

RESOLUTION NO. 17-1192

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, KING COUNTY, WASHINGTON AUTHORIZING THE MAYOR TO EXECUTE THE SECOND ADDENDUM TO THE PROFESSIONAL SERVICES AGREEMENT WITH KARA MURPHY RICHARDS REGARDING PROSECUTING ATTORNEY SERVICES

**WHEREAS**, as a part of the development for the 2018 Budget, discussions with the City Prosecutor identified potential increases in monthly compensation; and

**WHEREAS**, the City is pleased with the services provided by Kara Murphy Richards and desires to continue with her services; and

**WHEREAS**, the City finds the proposed addendum to the contract to be fair and reasonable;

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, DOES RESOLVE AS FOLLOWS:**

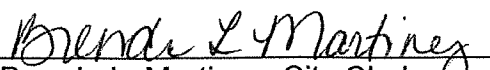
**Section 1.** The Mayor is hereby authorized to execute the Second Addendum to the Professional Services Agreement with Kara Murphy Richards regarding Prosecuting Attorney Services which is identified as Exhibit A and attached hereto.

**PASSED BY THE CITY COUNCIL OF THE CITY OF BLACK DIAMOND, WASHINGTON, AT A REGULAR MEETING THEREOF, THIS 2<sup>ND</sup> DAY OF NOVEMBER 2017.**

CITY OF BLACK DIAMOND:

  
\_\_\_\_\_  
Carol Benson, Mayor

Attest:

  
Brenda L. Martinez, City Clerk

COPY

**SECOND ADDENDUM  
To  
PROFESSIONAL SERVICES AGREEMENT  
Between  
CITY OF BLACK DIAMOND  
And  
KARA MURPHY RICHARDS  
Regarding  
PROSECUTING ATTORNEY SERVICES**

1. **Date and Parties.**

1.1 This document ("Second Addendum"), for reference purposes only, is dated the 2<sup>nd</sup> day of November 2017, and is entered into by and between the CITY OF BLACK DIAMOND, a Washington municipal corporation ("City") and KARA MURPHY RICHARDS ("Consultant").

2. **General Recitals.**

- 2.1 The City and Consultant entered into a Professional Services Agreement regarding Prosecuting Attorney Services dated December 16, 2011 (the "Agreement") for the provision of Prosecuting Attorney Services in the City of Black Diamond.
- 2.2 The City and Consultant entered into a First Addendum to the Agreement on December 6, 2012.
- 2.3 The Agreement terms contemplated that the City and Consultant may choose to amend the Agreement to provide for the Consultant to perform certain work relative to the City's prosecution needs.
- 2.4 The parties have now determined that such an amendment is appropriate, and thus the intent of the Second Addendum is to increase the standard monthly compensation rate.

3. **Modification to Agreement Terms and Conditions.**

3.1 The Agreement terms are hereby incorporated by reference. The Second Addendum terms are hereby incorporated into the Agreement by reference. The Second Addendum is intended to modify the terms and conditions of the Agreement. In the case of any conflict between the terms of the Agreement and the terms of the Second Addendum, the provisions of the Second Addendum shall control.

4. **Modification to Existing Agreement, Section 6 Compensation.**

4.1 The existing Agreement, Section 6, Compensation, is hereby amended to read as follows:

A. Base rate. Beginning on January 1, 2018 the City shall pay the Prosecutor a base rate of \$3,400 per month for performing the Scope of Work as set forth in Section 4A, Scope of Work, numbers 1 through 13. This increased rate of compensation set forth in this Addendum assumes an on-going level of Black Diamond Municipal Court hearings of two full days per month. The Contractor shall provide all series to effectively prosecute violations of Black Diamond Municipal Code and for representing the City on infraction cases where the violator has retained counsel. This amount shall include all in court and out of court work (including, but not limited to, clerical staff, office rent, photocopies and letters; mailing costs; telephone expenses), training for new law enforcement, travel and attendance at necessary meetings. Prosecutor, at her expense shall obtain and keep in force any, and all necessary licenses and permits.

5. **Other Terms Unchanged.**

5.1 All other terms of the Agreement remain unchanged.

DATED: This 2<sup>nd</sup> day of November, 2017.

CITY OF BLACK DIAMOND

CONSULTANT

By: Carol Benson

By: \_\_\_\_\_

Carol Benson

Printed Name: \_\_\_\_\_

Its: Mayor

Its: \_\_\_\_\_

Date: 11/4/17

Date: \_\_\_\_\_

Attest:

By: Brenda L. Martinez

Brenda L. Martinez

City Clerk