



RESOLUTION NO. 40441

1 A RESOLUTION relating to land use; authorizing the execution of Amendment
2 No. 1 to the Agreement for Legal Services with the law firm of Keating,
3 Bucklin & McCormack, Inc., P.S., in the amount of \$50,000, for a cumulative
4 total of \$250,000, budgeted from the Internal Services Fund, for continued
5 legal services in the matter of The Geo Group, Inc., v. City of Tacoma.

6 WHEREAS, on April 11, 2018, the City entered into a Legal Services
7 Agreement with Keating, Bucklin & McCormack, Inc., P.S. (“Law Firm”) to provide
8 legal services and representation to the City in the matter of The Geo
9 Group, Inc., v. City of Tacoma, U.S. District Court Cause No. 3:18-cv-05233, and

10 WHEREAS this lawsuit arises from the City Council’s adoption of amended
11 regulations for Detention and Correctional Facilities in Tacoma pursuant to
12 Amended Ordinance No. 28491, adopted February 20, 2018, and

13 WHEREAS the regulations prohibited new detention and correctional
14 facilities in the Port Maritime Industrial District, and made any existing facilities a
15 non-conforming use, and

16 WHEREAS The GEO Group, Inc., sued the City, claiming the regulations
17 violated its due process and civil rights, and were pre-empted by federal law, and

18 WHEREAS The GEO Group has aggressively pursued the federal litigation,
19 which has involved extensive discovery and motions practice, necessitating an
20 increase in the contract amount, and

21 WHEREAS it is necessary to increase the maximum compensation for the
22 agreement in the amount of \$50,000, for a cumulative total of \$250,000, budgeted
23 from the Internal Services Fund, to allow the law firm to continue representing the
24 City in this matter, and
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WHEREAS the City Attorney's Office is recommending that the proposed amendment be approved; Now, Therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TACOMA:

That the proper officers of the City are hereby authorized to enter into Amendment No. 1 to the Agreement for Legal Services with the law firm of Keating, Bucklin & McCormack, Inc., P.S., in the amount of \$50,000, for a cumulative total of \$250,000, budgeted from the Internal Services Fund, for continued legal services in the matter of The Geo Group, Inc., v. City of Tacoma, said amendment to be substantially in the form of the document on file in the office of the City Clerk.

Adopted _____

Mayor

Attest:

City Clerk

Approved as to form:

Deputy City Attorney