



# Snohomish County Council

## Legislation Details (With Text)

**File #:** 2022-1191      **Version:** 1

**Type:** Motion      **Status:** Approved

**File created:** 11/14/2022      **In control:** General Legislative Session

**On agenda:** 12/14/2022      **Final action:** 12/14/2022

**Title:** Motion 22-488, approving 3rd Amendment to 2020 Contract for Legal Services

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Motion 22-488, 2. Staff Report, 3. 3rd Amendment - SIGNED, 4. Contract, 5. 1st Amendment, 6. 2nd Amendment, 7. Motion Assignment Slip

Date	Ver.	Action By	Action	Result
12/14/2022	1	General Legislative Session	Approved	Pass
12/13/2022	1	Law and Justice / Human Services Committee	Moved to the GLS Consent Agenda	
11/22/2022	1	Administrative Session	Assigned	

### Executive/Council Action Form (ECAF)

**ITEM TITLE:**

Motion 22-488, approving 3<sup>rd</sup> Amendment to 2020 Contract for Legal Services

**DEPARTMENT:** Prosecuting Attorney

**ORIGINATOR:** Ellen Hagey

**EXECUTIVE RECOMMENDATION:** Approved by Ken Klein 11/15/22

**PURPOSE:** For the County Council to pass a motion authorizing the Executive to approve a 3<sup>rd</sup> amendment to a contract for legal services with Simmons Sweeney Freimund Smith Tardiff PLLC (formerly known as Freimund Tardiff), regarding the Aradon matter.

**BACKGROUND:** The Prosecuting Attorney entered into a contract with Allison Croft of Freimund Tardiff PLLC on 8/25/2020, for legal services related to a lawsuit, Aradon, et al v Snohomish County (C20-064). Aggregate fees for attorney services were not to exceed \$50,000. On 3/18/2021, the Council approved the 1<sup>st</sup> amendment to the contract which permitted the retention of Chia-Yu Chiang as co-counsel with Freimund Tardiff PLLC. On 2/23/2022, the Council approved the 2<sup>nd</sup> amendment to the contract which allowed aggregate fees for attorney services to not exceed \$100,000. As litigation is ongoing and expected to continue for the foreseeable future, this 3<sup>rd</sup> amendment to the contract allows aggregate fees for attorney services to not exceed \$250,000. It also acknowledges the law firm's new name - the result of a merger earlier this year -- as Simmons Sweeney Freimund Smith Tardiff PLLC.

**FISCAL IMPLICATIONS:**

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<b>EXPEND:</b> FUND, AGY, ORG, ACTY, OBJ, AU	CURRENT YR	2ND YR	1ST 6 YRS
506-5124714609 (insurance defense fund)	\$50,000	\$100,000	
<b>TOTAL</b>	\$50,000	\$100,000	

<b>REVENUE:</b> FUND, AGY, ORG, REV, SOURCE	CURRENT YR	2ND YR	1ST 6 YRS
<b>TOTAL</b>			

**DEPARTMENT FISCAL IMPACT NOTES:** Click or tap here to enter text.

**CONTRACT INFORMATION:**

ORIGINAL	X	CONTRACT#	AMOUNT	Up to \$50,000
AMENDMENT-1	X	CONTRACT#	AMOUNT	No change
AMENDMENT-2	X	CONTRACT#	AMOUNT	Up to \$100,000
AMENDMENT-3	X	CONTRACT#	AMOUNT	Up to \$250,000

**Contract Period**

ORIGINAL	START	8/25/2020	END	On-going
AMENDMENT-1	START	3/18/2021	END	On-going
AMENDMENT-2	START	2/23/2022	END	On-going
AMENDMENT-3	START	TBD		TBD

**OTHER DEPARTMENTAL REVIEW/COMMENTS:** Reviewed/approved by Risk - Shelia Barker 11/15/22 and Finance - Nathan Kennedy 11/15/22