



Snohomish County Council

Legislation Details (With Text)

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Type: Motion **Status:** Approved

File created: 9/15/2022 **In control:** General Legislative Session

On agenda: 9/28/2022 **Final action:** 9/28/2022

Title: Motion 22-396, authorizing the Snohomish County Executive to sign a contract amendment with Joyce Ziker Partners, PLLC for legal services for environmental claims in and around the southeast area of the Snohomish County Airport

Sponsors: Airport, Nickolis Landgraff

Indexes:

Code sections: SCC 3.04.140(8) - Award, execution, by whom, SCC 3.04.190 - Service contract not subject to bidding requirements.

Attachments: 1. Motion 22-396, 2. Staff Report, 3. Amendment No. 3 - SIGNED, 4. Amendment No. 2, 5. Agreement, 6. Certificate of Liability Insurance, 7. Motion Assignment Slip

Date	Ver.	Action By	Action	Result
9/28/2022	1	General Legislative Session	Approved	Pass
9/27/2022	1	Finance and Economic Development Committee	Moved to the GLS Consent Agenda	
9/27/2022	1	Administrative Session	Assigned	

Executive/Council Action Form (ECAF)

ITEM TITLE:

Motion 22-396, authorizing the Snohomish County Executive to sign a contract amendment with Joyce Ziker Partners, PLLC for legal services for environmental claims in and around the southeast area of the Snohomish County Airport

DEPARTMENT: Airport

ORIGINATOR: Nickolis Landgraff

EXECUTIVE RECOMMENDATION: Ken Klein (Reviewed/approved 9/16/22)

PURPOSE: Obtain approval of Amendment No. 3 to contract for Legal consulting services regarding environmental issues and advice.

BACKGROUND: .

- Long term tenants of the Snohomish County Airport may have caused or contributed to hazardous waste, substances, pollutants and contaminants on Airport property.
- Specialized legal advice, consultation and representation for potential legal action, remedies and damages is necessitated by such tenancy and environmental issues.
- Snohomish County has entered into a legal professional services agreement with Joyce Ziker Partners, PLLC for consultation and initial advice in December 2019 regarding the Airport in and around the

southeast area of the Airport and tangential locations, not to exceed \$25,000. Amendment No. 1 revised the names of the attorneys at Joyce Ziker Partners, PLLC providing services. Amendment No. 2 provided additional compensation of \$125,000 for a contract amount of \$150,000.

- Continuing advice from Joyce Ziker Partners, PLLC is critical to potential legal action, remedies and damages is necessitated by such tenancy and environmental issues.
- Amendment No. 3 provides additional compensation of \$30,000 not to exceed a total contract amount of \$180,000 without further approval, and includes an attorney hourly rate adjustment, the first since contract inception.

FISCAL IMPLICATIONS:

EXPEND: FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
410.52168010.4101 Professional Services	\$10,000	\$20,000	\$30,000
TOTAL	\$10,000	\$20,000	\$30,000

REVENUE: FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
410.321680.0800 Fund Balance	\$10,000	\$20,000	\$30,000
TOTAL	\$10,000	\$20,000	\$30,000

DEPARTMENT FISCAL IMPACT NOTES: The airport has sufficient funds in the current year budget and planned accordingly in future years. Please note there is no Amendment No. 1 below.

CONTRACT INFORMATION:

ORIGINAL	<input checked="" type="checkbox"/>	CONTRACT#	Joyce Ziker Partners, PLLC	AMOUNT	\$25,000
AMENDMENT #1	<input checked="" type="checkbox"/>	CONTRACT#	Joyce Ziker Partners, PLLC	AMOUNT	\$125,000
AMENDMENT #2	<input checked="" type="checkbox"/>	CONTRACT#	Joyce Ziker Partners, PLLC	AMOUNT	\$30,000

Contract Period

ORIGINAL	START	<u>12/27/2019</u>	END	<u>NA</u>
AMENDMENT #1	START	<u>7/31/2020</u>	END	<u>NA</u>
AMENDMENT #2	START	<u>8/31/2022</u>	END	<u>NA</u>

OTHER DEPARTMENTAL REVIEW/COMMENTS: Reviewed/approved by Risk Management (Sheila Barker 9/16/22), Prosecuting Attorney as to form only (Michelle Corsi 9/15/22) and Finance (Nathan Kennedy 9/16/22)