

BUFFALO FISCAL STABILITY AUTHORITY
RESOLUTION NO. 12-31
APPROVING ENGAGEMENT OF MAGAVERN MAGAVERN GRIMM LLP AS
BUFFALO FISCAL STABILITY AUTHORITY GENERAL LEGAL COUNSEL

WHEREAS, Chapter 122 of the Laws of 2003, as amended, created the Buffalo Fiscal Stability Authority (“BFSA”) to provide financial oversight and budgetary control over the City of Buffalo and other Covered Organizations; and

WHEREAS, the BFSA will require, and is empowered, to retain legal counsel to assist in the performance of its duties; and

WHEREAS, the BFSA is currently not represented by general legal counsel; and

WHEREAS, the BFSA is a public authority of the State of New York (“State”) and as such is governed by certain State laws that specify the procurement of certain services; and

WHEREAS, the BFSA had determined that competitive bidding is not required for the procurement of legal services under State law; and

WHEREAS, the BFSA recognizes the need to procure services from a firm with specific and unique municipal finance expertise; and

WHEREAS, the BFSA has determined that due to the unique needs for general counsel, competitive bidding is both inefficient and ineffective; and

WHEREAS, the BFSA has met with James Magavern of the firm Magavern Magavern Grimm LLP, who meets the unique needs of the BFSA and desires to procure such legal services from this firm, which has been agreed to by such firm; and

NOW THEREFORE BE IT RESOLVED that the Buffalo Fiscal Stability Authority does hereby engage the law firm of Magavern Magavern Grimm LLP to provide such general legal services to the BFSA on an as-needed basis as requested by the Chairman. Such services shall be undertaken for such amounts and on such terms as agreed upon by the Chairman, Secretary, or Executive Director.

This resolution shall take effect immediately.

Approved September 24, 2012.

/s/ George K. Arthur

George K. Arthur, Secretary