Public Works	\$778,326	\$39,084	General Fund
Transportation	\$31,485	\$30,928	General Fund
Watershed Management (Storm Water)	\$8,702	\$8,702	General Fund
Watershed Management	\$195,593	\$66,558	Water & Sewer
TOTAL CLAIM SETTLEMENTS	\$8,417,566	\$257,949	
TOTAL FY23 LITIGATION & CLAIM TOTALS	\$13,798,916	\$2,599,029	

- The Department of Law has successfully and effectively litigated case settlements in FY24 Q1 that resulted in the City only paying \$2,341,079 when the demand amount was \$5,381,349.
- The Department of Law has successfully and effectively negotiated claims settlements in FY24 Q1 that resulted in the City only paying \$257,949 when the demand amount was \$8,417,566.



Outside Counsel Report: Spending to Date



	FY23 <u>July – Nov. 2022</u>	FY24 <u>July – Nov. 2023</u>	<u>%Chg.</u>
<u>SPENDING TO DATE</u>			
AVIATION FUND	78,542	76,486	-3%
WATERSHED FUND	642,140	961,854	49%
GENERAL FUND	2,368,311	2,484,617	5%
TOTAL SPENDING COMBINED FUNDS ₁	\$3,088,993	\$3,522,957	14%

₁Total Spending Combined Funds excludes DOJ Investigation expenses.

- There is currently an increase overall of 14% in FY24 July - Nov. 2023 outside counsel spending compared to FY23 July - Nov. 2022. In terms of the Enterprise Funds, there is a decrease of 3% in Aviation Fund outside counsel spending and an increase of 49% in Watershed Fund outside counsel spending due to the EPA SEP Stipulated Penalty Demand and Environmental Advice matters. In terms of the General Fund, there is currently an increase of 5% in General Fund outside counsel spending compared to FY23 July – Nov 2022 due to the Referendum.

APPENDIX: DIVISION HIGHLIGHTS



BUSINESS SERVICES DIVISION HIGHLIGHTS

Division Highlights: Business Services – Contracts

The Department of Law’s Contracts Team handled a number of legislative, procurement, and contract matters during Q1 including the following highlighted matters:



Department of Procurement (“DOP”) Training on Revised Contracting Process

The Contracts Team conducted a comprehensive 2 hour in-person training session with all Department of Procurement (“DOP”) staff to assist with DOP’s implementation of its process improvements. By way of background, the Contracts Team was a core partner with DOP in their reduction of solicitation and contract cycle time. DOL’s changes to the process include an increased focus on the City’s contract terms and streamlined negotiations. These improvements support the Chief Procurement Officer’s goal of reducing the overall Procurement cycle time from over 300 days to 90-120 days.

Atlanta Police Department (“APD”) Crime Lab Management System

The Contracts Team reviewed and finalized a critical technology services agreement with JusticeTrax on behalf of the Atlanta Police Department (“APD”) for the LIMS-Plus crime lab management software system, which integrates evidence tracking, analytical results and lab management information, allowing APD to further cultivate their internal processes and procedures.



Division Highlights: Business Services – Contracts

COA Employee Health Center

On behalf of the Department of Human Resources, the Contracts Team negotiated and finalized an agreement with Everside for the continued management of the City’s On-site Employee Health Center, which improves the overall health and wellness of City employees by providing convenient access to comprehensive care.

Summerhill Project

On behalf of Atlanta Department of Transportation and Atlanta Information Management, the Contracts Team negotiated an intergovernmental agreement with Georgia Department of Transportation and MARTA to coordinate each entity’s rights and responsibilities relating to the operation, maintenance and repair of the fiber optic infrastructure being installed as part of the Summerhill Project.



City-Wide Compensation Study

The Contracts Team drafted amendments on behalf of Department of Human Resources to expand the scope of the city-wide compensation and classification study agreement with Evergreen. The amendments add additional classification titles, interviews and focus groups to gather feedback regarding current compensation and classification practices among City staff. The agreement will help the City to recruit and retain talented employees to provide quality services.

