CITY OF FOSTORIA, OHIO

Ordinance No.: 2025 - \_\_\_\_\_\_\_\_\_\_\_\_\_\_

Sponsored by: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Requested by: Mayor/Director of Law

## AN ORDINANCE

Authorizing the Director of Law to enter into a contract for legal representation in order to seek funds for PFAS (forever chemicals) water testing and remediation for potentially contaminated water in the City of Fostoria, and declaring an emergency to exist.

WHEREAS, PFAS Perfluoroalkyl and Polyfluoroalkyl Substances are a group of human caused chemicals found in seventy percent of water in the country; and,

WHEREAS, funds are available for municipalities that test positive should water sources test positive for PFAS; and

WHEREAS, ~~the Ohio Municipal League~~ Attorney Douglas G. Haynam of Shumaker Law Firm has ~~notified municipalities that the law firm of David Grossman & Associates~~ indicated to the City that he is available to represent municipalities in a multi district litigation case for a claim for PFAS remediation; and,

WHEREAS, the Mayor and Director of Law recommend to the Council the retention of said attorneys to represent the City to do testing and to secure funding for remediation on a contingency basis only, with no money to be expended by the City.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Fostoria, Seneca, Hancock, and Wood Counties, Ohio:

SECTION 1. The Council of the City of Fostoria approves of the attached Retainer Agreement, and authorizes, directs and empowers the Director of Law to execute said Agreement by and on behalf of the City, so that said attorneys will exclusively represent the City of Fostoria, Ohio and report to the Director of Law, who is excused from acting as co-counsel due to the limited financial resources of the City available to the Department of Law.

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 actions were in meetings open to the public, and in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code

SECTION 3. This ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare. The reason for such emergency is that the City of Fostoria, Ohio needs immediate representation to secure its rights.

Passed this day of , 2025.

Brian Shaver, President of Council

ATTEST:

Tamara L. Drake, Clerk of Council

Filed with me and approved by me this day of , 2025.

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Don Mennel, Mayor