



Legislation Text

File #: 2783-2020, **Version:** 1

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. 0114-2020) 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. Costs associated with ongoing negotiations, together with costs related to fact finding and arbitration, were underestimated in the initial contract. An analysis of year to date expenditures for the balance of the contract year supports this increase. Costs initially legislated, per Ordinance 0114-2020, totaled \$275,000.00; this modification provides for additional expenses related to legal counsel for labor negotiations and related activities. This legislation serves to increase the maximum obligation liability by \$300,000.00, bringing the total contract obligation to \$575,000.00. In addition, this ordinance serves to appropriate sufficient funds to allow this expenditure to occur.

This legislation authorizes the appropriation of \$300,000 from the unappropriated balance of the employee benefits fund, authorizes the Director of Human Resources to modify and increase the current contract with Baker and Hostetler LLP by \$300,000, and, further, authorizes the expenditure of the additional \$300,000.00 to compensate for legal services rendered in conjunction with collective bargaining negotiations and related activities.

FISCAL IMPACT: Sufficient funds are available from and within the employee benefits fund for this additional appropriation and will be appropriated to the Department of Human Resources employee benefits administration subfund.

Baker and 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 appropriate \$300,000.00 from the unappropriated balance of 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 \$300,000.00 from the employee benefits fund, or so much thereof as may be necessary, to pay the costs of said contract; and to declare an emergency. (\$300,000.00)

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

WHEREAS, it is necessary to add additional appropriation authority of \$300,000.00; and

WHEREAS, it is necessary to authorize the expenditure of up to \$300,000.00, or so much thereof as may be necessary, for the costs associated with 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 and Hostetler LLP by \$300,000 to ensure the city is provided legal counsel for current and upcoming labor negotiations and related

activities, thereby preserving the public health, peace, property, safety and welfare; **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 and Hostetler LLP by \$300,000.00, 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 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, 2020, the sum of \$300,000.00 is appropriated in Fund 5502, employee Benefits fund, Human Resources Department, 4601, in object class 03, Services, per the accounting codes in the attachment to this ordinance; and

SECTION 3. That the expenditure of \$300,000.00 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 4. 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 5. 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.