Cyber Security Services

The Contracts Team completed legislation and a mission-critical technology services agreement on behalf of AIM, DWM, and DOA with SecureWorks for cyber security services to mitigate threats and bolster the City's defenses against future cyber security attacks.



United States Department of Housing and Urban Development (“HUD”) Funding Entitlement Agreements

On behalf of the Department of Grants and Community Development, the Contracts Team successfully completed 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. The agreements include 18 Community Development Block Grant (“CDBG”) agreements, 3 Emergency Solutions Grant (“ESG”) agreements, 1 Housing Opportunities for Persons with AIDS (“HOPWA”) agreement, 2 Section 8 agreements, and 2 HOME Investment Partnership Program (“HOME”) agreements.

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

Landlord Financial Incentives Disclosure Legislation

The Real Estate and Land Use Team worked with the Mayor’s Office of Policy/Housing to draft legislation outlining requirements for landlords receiving City financial incentives to disclose hidden fees prior to a prospective tenant submitting a rental application. The legislation also requires landlords to engage in mediation prior to filing for eviction for nonpayment of rent and to make housing units available for households utilizing tenant-based rental subsidies and other forms of documented income or rental assistance. This legislation will expand access to much needed housing options for low-to-moderate income Atlantans. This legislation was featured as one of Morse Diggs’ final stories covering the City of Atlanta as beat reporter for over forty years for Fox5 Atlanta.

Acquisition of South River Forest Properties

The Real Estate and Land Use Team managed the closing on four parcels of property totaling 46.09 acres within the South River Forest near Pryor Road and Mount Zion Road. The acquisition expands the amount of greenspace within Southeast Atlanta and will provide public access to these protected areas within the South River Forest and its watershed. The property will also provide a boost to the urban ecosystem services within the area and provide new connections to a previously neglected riparian landscape.

West End Arts Center

The Real Estate and Land Use Team assisted the Department of Enterprise Asset Management in the re-acquisition of the West End Arts Center from Fulton County. The West End Arts Center will be operated by the Mayor’s Office of Cultural Affairs to (i) enhance community programming, support local artists, advance partnerships with community groups and arts organizations, (ii) provide classrooms, workspaces, an auditorium which will be used to support programming and events, and (iii) develop the West End community as an arts and cultural hub in the City of Atlanta.



Gun Club Park

The Real Estate and Land Use Team assisted the Department of Parks and Recreation (“DPR”) in the preparation of legislation to declare the Gun Club Park property (“Property”) abandoned by the public for use as a public park and authorizing the transfer of purview of the Property from DPR to the Department of Enterprise Asset Management. The Property will be made available for affordable housing use.



Acquisition of Ormewood Forest (770 Shadowridge Drive)

The Real Estate and Land Use Team handled the closing on the acquisition of a 3.19-acre parcel of property in East Atlanta. Known as “Ormewood Forest”, the parcel will be used as passive greenspace by the Department of Parks and Recreation (“DPR”) and will add a natural area to the City’s greenspace inventory. This property acquisition culminates an over two-year effort of working with DPR and community stakeholders, including the preparation of a memorandum of understanding between the City and the East Atlanta Community Association (“EACA”) pursuant to which EACA will provide maintenance of the greenspace area.

Atlanta Urban Development Corporation (“AUDC”)

The Real Estate and Land Use Team assisted the Mayor’s Office of Policy/Housing in the review and finalization of legislation authorizing the City of Atlanta (“City”) to (i) provide \$4,000,000 in funding to AUDC, and (ii) transfer certain City surplus properties to AUDC for the development of affordable housing as part of the Mayor’s Housing Strike Force initiative.

Clear Creek Shopping Center

The Real Estate and Land Use Team assisted the Department of Enterprise Asset Management in the collection of past due rent in the amount of \$75,000 from a tenant that leased space the City-owned Clear Creek Shopping Center.

Division Highlights: Business Services – Real Estate

MARTA Summerhill Bus Rapid Transportation (“BRT”)

The Real Estate and Land Use Team assisted the Department of Enterprise Asset Management in preparing license agreements to grant MARTA the right to perform certain site investigative, grading and due diligence work on City of Atlanta property necessary and incidental to completion of the Summerhill Bus Rapid Transportation (“BRT”). BRT will provide a 5-mile roundtrip route that connects downtown Atlanta to the Capitol Gateway, Summerhill, Peoplestown, and the Atlanta BeltLine with fast, frequent premium transit service.

