



Legislation Text

File #: 20-1911, **Version:** 1

Resolution to Approve Amendment Number 1 to the Professional Services Agreement with Rosati, Schultz, Joppich, & Amtsbuechler P.C., for Legal Services Relative (\$180,000.00) to Hahn Litigation **(8 Votes Required)**

The City has been sued in Washtenaw County Circuit Court, Case No. 20-00732-CZ, in the case of Sandra Hahn, et al. v. City of Ann Arbor.

The City Attorney selected the Rosati, Schultz, Joppich, & Amtsbuechler P.C. law firm to provide litigation services in this claimed class action case involving water, sewer, and stormwater charges.

The selection is based on the firm's familiarity with the specialized legal issues and the firm's experience and expertise.

Rosati, Schultz, Joppich, & Amtsbuechler P.C. complies with the City of Ann Arbor's Non-Discrimination and Living Wage Ordinances.

Due to a number of factors the City Attorney requests approval of Amendment Number 1 to the professional services agreement with Rosati, Schultz, Joppich, & Amtsbuechler P.C. in the amount of \$180,000.00 for legal services.

Budget/Fiscal Impact: Funding for these services were not planned for in the FY2020 adopted budget; therefore, it is necessary to appropriate the funding to support this effort from the Water Supply (\$66,600.00), Sewage Disposal System (\$68,400.00), and Stormwater System (\$45,000.00) fund balances.

Prepared by: Stephen K. Postema, City Attorney

Approved by: Tom Crawford, City Administrator

Whereas, Sandra Hahn and Robert Sharp have filed a class action lawsuit against the City of Ann Arbor;

Whereas, The Rosati, Schultz, Joppich, & Amtsbuechler P.C. law firm is well qualified to provide legal services representing the City in this action;

Whereas, The City Administrator authorized an initial professional services agreement with Rosati, Schultz, Joppich, & Amtsbuechler P.C. in the amount of \$25,000 in this matter;

Whereas, Additional funds are needed for the City's defense of this lawsuit; and

Whereas, Rosati, Schultz, Joppich, & Amtsbuechler P.C., complies with the City of Ann Arbor's Non-Discrimination and Living Wage Ordinances;

RESOLVED, That Council approve the Amendment Number 1 to the professional services agreement with Rosati, Schultz, Joppich, & Amtsbuechler P.C., in the amount of \$180,000 to provide continuing

legal services for the Hahn lawsuit;

RESOLVED, That the Mayor and City Clerk be authorized to execute Amendment Number 1 to the professional services agreement after approval as to substance by the City Administrator and approval as to form by the City Attorney;

RESOLVED, That \$66,600.00 be appropriated from the Water Supply System Fund Balance; thereby, increasing the Water Supply System Fund operating revenue and expenditure budget;

RESOLVED, That \$68,400.00 be appropriated from the Sewage Disposal Fund Balance; thereby, increasing the Sewage Disposal System Fund operating revenue and expenditure budget;

RESOLVED, That \$45,000.00 be appropriated from the Stormwater System Fund Balance; thereby, increasing the Stormwater Fund operating revenue and expenditure budget;

RESOLVED, That amounts authorized herein may be used without regard to fiscal year; and

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