

CLEVELAND PUBLIC LIBRARY

Finance Committee

September 19, 2017

**RESOLUTION AUTHORIZING SECOND AMENDMENT TO AGREEMENT WITH THE
CHILCOTE LAW FIRM LLP FOR LEGAL SERVICES**

WHEREAS, On May 19, 2016, the Board of Trustees of the Cleveland Public Library authorized the Library Administration to enter into an agreement with the Chilcote Law Firm LLP (“Agreement”) in an amount not to exceed \$50,322.50, in order to negotiate a development agreement with University Circle City Center LLC (“UC3”) for the relocation and construction of a new Martin Luther King Jr. library branch as a part of UC3’s overall development project in University Circle; and

WHEREAS, On September 15, 2016, this Board approved an amendment to the Agreement in the amount of \$25,000.00 to provide additional services, including assisting the Library in evaluating the implications of the agreements between the City of Cleveland and UCI Inc. and the Developers, responding to the Developers’ request for tax abatement, and addressing the legal and practical implications of a proposal from the Developers to move the site of the new library to a different location, for a total contract amount not-to-exceed \$75,322.50; and

WHEREAS, As the Library moves forward with the design phase of the library branch in coordination with the surrounding development, additional legal work will be necessary including the drafting of documents to create an air rights parcel, negotiating a supplemental agreement with regard to the timing and process for coordinated development with the air rights construction, and interpreting the rights and responsibilities of the parties under the Development Agreement, and the Chief Legal Officer would like to continue to retain the Chilcote Law Firm LLP. The Chief Legal Officer is requesting authority to continue to engage the Chilcote Law Firm LLP for up to an additional \$25,000, which the Chief Legal Officer views as reasonable; now therefore be it

RESOLVED, That the Board of Library Trustees authorizes the Executive Director, CEO or the Chief Legal Counsel to enter into an amendment to the agreement with the Chilcote Law Firm to provide additional legal services in connection with the Martin Luther King Jr. branch relocation project in an amount up to \$25,000.00, for a total contract amount not-to-exceed \$100,322.50, which expenditure shall be charged to the General Fund Account 11400053-53710 (Professional Services), and to execute such other instruments or documents as may be necessary or appropriate to effectuate the terms of this Resolution, subject to the approval of the Chief Legal Officer.