Georgia Film and Television Center, LLC (“Screen Gems”)

The Real Estate and Land Use Team assisted the Department of Enterprise Asset Management in preparing legislation and an amendment to the ground lease agreement between the City of Atlanta (“City”) and Screen Gems to allow for certain leasehold financing for the continued use and operation of a film studio/complex on City owned property.



Verbena Gardens Development

The Real Estate and Land Use Team assisted the Mayor’s Office of Policy/Housing with the preparation of three pieces of legislation related to the development of affordable housing:

- (i) authorizing the conveyance of certain City of Atlanta (“City”) owned property to the Metro Atlanta Land Bank to be made available for affordable housing in the Dixie Hills Neighborhood;
- (ii) authorizing a land swap between the City and LDG Development, LLC; the City-owned property to be conveyed is under the purview of Department of Parks and Recreation (“DPR”), but had never been built-out or used by the public as a park, and will be used for the development of affordable housing; the property to be acquired from LDG Development, LLC will be used by DPR to build out a playlot and other amenities for use by the public; and
- (iii) expressing the City’s support for the future abandonment of right-of-way to the direct north of Verbena Street NW; once abandoned, the right-of-way will be conveyed to the adjacent property owner to be used for affordable housing purposes.

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

EXECUTIVE OFFICE

Star-C Corporation/Eviction Diversion Program Memorandum of Understanding (“MOU”)

The Municipal Governance Team drafted legislation and an MOU that authorized the City to donate \$2M to an Eviction Diversion Program. The City of Atlanta and Star-C have partnered to support the administration of an eviction diversion program for low-income City of Atlanta residents.

The Atlanta Land Trust, Inc. (“ALT”)/Qualified Administrator Memorandum of Understanding (“MOU”)

The Municipal Governance Team drafted legislation and an MOU that authorized the City to donate \$150,000 to support The Atlanta Land Trust’s work as a Qualified Administrator of Permanently Affordable Homes. The City of Atlanta and ALT have partnered in efforts to ameliorate the affordable housing crisis to support the costs to identify, qualify, educate, refer, and support 21 qualified buyers for the affordable units by ALT in its capacity as a qualified administrator.

EXECUTIVE OFFICE (cont.)

Georgia State University Research Foundation (“GSURF”)/Housing Help Center Portal Memorandum of Understanding (“MOU”)

The Municipal Governance Team drafted legislation and an MOU that authorized the City to donate \$150,000 to support the Housing Help Center Portal. The City of Atlanta and GSURF have partnered in efforts to ameliorate the housing crisis through support of GSURF’s creation of a Housing Portal to manage applications from residents and to identify and prioritize housing assistance and resources and track utilization of the Housing Help Center by city residents.

The Open Doors Solutions, Inc./Rehousing Support Services Memorandum of Understanding (“MOU”)

The Municipal Governance Team drafted legislation and an MOU that authorized the City to donate \$200,000 for Rehousing Support Services. The City of Atlanta and The Open Doors Solutions, Inc. have partnered to support the identification and placement of low-income households into safe and stable housing.

Boys and Girls Club of Metro Atlanta/Safe Spaces Program Memorandum of Understanding (“MOU”)

The Municipal Governance Team drafted legislation and an MOU that authorized the City to donate \$1M to the Atlanta Year of the Youth Safe Spaces Program. The City and The Boys and Girls Club have partnered under Mayor Dickens Year of the Youth Initiative to provide operational, programmatic and personnel expenses to offer 300 teen seats for the Safe Spaces Program at no cost.

Atlanta Children’s Shelter/Early Childhood Education Program Memorandum of Understanding (“MOU”)

The Municipal Governance Team drafted legislation and an MOU that authorized the City to donate \$20,000 to the Atlanta Children’s Shelter in support of the Early Childhood Education Program. The City of Atlanta and Atlanta Children’s Shelter have partnered under Mayor Dickens Year of the Youth Initiative to support the provision of early childhood education and support to families with children under the age of six who are experiencing homelessness.

