



Legislation Text

File #: O-348-21, Version: 1

Authorizing expenditure for outside counsel
Department of Law
E. Granata (x1020)

Authorizing the Mayor and the Director of Law to enter into necessary agreements with the law firm of Spengler Nathanson for the provision of legal services on behalf of the City of Toledo for litigation captioned *City of Toledo v. Block Communications, Inc.*; authorizing the appropriation of \$75,000 from the unappropriated balance of the Risk Management Fund; further authorizing the expenditure of same; and declaring an emergency.

SUMMARY & BACKGROUND:

The law department advises that is proper and necessary to retain outside legal assistance and counsel in related to litigation in *City of Toledo v. Block Communications, Inc.* related the Summit Street Improvements Project.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$75,000.00
- The expenditure budget line item: 7095-12000-1157001STDSTD
- New revenue generated (operational revenue, grants, if any): none /potential recovery of funds
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)? yes
- Is this a capital project (yes/no)? no, but recovered project funds would be returned to CIP
- If yes, is it new or existing (new/existing)? new
- What section of the City's Strategic Plan does this support:
 - o Excellence in Basic Services (yes/no) yes
 - o Quality Community Investment (Livable City, Development) (yes/no) yes
 - o Workplace Culture & Customer Service (yes/no) no
 - o Environment (yes/no) no

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 any necessary agreements with the law firm of Spengler Nathanson to provide legal services in the litigation captioned *City of Toledo v. Block Communications, Inc.* regarding recoupment of utility relocation costs for the Summit Street Improvements Project.

SECTION 2. That \$75,000 is appropriated from the unappropriated balance of the Risk Management Fund to Account Code 7095-12000-1157001STDSTD.

SECTION 3. That the Director of Finance is authorized to draw her warrant or warrants against the Account Code 7095-12000-1157001STDSTD and to expend an amount not to exceed \$75,000.00 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 effectively and timely pursue the above referenced litigation and promptly pay obligations incurred for the delivery of legal services.

Vote on emergency clause: yeas 11, nays 0.

Passed: June 22, 2021, as an emergency measure: yeas 11, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council