

RESOLUTION NO. 1515

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIFE, PIERCE COUNTY, WASHINGTON AUTHORIZING THE CITY MANAGER TO EXECUTE THE FIRST AMENDMENT TO CITY OF FIFE CONTRACT FOR PUBLIC DEFENSE SERVICES

WHEREAS, the City is required by law and court rules to provide legal representation to indigent persons charged with offenses under the City's Municipal Code that are punishable by the loss of liberty; and

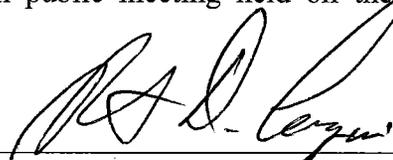
WHEREAS, in April, 2010 the City went through a formal process of requesting proposals from qualified individuals and firms to select a Public Defender. The interim Public Defender, Thomas J. Guilfoil, was determined to best meet the needs and requirements of the City; and

WHEREAS, Thomas J. Guilfoil entered into a contract with the City effective July 1, 2010 through December 31, 2012 to provide public defense services within the City's Court system; and

WHEREAS, the City is desirous of having Thomas J. Guilfoil continue to serve as the City's Public Defender under the same terms and conditions, including compensation, as set forth in the contract approved by Resolution No. 1357; now, therefore

BE IT RESOLVED that the Council hereby authorizes the City Manager to execute the First Amendment to City of Fife Contract for Public Defense Services in the form attached hereto as Exhibit A. The City Manager is authorized to make minor modifications to the agreement if additional procedural or scrivener changes are necessary in order to more accurately reflect the Council's intent in approving First Amendment to the Contract for Public Defense Services.

ADOPTED by the City Council at an open public meeting held on the 20th day of November, 2012.


Robert D. Cerqui, Mayor

Attest:


Carol Etgen, City Clerk

FIRST AMENDMENT
TO
CITY OF FIFE
CONTRACT FOR PUBLIC DEFENSE SERVICES

1. Date and Parties. This document ("First Amendment"), for reference purposes only, is dated the ___ day of November, 2012, and is entered into between the City of Fife, a Washington municipal corporation ("City") and Thomas J. Guilfoil and the Law Offices of Thomas J. Guilfoil, PLLC, (collectively "Guilfoil").

2. Background and Purpose.

2.1 The City is required by law and court rules to provide legal representation to indigent persons charged with offenses under the City's Municipal Code that are punishable by the loss of liberty.

2.2 In April, 2010 the City went through a formal process of requesting proposals from qualified individuals and firms to select a Public Defender. The interim Public Defender, Guilfoil, was determined to best meet the needs and requirements of the City.

2.3 Guilfoil entered into a contract with the City effective July 1, 2010 through December 31, 2012 to provide public defense services within the City's Court system.

2.4 The City is desirous of having Guilfoil continue to serve as the City's Public Defender under the same terms and conditions, including compensation, as set forth in the contract approved by Resolution No. 1357.

3. Effective Date and Term. The agreement term shall be extended and be effective January 1, 2013 through December 31, 2014. This contract will be automatically renewed for a one (1) year period as of January 1, 2015.

4. Confirmation of Agreement Terms. The First Amendment terms are deemed modifications to the Contract terms, and, except as modified herein, the Contract, as drafted shall remain in full force and effect and its terms incorporated herein. In case of a conflict between the terms of the Agreement and the terms of this First Amendment, the terms of this First Amendment shall control.

5. City Manager Authorization to Sign. On November 13, 2012, at a regularly scheduled open public meeting, the City Council authorized the City Manager to sign this document.

CITY OF FIFE

LAW OFFICES OF
THOMAS J. GUILFOIL, PLLC

By: _____
David K. Zabell City Manager

By: _____
Thomas J. Guilfoil

Approved as to form:

By: _____
Loren D. Combs, City Attorney