Shelter and Services Program (“SSP”) FEMA Grant legislation

The Municipal Governance Team drafted legislation on behalf of the Mayor’s Office of International and Immigrant Affairs to authorize application and acceptance of a \$3.6M SSP grant from the U.S. Department of Homeland Security Federal Emergency Management Agency (“FEMA”), enabling the City to provide food, shelter, and services to non-citizen individuals and families who have encountered DHS and are now awaiting the outcome of their immigrant proceedings.

50th Anniversary of Hip Hop Time Capsule

In support of Mayor Dickens recognition of the rich contributions and impact of the City of Atlanta to the Hip Hop genre, the Municipal Governance team drafted an Atlanta 50th Anniversary of Hip Hop Time Capsule Summary and a Release and Waiver for curated commemorative items. The City of Atlanta and the Atlanta History Center are partnering for the 50th Anniversary Hip Hop Time Capsule curation and burial and the summary outlined the program and each party's roles and responsibilities regarding the time capsule display, burial, archival and preservation for 25 years.



Summer Youth Employment Program (SYEP)/ Summer Jobs Connect Grant Legislation

The Municipal Governance Team drafted legislation in support of the City's Year of the Youth initiative and the City's Summer Youth Employment Program to authorize submission of an application for The Summer Jobs Connect Implementation Grant to become eligible for \$50,000 to support launching banking integration partnerships in support of the City's Summer Youth Employment Program and to address challenges faced by unbanked youth in the city.

Division Highlights: Business Services – Municipal Governance

DEPARTMENT OF GRANTS & COMMUNITY DEVELOPMENT

Neighboring Amendment and Addendum/Benevate, Inc. Contract

The Municipal Governance Team drafted legislation to amend the agreement with Benevate, Inc. and to authorize execution of Addendum No. 1 to Community Development Software Agreement with Benevate, Inc. to expand the scope of work outlined in the Agreement to include the Section 8 Moderate Rehabilitation Program (“Section 8”) by implementing and servicing a new Housing Choice Voucher (HCV) Portal.

The First Methodist Church of Atlanta and Atlanta First United Methodist Church Intergovernmental Agreement Legislation (“IGA”)

The Municipal Governance Team drafted legislation and reviewed an Intergovernmental Agreement (“IGA”) authorizing the City of Atlanta, the Housing Authority of the City of Atlanta, the Georgia State Preservation Officer, and Evergreen Redevelopment LLC to enter into an agreement to preserve the historic elements and governing the construction of an annex to the First Methodist Church of Atlanta and the Atlanta First United Methodist Church, located at 360 Peachtree Street, NE, Atlanta, Georgia.

HUD PRO Housing Grant Legislation

The Municipal Governance Team drafted legislation to authorize the City to apply for and accept a US Department of Housing and Urban Development (HUD) Pathways to Removing Obstacles to Housing (PRO HOUSING) grant for \$10M, which will enable the city to further identify and address the obstacles to housing in the City of Atlanta.

FINANCE

City of Atlanta Airport General Revenue Bonds, Series 2023 Bonds

The Municipal Governance Team reviewed documentation related to the issuance of revenue bonds to finance construction and improvements to Hartsfield-Jackson Atlanta International Airport for the use of the public. The City of Atlanta issued \$707M in bonds on behalf of the airport to expand a concourse and make other improvements. The bonds will finance the widening of Concourse D, which is expected to take six years and cost \$1.4 billion. They will also fund a new parking garage and a fire station, among other projects that are included in the airport's capital plan, which calls for more than \$10 billion in spending through fiscal year 2029.

City of Atlanta Tax Allocation Variable Rate Bonds (Westside Project), Series 2008-R Bonds

The Municipal Governance Team reviewed documentation related to the issuance of tax allocation variable rate bonds. The bonds in the amount of \$63M are for the purpose of funding costs associated with various projects located in the Tax Allocation District Number One.

Housing Trust Fund Grants and Loans Intergovernmental Agreement (IGA)

The Municipal Governance Team drafted an IGA between the City and Invest Atlanta for two programs: the pre-development micro loan program and the Missing Middle loan program, which were authorized under Ordinance 22-0-1871 and the Mayor's Faith-Based Development Initiative.



