



Snohomish County Council

Committee: Conservation, Sustainability, and Recreation **Analyst:** Nicole Gorle
ECAF: 2022-1332
Motion: 22-556 **Date:** January 4, 2023

Consideration:

The Executive’s Office requests Council consider approving proposed Motion 22-556, which would approve and authorize Amendment No. 4 to the agreement with Charles H. Montage for consultation and legal representation regarding Centennial Trail legal rights.

Background:

In 2013, Snohomish County began the process of purchasing a 12-mile portion of the Eastside Rail Corridor from the Port of Seattle between the cities of Snohomish and Woodinville. In March 2016¹, the Snohomish County Council approved the County’s purchase of the property via Motion 16-117.

Recognizing a need for specialized legal advice and representation related to property rights associated with the rail corridor, the County contracted with Charles H. Montange for legal services.

There have been two contracts with Charles Montage for legal services on this matter. The first one was executed on March 27, 2018 and was for advice and representation regarding its rights, obligations, and potential options in connection with the rail corridor. This contract had one amendment and the grand total do not exceed amount was \$65,000. The contract expired on December 31, 2018.

On February 11, 2019, a new contract was executed by the Prosecuting Attorney to continue services by Charles Montage. There have been three council adopted amendments to the contract.

Contract with Charles Montange for Legal Services - Centennial Trail Legal Rights					
Action Date	Agreement	Motion	Do Not Exceed Amount	Expires	Approval Authority
Original Contract					
03.27.2018	Original	-	\$15,000	Dec. 31, 2018	Executive
07.25.2018	Amendment	18-232	\$50,000		Council
Original Contract Total			\$65,000		
NEW Contract					
02.11.2019	NEW AGREEMENT	-	\$10,000	Dec. 31, 2020	Prosecuting Attorney
05.06.2019	Amendment 1	19-124	\$75,000		Council
12.04.2019	Amendment 2	19-385	\$80,000		Council
12.08.2020	<i>One year time extension approved by Parks Director</i>				
12.15.2021	Amendment 3	21-426	\$50,000	Dec. 31, 2022	Council
Pending	Amendment 4	22-556	\$50,000	Dec. 31, 2023	Council
New Agreement Total			\$265,000		
Grant Total on Contracts with Mr. Montange for Centennial Trail Legal			\$330,000		

¹ http://snohomish.granicus.com/MediaPlayer.php?view_id=2&clip_id=4995&meta_id=315835#

Current Proposal:

Scope:

Motion 22-556 approves Amendment No. 4 to the February 11th agreement by:

1. Increasing the do not exceed amount by \$50,000; and
2. Extending the contract to December 31, 2023.

This amendment will allow the County to continue receiving legal advice and representation from Mr. Montange related to the Eastside Rail Corridor.

Amount: \$50,000

Duration: Execution – December 31, 2023

2023 Budget: Yes

Future Budget Impact: No

Handling: Expedite – 12.31.22

Approved-as-to-form: Yes

Risk Management: Yes

Executive Recommendation: Approve

Attachment: None

Amendments: None

Request: Move to GLS on January 11th for Council to consider taking action.