



	Approved	Denied
Date Action Taken:	7/13/09	
Other:		
Verified by:	KSmiths	

WASILLA CITY COUNCIL ACTION MEMORANDUM

AM No. 09-35

TITLE: Extension of Professional Legal Services Contract with Birch, Horton, Bittner, and Cherot through December 31, 2009.

Agenda of: July 13, 2009

Date: June 30, 2009

Originator: Kristie Smithers, MMC, City Clerk

Route to:	Department	Signature/Date
X	Finance Director	<i>[Signature]</i> 7.2.09
X	Deputy Administrator	<i>[Signature]</i>
X	City Clerk	<i>[Signature]</i>

REVIEWED BY MAYOR VERNE E. RUPRIGHT: *[Signature]*

FISCAL IMPACT: yes, \$50,000 for FY-10 or no Funds Available yes no

Account name/number: Various: XXX-XXXX-XXXX-30-32 Legal Services

Attachments: Contract amendment

SUMMARY STATEMENT: At the June 25, 2009, Special City Council Meeting the Council awarded the contract for General Counsel Legal Services to Denali Law Group.

Administration wishes to extend the contract with Birch, Horton, Bittner and Cherot as their services are needed to wrap up several matters for the City, such as eminent domain and other pending cases.

Administration respectfully requests that the contract be extended through December 31, 2009, on an as needed basis, up to \$50,000 for FY-10 to resolve such matters as listed above. If additional funding is needed, another action memorandum will be brought back to the Council.

STAFF RECOMMENDATION: Approval of extension for professional legal services contract with Birch, Horton, Bittner and Cherot through December 31, 2009.

AMENDMENT TO CONTRACT FOR PROFESSIONAL LEGAL SERVICES

AMENDMENT (the "Amendment") to the Contract for Professional Legal Services (the "Contract") between the CITY OF WASILLA (the "City") and BIRCH, HORTON, BITTNER AND CHEROT (the "Contractor"), dated and effective as of May 11, 2009.

WHEREAS, the City Council has selected Denali Law Group as the firm to provide legal services to the City commencing August 1, 2009; and

WHEREAS, the Administration and City Council have determined that the Contractor should continue the contract to provide legal services for the City until July 31, 2009; and thereafter remain available to provide for a transition period with Denali Law Group and continue work on selected pending cases.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein, the parties agree as follows:

The Contract with the Contractor shall be extended from May 11, 2009 until December 31, 2009. The Contractor shall continue to provide general city attorney services until July 31, 2009, and from August 1, 2009 until December 31, 2009 shall remain available to provide legal services to the City as determined by the City Council or the Mayor for the purposes of providing a transition period with the Denali Law Group and to continue work on selected pending cases.

All other terms and provisions of the Contract shall remain unchanged.

DATED as of the _____ day of July, 2009.

CITY OF WASILLA

BIRCH, HORTON, BITTNER and CHEROT

Verne E. Rupright, Mayor

Thomas F. Klinkner