

**CITY COUNCIL REGULAR SESSION**

Resolution authorizing execution of a second amendment to the Agreement for Professional Services with Pacifica Law Group, outside counsel for the City in the lawsuit of *Wu v. City of Bellevue* (KCSC Case No. 22-2-02081-4 SEA), increasing the contract to an amount not to exceed \$175,000, plus all applicable taxes.

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*City Attorney's Office*

**EXECUTIVE SUMMARY**

This amendment to the Agreement for Professional Services Agreement with Pacifica Law Group is necessary to cover the anticipated costs of litigation in *Wu v. City of Bellevue* (KCSC Case No. 22-2-02081-4 SEA).

**RECOMMENDATION**

Move to adopt Resolution No. 10213

**BACKGROUND/ANALYSIS**

On February 14, 2022, Hannah Kim Wu filed suit against the City seeking to void an ARCH affordable housing covenant on her property. Ms. Wu alleges she did not have notice of the covenant when she purchased the property in 2014. The City retained Pacifica Law Group, to defend the City and ARCH covenant in this matter. The matter is scheduled to proceed to trial on April 24, 2023, and additional funds are necessary to prepare for and proceed to trial.

**POLICY & FISCAL IMPACTS****Policy Impact**

Bellevue City Code 4.28 provides for the fair and equitable treatment of all persons involved in the purchasing process. Council approval is required to award the bid where the cost exceeds \$90,000.

**Fiscal Impact**

This action obligates the City to increase the total contract amount for legal services provided by Pacifica Law Group, by \$75,000.

Original Contract	\$ 50,000
Amendment #1	\$ 50,000
Amendment #2	\$ 75,000
<b>New Contract Amount</b>	<b>\$175,000</b>

Sufficient funds exist within the 2023-2024 budget to fund this contract.

## **OPTIONS**

1. Adopt the Resolution authorizing execution of a second amendment to the Agreement for Professional Services with Pacifica Law Group, outside counsel for the City in the lawsuit of *Wu v. City of Bellevue* (KCSC Case No. 22-2-02081-4 SEA), increasing the contract to an amount not to exceed \$175,000, plus all applicable taxes.
2. Do not adopt the Resolution and provide alternative direction to staff.

## **ATTACHMENTS & AVAILABLE DOCUMENTS**

Proposed Resolution No. 10213

## **AVAILABLE IN COUNCIL LIBRARY**

Amendment #1 to the Agreement for Services (Professional Services Contract)