



Legislation Details (With Text)

File #: O-419-23 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 8/1/2023 **In control:** Law Department
On agenda: 8/15/2023 **Final action:** 8/15/2023
Title: Authorizing the Mayor and Director of Law to enter into an agreement with legal counsel for the provision of professional assistance on behalf of the City of Toledo to prosecute claims and recover damages related to the environmental contamination caused by certain firefighting foam products and PFAS at or near City-owned property; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. Legal Services Agreement

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|------------|--------|
| 8/15/2023 | 1 | City Council | Suspension | Pass |
| 8/15/2023 | 1 | City Council | Emergency | Pass |
| 8/15/2023 | 1 | City Council | Passage | Pass |

PFAS

Department of Law

J. Charles x1020

Authorizing the Mayor and Director of Law to enter into an agreement with legal counsel for the provision of professional assistance on behalf of the City of Toledo to prosecute claims and recover damages related to the environmental contamination caused by certain firefighting foam products and PFAS at or near City-owned property; and declaring an emergency.

SUMMARY & BACKGROUND:

Litigation has been pursued by political subdivisions around the country related to environmental contamination and pollution caused by the manufacturing of firefighter foam products and other products containing perfluoroalkyl substances (“PFAS”). The City of Toledo seeks to pursue legal claims and remedies related to the presence of PFAS and/or firefighter foam product chemicals at or near city-owned properties.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the Mayor and Director of Law are authorized to enter into an agreement in substantially the same form as attached Exhibit A with Baron & Budd P.C., Cossich, Sumich, Parsiola & Taylor, LLC, Zoll & Kranz, LLC, McNamee & McNamee, LLP, and Oths, Heiser, Miller, Waigand & Clagg, LLC, to provide legal services in the prosecution of claims against the manufacturers of firefighter foam products and other products containing perfluoroalkyl substances (“PFAS”), as well as other compounds.

SECTION 2. That the competitive bidding requirements of the Toledo Municipal Code Chapter 187 are hereby waived.

SECTION 3. That this ordinance, being an emergency measure, shall take effect and be in force from and after its passage. The reason for the emergency lies in the fact that this ordinance is necessary for the immediate preservation of public peace, health, safety and property and for further reason that this ordinance must immediately be effective so the City may promptly pursue claims against at-fault defendants and to recover damages caused by the conduct of the defendants.

Vote on emergency clause: yeas _____, nays _____.

Passed: _____, as an emergency measure: yeas _____, nays _____.

Attest: _____
Clerk of Council

President of Council

Approved: _____

Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council

_____.

Attest: _____
Clerk of Council