

CITY COUNCIL REPORT

DATE: May 6, 2016

TO: Mayor and Councilmembers

FROM: Sterling Solomon, Interim City Attorney  
Brad Hill, Utilities Director

SUBJECT: Summary of Legal Fees paid by the Utilities Division for Water Rights  
Negotiations and Litigation – FY08 through FY16

This City Council Report is in response to City Council's request to know the historical expenses paid for external legal services by the Utilities Division for water rights negotiations and litigation.

Legal fees pertaining to water rights negotiations and litigation are paid out of the Water Enterprise Fund. The funds are budgeted annually within the Utilities Administration account #202-08-300-1000-0-4205 Legal Fees. The annual amount budgeted each year varies depending upon the anticipated amount of external legal services needed. Attached to this Report is a breakdown of the legal expenses by law firm, by legal issue by Fiscal Year.

Detail is provided on the Attachment.

**RECOMMENDATION / CONCLUSION**

This report is for information only.

**Utilities Division Legal Fee Expenses - FY08 through FY16**

6-May-16

<b>Legal Fees Issues Breakdown</b>	<b>Ballard Spahr</b>	<b>Dickenson Wright</b>	<b>Storey Lawyers</b>	<b>Gust Rosenfeld</b>	<b>Ayers &amp; Brown</b>	<b>Greenberg Traurig</b>	<b>Moyes Sellers</b>	<b>Total</b>
General Water	\$44,992		\$23,899	\$4,278			\$1,634	\$74,803
Gila River Adjudication	\$22,781		\$1,820				\$153	\$24,754
Little Colorado River Adjudication	\$418,738		\$8,715				\$13,287	\$440,740
Navajo-Hopi Settlement	\$897,897						\$131,481	\$1,029,378
Red Gap Ranch	\$68,164	\$45,557		\$6,900	\$960	\$15,309		\$136,890
Water Acquisition	\$60,559					\$15,188	\$8,093	\$83,840
Western Navajo Pipeline Audit	\$4,685 \$850							\$4,685 \$850
Hopi Tribe Litigation			\$71,605					\$71,605
Hopi Tribe re: Snowbowl	\$446,963		\$343,022					\$789,985
Insurance Defense			\$7,691					\$7,691
Ft. Tuthill	\$26,460				\$5,598	\$7,629		\$39,687
Well Exploratory-Bond						\$5,028		\$5,028
WC Upgrade/Reclaim						\$7,525		\$7,525
Sinagua						\$7,679		\$7,679
	<b>\$1,992,089</b>	<b>\$45,557</b>	<b>\$456,752</b>	<b>\$11,178</b>	<b>\$6,558</b>	<b>\$58,358</b>	<b>\$154,648</b>	<b>\$2,725,140</b>

**Legal Fees by Fiscal Year**

FY 08	\$162,493
FY 09	\$455,363
FY 10	\$356,153
FY 11	\$385,223
FY 12	\$383,892
FY 13	\$281,762
FY 14	\$174,002
FY 15	\$350,543
FY 16 as far	<u>\$175,711</u>
	\$2,725,141