

RESOLUTION NO. 30-2023

Introduced by Sam Artino

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT THE PROPOSAL AND ENTER INTO AN AGREEMENT, ON BEHALF OF THE CITY OF HURON, WITH SEELEY, SAVIDGE, EBERT & GOURASH CO., LPA FOR THE PROVISION OF LEGAL SERVICES FOR A PERIOD OF ONE YEAR FROM JUNE 4, 2023 THROUGH JUNE 3, 2024 IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY THOUSAND AND XX/100 DOLLARS (\$150,000.00)

WHEREAS, the firm of Seeley, Savidge, Ebert & Gourash Co., LPA (hereinafter known as SSE&G) has extensive experience in the provision of Municipal Legal Services; and

WHEREAS, the City and the firm of SSE&G will enter into an agreement to ensure legal representation of the City; and

WHEREAS, such representation and obligations are set out in the Contract attached hereto as Exhibit "A"; and

WHEREAS, the City Council for the City of Huron finds that it is in the best interest of the City and residents of the City to enter into an agreement with SSE&G for legal services.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

SECTION 1: The Huron City Council authorizes the City Manager to execute the Contract for Legal Services between SSE&G and the City of Huron for the period of one (1) year in an amount not to exceed One Hundred Fifty Thousand and xx/100 Dollars (\$150,000.00), as set forth in Exhibit "A" attached hereto and made a part hereof.

SECTION 2: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of the Council and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were taken in meetings open to the public in full compliance with applicable legal requirements, including O.R.C. §121.22.

SECTION 3: This Resolution shall be in full force and effect from and immediately following its adoption.

ATTEST:


Clerk of Council


Monty Tapp, Mayor

ADOPTED:

09 MAY 2023





Seeley Savidge
Ebert & Gourash Co., LPA

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April 24, 2023

Mayor Monty Tapp
Matt Lasko, City Manager
City of Huron Ohio
417 Main Street
Huron, Ohio 44839

RE: Legal Services

Dear Messrs. Tapp and Lasko:

Seeley, Savidge, Ebert & Gourash Co., LPA (“SSE&G”) hereby submits the following proposal to provide continuing legal services to the City of Huron, which will be for a one (1) year term commencing June 4, 2023 and expiring on June 3, 2024 (provided, however, that this proposed arrangement is formally approved by the City of Huron prior to June 4, 2023).

Section One. Firm Overview and Qualifications

SSE&G is a premiere transactional and litigation firm located in Westlake, Ohio. Our attorneys counsel over 500 clients throughout the United States, including entrepreneurs and start-ups, Fortune 500 companies, municipalities and government agencies and individuals. Our goal is to provide efficient, effective and creative legal services to meet the distinct needs of our clients. In furtherance of that goal, we provide advice and representation to our municipal and private clients that allow policymakers and boards to achieve their goals while minimizing legal risk.

SSE&G offers practical legal solutions in more than 15 areas of law, including public law, governmental services, land use, public funding, tax abatements, labor and employee relations, real estate, insurance, civil litigation and worker’s compensation. We have a strong history of providing services in the area of municipal law and attorneys practicing in this area have extensive experience interacting with government entities and officials. Our team of attorneys brings together expertise in litigation and appellate advocacy in state and federal courts, appearing before administrative bodies and providing legal advice to all municipal departments.

Section Two. Basic General Services

SSE&G is prepared to undertake all basic general legal duties for the City of Huron, including:

- Serving as counsel at all regular and special Council Meetings, including Planning and Zoning Commission and any other boards and commissions as directed by the Mayor or City Manager.

- Providing thorough legal advice and written opinions as requested by the Mayor, City Manager, City Council and/or City Directors.
- Drafting ordinances and resolutions upon request of the Mayor, City Manager, City Council and/or City Directors.
- Providing legal advice and guidance to City officials, as necessary.
- Responding to inquiries regarding City matters.
- Attending meetings and discussions with City, County, State and Federal officials and other government officials.
- Reviewing and approving contracts, ordinances, resolutions and any other written documents, as requested by the Mayor, City Manager or City Directors.
- Representing the City regarding personnel matters, through the level of administrative proceedings before the Mayor, City Manager and other City Officials.

Section Three. Additional Services.

The Firm is also prepared to continue representing the City of Huron in any litigation or additional projects, outside of the basic general legal services outlined herein. Subject to agreement, SSE&G will provide special legal services for litigation or additional projects beyond the normal, basic general legal services on a flat fee or hourly basis as agreed upon in advance by the parties. These services include attending to litigation-related matters, complex contracts, employment, workers compensation, and other personnel matters (including disciplinary proceedings), appearance and counsel to Planning Commission and Board of Zoning Appeals, and all litigation-related matters, including but not limited to defense of litigation either directly on behalf of the City or as appointed counsel through the City's insurance carrier(s).

Section Four. Proposed Legal Counsel

SSE&G plans to continue working as a team, providing a network of legal support and Law Director services for the City of Huron across all of our practice areas, including sharing the basic general service responsibilities and duties in order to provide comprehensive coverage at Council meetings and Board meetings as needed. Attorneys Gary Ebert and Todd Schrader will be lead counsel on these matters, with Todd Schrader continuing as Law Director and Gary Ebert continuing as Assistant Law Director. Other SSE&G attorneys will be utilized to assist with provision of basic general services, including periodic attendance at the City of Huron, and to address other projects as assigned.

Section Five. Proposed Fees

For the basic general services, we propose to provide said services for \$12,500/monthly (*which is the same amount charged for the currently-expiring year of service*) on a flat-fee basis due and payable on or before the first of each month; fees are earned upon receipt of payment. Invoices will be billed monthly. It is envisioned that the basic general services shall equate to approximately 60 hours of SSE&G professional time monthly, which may be adjusted by agreement of the parties, but in no event should any excess in the amount of monthly hours provided restrict or impair the continuing representation of the City during the term of this Agreement. Notwithstanding any contrary provision of this correspondence, and unless the parties agree in writing otherwise, either party may terminate the services of SSE&G on ninety (90) days prior written notice to the other.

For additional projects outside of the scope of the basic general services outlined above, SSE&G will offer a discounted blended hourly rate of \$200.00 per hour, unless a different rate is agreed to by SSE&G and the City of Huron. SSE&G will be reimbursed for all out-of-pocket expenses incurred relating to litigation and additional projects. Such out-of-pocket expenses include, for example, the following: travel-related expenses, computer-assisted research, long distance telephone charges, copying charges, messenger services and overnight delivery. When involved in litigation with the Firm, there will be no duplication of services by individuals from the same Firm when providing defense on behalf of the City of Huron.

Please accept our genuine gratitude for the continuing opportunity to serve the legal needs of the City of Huron, and we look forward to assisting the City and its administration, leadership team and staff. Should you have any questions, please do not hesitate to call. We remain

Very truly yours,



Gary A. Ebert



Todd A. Schrader