

CITY COUNCIL REGULAR SESSION

Resolution authorizing execution of an amendment to the Professional Services Agreement with Pacifica Law Group, LLP, outside counsel for the City, in the amount of \$130,000, plus all applicable taxes, for legal services related to the relocation claim of the former tenant of the property located at 1445 120th Avenue NE which was acquired for both Sound Transit East Link and City Transportation projects.

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

Maher Welaye, Engineering Manager, 452-4879
Department of Transportation

EXECUTIVE SUMMARY

This Resolution is necessary to fund the existing contract for legal services through an appeal to the Hearing Examiner.

RECOMMENDATION

Move to adopt Resolution No. 9617

If approved, effective date: 06/17/2019

BACKGROUND/ANALYSIS

In 2013, the City initiated eminent domain proceedings to acquire the property located at 1445 120th Avenue NE for both Sound Transit East Link and City Transportation projects. As part of this acquisition, the commercial tenant of the building had to be relocated and was entitled to relocation benefits. The City's attempt to reach a negotiated resolution with the former tenant as to the value of those relocation benefits has failed, and the matter will now proceed to a hearing before the Hearing Examiner.

A Professional Services Agreement was originally executed with Pacifica Law Group LLC in 2013 to assist in the acquisition of the property located at 1445 120th Avenue NE. That agreement was amended four times to \$415,000 to cover the acquisition of the necessary property rights and to address the relocation of the former tenant. This fifth amendment in the amount of \$130,000 is necessary to cover the legal services necessary through an appeal hearing over relocation benefits.

POLICY & FISCAL IMPACTS**Policy Impact**

City policy 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 for legal services provided by Pacifica Law Group LLC by \$130,000, plus applicable taxes, to resolve the relocation claim of the former tenant of the property located at 1445 120th Avenue NE which was acquired for both Sound Transit East Link and City Transportation projects. There is sufficient funding in the 2019-2025 CIP through the East Link MOU Commitments project (CIP Plan No. PW-R-181) to fully fund this contract.

Professional Services Agreement with Pacifica Law Group	
Authorized Contract (No. 1350258)	\$49,000
Amendment No. 1	\$251,000
Amendment No. 2	\$115,000
Amendment No. 3	-
Amendment No. 4	-
Amendment No. 5	\$130,000
New Contract Total Amount	\$545,000

OPTIONS

1. Adopt the Resolution authorizing execution of an amendment to the Professional Services Agreement with Pacifica Law Group, LLP, outside counsel for the City, in the amount of \$130,000, plus all applicable taxes, for legal services related to the relocation claim of the former tenant of the property located at 1445 120th Avenue NE which was acquired for both Sound Transit East Link and City Transportation projects.
2. Do not adopt the Resolution and provide alternative direction to staff.

ATTACHMENTS & AVAILABLE DOCUMENT

Proposed Resolution No. 9617

AVAILABLE IN COUNCIL LIBRARY

Amendment No. 5 to the Professional Services Agreement