

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 021

By: Mayor Perciak

**AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 2015-140 TO INCREASE THE NOT TO EXCEED AMOUNT IN CONNECTION WITH RETENTION OF SPECIAL LEGAL COUNSEL FOR VARIOUS TAX INCREMENT FINANCING AND RELATED MATTERS, AND DECLARING AN EMERGENCY.**

WHEREAS, through passage of Ordinance No. 2015-140, this Council approved and authorized the Mayor and Law Director to employ special legal counsel to assist in representation of the City in connection with various Tax Increment Financing and related matters; and

WHEREAS, the City's Law Director now has recommended that due to unanticipated circumstances and an increase in the scope and nature of the Tax Increment Financing work, it will be necessary to amend Section 1 of Ordinance No. 2015-140, in order to allocate additional funds to be utilized for payment of outstanding billings arising from such special legal services.

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

**Section 1.** That Section 1 of Ordinance No. 2015-140 is hereby amended to read in its entirety as follows:

**"Section 1.** That the Mayor and Law Director's employment of special legal counsel is hereby ratified, approved and authorized, including entering into an agreement with **ATTORNEY VIRGINIA D. BENJAMIN**, and the law firm of **CALFEE, HALTER & GRISWOLD LLP**, to provide professional legal services to the City in connection with various tax increment financing and related matters, in accordance with their proposal and hourly rates on file with the City's Law Department, but in a total amount not to exceed the sum of ~~\$25,000.00~~**\$30,000.00**, and in a form approved by the Law Director."

**Section 2.** That the funds for the purposes of this Ordinance have been appropriated and shall be paid from the applicable Tax Incremental Financing Funds and the General Fund.

**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

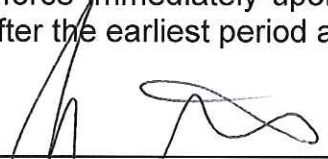
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meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

**Section 4.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to amend the prior Ordinance in order to provide for additional funds for payment of special outside legal services to protect the legal, financial and tax interests of the City, and to 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.

  
\_\_\_\_\_  
President of Council

Approved:   
\_\_\_\_\_  
Acting Mayor

Date Passed: February 1, 2016

Date Approved: February 2, 2016

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

Attest:   
\_\_\_\_\_  
Clerk of Council

ORD. No. 2016-020 Amended: \_\_\_\_\_  
1st Rdg. 02-01-16 Ref: \_\_\_\_\_  
2nd Rdg. Suspended Ref: \_\_\_\_\_  
3rd Rdg. Suspended Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: 02-01-16 Defeated: \_\_\_\_\_