OPERATIONS

DIVISION HIGHLIGHTS

as of Q1 (July 1-September 30, 2023)



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

Employment of F-1 Visa Holders

L&E evaluated the requirements for hiring job candidates who are in the United States on a student visa to obtain an advanced degree. L&E provided a legal analysis of the necessary paperwork and process as well as the City’s rights and obligations as the employer. L&E’s advice was given in furtherance of the City’s policy of equal opportunity.

Division Highlights: Operations – Labor and Employment

Religious Accommodations in the Public Safety Context

L&E provided a legal analysis in the public safety context regarding the June 2023 unanimous decision of the United States Supreme Court in *Groff v. DeJoy*. In the case, the Court clarified the undue hardship burden for Title VII religious accommodation claims, explaining that the burden on the employer must be excessive or unjustifiable; there must be a substantial increase in costs directly related to business operations. The fact-specific examination required upon receiving a request for a religious accommodation incorporates consideration of the mandate of public safety departments to protect people's health, safety, and welfare. It also factors in how the requested accommodation may impact the department's ability to carry out the mandate. L&E continues to monitor the application of the *Groff v. DeJoy* decision.



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



Solar Atlanta Program

Assisted the Office of Sustainability and Resilience (OSR) to expand the Solar Atlanta Program to double the number of COA facilities with solar generating arrays.

U.S. EPA Grant

Provided advice on and drafted legislation to apply for a \$250M grant from the U.S. EPA to improve access to solar energy generation for Atlanta’s citizens.

Energy Efficiency and Conservation

Drafted legislation to apply for the U.S. Dept. of Energy Efficiency and Conservation Block Grant to assist with implementing energy efficiency and conservation programs in historically underserved communities in Atlanta.

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

Key Legislation

Landfill Transfer Station - Prepared and revised legislation to award \$1.7M landfill transfer station work to construction debris vendor on behalf of ATLDOT.

Residential Parking Program – Prepared and revised legislation to overhaul and codify all administratively authorized residential permit parking programs within the City limits to provide uniformity and continuity

Grant Funding Legislation

Reviewed legislation authorizing applications for federal, state and/or local funding for the following critical ATLDOT projects:

Authorization for application/award of \$250,000 for the Local Maintenance Improvement Grant (LMIG) fund from the Georgia Department Transportation on behalf of the Atlanta Beltline Southside Trail Project, allowing Atlanta residents and visitors to now walk, bike, or roll on a GDOT bridge over Interstate 20 with concrete barrier protection; and

Authorization for application/award of \$7M from the Governor's Office of Planning and Budget Improving Neighborhood Outcomes for the implementation of sidewalk replacement projects; and

Authorization for application/award of \$2M for the U.S. Department Of Transportation 2023 Strengthening Mobility and Revolutionizing Transportation (SMART) Grants Program to improve transportation efficiency and safety.

MORE MARTA Program Support

TPS provides ongoing legal support to ATLDOT and MARTA for the More MARTA program initiatives, including reviewing the terms of Fiber Installation Agreement in support of the Summerhill BRT, and providing assistance with condemnation actions on behalf of MARTA for parcels along the Summerhill BRT route.



Project Delivery & Management Agreements

TPS negotiated and revised Project Management Agreements to allow partner agencies to manage and deliver the following critical infrastructure projects:

PATH Westside Beltline Trail

The PATH Westside Beltline Trail project extends approximately 1.1 miles from Northside Drive to the existing trail along Lena Street NW and will offer the Westside communities a safe and convenient way to travel from Northside Drive NW to the Ashby MARTA Station and, by way of the already completed section of trail along Lena Street, to the Westside Atlanta BeltLine.

Midtown Alliance 10th Street Bridge Multimodal Enhancements Project

The project provides improved bicycle and pedestrian facilities along 10th Street between Williams Street and Techwood Drive, install bicycle facilities along Williams Street between Peachtree Place and 12th Street, and install bicycle facilities along Techwood Drive between 10th Street and the entrance to Turner Broadcasting Systems, Inc., and improve vehicular lane configurations on 10th Street, Williams Street and Techwood Drive.

