



Department of Law
City Attorney Cathy Hampton

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

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

QUARTERLY BUDGET OVERVIEW

March 28, 2017



QUESTIONS AND TOPICS POSED BY PUBLIC SAFETY AND LEGAL ADMINISTRATION COMMITTEE

- Update on claims and settlements since last report provided to the Committee on October 11, 2016

- CY16 Fourth Quarter highlights (October-December 2016)

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



UPDATE ON CLAIMS & SETTLEMENTS CY16 Q4 v. CY15 Q4

❖ Total Claims & Settlement Payments

- There was a 4% increase from 821 to 856 in pending claims as of CY16 Q4 from CY16 Q3.
- In CY16, the City received demands of \$24,644,490 and paid \$6,149,663 in claims and settlements; 25% of the demand amount.
- In CY16 January-December, there was a 36% increase in total claims and settlement payments from \$4,517,539 to \$6,149,663 compared to CY15 January-December.



UPDATE ON CLAIMS & SETTLEMENTS CY16 Q4 v. CY15 Q4

❖ Total Settlement Payments (continued)

- Includes Richards (\$563,161) and Jemes (\$225,000) employment dispute settlement payments. The demand amount for the Richards case was \$1,000,000, and the demand amount for the Jemes case was \$500,000.
- Excluding Richards and Jemes settlement payments, there would be a 19% increase from CY15 Q4.



UPDATE ON SETTLEMENTS CY16 Q4 v. CY15 Q4

❖ Police

- In CY16 January-December, there was a 14% increase from 56 to 64 in the total number of resolved police vehicular accidents compared to CY15 January-December, and a 55% decrease from \$1,770,021 to \$795,117 in vehicular accident settlement payments.



UPDATE ON SETTLEMENTS CY16 Q4 v. CY15 Q4

❖ Public Works

- Sidewalk settlement – Stewart \$100,000.
- The total number of resolved public works vehicular accidents remained flat at 11 compared to CY15 Q4, and there was a 10% increase from \$60,330 to \$66,163 in vehicular accident settlement payments compared to CY15 Q4 due to the Revere (\$25,000) claim. Of the 11 public works vehicular accidents that were settled in CY16 Q4, 1 occurred in 2013, 1 occurred in 2014, 4 occurred in 2015 and 5 occurred in 2016.
- Excluding the Revere (\$25,000) vehicular accident claim payment, there would be a 32% decrease in vehicular accident settlement payments compared to CY15 Q4.
- The demand amount for the Stewart case was \$400,000, and the demand amount for the Revere claim was \$500,000.



UPDATE ON SETTLEMENTS CY16 Q4 v. CY15 Q4

❖ Public Works (continued)

- The uptick in Public Works vehicular accident payments is due to a larger number of personal injury settlements compared to CY15. Personal injury settlements generally yield larger settlement payments than property damage claims.
- There was a 48% decrease from \$3,568 to \$1,869 in pothole/street defect settlement payments compared to CY15 Q4.



UPDATE ON SETTLEMENTS CY16 Q4 v. CY15 Q4

❖ Watershed

- There was an increase from 2 to 8 in the total number of resolved sewer settlements compared to CY15 Q4. Of the 8 sewer settlements, 1 occurred in 2013, 3 occurred in 2015 and 4 occurred in 2016.
- In CY16 January-December, there was a 17% decrease from 29 to 24 in the total number of sewer settlements compared to CY15 January-December, and a 37% increase from \$437,182 to \$598,864 in Watershed sewer settlement payments compared to CY15 January-December due to the Dunlap (\$480,000) home flooding case reported in CY16 Q2.



UPDATE ON SETTLEMENTS CY16 Q4 v. CY15 Q4

❖ Watershed (continued)

- There was a 25% increase from 4 to 5 in the total number of resolved water meter settlements compared to CY15 Q4 and a 47% decrease from \$137,750 to \$73,500 in water meter settlement payments compared to CY15 Q4. Of the 5 water meter settlements, 1 occurred in 2012, 1 occurred in 2013, 1 occurred in 2015 and 2 occurred in 2016.
- In CY16 January-December, there was a 44% decrease from 16 to 9 in the total number of resolved water meter settlements compared to CY15 January-December, and a 28% decrease from \$283,950 to \$204,000 in Watershed water meter settlements payments compared to CY15 January-December.



HIGHLIGHTS OF CY16 Q4

➤ Airport Parking Decks

The Law Department assisted the Department of Aviation with the procurement and execution of agreements valued between \$550,000,000 to \$750,000,000 in connection with new parking decks to be constructed at the Airport.



HIGHLIGHTS OF CY16 Q4

➤ FAA Part 16 Noise Complaint

The Law Department prevailed in a 14 CFR Part 16 proceeding challenging the Airport's Noise Program. The FAA affirmed its previous decision that the Airport was not in violation of its Grant Assurances.

➤ FAA Approval of Hotel Project

The Law Department assisted the Department of Aviation in obtaining FAA approval for the development of a hotel, office complex and travel plaza at the Airport valued at \$250,000,000.



HIGHLIGHTS OF CY16 Q4

➤ Atlanta Streetcar Contract

The Law Department finalized a settlement agreement with the Atlanta Streetcar's general contractor to terminate the contract, avoiding protracted litigation and realizing over \$6,000,000 in savings to the City.



HIGHLIGHTS OF CY16 Q4

➤ APS Intergovernmental Agreement

The Law Department successfully closed on a real estate transaction between the City and the Atlanta Housing Authority as part of the revised Atlanta Public Schools Intergovernmental Agreement.

➤ Google Fiber License Agreements

Successfully negotiated license agreements with Georgia Power, Atlanta Gas Light and Google Fiber to ensure timely completion of Google Fiber huts to offer new, expanded service in Atlanta.



HIGHLIGHTS OF CY16 Q4

➤ Bellwood Quarry Project

The Law Department negotiated and drafted key easements and license agreements on behalf of the Department of Watershed Management with CSX Railroad.

➤ Water and Sewer Bill Collections

The Law Department negotiated outstanding water bills and collected over \$650,000 for the City in CY16 Q4.



OUTSIDE COUNSEL SPENDING REPORT

	FY17	FY16	%Chg
➤ NUMBER OF OUTSOURCED MATTERS	59	53	11%
➤ SPENDING TO DATE			
➤ AVIATION FUND	3,236,738	1,035,172	213%
➤ WATERSHED FUND	694,417	853,438	-19%
➤ <u>GENERAL FUND</u>	438,473	532,654	-18%
➤ TOTAL COMBINED FUNDS	4,369,628	2,421,264	80%



ADDITIONAL INFORMATION

ATTORNEYS AND PARALEGALS SALARY

Average City Attorney Hourly Rate \$51

Compared to

Average Private Sector Attorney Hourly Rate \$370

Average City Paralegal Hourly Rate \$21

Compared to

Average Private Sector Paralegal Hourly Rate \$157



QUESTIONS