
Council Meeting Date: December 10, 2001

Agenda Item: 7(k)

CITY COUNCIL AGENDA ITEM
CITY OF SHORELINE, WASHINGTON

AGENDA TITLE: Award of Prosecution Services Contract
DEPARTMENT: City Attorney
PRESENTED BY: Ian R. Sievers, City Attorney

PROBLEM / ISSUE STATEMENT: Since incorporation the City has contracted for legal services to file and prosecute City cases in the Shoreline Municipal Court, a division of Shoreline District Court. Our prosecutor makes charging decisions for misdemeanor and gross misdemeanor violations under the Shoreline criminal code. The City enacted a purchasing ordinance in 2001 which requires solicitation of bids for service contracts in excess of \$50,000. Since this service contract now costs over \$110,000 a year with expenses, a Request For Proposals was prepared for a new two-year contract beginning January 2002.

BACKGROUND: Caseload in our municipal court has remained fairly constant over the past couple of years. Over the first five months of this year there have been 366 Traffic misdemeanors, including DUI and Driving While License Suspended and 304 non-traffic misdemeanors including domestic violence assault. The prosecutor is responsible for filing charging documents, attending arraignments, hearings, and sentencing, and conducting bench and jury trials. The City pays separately for prosecution of in-custody initial hearings and arraignments when a Shoreline defendant is being held at the county jail in Seattle or the Regional Justice Center in Kent.

The RFP requested a flat monthly rate that would include up to ten appeals a year to superior court from the municipal court, with an hourly rate for more than ten appeals. This number of appeals has not been exceeded over the last two years. The RFP was mailed directly to a number of firms that provide municipal prosecution or defense, posted with the Washington Bar Association and the Seattle-King County Defender Association, and published twice in the Seattle Times and Daily Journal of Commerce. Seven excellent proposals were received.

Proposals ranged from \$7500 to \$15,000. The three best qualified firms in the bid range of \$7500 to \$8500 were rated for qualifications and price by representatives of the City Attorney's Office, City Manager's Office, Purchasing Division of Finance and the Police Department. Although not the lowest bid at \$8500, the committee unanimously selected the Law Office of Sarah Roberts as the best proposal of these final candidates weighing price, experience, qualifications, resources and references. Ms. Roberts, her associate, and staff have extensive experience with the criminal division of the King County Prosecuting Attorney's Office and currently serve as contract prosecutors for Lake Forest Park. Ms. Roberts teaches criminal law and criminal procedure at Seattle University Law School.

FINANCIAL IMPACT: The City has used the firm of Kenyon Dornay, Marshall, PLLC for these services on a year to year contract. Their current contract has a monthly rate of \$9650 plus expenses. However, a portion of this fee is passed through to the King County Prosecuting Attorney who provides prosecution services for city defendant in-custody preliminary hearings and arraignments under an interlocal agreement with several suburban cities executed last year. The County has been notified that the City will continue these in-custody prosecution services and will pay directly beginning in 2002.

The monthly fee of \$8500 including expenses proposed for this contract, in addition to the King County fee expected to be approximately \$830 per month, will be within the 2002 budget for prosecution services.

RECOMMENDATION

Staff recommends that the City Council authorize the City Manager to execute a contract for 2002-3 prosecution services with the Law Office of Sarah Roberts.

Approved By: City Manager  City Attorney 