Midtown Alliance 15th Street Corridor Enhancements Project

The project provides micromobility connection on 15th Street from West Peachtree St NW to Piedmont Avenue NE through building of directional bike lanes on either side of the street that are buffered from vehicular traffic. The project will also improve pedestrian safety and accessibility along the corridor through the addition of raised crossings, enhanced signage and markings, and ADA ramp upgrades.

Keep Atlanta Beautiful Commission (“KABC”) Bylaws

Provided legal counsel to the Keep Atlanta Beautiful Commission to draft amended and restated KABC bylaws to ensure compliance with the Atlanta City Code.

“The Stitch” Grant Agreement

Provided legal counsel to the Atlanta Department of Transportation in the review of a U.S. Department of Transportation Grant Agreement under the Reconnecting Communities Pilot Program in the amount of \$1,100,000 whereby funds will be used to study transportation improvements, infrastructure upgrades to reconnect north Downtown Atlanta neighborhoods, and the beginning stages of building a 14-acre cap park over Interstates 75 and 85, known as “The Stitch.”

ATLDOT Permit Application Process

Provided legal counsel to the Atlanta Department of Transportation to review and draft revisions to the departmental permit application process concerning the installation of utilities under the City of Atlanta street system.

Auction of Surplus Items

Provided legal counsel to the Department of Public Works to review legislation concerning the auction of surplus commodities and equipment, including ex-fleet vehicles, ex-police vehicles, light, and heavy-duty trucks, and other miscellaneous items, on behalf of the DPW Office of Fleet Services.



**AIRPORT LEGAL
DIVISION HIGHLIGHTS**
as of Q1 (July 1-September 30, 2023)

Division Highlights: Airport Legal

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

One-Stop Pilot Program at Hartsfield Jackson Atlanta International Airport

Provided legal review, counsel, and advice on bailment agreement with Delta Airlines for the temporary provision and utilization of explosive trace detection units to further the One-Stop Pilot Program at Hartsfield Jackson Atlanta International Airport through the City of Atlanta's Department of Aviation, the Transportation Security Administration, in coordination with Customs and Border Protection.

Fulton Technology and Energy Authority

Provided legal counsel and advice to the Airport General Manager regarding appointment of a member of the Department of Aviation executive management team to the Fulton Technology and Energy Authority as enacted by House Bill 800, effective May 3, 2023.

Hartsfield-Jackson Atlanta International Airport Training/Advice and Counsel

Concessions

- Substantial review of contractual and regulatory matters related to a request to consent to assignment of leases and subleases for direct and subcontract concessions agreements at Hartsfield-Jackson Atlanta International Airport.
- Reviewed legislation to award the Phase II concessions packages (RFP-DOA-1230149, Packages 2-F1, and RFP-DOA-1230150).
- In collaboration with the Contracts Division, performed a review of four solicitation packages for Phase III Concessions Solicitation.

State Requirements of Car-Sharing

Performed legal analysis of state requirements of car-sharing issues and advised and counseled on the form of agreement.



Division Highlights: Airport Legal

COVID-19 Hazard Pay

Provided legal counsel and advice to DOA regarding percentage-based payout of accrued COVID-19 hazard pay compensatory time to mission critical designated employees of the Department of Aviation.

**COVID-19
HAZARD PAY**



Atlanta Regional Commission's (ARC)

Provided legal counsel and advice to the Airport General Manager regarding providing a letter of support requested by the Aerotropolis Atlanta Alliance, Inc. for Atlanta Regional Commission's (ARC) grant application related to development efforts of the South Atlanta region.

ARC

Atlanta Regional Commission

Division Highlights: Airport Legal

Airport and Economic Development Training Program

In collaboration with the Contracts Division, complete negotiations with the Georgia Tech Research Center and the United Nations Institute for Training and Research (“UNITAR”) to bring the Airport and Economic Development Training Program to ATL in Calendar Year 2024 (initial term of 1 year with 2, 1-year renewal term options). The Training Program will provide economic development training to airports in the Middle East, Asia, and Europe.



QUESTIONS