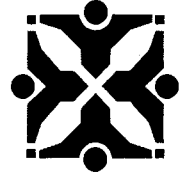


# City of Columbia

701 East Broadway, Columbia, Missouri 65201



**Agenda Item Number:** B 14-15

**Department Source:** Law

**To:** City Council

**From:** City Manager & Staff

**Council Meeting Date:** 1/5/2015

**Re:** Appropriating Funds For Litigation Expenses Relating to the CenturyLink Class Action Settlement Dispute

## Documents Included With This Agenda Item

Council memo, Resolution/Ordinance

**Supporting documentation includes:** None

## Executive Summary

Litigation expenses associated with various lawsuits, including the telecommunications tax lawsuits related to Centurytel of Missouri, LLC, d/b/a Centurylink, have exceeded funds budgeted in the Law Department utilized for litigation purposes.

## Discussion

Since January of 2013, CenturyLink has filed lawsuits every quarter to protect the company's under-protest payments relating to taxes levied by the City of Columbia for telephone services. In November, the City Council rejected CenturyLink's class action settlement offer and authorized the filing of a separate lawsuit against CenturyLink. Expenses paid to date associated with the CenturyLink lawsuit have exhausted budgeted funds in the Law Department used for litigation purposes. Finance Director John Blattel has advised that an appropriation of \$100,000 from the General Fund fund balance should be made to the Law Department to cover anticipated expenses associated with litigation.

## Fiscal Impact

**Short-Term Impact:** In FY 2015, \$47,008.37 has been expended in litigation expenses relating to the CenturyLink lawsuits.

**Long-Term Impact:** Unknown.

# City of Columbia

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## Vision, Strategic & Comprehensive Plan Impact

Vision Impact: Not Applicable

Strategic Plan Impact: Not Applicable

Comprehensive Plan Impact: Not Applicable

## Suggested Council Action

Passage of the ordinance authorizing the appropriation of funds.

## Legislative History

None.

  
Department Approved

  
City Manager Approved

Introduced by \_\_\_\_\_

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_

Ordinance No. \_\_\_\_\_

Council Bill No. B 14-15

**AN ORDINANCE**

appropriating funds to the Law Department for litigation expenses; and fixing the time when this ordinance shall become effective.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBIA, MISSOURI, AS FOLLOWS:

SECTION 1. The sum of \$100,000.00 is hereby appropriated from the General Fund, Fund Balance Account No. 110-0000-341.01-00 to the Miscellaneous Contractual Services Account No. 110-1510-504.49-90 for litigation expenses.

SECTION 2. This ordinance shall be in full force and effect from and after its passage.

PASSED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

ATTEST:

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor and Presiding Officer

APPROVED AS TO FORM:

\_\_\_\_\_  
City Counselor

CERTIFICATION: I certify there are sufficient funds available in the General Fund, Fund Balance Account No. 110-0000-341.01-00 to cover the above appropriation.

\_\_\_\_\_  
Director of Finance