

October 5, 2015

CITY COUNCIL AGENDA MEMORANDUM

SUBJECT

Resolution No. 8979 authorizing execution of an amendment to the Agreement for Professional Services with Pacifica Law Group LLP, outside counsel for the City in the lawsuit of *Greensun v. City of Bellevue* (KCSC Case No. 14-2-29863-3 SEA), in an amount not to exceed \$225,000.

FISCAL IMPACT

This action obligates the City to increase the total contract amount for legal services provided by Pacifica Law Group LLP by \$25,000.

Original Contract	\$50,000
Amendment #1	\$150,000
Amendment #2	\$25,000
New Contract Total Amount	\$225,000

Sufficient funds exist within the 2015-2016 biennial 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 lawsuit?

BACKGROUND

Greensun filed this lawsuit for injunctive and declaratory judgment on November 11, 2014 seeking an order from the court allowing them to open a retail marijuana store at 10600 Main Street. The City retained the Pacifica Law Group LLP to defend the City in this matter.

Greensun's request for a preliminary injunction was denied by the superior court. Greensun's lawsuit was then dismissed in its entirety by the superior court, and Greensun appealed that dismissal to the court of appeals. An amendment to the Professional Services Agreement is necessary to provide sufficient funding for the City to respond to the appeal undertaken by Greensun.

EFFECTIVE DATE

If adopted, this Resolution will be effective immediately.

OPTIONS

1. Adopt the Resolution authorizing execution of the amendment to the Agreement with Pacifica Law Group LLP, increasing the total amount to an amount not to exceed \$225,000.

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. 8979 authorizing execution of an Amendment to the Agreement with Pacifica Law Group LLP increasing the total contract amount to a total not to exceed \$225,000 to provide legal services for the City in the lawsuit of *Greensun v. City of Bellevue et al*, KCSC Case No. 14-2-29863-3SEA.

ATTACHMENTS

Proposed Resolution No. 8979

AVAILABLE IN COUNCIL DOCUMENT LIBRARY

Amendment #2 to the Agreement for Services (Professional Services Contract).