THE CITY OF ASHEVILLE

Staff Report

Council Meeting Date: January 13, 2026

Subject: Second contract amendment with Hamilton Stephens Steele & Martin, PLLC to add funds to cover ongoing litigation representation involving claims related to Harrah's Cherokee Center HVAC systems, as well as condemnation matters needed due to staff turnover.

Staff Resource(s): Brad Branham, City Attorney

Action Requested: Adoption of a resolution authorizing the City Attorney to amend the contract with Hamilton Stephens Steele & Martin, PLLC to add $111,000.00 for external legal services for litigation representation and condemnation law matters.

Background:

- The City Attorney contracted with Hamilton Stephens Steele & Martin, PLLC on May 30, 2024 to provide legal services on litigation matters involving Harrah's Cherokee Center HVAC systems.
- On September 23, 2025, the contract was amended to expand the scope of service and add additional funds to cover gaps in case coverage following the resignation of two senior staff attorneys.
- The City Attorney's Office is now fully staffed, but additional funds are needed for Hamilton Stephens Steele & Martin, PLLC to complete the case work they've already started.
- Funding for the contract is already available without the need for a budget amendment by the City Council.

Vendor Outreach Efforts:

- Vendor is self performing, and exempted per City Council Resolution - not applicable

Council Goal(s):

- A well-planned and livable community

Committee(s):

- Not applicable

Pro(s):

- Provide specialized litigation services.

Con(s):

- None

Fiscal Impact:

- The Contract Amendment will add $111,000 to the contract, for a total contract cost of $200,000.00. This is included in the City Attorney's operating budget.

Suggested Motion:

- Move to adopt a resolution authorizing the City Attorney to amend a contract with Hamilton Stephens Steele & Martin, PLLC for legal services by adding $111,000.00 for a total contract amount of $200,000.00.

Attachment(s):

- Resolution

RESOLUTION NO. 26-____

RESOLUTION AUTHORIZING THE CITY ATTORNEY TO AMEND A CONTRACT FOR OUTSIDE LEGAL SERVICES WITH HAMILTON STEPHENS STEELE & MARTIN, PLLC

WHEREAS, the City of Asheville has authority pursuant to § 160A-20 to enter into contracts with private entities to carry out any public function which it is authorized to engage in by law; and

WHEREAS, the City requires outside legal services to represent the City of Asheville in highly specialized legal matters; and

WHEREAS, the City Attorney's office is currently utilizing Hamilton Stephens Steele & Martin, PLLC to provide these services, and

WHEREAS, the City Attorney's office amended this contract on September 23, 2025, to expand the scope of services provided and add additional funds up to a total contract amount of $89,000.00, and

WHEREAS, the City Attorney's office wishes to continue this relationship with the vendor in order to allow this firm to complete currently pending work by amending their contract to add $111,000.00 for a total cost of $200,000.00.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE THAT:

The City Attorney, on behalf of the City of Asheville, be and hereby is authorized to amend the contract with Hamilton Stephens Steele & Martin, PLLC to continue outside legal services for a total contract amount of $200,000.00.

Read, approved and adopted this the 13th day of January, 2026.

_____ _____

City Clerk Mayor

Approved as to form:

_____

City Attorney