

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 161

By: Mayor Perciak

AN ORDINANCE AMENDING ORDINANCE NO. 2010-038 IN ORDER TO INCREASE THE HOURLY RATES FOR SPECIAL LEGAL COUNSEL IN CONNECTION WITH ONGOING COLLECTIVE BARGAINING AND LABOR RELATIONS MATTERS, AND DECLARING AN EMERGENCY.

WHEREAS, by and through Ordinance No. 2010-038, this Council authorized the Mayor to employ special legal counsel and enter into an agreement with Attorney Jon M. Dileno and the law firm of Zashin & Rich Co., L.P.A., in order to provide professional legal services to the City in connection with various collective bargaining and labor relations matters; and

WHEREAS, since that time, such special counsel has requested an increase in the hourly rates charged to the City; and

WHEREAS, the City's Law Director has recommended that due to the continuing need for special outside legal services with regard to ongoing collective bargaining and labor relations matters, it will be necessary, and in the best interest of the City, to amend the prior Ordinance for such special legal counsel in order to provide for an increase in hourly rates charged to the City, as set forth in the letter from Zashin & Rich Co., L.P.A. attached hereto as Exhibit A.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That Ordinance No. 2010-038 is hereby amended in order to provide for an increase in the hourly rates for the special legal counsel in connection with ongoing collective bargaining and labor relations matters, in accordance with the prior agreement entered into with **ATTORNEY JON M. DILENO**, and the law firm of **ZASHIN & RICH CO., L.P.A.**, as set forth in the letter attached hereto as Exhibit A.

Section 2. That the funds for the purpose of such services and said agreement have been appropriated and shall be paid from the General Fund, Fire Levy Fund, Multi-Purpose Complex Fund, and the Street Construction Maintenance & Repair Fund; and the Director of Finance be and is hereby authorized and directed to issue payment in accordance with the terms and conditions of such proposal and agreement.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that the continuation of such special legal services is immediately necessary in order to protect the legal interests of the City and provide ongoing representation to the City in pending collective bargaining and labor relations matters, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

Kenneth M. Dooner
 President of Council

Approved: Thomas B. Surier
 Mayor

Date Passed: September 5, 2017

Date Approved: September 6, 2017

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Daymut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DeMio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dooner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schonhut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Short	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Southworth	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attest: Aimee Pientka
 Clerk of Council

ORD. No. 2017-161 Amended: _____
 1st Rdg. 09-05-17 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

 Pub Hrg. _____ Ref: _____
 Adopted: 09-05-17 Repealed: _____

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AUG 10 2017

LAW DEPARTMENT
CITY OF STRONGSVILLE

ZASHIN & RICH

Ernst & Young Tower | 950 Main Avenue, 4th Floor | Cleveland, Ohio 44113 | p: 216 696 4441 | f: 216 696 1648 | zrlaw.com



Jon M. Dileno
Attorney at Law
jmd@zrlaw.com

August 10, 2017

VIA ELECTRONIC MAIL

Neal M. Jamison, Esq.
Law Director
City of Strongsville
16099 Foltz Parkway
Strongsville, Ohio 44149-5598

RE: Zashin & Rich Legal Fees

Dear Mr. Jamison:

As you know, I have been representing the City in its labor matters since 2010 and it has been my honor and pleasure to represent the City throughout these 7 ½ years. As you also know, in our profession there are periodic increases in rates which occur. Since my representation began and through the first five years of representing the City, I had not requested an increase to our hourly rates. In late 2015, I requested a relatively modest increase of \$20 per hour to our partner-level and associate-level rates (with no adjustment to our paralegal rate), bringing our hourly rates up to \$270 for partner-level work (an 8%) increase, and \$210 for associate-level work. The City has accommodated that request to date. I am now re-submitting that request such that we continue our hourly rates for the remainder of 2017 and for 2018 as follows:

Partner-level:	\$270/hour
Associate-level:	\$210/hour
Paralegal:	\$115/hour

I appreciate your consideration of this request and look forward to what will hopefully be many years of ongoing representation of the City of Strongsville.

Very truly yours,

ZASHIN & RICH CO., L.P.A.



Jon M. Dileno

JMD/tr

EXHIBIT A