



## Legislation Details (With Text)

**File #:** 2866-2017      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/20/2017      **In control:** Administration Committee

**On agenda:** 11/20/2017      **Final action:** 11/22/2017

**Title:** To authorize the City Auditor to transfer \$100,000.00 within the employee benefits fund; to authorize the City Auditor to transfer \$90,000.00 from the general fund to the employee benefits fund; to authorize the Human Resources Director to modify and increase the existing contract with Baker and Hostetler LLP, for the provision of labor negotiation legal consultation and assistance; to authorize the additional expenditure of \$290,000.00, or so much thereof as may be necessary, from the employee benefits fund to pay the costs of said contract; and to declare an emergency. (\$290,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. REV.4Attachment Baker #2 Ord. 2866-2017

Date	Ver.	Action By	Action	Result
11/22/2017	1	ACTING CITY CLERK	Attest	
11/21/2017	1	MAYOR	Signed	
11/20/2017	1	COUNCIL PRESIDENT	Signed	
11/20/2017	1	Columbus City Council	Approved	Pass

**BACKGROUND:** The Director of Human Resources seeks the authority to modify and increase the contract currently in effect with the law firm of Baker & Hostetler, LLP for collective bargaining negotiations and related activities. The city entered into the original contract earlier this year (Ord. 0123-2017) to provide labor relations assistance because of their long history and experience representing the City of Columbus in negotiations with bargaining units. The law firm continues to bring a wealth of institutional knowledge and experience in ongoing labor negotiations and related activities with the City of Columbus. This year represents the first time the city is negotiating with all unions in one year. Costs associated with this, together with costs related to fact finding and arbitration, were underestimated in the initial contract. An analysis of year to date and projected expenditures for the balance of the contract year, including fact finding, support this increase. Costs initially legislated, per Ordinance 0123-2017, totaled \$358,080.00; this modification provides funding for additional expenses related to legal counsel for labor negotiations and related activities. This legislation serves to increase the maximum obligation liability by \$290,000.00, bringing the total contract obligation to \$648,080.00.

This legislation authorizes the Human Resources Department Director to modify and increase the current contract with Baker & Hostetler LLP by \$290,000 and further authorizes the expenditure of the additional \$290,000.00 to compensate for legal services rendered in conjunction with collective bargaining negotiations and related activities.

**FISCAL IMPACT:** Sufficient funds are budgeted in the Department of Human Resources' 2017 employee benefits fund budget for this contract modification and increase, once transfers identified in this ordinance are made. First, a transfer of \$100,000.00 within the Human Resources Department Employee Benefits budget is needed from the personnel surplus identified in the 3<sup>rd</sup> Quarter Financial Review to the services object class. Second, a transfer of \$90,000.00 is needed from the citywide account in the Department of Finance and Management, Financial Management Division to the

services object class in the employee benefits fund in the Human Resources Department.

Baker & Hostetler, LLP's contract compliance number is 340082025.

**Emergency Action:** Emergency action is being requested to allow for continued representation by the law firm of Baker & Hostetler, LLP in collective bargaining negotiations and related activities.

To authorize the City Auditor to transfer \$100,000.00 within the employee benefits fund; to authorize the City Auditor to transfer \$90,000.00 from the general fund to the employee benefits fund; to authorize the Human Resources Director to modify and increase the existing contract with Baker and Hostetler LLP, for the provision of labor negotiation legal consultation and assistance; to authorize the additional expenditure of \$290,000.00, or so much thereof as may be necessary, from the employee benefits fund to pay the costs of said contract; and to declare an emergency. (\$290,000.00)

**WHEREAS**, it is in the best interest of the City of Columbus to modify and increase the existing contract with Baker & Hostetler, LLP due to unforeseen expenses, and to allow continued legal consultation for labor negotiations and related activities; and

**WHEREAS**, it is necessary to authorize the transfer of \$100,000.00 from the personnel object class 01 to the services object class 03 within the employee benefits fund, administrative subfund; and

**WHEREAS**, it is necessary to authorize the transfer of \$90,000.00 from the transfer object class 10 within the general fund, Department of Finance and Management-Financial Management Division, to the services object class 03 within the employee benefits fund; and

**WHEREAS**, it is necessary to authorize the expenditure of up to \$290,000.00, or so much thereof as may be necessary, to pay contract costs for legal counsel in labor negotiations and related activities; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Human Resources in that it is immediately necessary to authorize the Director to modify and increase the existing contract with Baker & Hostetler, LLP by \$290,000 to ensure the city is provided legal counsel for current and upcoming labor negotiations and related activities; now, therefore:

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

**SECTION 1.** That the Human Resources Director is hereby authorized to modify and increase the existing contract with Baker & Hostetler, LLP by \$290,000.00, to ensure the city is provided legal counsel for current and upcoming labor negotiations and related activities. The scope of services remains the same.

**SECTION 2.** That the City Auditor is hereby authorized and directed to transfer \$100,000 in appropriation within the employee benefits fund, administrative subfund, from the personnel object class to the services object class, per the accounting codes in the attachment to this ordinance; and

**SECTION 3.** That the City Auditor is hereby authorized and directed to transfer cash and appropriation of \$90,000 from the transfer object class in the Finance and Management Department, Financial Management Division, general fund to the services object class in the Human Resources Department employee benefits fund, per the accounting codes in the attachment to this ordinance; and

**SECTION 4.** That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2017, the sum of \$90,000.00 is appropriated in Fund 5502, employee benefits fund, Human Resources Department, 4601, in object class 03, Services, per the account codes in the attachment to this ordinance.

**SECTION 5.** That the transfer of \$90,000.00 or so much as may be needed, is hereby authorized from the general fund, fund 1000, Finance and Management Department, Division 45-01, to the employee benefits fund, Human Resources Department, 46-01), per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the expenditure of \$290,000.00 or so much thereof as may be necessary is hereby authorized to be expended from the employee benefits fund 5502 in object class 03 services, per the accounting codes in the attachment to this ordinance.

**SECTION 7.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 8.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage, if the Mayor neither approves nor vetoes the same.