

1 RESOLUTION NO. 2019-360

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3 SPONSOR Ms. Shapiro

4  
5 DATE September 23, 2019 COMMITTEE Rules

6  
7 **A Resolution confirming the award by the Board of Control, Change Order No. 2 to a**  
8 **professional service contract with Buckingham, Doolittle & Burroughs, LLC to provide**  
9 **legal representation and services to Kassim Ahmed in a lawsuit, Holly Trivett Fisher, et al.**  
10 **v. The Summit County Prosecutor's Office et al., in an amount not to exceed \$25,000.00**  
11 **(for a cumulative increase of 200%), for a total amount not to exceed \$75,000.00, for the**  
12 **Executive's Department of Law and Risk Management, and declaring an emergency.**

13  
14 WHEREAS, the County is required to provide legal representation and services to  
15 Kassim Ahmed pursuant to Section 2744.07(A) of the Ohio Revised Code in a lawsuit, Holly  
16 Trivett Fisher, et al. v. The Summit County Prosecutor's Office, et al., Case No. CV-2018-07-  
17 2848 before Visiting Judge Robert J. Brown (the "Lawsuit") before the Ninth District Court of  
18 Appeals, in the County of Summit Court of Common Pleas; and

19  
20 WHEREAS, the Board of Control previously adopted Directive No. 244-18, which  
21 awarded a professional service contract with Buckingham, Doolittle & Burroughs, LLC to  
22 provide legal representation and services to Kassim Ahmed in the Lawsuit, in an amount not to  
23 exceed \$25,000.00; and

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25 WHEREAS the Board of Control previously adopted Directive No. 392-18, which  
26 awarded Change Order No. 1 to said professional service contract with Buckingham, Doolittle &  
27 Burroughs, LLC, in an amount not to exceed \$25,000.00 (for an increase of 100%), for a total  
28 amount not to exceed \$50,000.00; and

29  
30 WHEREAS additional legal representation and services by Buckingham, Doolittle &  
31 Burroughs, LLC are necessary in the Lawsuit, which is now on appeal, Case No. CA-29340,  
32 before the Ninth District Court of Appeals; and

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34 WHEREAS, the Board of Control, at its August 28, 2019 meeting, awarded Change  
35 Order No. 2 to said professional service contract with Buckingham, Doolittle & Burroughs, LLC  
36 to provide legal representation and services to Kassim Ahmed in the Lawsuit, in an amount not  
37 to exceed \$25,000.00 (for a cumulative increase of 200%), for a total amount not to exceed  
38 \$75,000.00; and

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40 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
41 that the aforementioned Change Order No. 2 to said professional service contract with  
42 Buckingham, Doolittle & Burroughs, LLC to provide legal representation and services to Kassim  
43 Ahmed in the Lawsuit, is necessary and in the best interest of the County of Summit;

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45 NOW THEREFORE, BE IT RESOLVED, by the Council of the County of Summit, State  
46 of Ohio, that:

47  
48 SECTION 1

49  
50 The award by the Board of Control of Change Order No. 2 to a professional service  
51 contract with Buckingham, Doolittle & Burroughs, LLC to provide legal representation and  
52 services to Kassim Ahmed a lawsuit, Holly Trivett Fisher, et al. v. The Summit County

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2 PAGE TWO

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4 SECTION 1 (Cont.)

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6 Prosecutor's Office, et al. Case No. CV-2018-07-2848, before Visiting Judge Robert J. Brown,  
7 now on appeal, Case No CA-29340, before the Ninth District Court of Appeals (the "Lawsuit"),  
8 in an amount not to exceed \$25,000.00 (for a cumulative increase of 200%), for a total amount  
9 not to exceed \$75,000.00, is hereby confirmed and the County Executive is hereby authorized to  
10 execute Change Order No. 2 and any necessary related documents.

11

12 SECTION 2

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14 This Resolution is hereby declared an emergency in the interest of health, safety and  
15 welfare of the residents of the County of Summit, and for the further reason that it is necessary to  
16 immediately provides additional required legal representation and services in the Lawsuit.

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18 SECTION 3

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20 Provided this Resolution receives the affirmative vote of eight members, it shall take  
21 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
22 effect and be in force at the earliest time provided by law.

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24 SECTION 4

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26 It is found and determined that all formal actions of this Council concerning and relating  
27 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
28 deliberations of this Council and of any of its committees that resulted in such formal action,  
29 were in meetings open to the public, in compliance with all legal requirements, including  
30 Section 121.22 of the Ohio Revised Code.

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33 INTRODUCED September 9, 2019

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35 ADOPTED September 23, 2019

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39 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

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41 APPROVED September 24, 2019

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45 EXECUTIVE

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47 ENACTED EFFECTIVE September 24, 2019

Voice Vote YES: 10-0 - Dickinson, Donofrio, Feeman, Hamilton,  
Koehler, McKenney, Prentice, Rodgers, Schmidt, Walters  
ABSENT: Wilhite