

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 18-34

INTRODUCED BY: Mayor Stefanik
Co-Sponsor: Langshaw

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH KELLEY AND FERRARO, LLP FOR PROFESSIONAL LEGAL SERVICES RELATED TO OPIOID LITIGATION, AND DECLARING AN EMERGENCY

WHEREAS: Similar to many cities across the country, the City of North Royalton has experienced an exponential rise in drug overdoses directly related to the opioid epidemic; and

WHEREAS: The City of North Royalton has expended and continues to expend significant financial resources to respond to the impact of opioid drug use through the activities of its law enforcement, emergency services and prosecutorial services; and

WHEREAS: The Administration and Council believe that it is now in the best interest of the city to enter into a Special Counsel Agreement, Contract/Retainer Agreement with Kelley and Ferraro, LLP for the provision of professional legal services to the City of North Royalton with respect to opioid litigation; and

WHEREAS: Said attorneys will represent the City of North Royalton's interests in its claim or claims for economic losses arising out of the alleged fraudulent and negligent marketing and distribution of various prescription drugs known as opioids, and the resulting adverse consequences to the city and its residents; and

WHEREAS: Council desires to authorize the Mayor to enter into this agreement.

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

Section 1. Council hereby authorizes the Mayor to enter into a Special Counsel Agreement, Contract/Retainer Agreement with Kelley and Ferraro, LLP for the provision of professional legal services pursuant to terms and conditions approved by the Director of Law and substantially similar to a copy of which is attached hereto as Exhibit A and incorporated as if fully rewritten.

Section 2. 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 3. 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 for the retention of such special legal services to participate in significant opioid litigation, in order to protect the legal and financial interests of the City of North Royalton.

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.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: March 20, 2018

DATE APPROVED: March 21, 2018

ATTEST: /s/ Dana A. Schroeder
ACTING DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading March 20, 2018

YEAS: Antoskiewicz, Nickell, Petrusky, Langshaw,
Marnecheck, Hannan, Kasaris

NAYS: none