



Legislation Details (With Text)

File #: 23-0928 **Version:** 1 **Name:** 6/5/23 Resolution Authorizing the City Attorney to Initiate and Pursue Litigation or Other Legal Action on Behalf of the City of Ann Arbor

Type: Resolution **Status:** Passed

File created: 6/5/2023 **In control:** City Council

On agenda: 6/5/2023 **Final action:** 6/5/2023

Enactment date: 6/5/2023 **Enactment #:** R-23-190

Title: Resolution Authorizing the City Attorney to Initiate and Pursue Litigation or Other Legal Action on Behalf of the City of Ann Arbor

Sponsors: Council Administration Committee

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/5/2023	1	City Council	Approved	Pass

Resolution Authorizing the City Attorney to Initiate and Pursue Litigation or Other Legal Action on Behalf of the City of Ann Arbor

Prepared by: Atleen Kaur, City Attorney

Whereas, Pursuant to the City Charter, the City Attorney is counsel for the City, and responsible solely to the City Council;

Whereas, The City Charter sets forth the City Attorney’s obligations, which include representing the City in cases before courts and other tribunals;

Whereas, The City Charter does not directly address the City Attorney’s authority to affirmatively initiate and pursue litigation or other legal action on behalf of the City;

Whereas, Litigation and other legal matters often require quick action to protect or otherwise assert a party’s legal interests and claims;

Whereas, The City has an interest in the timely and efficient protection and assertion of its legal interests and claims; and

Whereas, Providing the City Attorney with authority to initiate and pursue litigation or other legal action on behalf of the City -- including but not limited to, lawsuits, administrative actions, appeals, alternative dispute resolution (ADR) methods, *amicus curiae* briefs, and settlements as a class member -- will allow the City to timely protect and assert its legal interests and claims;

RESOLVED, That City Council authorizes the City Attorney to initiate and pursue litigation or other legal action on behalf of the City of Ann Arbor, in their best professional judgment;

RESOLVED, That City Council directs the City Attorney that *amicus curiae* briefs shall be informed

by regulations previously passed by Council and by the agenda set by the Council Policy Agenda Committee;

RESOLVED, That City Council directs the City Attorney to timely report to City Council regarding actions taken pursuant to this Resolution; and

RESOLVED, That City Council authorizes the City Attorney to take all necessary actions to implement this resolution and to protect and assert the City of Ann Arbor's legal interests and claims.

Sponsored by: Council Administration Committee