



**Outside Counsel
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 4
AGENDA DATE: Thu 02/03/2005
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SUBJECT: Approve negotiation and execution of an outside counsel contract with CORNELL, SMITH & MIERL, L.L.P., Austin, Texas for legal representation, advice and counsel regarding Cause No. A-04-CA-167SS; *Lisa Sanchez v. City of Austin, Texas*; United States District Court; Western District, Austin Division in the amount not to exceed \$147,000. (concerns whistleblower cause of action and alleged free speech violations)

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$147,000 is available in the 2004-2005 Approved Operating Budget of the Liability Reserve Fund.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

**REQUESTING Law
DEPARTMENT:**

**DIRECTOR'S
AUTHORIZATION: Anne Morgan**

FOR MORE INFORMATION CONTACT: Laurie Eiserloh, Assistant City Attorney

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: N/A

Council is requested to approve outside counsel fees and expenses up to \$147,000 for the services of Cornell, Smith & Mierl, L.L.P., Austin, Texas for representation in the lawsuit styled *Lisa Sanchez v. City of Austin, Texas*.