

AGENDA



Thursday, October 23, 2008

**Government Relations
RECOMMENDATION FOR COUNCIL ACTION**
Item No. 9

Subject: Approve negotiation and execution of federal representation services contracts with Barbara McCall and Associates, Washington, D.C., in an amount not to exceed \$90,000, and Akin Gump Strauss Hauer & Feld LLP, in an amount not to exceed \$180,000.

Amount and Source of Funding: Funding is available in the Fiscal Year 2008-2009 Operating Budget of the Government Relations Office.

Fiscal Note: There is no unanticipated financial impact. A fiscal note is not required.

For More Information: John Hrnecir, Government Relations Officer, 974-2285.

During last year's discussions surrounding approval of the 2008 federal consulting contracts, City Council expressed the desire to increase the City's efforts to obtain Federal funding by increasing the size of the City's team in Washington D.C. Accordingly, City staff has evaluated our past efforts and examined efforts of other Texas cities. Through this evaluation, staff has determined that other large cities in Texas have committed substantially more financial resources toward their Federal efforts than has the City of Austin. We have also examined opportunities for Federal funding for local projects that are likely to develop in the next Congress. There will be a new federal transportation bill. In addition, a stimulus package that includes investing in local infrastructure construction and repair is being discussed and may provide opportunities for the City. Appropriations earmarks will probably be more difficult to get and allocating increased resources toward obtaining them will be needed. Also, Congress is considering a lame duck session after the election. Therefore, it is in the City's best interests to put its team in place now. However, since the 111th Congress does not begin until January, and many uncertainties exist until the 111th Congress convenes, staff recommends that the City continue with Barbara McCall and Associates and also contract with a large multi-purpose law firm to promote the City's interests. Given the challenges and the number of unknown factors, staff does not recommend contracting with more than two firms at this time, but if conditions in Washington later warrant additional resources, the City could add them then.

Barbara McCall and Associates has been a consultant for the City for approximately two decades. The firm has a track record of successfully working with our delegation to get funding for numerous projects. McCall and Associates has been especially helpful in our interaction with key Federal agencies such as HUD and the Army Corps of Engineers.

After examining and talking to four small and medium sized firms and four large firms, staff recommends that the firm of Akin Gump Strauss Hauer & Feld LLP be added to the Washington D.C. team. This firm was founded in Dallas in 1945 and now has a global network of offices, including a large office in Washington D.C. with many featured practice areas including a public law and policy practice group of approximately 50 lawyers and other professionals who represent clients before every major committee in Congress, as well as every executive branch department and federal agency. Approximately two years ago, Akin Gump assisted the City in a committee presentation on very short notice. Several of the firm's top attorneys worked as a team and made sure the City was effective and successful before the committee. The firm will assign top, experienced professionals to work on all matters identified by the City. The firm's professionals have worked successfully with both Republicans

and Democrats individually, as well as administrations from both parties. Thus, staff recommends that the City contract with Akin Gump Strauss Hauer & Feld LLP and Barbara McCall and Associates to advance the City's interests in Washington D.C.