



## Legislation Details (With Text)

**File #:** O-467-23      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 8/31/2023      **In control:** Law Department  
**On agenda:** 9/12/2023      **Final action:** 9/12/2023  
**Title:** Authorizing the expenditure of an additional \$50,000 from the Risk Management Fund for the continuing representation of a city employee by the RCO law firm in Case No. 22-1111 captioned Medical Mutual of Ohio v. Healthscope Benefits Inc, et. al. pending in the Lucas County Court of Common Pleas; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Audio: Agenda Review 9/5/2023, 2. Video: City Council 9/12/2023

Date	Ver.	Action By	Action	Result
9/12/2023	1	City Council	Suspension	Pass
9/12/2023	1	City Council	Emergency	Pass
9/12/2023	1	City Council	Passage	Pass

RCO  
Department of Law  
J. Charles (x1020)  
Revised

**Authorizing the expenditure of an additional \$50,000 from the Risk Management Fund for the continuing representation of a city employee by the RCO law firm in Case No. 22-1111 captioned *Medical Mutual of Ohio v. Healthscope Benefits Inc, et. al.* pending in the Lucas County Court of Common Pleas; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

Due to the RCO law firm having particularized knowledge in this matter it has been retained to defend a city employee. As it is anticipated the legal expense will exceed the previously authorized \$50,000, an additional \$50,000 is required to continue to defend a city employee.

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

SECTION 1. That the disappropriation of \$50,000 is authorized from the Risk Management Fund Account Code 7095-12000-537450-1157001STDSTD (Judgement & Claims) and the appropriation of same is authorized to the Risk Management Fund Account Code 7095-12000-537400-1157001STDSTD (Professional Services) for the continuing representation of a city employee by the RCO law firm in Case No. 22-1111 captioned Medical Mutual of Ohio v. Healthscope Benefits Inc, et. al.

SECTION 2. That the expenditure of an additional \$50,000 is authorized to the Risk Management Fund Account Code 7095-12000-537400-1157001STDSTD for the purpose authorized in Section 1.

SECTION 3. That the Director of Finance is authorized to draw her warrant or warrants against the above Account Code in an amount not to exceed \$50,000 in payment of the obligations authorized in Section 1 upon presentation of proper voucher or vouchers.

SECTION 4. 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 timely continue to provide legal representation in above-mentioned case.

Vote on emergency clause: yeas 12, nays 0.

Passed: September 12, 2023, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

September 12, 2023  
Wade Kapszukiewicz  
Mayor