



Legislation Details (With Text)

File #: 21-0649 **Version:** 1 **Name:** 4/19/21 Rivenoak Amendment No. 2
Type: Resolution **Status:** Passed
File created: 4/19/2021 **In control:** City Council
On agenda: 4/19/2021 **Final action:** 4/19/2021
Enactment date: 4/19/2021 **Enactment #:** R-21-136

Title: Resolution to Approve Amendment Number 2 to the Professional Services Agreement with Rivenoak Law Group, P.C. for Legal Services Relative to Sustainability Initiatives (\$20,000.00; total not to exceed \$65,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Amendment 2 and Amended and Restated Exhibits A and B.pdf

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|----------|--------|
| 4/19/2021 | 1 | City Council | Approved | Pass |

Resolution to Approve Amendment Number 2 to the Professional Services Agreement with Rivenoak Law Group, P.C. for Legal Services Relative to Sustainability Initiatives (\$20,000.00; total not to exceed \$65,000.00)

The City has recently adopted the A2ZERO carbon neutrality plan (www.a2zero.org <<http://www.a2zero.org>>).

There are many unique legal issues related to the core strategies within the A2ZERO plan.

The City Attorney selected Rivenoak Law Group, P.C. as the law firm to provide legal services because of the firm's familiarity with the specialized legal issues and the firm's experience and expertise.

Amendment Number 2 is needed to address additional specialized work on energy-choice regulations and opportunities, green rental housing, streetlighting reliability rules, FERC Notice of Inquiry on hydroelectric dam financial assurance requirements, and building energy performance options and the corresponding compensation for this additional work in the amount of \$20,000.00.

The Office of Sustainability is working with the Rocky Mountain Institute to cover the costs of some of the additional work, and the Amended and Restated Exhibits A and B states that authorization for those portions of the additional work are contingent on the City receiving external non-City funds, whether through a grant or other arrangement.

The City Attorney requests approval of Amendment Number 2 to the professional services agreement with Rivenoak Law Group, P.C. in the amount of \$20,000.00 for additional legal services to support the City's sustainability initiatives.

Rivenoak Law Group, P.C. complies with the City of Ann Arbor's Non-Discrimination and Living Wage

Ordinances.

Budget/Fiscal Impact: Funding for \$5,000.00 of the additional work is available in the approved FY2021 Sustainability and Innovations budget, and funding for \$1,000.00 is available in the Water Treatment Unit approved FY2021 budget, and the remaining work in the amount of \$14,000.00 will not be authorized unless or until the City receives external funds to cover the cost of the remaining work.

Prepared by: Stephen K. Postema, City Attorney
Reviewed by: Missy Stults, Office of Sustainability and Innovation Manager
Reviewed by: Brian Steglitz, Water Treatment Plant
Approved by: Tom Crawford, City Administrator

Whereas, There are many unique legal issues related to the core strategies with the A²ZERO carbon neutrality plan;

Whereas, Rivenoak Law Group, P.C. is well qualified to provide legal services on the legal issues relating to the City's sustainability initiatives;

Whereas, The City Administrator authorized an initial professional services agreement with Rivenoak Law Group, P.C. for \$25,000.00 in this matter;

Whereas, The City Council approved Amendment Number 1 in December 2020 in the amount of \$20,000.00 for continuing specialized legal services to support the City's sustainability initiatives;

Whereas, The City has identified additional sustainability projects and additional funds are needed for these legal services through the fiscal year;

Whereas, Rivenoak Law Group, P.C. complies with the City of Ann Arbor's Non-Discrimination and Living Wage Ordinances; and

Whereas, The funding is within the approved budgets of the Sustainability and Innovations Office, Water Treatment Unit and from proposed grant funding;

Whereas, The parties agree that authorization for the additional work to be funded through external non-City funds is contingent on the City's receipt thereof;

RESOLVED, That City Council approve the Amendment Number 2 and Amended and Restated Exhibits A and B to the Professional Services Agreement with Rivenoak Law Group P.C., in the amount of \$20,000.00 to provide continuing legal services;

RESOLVED, That the Mayor and City Clerk be authorized to execute Amendment Number 2 after approval as to substance by the City Administrator and approval as to form by the City Attorney; and

RESOLVED, That the City Administrator be authorized to take any necessary administrative actions to implement this resolution.