



# BUSINESS OF THE CITY COUNCIL CITY OF SNOQUALMIE

**AB23-125**  
**October 23, 2023**  
**Committee Report**

## AGENDA BILL INFORMATION

<b>TITLE:</b>	<b>AB23-125:</b> Amendment to the agreement for legal services with Ogden Murphy Wallace, PLLC	<input type="checkbox"/> Discussion Only
<b>PROPOSED ACTION:</b>	Motion to approve the amendment to the agreement for legal services with Ogden Murphy Wallace, PLLC and authorize the Mayor to sign.	<input checked="" type="checkbox"/> Action Needed: <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution

<b>REVIEW:</b>	Department Director	Choose an item.	Click or tap to enter a date.
	Finance	Janna Walker	10/3/2023
	Legal	David Linehan	10/5/2023
	City Administrator	Mike Chambless	10/12/2022

<b>DEPARTMENT:</b>	Administration		
<b>STAFF:</b>	Carson Hornsby, Management Analyst		
<b>COMMITTEE:</b>	Finance & Administration	<b>COMMITTEE DATE:</b> October 17, 2023	
<b>EXHIBITS:</b>	1. Amendment No. 1		

<b>AMOUNT OF EXPENDITURE</b>	\$ 25,000
<b>AMOUNT BUDGETED</b>	\$ 4,034,572
<b>APPROPRIATION REQUESTED</b>	\$ 0

## SUMMARY

### INTRODUCTION

The City executed an agreement with Ogden Murphy Wallace, PLLC on December 1, 2022. The Agreement provided, among other things, for representation of the City in the appeal matter of C.A. Carey v. City of Snoqualmie, with compensation not to exceed \$50,000. Billing for services rendered in connection with the appeal has reached \$50,000 and an amendment is necessary to increase the compensation amount to complete the appeal process.

### ANALYSIS

Administration proposes an amendment to the agreement in the amount of \$25,000 to increase the not to exceed amount of the agreement to \$75,000. The current not to exceed amount of \$50,000 was reached by the end of September 2023. The additional compensation is anticipated to cover the remainder of the appeal process barring any further appeals. Oral argument on the appeal is scheduled to take place in mid-November. If the City prevails in the appeal, the City will be able to submit a fee petition to recover its legal fees from the unsuccessful appellant. The lead Ogden Murphy Wallace attorney on the appeal believes the additional \$25,000 on the contract will be sufficient to cover preparing the fee petition if the City is able to pursue some or all of its legal fees as the prevailing party.

## BUDGET IMPACTS

The City appropriated \$4,034,572 for services within the General Fund Administrative Departments in the 2023-2024 Biennial Budget. Currently, \$1,725,731 has been spent in the biennium and \$306,558 is encumbered for contracts within departments. If Council approves the amendment to the agreement with Ogden Murphy Wallace, PLLC in the amount of \$25,000, the remaining Biennial Budget appropriation will be \$1,977,283. Therefore, sufficient appropriation exists within the 2023-2024 Biennial Budget (General Fund #001) to fund the amendment to the agreement.

### General Fund Administrative Departments Services

2023-2024 Amended Biennial Budget		
Beginning Budget	\$	4,034,572
Expenditures	\$	(1,725,731)
Outstanding Contract Value	\$	(306,558)
Current Available Budget	\$	2,002,283
Value of this Contract Amendment	\$	(25,000)
Available Budget after Resolution	\$	1,977,283

## PROPOSED ACTION

Motion to approve the amendment to the agreement for legal services with Ogden Murphy Wallace, PLLC and authorize the Mayor to sign.