

April 6, 2015

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution No. 8896 authorizing execution of an amendment to the Agreement for Professional Services with Keating Bucklin & McCormack, outside counsel for the City in the Shoreline Hearings Board appeal of *Davidson et al, v. City of Bellevue, et al* (SHB Case No. 14-025), in an amount not to exceed \$300,000.

FISCAL IMPACT

This action obligates the City to increase the total contract amount for legal services provided by Keating Bucklin & McCormack by \$250,000.

Original Contract	\$50,000
Amendment #1	\$250,000
New Contract Total Amount	\$300,000

Sufficient funds exist within the 2015 Budget to fully fund this contract.

STAFF CONTACT

Lori Riordan, City Attorney, 452-7220

Cheryl Zakrzewski, Assistant City Attorney, 452-4081

City Attorney's Office

POLICY CONSIDERATION

Should the City continue to retain outside counsel to provide legal services for the City in this appeal?

BACKGROUND

The Petitioners filed this Shoreline Hearings Board appeal challenging the City's issuance to Sound Transit (for East Link) of a Shoreline Substantial Development permit and the Department of Ecology's issuance of a Variance from the Shoreline Master Program. The City retained Keating Bucklin & McCormack to defend the City in this appeal. The appeal is scheduled to proceed to hearing on April 27, 2015. An amendment to the Professional Services Agreement is necessary to provide sufficient funding for the City to undertake necessary discovery, prepare and file motions, and prepare for and attend the hearing.

EFFECTIVE DATE

If adopted, this Resolution will be effective immediately.

OPTIONS

1. Adopt the Resolution authorizing execution of the amendment to the Agreement with Keating Bucklin & McCormack, increasing the total amount to an amount not to exceed \$300,000.
2. Do not adopt the Resolution, do not authorize the payment for these additional legal services and provide alternative direction to staff.

RECOMMENDATION

Option 1.

MOTION

Move to adopt Resolution No. 8896 authorizing execution of an Amendment to the Agreement with Keating Bucklin & McCormack increasing the total contract amount to a total not to exceed \$300,000 to provide legal services for the City in the appeal of *Davidson et al v. City of Bellevue et al*, (SHB No. 14-025).

ATTACHMENTS

1. Proposed Resolution No. 8896

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

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