

008481

ORDINANCE No. 184906

***Authorize Legal Service Agreement with McCool Smith PC. (Ordinance)**

The City of Portland ordains:

Section 1. The Council finds:

1. The Revenue Bureau intends to seek recovery of past due transient occupancy taxes, penalties, and interest owed by online travel companies.
2. The firm of McCool Smith PC has the necessary knowledge and skills to assist the City and its Revenue Bureau in the process necessary to recover those past due taxes, beginning with administrative hearings and proceeding through court litigation.
3. Due to the nature of the work involved, McCool Smith has agreed to represent the City in this matter on a contingency basis as outlined in the legal services agreement between the City and McCool Smith, hereby submitted as Exhibit A.

NOW, THEREFORE, the Council directs:

- a. The City Attorney and Chief Procurement Officer are hereby authorized to enter into a contract with McCool Smith PC in a form substantially in accordance with the agreement attached as Exhibit A, and to amend said agreement as required.
- b. If applicable, the provisions of City Code Chapter 5.68 are waived.
- c. Upon completion of the matter or as otherwise provided in the contract, the Auditor is authorized to draw and deliver warrants in payment of legal services and costs provided under this Legal Services Agreement.

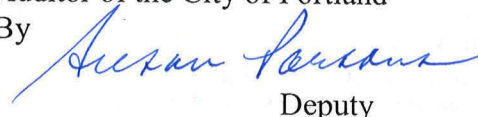
Section 2. The Council declares that an emergency exists in order to allow Counsel to begin the legal processes to recover past due and delinquent monies owed the City in a timely manner; therefore, this ordinance shall be in full force and effect from and after its passage by the Council.

Passed by the Council: OCT 05 2011

Commissioner: Mayor Sam Adams
Prepared by: sdorn: TThatcher
Date Prepared: 09/28/11

LaVonne Griffin-Valade
Auditor of the City of Portland

By



Deputy

Agenda No. **184906**
ORDINANCE NO.
 Title

***Authorize Legal Service Agreement with McCool Smith PC. (Ordinance)**

<p>INTRODUCED BY Commissioner/Auditor: Mayor Sam Adams</p>	<p>CLERK USE: DATE FILED <u>SEP 30 2011</u></p>
<p>COMMISSIONER APPROVAL</p> <p>Mayor—Finance and Administration - Adams <i>[Signature]</i></p> <p>Position 1/Utilities - Fritz</p> <p>Position 2/Works - Fish</p> <p>Position 3/Affairs - Saltzman</p> <p>Position 4/Safety - Leonard</p>	<p align="center">LaVonne Griffin-Valade Auditor of the City of Portland</p> <p>By: <i>[Signature]</i> Deputy</p>
<p>BUREAU APPROVAL</p> <p>Bureau: City Attorney Bureau Head: Linda Meng</p>	<p>ACTION TAKEN:</p>
<p>Prepared by: dorn/TThatcher Date Prepared: 09/14/2011</p>	
<p>Financial Impact Statement & Public Involvement Statement</p> <p>Completed <input checked="" type="checkbox"/> Amends Budget <input type="checkbox"/></p>	
<p>Portland Policy Document If "Yes" requires City Policy paragraph stated in document. Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>	
<p>Council Meeting Date 10/05/2011</p>	
<p>✓ City Attorney Approval <i>[Signature: Linda Meng]</i></p>	

AGENDA
<p>TIME CERTAIN <input type="checkbox"/></p> <p>Start time: _____</p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>
<p>CONSENT <input checked="" type="checkbox"/></p>
<p>REGULAR <input type="checkbox"/></p> <p>Total amount of time needed: _____ (for presentation, testimony and discussion)</p>

FOUR-FIFTHS AGENDA	COMMISSIONERS VOTED AS FOLLOWS:		
		YEAS	NAYS
1. Fritz	1. Fritz	✓	
2. Fish	2. Fish	✓	
3. Saltzman	3. Saltzman	✓	
4. Leonard	4. Leonard	✓	
Adams	Adams	✓	