



Snohomish County Council

Committee: LJHS
ECAF: 22-1191
Proposal: Mot. 22-488

Analyst: Heidi Beazizo
Date: December 6, 2022

Consideration

The Executive's Office requests Council consider approving proposed Motion 22-488 which would approve and authorize Amendment No. 3 for legal services.

Background

A lawsuit, filed on October 28, 2020, in King County Superior Court named Snohomish County and Snohomish County employees necessitating a procurement for the legal services of an outside firm. The Rules of Professional Conduct preclude the Civil Division from representing the County, former employees, and volunteers acting on behalf of Snohomish County.

Independent outside counsel was selected and the original contract for special services with Friemund Tardif, PLLC on August 25, 2020 for an amount of up to \$50,000. Amendment No. 1 added an attorney to the agreement. Amendment No. 2 was executed on February 23, 2022 by Motion 22-036¹ and increased the not-to-exceed amount to \$100,000. Continued representation is needed in this matter.

Current Proposal

Scope: Motion 22-483 approves Amendment No 3. with Simmons Sweeney Friemund Tardif PLLC for continued outside counsel in this matter.

Duration: Unknown – dependent upon resolution

Fiscal Implications: \$50,000 for a total not-to-exceed amount of \$250,000

2023 Budget: YES. Paid from the Insurance Defense Fund.

Future Budget Impacts: Unknown

Handling: Normal

Approved-as-to-form: YES

Risk Management: YES

Executive Recommendation: YES

Analysis: [SCC 3.04.140](#)(5) allows for the Prosecuting Attorney to approve \$50,000 in litigation contracts. As the not-to-exceed amount is increasing, Council approval is required.

Request: Move this motion to GLS on December 14th for Council to consider taking action.

¹ [Snohomish County Council - File #: 2022-0065 \(legistar.com\)](#)