

Memorandum

To: Mayor Wood/City Council

From: Kyle Kershaw

Date: November 25, 2019

Subject: Analysis of Outside Legal Fees Account (10-47-313-02)

At the November 20, 2019 City Council Meeting Councilmember Siwik asked a question regarding the amount of expenditures that had been allocated to the City Attorney Budget Line Item "Outside Legal Fees" (10-47-313-02). Councilmember Siwik had noticed that the account was significantly over budget.

Upon further review we noticed four items had been coded into the Outside Legal Fee account in error. Three expenditures, \$15,500 each, were monthly fees payable to the Cowdell Wooley Law Firm. This is the group which provides prosecution services to the city. Those expenditures should have been coded into the "Prosecution Contract Services" account (10-47-313-03).

The other expenditure was a lump sum payment to the Holland & Hart law firm in the amount of \$55,000. This payment was for legal services associated with the city's storm water MS4 permit renewal process. The time period for these services span the June 2019 through the March 2020 periods. That expenditure should have been coded into the Storm Water Maintenance Account (10-62-440-00) in the City Engineer's budget. We want to be able to identify all costs associated with the city's storm water program in one area which is why the legal fees should be coded into the storm water account.

These coding errors took place while Hannah Vickery was on leave. In attempting to ensure all vendors were paid in a timely manner some errors were made. Adjusting journal entries have been made to correct the errors. Attached are the documents in question for your review.

New Year

City of South Salt Lake

Check Request Form

Mail Check	Yes	G.L. Account #	Amount
<u>OR</u>		104731302	\$5,000
Return Check To:			
Vendor #			
Vendor Name:	Holland + Hart		
Address:	2225. Main St. Suite 2200		
	Salt Lake City, UT 84101-2194		
		Total Request Amount:	\$5,000
Description:	Retainer- Flat Rate Stormwater		
	See Contract Attached		
4/24/19 5/24/2019	Cherie Wood		
Date	Authorized Signature		

↑
should have
been coded
to
10-62-440.00

5/24/2019

5/24/2019

HOLLAND & HART^{LLP}



Ashley A. Peck
Partner
Phone (801) 799-5913
aapec@hollandhart.com

June 28, 2019

Hannah Vickery
City Attorney
SOUTH SALT LAKE CITY
220 East Morris Avenue, 2nd Floor
Salt Lake City, UT 84115

Re: Legal Representation

Dear Hannah:

Thank you for asking Holland & Hart LLP to once again represent South Salt Lake City ("the City"). This letter confirms our engagement and our understanding of our representation. You have asked us to represent the City in negotiations regarding the renewal of the Jordan Valley Municipalities Municipal Separate Storm Sewer (MS4) Permit, UPDES No. UTS000001 for a fixed fee of \$55,000. Our scope will include (1) attending meetings with the Utah League of Cities and Towns and involved legislators; (2) drafting requested revisions to the draft permit and associated correspondence regarding the legal and technical basis for revisions; (3) meeting and negotiating with the Utah Division of Water Quality regarding incorporation of the revisions and larger policy objectives; and, as necessary, (4) monitoring and revising proposed legislation put forward by the involved legislators. We currently anticipate these activities will occur from June 2019 through March 2020. Our overall objective is to achieve favorable changes to the Permit that reduce the City's administrative and legal burden while continuing to work to improve water quality, but our fee is not contingent on the outcome of this matter. If the above is not a correct description of what you have asked us to undertake, please let me know immediately.

Holland & Hart is currently representing the City in other matters, including a matter related to real estate transactions, and this engagement letter does not relate to such matters. Matters other than the stormwater engagement will continue to be governed by their respective engagement letters.

T (801) 799-5800 F (801) 799-5700
222 South Main Street, Suite 2200
Salt Lake City, UT 84101-2194
www.hollandhart.com

Alaska
Colorado
Idaho

Montana
Nevada
New Mexico

Utah
Washington, D.C.
Wyoming



COWDELL WOOLLEY

32 E. Main St.
Sandy, Utah 84070
Office | 801.550.9864

INVOICE

TO:

South Salt Lake City
Attention: Hannah Vickery
South Salt Lake City Attorney's Office
220 East Morris Avenue, Suite 200
South Salt Lake, UT 84115

INVOICE # SSLC-1064
DATE: SEPTEMBER 6, 2019

PROJECT:

Legal Services for South Salt Lake City

Attorney		TERMS
TSC, CLW, MKG, BP	Billing Period September 2019	Due on receipt

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	Prosecution Services	\$15,500.00	\$15,500.00
2	Hourly Work. 19-Aug-19: Review and Letter re: Procurement for Ambulance. 2 hours (by MKG).	\$150.00	\$300.00
	SALES TAX	n/a	
	SHIPPING & HANDLING	n/a	
	TOTAL DUE		\$15,800.00
Make all checks payable to "COWDELL & WOOLLEY, PC"			

OK to Pay
Cherie Wood
9-17-19

should have
been coded
to
10-47-313-03

10-47-313-02
JTC 9/17/19



COWDELL WOOLLEY

32 E. Main St.
Sandy, Utah 84070
Office | 801.550.9864

INVOICE

TO:

South Salt Lake City
Attention: Hannah Vickery
South Salt Lake City Attorney's Office
220 East Morris Avenue, Suite 200
South Salt Lake, UT 84115

INVOICE # SSLC-1065
DATE: SEPTEMBER 26, 2019

PROJECT:

Legal Services for South Salt Lake City

Attorney	Billing Period October 2019	TERMS
TSC, CLW, MKG, BP		Due on receipt

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	Prosecution Services	\$15,500.00	\$15,500.00
	SALES TAX	n/a	
	SHIPPING & HANDLING	n/a	
	TOTAL DUE		\$15,500.00
Make all checks payable to "COWDELL & WOOLLEY, PC"			

→
should have
been coded
to
10-47-313-03

10-47-313-02
OK to pay
TV



COWDELL WOOLLEY

32 E. Main St.
Sandy, Utah 84070
Office | 801.550.9864

INVOICE

TO:

South Salt Lake City
Attention: Hannah Vickery
South Salt Lake City Attorney's Office
220 East Morris Avenue, Suite 200
South Salt Lake, UT 84115

INVOICE # SSLC-1063
DATE: JULY 30, 2019

PROJECT:

Legal Services for South Salt Lake City

Attorney	Billing Period August 2019	TERMS
TSC, CLW, MG, BP		Due on receipt

QUANTITY	DESCRIPTION	UNIT PRICE	TOTAL
1	Prosecution Services	\$15,500.00	\$15,500.00
	SALES TAX	n/a	
	SHIPPING & HANDLING	n/a	
	TOTAL DUE		\$15,500.00
Make all checks payable to "COWDELL & WOOLLEY, PC"			

Cherie Wood
8-27-2019

10-47-313-02

JTC

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Should have
been coded
to
10 47 313 03