

CITY COUNCIL REGULAR SESSION

Resolution authorizing execution of an amendment to the Agreement for Professional Services with Pacifica Law Group LLP, outside counsel retained to assist the City in addressing and investigating the events surrounding the January 17, 2022 landslide and to represent the City in the various lawsuits and claims that have originated as a result of the landslide, in an amount not to exceed \$1,125,000, exclusive of any applicable taxes.

Kathy Gerla, City Attorney, 452-7220
Cheryl Zakrzewski, Assistant City Attorney, 452-4081
City Attorney's Office

EXECUTIVE SUMMARY

This Resolution authorizes execution of an amendment to the Professional Services Agreement with Pacifica Law Group for the continued representation of the City in the investigation, response, and litigation related to the January 17, 2022 landslide.

RECOMMENDATION

Move to adopt Resolution No. 10256

BACKGROUND/ANALYSIS

On January 17, 2022, a landslide occurred in the Somerset neighborhood, knocking a home off its foundation. The City retained the Pacifica Law Group to assist the City in addressing various legal issues which arose as a result of the landslide, including the demolition of the home and the investigation into the cause of the landslide. On June 7, 2022, the Surdi family filed a lawsuit in King County Superior Court against the City, and on April 10, 2023, the Surdi family filed an amended complaint adding the Forest Ridge School of the Sacred Heart (the owner of the landslide property) as a defendant to their lawsuit. The Pacifica Law Group has been assisting the City in defending that lawsuit, responding to the claim for damages submitted by the Forest Ridge School, and prosecuting the City's lawsuit against the Forest Ridge School seeking recovery of its costs in responding to and cleaning up the properties damaged by the landslide. This contract amendment covers ongoing work related to these ongoing legal issues.

POLICY & FISCAL IMPACTS

Policy Impact

Bellevue City Code 4.28.040 provides that professional services contracts in excess of \$90,000 require Council approval.

Fiscal Impact

This action obligates the City to increase the total contract amount for legal services provided by Pacifica Law Group LLP by \$500,000.

Original Contract	\$ 40,000
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Amendment #1	\$ 50,000
Amendment #2	\$210,000
Amendment #3	\$325,000
Amendment #4	\$500,000
New Contract Total Amount	\$1,125,000

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

OPTIONS

1. Adopt the Resolution authorizing execution of an amendment to the Agreement for Professional Services with Pacifica Law Group LLP, outside counsel retained to assist the City in addressing and investigating the events surrounding the January 17, 2022 landslide and to represent the City in the various lawsuits and claims that have originated as a result of the landslide, in an amount not to exceed \$1,125,000, exclusive of any applicable taxes.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS

Proposed Resolution No. 10256

AVAILABLE IN COUNCIL LIBRARY

Amendment #4 to the Agreement for Services (Professional Services Contract)