

Erie County Fiscal Stability Authority

Resolution No. 05-11

APPROVING ENGAGEMENT OF HAWKINS DELAFIELD & WOOD LLP AS LEGAL COUNSEL

WHEREAS, the Erie County Fiscal Stability Authority (“ECFSA”) was formed by Chapter 182 of the Laws of 2005, as amended, to “oversee the county’s budget, financial and capital plans; to issue bonds, notes or other obligations to achieve budgetary savings and to finance short-term cash flow or capital needs; and if necessary, to develop financial plans on behalf of the county if the county is unwilling or unable to take the required steps toward fiscal stability;” and

WHEREAS, the ECFSA will require professional assistance in performing its mission; and

WHEREAS, the ECFSA is required by Chapter 182 of the Laws of 2005, as amended, to commence operations immediately and to receive a four year financial plan for the County of Erie not later than October 1, 2005 and act upon such plan not later than 15 days after its submission by the County, and to receive and act upon a four-year financial plan submitted with the County Executive’s 2006 fiscal year budget proposal and any revisions thereto; and

WHEREAS, it is necessary that the ECFSA immediately obtain legal services regarding its formation and activities, the immediacy of such need constituting extraordinary circumstances which make competition impracticable or inappropriate within the meaning of the procurement guidelines adopted by this Authority;

NOW THEREFORE BE IT RESOLVED, that the ECFSA engage the firm Hawkins Delafield & Wood LLP to provide such legal services as requested by the Chairman until such time as the Authority shall have a reasonable opportunity to procure such legal services in accordance with a competitive selection process undertaken in accordance with its procurement guidelines. Such services shall be conditioned upon the Chairman signing and receiving appropriate letter from the County Executive of the County of Erie as required regarding consent of said official to this representation and shall be undertaken for such amounts and on such terms as shall be determined by the Chairman or Vice Chairman of the Authority.

BE IT FURTHER RESOLVED that this resolution shall supersede the resolution of the Authority adopted August 1, 2005 appointing Hawkins Delafield & Wood LLP to provide such legal services.

This resolution shall take effect immediately.

Stanley J. Keysa
Secretary

Date: August 18, 2005