

AGENDA



Thursday, February 4, 2010

Law
RECOMMENDATION FOR COUNCIL ACTION**Item No. 17**

Subject: Authorize execution of an amendment to the legal services contract with Robert Icenhauer-Ramirez, Austin, Texas, for representation of Leonardo Quintana in Nathaniel Sanders, Sr., Individually and As Heir to the Estate of Nathaniel Sanders II, and Yulonda Sanders, Individually, and As Heir to the Estate of Nathaniel Sanders II. v. Leonardo Quintana and The City Of Austin; In The United States District Court, for the Western District of Texas Austin Division; Case No. A 09 CA 426 SS, for an increase of \$250,000, with a total contract amount not to exceed \$300,000.

Amount and Source of Funding: Funding is available in the Fiscal Year 2009-2010 Operating Budget of the Liability Reserve Fund.

Fiscal Note: A fiscal note is not required.

This amendment increases the amount of the legal services contract with Robert Icenhauer-Ramirez. He provides legal services and counsel to Leonardo Quintana in this lawsuit. This lawsuit alleges Leonardo Quintana violated Nathaniel Sanders' constitutional civil rights by using excessive force.

The City initially retained Robert Icenhauer-Ramirez when it became clear that there was a conflict of interest between the City and the officer (who received a 15 day suspension for not turning on his video camera during the incident).

The Council is now requested to authorize the expenditure of an additional \$250,000, which will be funded out of the Liability Reserve Fund, to pay anticipated fees and expenses of Robert Icenhauer-Ramirez, including hiring experts in the lawsuit. This will bring the total contract amount to \$300,000. This increase is estimated to cover costs up to and including trial.