



Agenda Item Report City Council - June 26, 2023

Item

Agreement for Professional Services - Chapman, Valdez and Lansing

Responsible Staff Contact

Michael Armstrong - City Attorney

Recommendation

To approve the agreement for professional services for Pat Lewallen and Chapman Valdez and Lansing to provide legal services to the Board of Appeals.

Executive Summary

The Board of Appeals is a hearing the appeal request submitted by Riverside RV Park, LLC regarding our denial of its sewer tap application. The Board requires alternate counsel to advise them on this matter and help them draft a final order that complies with the Wyoming Rules of Appellate Procedure and the Wyoming Administrative Procedure Act.

Background

The council has dealt at length with the factual background regarding Riverside's request. Alternate counsel has been obtained for the Board of Appeals because the City Attorney cannot represent both City Staff and the Board in this matter. An appeal to the Board of Appeals is essentially a contested case hearing where the applicant, Riverside, and the City Staff are parties before the decision maker, the Board. The City Attorney's office will be representing staff in their presentation of evidence and a recommendation. It thus would create a conflict for the City Attorney's office to represent both the Board and City Staff.

Chapman, Valdez and Lansing is a respected law firm. I am confident in their ability to provide competent legal advice to the Board and to assist the Board in the drafting of an order. I believe the rates proposed by Chapman, Valdez, and Lansing are reasonable and customary.

Attachments

- Engagement Letter

Alignment to Strategic Goals and/or Other Plans

N/A

Budget/Fiscal Impact

Fund/Department:	General Fund/Non Departmental
Project/Line Item(s)	Legal/10-5100-2151
Budgeted Amount	\$50,000
Anticipated Amount:	\$5,000 -\$10,000

Action Requested /Recommended Motion

To approve the agreement for services between the City of Douglas and Chapman, Valdez, and Lansing.



CITY OF **DOUGLAS** WYOMING
HOME OF THE JACKALOPE.

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Reviewed/Approved

- Community Development
- Law Enforcement
- City Administrator
- City Clerk

- Public Works
- Legal
- Finance