



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

AGENDA ITEM NO.: 24
AGENDA DATE: Thu 07/29/2004
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SUBJECT: Authorize negotiation and execution of an amendment to the outside counsel contract with FULBRIGHT AND JAWORSKI, L.L.P., Austin, TX, to provide legal counsel to the City regarding hospital and health care issues including the Brackenridge Hospital lease and hospital district issues in the amount of \$50,000, with a total contract amount not to exceed \$150,000.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$50,000 is available in the Fiscal Year 2003-2004 Approved Operating Budget of the Hospital Fund. There is no unanticipated fiscal impact. A fiscal note is not required.

FISCAL NOTE: N/A

REQUESTING Law
DEPARTMENT:

DIRECTOR'S
AUTHORIZATION: Sally Henly

FOR MORE INFORMATION CONTACT: David Allan Smith, City Attorney, 974-2268; Sally Henly, Senior Division Chief, 974-2667

PRIOR COUNCIL ACTION: 1/30/2003 in the amount of \$100,000

BOARD AND COMMISSION ACTION: N/A

This amendment increases the amount of the legal services contract with Fulbright & Jaworski, L.L.P., to provide legal counsel to the City regarding hospital and health care issues including the Brackenridge Hospital lease and hospital district issues.

On January 30, 2003, Council authorized outside counsel fees and expenses up to \$100,000 for the services of Fulbright & Jaworski, L.L.P., for hospital and health care issues including the Brackenridge Hospital lease and hospital district issues. The City originally contracted with this firm (John Boehm) in 1995 for legal services related to the lease of Brackenridge Hospital. In September 2001, the City contracted with the firm regarding amendments to the lease.

The contract with the firm has provided legal counsel and services regarding on-going Brackenridge Hospital lease issues, including related health care issues and the proposed hospital district. Payment authority of up to \$100,000 was necessary to pay anticipated fees through the end of the fiscal year.

The Council is now requested to authorize the expenditure of an additional \$50,000, which will be funded out of the Hospital Fund, to pay anticipated fees and expenses of Fulbright and Jaworski, L.L.P. This will bring the total contract amount to \$150,000. This increase is estimated to cover anticipated costs to the end of this fiscal year.