City of Saint Paul Financial Analysis

File ID Number: RES 26-1659

Budget Affected: Operating Budget | City Attorney's Office | General Fund

Total Amount of Transaction: At a rate not to exceed $500 an hour

Funding Source: Other | Please Specify: Special Counsel: 10017400-63120

Charter Citation: Administrative Code 3.02

Fiscal Analysis

Appointing the law firm of Fisher Phillips as Special Counsel for Purposes of Providing Legal Advice, Counsel, and Representation for the defense of Mayor Kaohly Her in the lawsuit captioned, Axel Henry v. Kaohly Her and City of St. Paul, Ramsey County District Court, State of Minnesota.

WHEREAS, Section 5.02 of the Charter of the City of Saint Paul provides that in any case of special or unusual circumstances, the City Council, upon the request of the City Attorney may appoint special counsel to assist in providing for the legal business of the City; and

WHEREAS, the City of St. Paul and Mayor Kaohly Her are identified as Defendants in the lawsuit involving Plaintiff, the Chief of the Saint Paul Police Department, Axel Henry currently pending in Ramsey County District Court, State of Minnesota; and

WHEREAS, the City of Saint Paul's City Attorney's Office is charged with the legal counsel and representation of matters involving the City of Saint Paul pursuant to the City of Saint Paul's Charter; and

WHEREAS, the Saint Paul City Attorney's Office has determined that a potential conflict exists in the City Attorney's representation of Mayor Her in the lawsuit involving Plaintiff, Chief Axel Henry and the Co-Defendant, City of St. Paul; and

WHEREAS, due to the potential conflict, the City Attorney seeks City Council approval for the appointment of the law firm of Fisher Phillips to serve as special counsel for the purpose of providing advice, counsel, and representation to Mayor Kaohly Her in the defense of the above-referenced litigation; and

WHEREAS, the provision of legal advice, counsel and representation in civil employment law requires very specialized and technical expertise for which the law firm of Fisher Phillips is uniquely qualified in terms of expertise, experience, and skill;

WHEREAS, the City Attorney seeks City Council approval for the retention of services of the law firm of Fisher Phillips at a rate not to exceed $500 per hour.

Now, therefore be it RESOLVED that the law firm of Fisher Phillips is appointed as Special Counsel for Purposes of Providing Legal Advice, Counsel, and Representation for the defense of Mayor Kaohly Her in the lawsuit captioned, Axel Henry v. Kaohly Her and City of St. Paul, Ramsey County District Court, State of Minnesota, at a rate not to exceed $500 per hour.