



## Legislation Details (With Text)

**File #:** 19-0122      **Version:** 1      **Name:** A Resolution to Approve Joining in Filing an Amicus Brief to the Alabama Supreme Court

**Type:** Resolution      **Status:** Adopted

**File created:** 2/22/2019      **In control:** City Council

**On agenda:** 3/4/2019      **Final action:** 3/4/2019

**Title:** A Resolution to Approve Joining in Filing an Amicus Brief to the Alabama Supreme Court

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/4/2019	1	City Council	adopted	Pass

A Resolution to Approve Joining in Filing an Amicus Brief to the Alabama Supreme Court

Description of Topic: (who, what, where, when, why and how much)

This is a resolution to join in filing an amicus brief to the Alabama Supreme Court in a pending case involving the City of Daphne which concerns municipal liability issues. The cost to the City will be a pro-rata fraction of the attorney's fees and costs, spread over the City of Foley and the other municipalities who participate (which will include at least two other municipalities), and it is anticipated that this will be under \$3,000 to Foley.

Budgetary Impact:

Non-Capital Item:

\_\_\_ Budgeted under account # \_\_\_\_\_ (discussion item)

\_\_\_ Not budgeted, requesting transfer of \$ \_\_\_\_\_ from Account # \_\_\_\_\_ to Account

# \_\_\_\_\_.\*\*Request to Transfer Departmental Budget Dollars form must be attached\*\*

  X   Not budgeted requiring increase to account # 100-1010-6021 Legal Fees in the amount of \$ 2,000.00.\*\*Request to Increase Departmental Budget Dollars form must be attached\*\*

Capital - Departmental \*\*Capital Purchase Worksheet form must be attached\*\*

\_\_\_ Budgeted under account # \_\_\_\_\_ for \$ \_\_\_\_\_ and described in budget as

\_\_\_\_\_. Additional amount needed, if any: Increase in budget of \$ \_\_\_\_\_ OR, transfer of \$ \_\_\_\_\_ from Account # \_\_\_\_\_ to Account # \_\_\_\_\_ \*\*Request to Increase OR Request to Transfer Departmental Budget Dollars form must be attached\*\*

\_\_\_ Not Budgeted - account # \_\_\_\_\_ requires budget increase of \$3,000.00.\*\*Request to Increase Departmental Budget Dollars form must be attached\*\*

Capital Project - \*\*If requesting to start a project, a Capital Project Worksheet form must be attached\*\*

In current year Capital Projects Plan:

\_\_\_ Yes, described as \_\_\_\_\_, planned amount \$ \_\_\_\_\_, requesting \$ \_\_\_\_\_ as total project estimate, including contingencies, under account # \_\_\_\_\_

\_\_\_ No, requesting \$ \_\_\_\_\_ as total project estimate, including contingencies, under account

#\_\_\_\_\_.

\_\_\_\_\_ No, requesting an increase of \$\_\_\_\_\_ to an already approved project titled \_\_\_\_\_ that is being tracked under Account No. \_\_\_\_\_.

WHEREAS, the City of Foley can join in filing an amicus brief to the Alabama Supreme Court in a pending case involving the City of Daphne which concerns municipal liability issues, and

WHEREAS, the cost to the City will be a pro-rata fraction of the attorney's fees and costs, spread over the City of Foley and the other municipalities who participate (which will include at least two other municipalities), and

WHEREAS, it is anticipated that this will be under \$3,000 to the City of Foley.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Foley, Alabama, as follows:

SECTION 1: Approves joining in filing an amicus brief to the Alabama Supreme Court.

SECTION 3. Approves the expenditure in the amount of \$2,000 for the legal fees under Account No. 100-1010-6021 Legal Fees.

SECTION 4: This Resolution shall become effective immediately upon its adoption as required by law.