



## Legislation Details (With Text)

**File #:** 2908-2017      **Version:** 1

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

**File created:** 10/25/2017      **In control:** Judiciary And Court Administration Committee

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

**Title:** To authorize the City Attorney to enter into contract with Carpenter Lipps & Leland LLP for special legal counsel services regarding opioid-related matters; and to declare an emergency.

**Sponsors:** Michael Stinziano, Zach M. Klein

**Indexes:**

**Code sections:**

**Attachments:**

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 City has been exploring the various legal options that may be available to help deal with the tremendous human devastation, drain on public resources, and financial burden on City taxpayers caused by the opioid epidemic. The City Attorney's office is in need of special legal counsel to assist in pursuing those legal options, including but not limited to possible litigation against those entities bearing responsibility for this epidemic. After consideration of the informal proposals from several law firms, the City Attorney has selected the law firm of Carpenter Lipps & Leland LLP to serve as special legal counsel for this matter.

**FISCAL IMPACT:** While there is no cost to the City as a result of this contract, City Council approval is being sought due to the legally binding commitment being made therein to pay attorney fees and reimburse for reasonable litigation expenses solely on a contingency basis from any recovery related to the portion of any matter resolved in favor of the City.

To authorize the City Attorney to enter into contract with Carpenter Lipps & Leland LLP for special legal counsel services regarding opioid-related matters; and to declare an emergency.

**WHEREAS,** the City Attorney has a need for special legal services with regard to opioid-related matters affecting the City; and

**WHEREAS,** after consideration of informal proposals from several law firms capable of providing the services needed the City Attorney has selected the law firm of Carpenter Lipps & Leland LLP to serve as special legal counsel for these matters; and

**WHEREAS,** while there is no cost to the City as a result of this contract, City Council approval is being sought due to the legally binding commitment being made in the special legal counsel contract to pay attorney fees and reimburse for

reasonable litigation expenses solely on a contingency basis from any recovery related to the portion of any matter resolved in favor of the City; 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 enter into a contract with Carpenter Lipps & Leland LLP in order to allow the assistance of special counsel to commence immediatiely and for the preservation of the public health and safety,; now, therefore,

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

**Section 1.** That the City Attorney is hereby authorized to enter into contract with Carpenter Lipps & Leland LLP for special legal counsel services regarding opioid-related matters.

**Section 2.** That said contract shall provide that there shall be no obligation by the City to pay any fee to special legal counsel or reimburse them for reasonable litigation expenses if nothing is recovered from any adversary and that the City agrees to pay attorney fees and reimburse for reasonable litigation expenses solely on a contingency basis from any recovery related to the portion of any matter resolved in favor of the City.

**Section 3.** 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.