



Legislation Text

File #: 21-1919, **Version:** 1

Resolution to Approve the Professional Services Agreement with Rosati, Schultz, Joppich, & Amtsbuechler P.C., for Legal Services Relative to Platt Convenience, Inc. Litigation **(8 Votes Required)**

The City has been sued in the Michigan Court of Appeals, Case No. 359013, in the case of Platt Convenience, Inc. v. City of Ann Arbor.

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

The selection is based on the firm's expertise with the specialized legal issues and the firm's proven experience in defending these cases.

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

The City Attorney requests approval of the professional services agreement with Rosati, Schultz, Joppich, & Amtsbuechler P.C. in the amount of \$90,000.00 for legal services.

Budget/Fiscal Impact: Funding for these services were not planned for in the FY2021 adopted budget; therefore, it is necessary to appropriate the funding to support this effort from the Stormwater System fund balances.

Prepared by: Stephen K. Postema, City Attorney

Approved by: Milton Dohoney, Jr., Interim City Administrator

Whereas, Platt Convenience, Inc. has filed a 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, Initial funds are needed to provide a defense this litigation; and

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

RESOLVED, That \$90,000.00 be appropriated from the Stormwater System Fund Balance; thereby, increasing the Stormwater Fund operating revenue and expenditure budget;

RESOLVED, That the funding as appropriated is made available without regard to fiscal year;

RESOLVED, That the professional services agreement for legal services with Rosati, Schultz, Joppich, & Amtsbuechler P.C., be approved in the amount of \$90,000 to provide continuing legal services, subject to approval as to substance by the City Administrator and approval as to form by the

City Attorney;

RESOLVED, That the Mayor and City Clerk and City Attorney be authorized to execute the professional services agreement with Rosati, Schultz, Joppich, & Amtsbuechler P.C.; and

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