

**CITY COUNCIL AGENDA ITEM**  
CITY OF SHORELINE, WASHINGTON

<b>AGENDA TITLE:</b>	Authorization to Execute an Amended Contract with the Law Office of Sarah Roberts for Prosecution Services Through 2015
<b>DEPARTMENT:</b>	City Attorney's Office
<b>PRESENTED BY:</b>	Julie Ainsworth-Taylor, Interim City Attorney
<b>ACTION:</b>	<input type="checkbox"/> Ordinance <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Motion <input type="checkbox"/> Discussion <input type="checkbox"/> Public Hearing

**PROBLEM/ISSUE STATEMENT:**

Under Washington State Law, the City of Shoreline is responsible for criminal justice costs of misdemeanors and infractions committed within the City's municipal boundaries. These costs include court services, indigent defense, and prosecution. The City's prosecution contract with current City Prosecutor Sarah Roberts terminates at the end of 2014. Given the recent retirement of the City's long-serving City Attorney and the transition process within the City Attorney's office to accommodate this retirement, facilitating an open, competitive public bid process at this time is challenging.

The proposed amendment to the existing prosecution services contract would alleviate the need for opening these services for public bid during the transition process.

**RESOURCE/FINANCIAL IMPACT:**

The current monthly payment for this contract is \$13,088.75. If extended for one additional year, this monthly rate would need to be increased by 90% of the CPI-U for June 2014, which is 1.8%. Application of this contract rate increase to the current monthly payment would increase the monthly compensation by \$235.60 for a monthly total of \$13,324.35, starting January 1, 2015. This would result in an annual contract increase of \$2,827.17. The total annual contract for 2015 would be \$159,892.20.

**RECOMMENDATION**

Staff recommends that the Council move to authorize the City Manager to approve a one-year extension to the City's contract with Sarah Roberts for Prosecution Services and authorize the additional funds necessary for this extension.

Approved By:            City Manager **DT**    City Attorney **JA-T**

## **BACKGROUND**

Since incorporation, the City of Shoreline has contracted for legal services to file and prosecute City cases in the Shoreline District Court. The Prosecuting Attorney makes charging decisions for misdemeanor and infractions under the Shoreline criminal code and is responsible for filing charging documents, attending arraignments, hearings, sentencing, conducting bench and jury trials, probation violation hearings and appeals.

In 2010, the City entered into a contract (Contract #6166) for the provision of prosecuting services with the Law Office of Sarah Roberts. The term of this contract expires on December 31, 2014.

When this contract was entered into in 2010, the contract authorized a monthly payment not to exceed a maximum of \$12,266, including all fees and expenses. The contract contains a provision stating that fees shall be adjusted by 90% of the increase for CPI-U (June to June) at the beginning of each calendar year. The current monthly payment for 2014 is \$13,088.75, for a total annual contract amount of 157,065.36.

## **DISCUSSION**

While the City Attorney's Office had intended to make these services available for competitive public bid prior to the expiration of the existing prosecuting services contract this year, given the long-standing City Attorney's recent retirement and the search for a new City Attorney having not yet been completed, a one year extension of this contract under the same contract terms is recommended so as to maintain continuity within the City's legal services division. The City Attorney's Office will conduct a full Request for Proposal bid process next year for a new contract award beginning January 1, 2016.

The Law Office of Sarah Roberts has provided exceptional prosecuting services for the City of Shoreline for the past few years at a reasonable cost. Continuing these services for a single one-year term will allow the City of Shoreline to meet its legal requirement of providing prosecutorial services and allow for a full opportunity in the future to give consideration to bids received during a competitive bid process.

## **RESOURCE/FINANCIAL IMPACT**

The current monthly payment for this contract is \$13,088.75. If extended for one additional year, this monthly rate would need to be increased by 90% of the CPI-U for June 2014, which is 1.8%. Application of this contract rate increase to the current monthly payment would increase the monthly compensation by \$235.60 for a monthly total of \$13,324.35, starting January 1, 2015. This would result in an annual contract increase of \$2,827.17. The total annual contract for 2015 would be \$159,892.20.

## **RECOMMENDATION**

Staff recommends that the Council move to authorize the City Manager to approve a one-year extension to the City's contract with Sarah Roberts for Prosecution Services and authorize the additional funds necessary for this extension.