



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

AGENDA ITEM NO.: 4
AGENDA DATE: Thu 05/13/2004
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SUBJECT: Authorize negotiation and execution of an amendment to the outside counsel contract with THOMPSON & KNIGHT, L.L.P., Austin, TX, for negotiating and drafting documents related to the Redevelopment of Robert Mueller Municipal Airport Project in the amount of \$166,500, with a total contract amount not to exceed \$666,500.

AMOUNT & SOURCE OF FUNDING: The selected Master Developer, Catellus Development Corporation, is required to fund legal costs associated with negotiation of the Master Development Agreement for the redevelopment of RMMA. This contract amendment will be encumbered in the City's RMMA Reimbursement Fund. Quarterly deposits are made by Catellus into this fund, to reimburse negotiation expenses based on actual costs.

FISCAL NOTE: N/A

**REQUESTING Law
DEPARTMENT:**

**DIRECTOR'S
AUTHORIZATION:** Marty Terry

FOR MORE INFORMATION CONTACT: David Allan Smith, City Attorney / 974-2268; Alison Gallaway, Assistant City Attorney / 974-2671

PRIOR COUNCIL ACTION: On 5/23/02 Resolution # 020523-24 in the amount of \$500,000

BOARD AND COMMISSION ACTION: N/A

This amendment increases the amount of the legal services contract with Thompson & Knight, L.L.P., for representation in negotiating and drafting documents related to the Redevelopment of Robert Mueller Municipal Airport project.

Council approved a resolution for the original contract amount of \$500,000 on May 23, 2002, and the Law Department contracted with this firm on May 31, 2002. Additional payment authority of up to \$166,500 is necessary to pay anticipated fees through the end of 2004, with a total contract amount not to exceed \$666,500.

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The Council is now requested to authorize the expenditure of an additional \$166,500, which will be reimbursed by Catellus Development Corporation, to pay anticipated fees and expenses of Thompson & Knight, L.L.P. This will bring the total contract amount to \$666,500.