



## Staff Report

Meeting Date: September 25, 2023

Prepared By: Miranda Doll

Subject: Resolution 2023-II

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

**Summary:** The Town of Eatonville contracted with Larson and Associates for Planning Services from 2013 through 2021. During this time, the Town paid Larson for services then passed through the charges specific to each project to the customer.

The majority of the invoices were paid to the Town without question, however, there are 11 customers who have challenged their invoices and refused to pay. In 2022, the Town went back to having an in-house planner and hired the current Town Administrator, is able to fill the Engineer role at the Town. He began reaching out to customers to better understand why the invoices were not paid. The customers contacted all felt that they had not been treated fairly, either because Larson overreached or misapplied EMC. However, this early effort did not provide enough information to settle the issues and additionally, the authority of the Town Administrator to determine a resolution had not been established.

Other actions and decisions:

- Mid 2022 it was discovered that the records of Larson bills paid by the Town did not match what was billed to the customer. There were additional charges that were never billed to the customer.
- The Town Administrator did not have the time to research the project files and make decisions on what should be done with each account.
- Mid 2023 the Town Clerk and Town Planner were assigned to review the project files and make a recommendation for the resolution of accounts. Their recommendation was an across-the-board discount to account for administrative oversight in billing, but, the Town's attorney did not agree with an across-the-board discount solution.

The Town consulted with the Town Attorney on next steps and was advised to prepare this Resolution. His opinion was that the Town negotiate each past due invoice on a case-by-case basis and take the results of that to the Finance Committee for approval.

At this time the Town Clerk has reviewed all of the past due invoices, compared them with what the Town paid Larson for each project that still has unpaid invoices and found that there are 11 customers with outstanding Review and Engineering Fee invoices. The estimated total of those is \$20,715.25.

**Recommendation:** Town Staff recommends approval of Resolution 2023-II, authorizing the Town Administrator to settle disputed review and engineering fees.

**Attachments:** Resolution 2023-II.

## **RESOLUTION 2023-II**

### **A RESOLUTION OF THE TOWN OF EATONVILLE, WASHINGTON, AUTHORIZING THE TOWN ADMINISTRATOR TO NEGOTIATE AND RECOMMEND SETTLEMENTS OF DISPUTED PLAN REVIEW AND ENGINEERING FEES, AND DELEGATING APPROVAL OF THE SETTLEMENTS TO THE FINANCE COMMITTEE**

**WHEREAS**, the Town of Eatonville (“Town”) contracted with Larson and Associates (“Larson”) from 2013 through 2021 for plan review and engineering services; and

**WHEREAS**, during this time Larson served as the Town Planner and Engineer, invoicing the Town directly for plan review and engineering services and, in accordance with the Eatonville Municipal Code, the Town passed these charges to the customer or applicant; and

**WHEREAS**, while the majority of customers paid their invoices in full, several customers have challenged the scope and amount of the invoices for review and engineering fees and have outstanding invoices; and

**WHEREAS**, it is in the best interest of the Town and its citizens that these debts are resolved and paid; and

**WHEREAS**, the Town Council is supportive of a resolution to the past due invoicing and authorizes the Town Administrator to negotiate on behalf of the Town to resolve these invoices, provided any such proposed settlements must be approved by the Finance Committee in an open public meeting; now, therefore,

**THE TOWN COUNCIL OF THE TOWN OF EATONVILLE, WASHINGTON,  
HEREBY RESOLVES AS FOLLOWS:**

**THAT:** The Town Council hereby authorizes the Town Administrator to meet with and negotiate a fair and equitable resolution to the current past due invoices on a case-by-case basis and bring them forward to the Finance Committee for approval.

**PASSED** by the Town Council of Town of Eatonville and attested by the Town Clerk in authentication of such passage this 25<sup>th</sup> day of September 2023.

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David Baublits, Mayor

ATTEST:

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Miranda Doll, Town Clerk

RESOLUTION 2023-II