RESOLUTION NO. 23-176   OFFERED BY: MAYOR ANZEVINO

A RESOLUTION TO PROVIDE LEGAL SERVICES FOR THE CITY OF HUDSON AND APPOINTING MARSHAL M. PITCHFORD AS THE ACTING CITY SOLICITOR AND SPECIAL COUNSEL; AND DECLARING AN EMERGENCY.

WHEREAS, the City Manager has appointed Marshal M. Pitchford as Acting City Solicitor and Special Counsel and the City Council desires to confirm such appointments; and,

WHEREAS, the City Manager has recommended that City Council authorize a new agreement with Marshal Pitchford and DiCaudo, Pitchford & Yoder, LLC for the provision of such services.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hudson, Summit County, Ohio as follows:

Section 1:   The City Manager's appointment of Marshal M. Pitchford as Acting City Solicitor for the City of Hudson is confirmed.   As Acting Solicitor, Attorney Pitchford shall represent the City of Hudson and so prosecute or defend it in all suits and legal controversies as he is directed to do by the City Manager or City Council. Further, all the City Manager and Attorney Pitchford's actions to date on this topic are hereby ratified and retroactively affirmed, including the filing and any defense of any litigation where the City is a party.

Section 2:   The City Manager's appointment of Marshal M. Pitchford as Special Counsel for the City of Hudson is confirmed, retroactively effective as of April 10, 2023. As Special Counsel, Attorney Pitchford shall represent the City of Hudson and so prosecute or defend it in all suits and legal controversies as he is directed to do by the City Manager or City Council. As such, all the City Manager's and Attorney Pitchford's actions to date on this topic are hereby ratified and affirmed, including the filing and any defense of any litigation where the City is a party.

Section 3:   The City Manager is hereby authorized, retroactively, to execute an agreement with Marshal Pitchford and DiCaudo, Pitchford & Yoder to provide legal services to the City of Hudson, in accordance with the fees, scope of services and billing rate contained in the agreement, which is attached as Exhibit "A" and incorporated into this Resolution as though fully rewritten herein.

Section 4:   Marshal Pitchford and/or designated law firms shall each be paid compensation as provided in the agreement, attached hereto as Exhibit "A" and incorporated herein, and authorization for the same is herein provided.

Section 5:   All prior resolutions and ordinances that relate to or in any way conflict with this measure are hereby repealed and rescinded.

Section 6:   That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

Section 7: All formal actions of this Council related to this Resolution and all deliberations of the Council and of any of its Committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 8: This Resolution is declared to be an emergency measure necessary for the preservation of the public peace, health, safety, convenience, and welfare of the City of Hudson and the inhabitants thereof, and for the further reason that this Resolution must be immediately effective in order to provide for the immediate legal services provided for herein, which are necessary to preserve and protect the legal interests of the City of Hudson; wherefore, this Resolution shall be in full force and effect immediately upon its passage provided it receives the affirmative vote of at least five (5) members of Council if five (5) or six (6) members are present, except that six (6) affirmative votes shall be required if all members are present at the meeting at which it is passed; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

                                                         _____
Jeffrey L. Anzevino, Mayor

ATTEST:

_____
Aparna Wheeler, Clerk of Council

I certify that the foregoing Resolution No. 23-176 was duly passed by the Council of said Municipality on _____, 2023.

                                                         _____
Aparna Wheeler, Clerk of Council