



Legislation Details (With Text)

File #: 1528-2024 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 5/20/2024 **In control:** Public Safety & Criminal Justice Committee

On agenda: 6/3/2024 **Final action:** 6/5/2024

Title: To authorize the City Attorney to modify an existing contract for special legal counsel services with Amundsen Davis, LLC f/k/a Crabbe, Brown & James LLP, for the case *Carter v. City of Columbus*, Case No. 23CV-01-107, pending in the Franklin County Court of Common Pleas; to authorize expenditures associated with the case incurred since the name change of January 1, 2024; to authorize the expenditure of \$33,566.00 from the 2023 Recreation and Parks operating fund; and to declare an emergency. (\$33,566.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/5/2024	1	CITY CLERK	Attest	
6/4/2024	1	ACTING MAYOR	Signed	
6/3/2024	1	COUNCIL PRESIDENT	Signed	
6/3/2024	1	Columbus City Council	Approved	Pass

BACKGROUND: The case of *Carter v. City of Columbus*, Case No. 23CV-01-107, pending in the Franklin County Court of Common Pleas, was filed on January 5, 2023, and named the City of Columbus and former and current city employees. Due to a potential conflict of interest in the representation of former employee Mario Martin and the City of Columbus, it was necessary for the City Attorney's office to retain outside counsel to represent Mr. Martin. The City Attorney's office entered into a special legal counsel contract with Crabbe, Brown & James LLP on February 8, 2023. On January 1, 2024, the law firm of Crabbe, Brown & James LLP became part of Amundsen Davis, LLC necessitating a modification to the contract and to PO382066 in order to continue to provide the statutorily required representation.

The original amount of the contract associated with PO382066 was \$50,000.00 and there is a remainder of \$33,566.00 existing on this contract. This is a modification to a current contract which was funded originally from the 2023 Recreation and Parks operating budget it is therefore requested that the remaining amount of \$33,566.00 on the original PO382066 be restored to the ACPO resulting from this ordinance.

FISCAL IMPACT: This contract modification will be funded with funds canceled off of the original 2023 contract PO382066 and then restored on the resulting ACPO.

COMPANY: Amundsen Davis, LLC f/k/a Crabbe, Brown & James LLP 500 South Front Street, Suite 1200, Columbus, Ohio 43215

To authorize the City Attorney to modify an existing contract for special legal counsel services with Amundsen Davis, LLC f/k/a Crabbe, Brown & James LLP, for the case *Carter v. City of Columbus*, Case No. 23CV-01-107, pending in the Franklin County Court of Common Pleas; to authorize expenditures associated with the case incurred since the name

change of January 1, 2024; to authorize the expenditure of \$33,566.00 from the 2023 Recreation and Parks operating fund; and to declare an emergency. (\$33,566.00)

WHEREAS, due to a conflict of interest, the City Attorney had need for special legal services with regard to the case of *Carter v. City of Columbus, Case No. 23CV-01-107*, pending in the Franklin County Court of Common Pleas; and

WHEREAS, the City Attorney and Crabbe, Brown & James LLP entered into a special counsel contract on February 8, 2023 to provide special legal services on behalf of the City Attorney and the Department of Recreation and Parks with regard to matters pertaining to the litigation; and

WHEREAS, on January 1, 2024, Crabbe, Brown & James LLP became part of Amundsen Davis, LLC necessitating a modification of the special legal counsel agreement; and

WHEREAS, it is necessary to provide continuation of legal representation, and to authorize payment to Amundsen Davis LLC for expenses incurred associated with the representation since the change in name on January 1, 2024; and

WHEREAS, there is a remaining amount on the original 2023 purchase order associated with the contract, PO382066, of \$33,566.00 funded by the 2023 Recreation and Parks operating fund 2285, which shall be cancelled off; and

WHEREAS, it is necessary to authorize the auditor to restore the cancelled funds from the 2023 PO382066 onto the ACPO resulting from this modification; and

WHEREAS, an emergency exists in the usual daily operation of the City Attorney's Office in that it is necessary to authorize the City Attorney to modify the contract with Amundsen Davis, LLC f/k/a Crabbe, Brown & James LLP immediately in order to provide for uninterrupted services in their representation; **NOW, THEREFORE,**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That the City Attorney is hereby authorized to modify the contract entered into on February 8, 2023, with Amundsen Davis, LLC f/k/a Crabbe, Brown & James LLP for special legal counsel to provide special legal services to the City Attorney and the Department of Recreation and Parks with regard to the case of *Carter v. City of Columbus, Case No. 23CV-01-107*, pending in the Franklin County Court of Common Pleas to reflect the change in law firm name from Crabbe, Brown & James LLP to Amundsen Davis LLC.

SECTION 2. That the expenditure of \$33,566.00 from the 2023 Recreation and Parks operating fund 2285 is authorized from canceled 2023 PO382066.

SECTION 3. That \$33,566.00 in canceled funds from 2023 PO382066 are hereby authorized to be restored on the ACPO resulting from this ordinance.

SECTION 4. That reimbursement of case related expenses incurred prior to the modification of the purchase order to reflect the change in name to Amundsen Davis, LLC is hereby authorized.

SECTION 5. That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 6. That for the reasons stated in the preamble hereto which are hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and immediately after its passage and signature by the Mayor, or within 10 days thereafter if the Mayor neither signs nor vetoes the same.

