



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

**AGENDA ITEM NO.: 6  
AGENDA DATE: Thu 06/09/2005  
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**SUBJECT:** Authorize negotiation and execution of an outside counsel contract with ANDREWS & KURTH, L.L.P., Austin, TX, to provide legal counsel to the City regarding the City's Minority-Owned and Women-Owned Business Enterprise Program and Ordinance and purchasing issues, in the amount of \$100,000.

**AMOUNT & SOURCE OF FUNDING:** Funding is available in the Fiscal Year 2004-2005 Approved Operating Budget of the Economic Development Fund.

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

**REQUESTING Law  
DEPARTMENT:**

**DIRECTOR'S  
AUTHORIZATION: Karen Kennard**

**FOR MORE INFORMATION CONTACT:** David Allan Smith, City Attorney / 974-2268; Karen Kennard, First Assistant City Attorney / 974-2177

**PRIOR COUNCIL ACTION:** N/A

**BOARD AND COMMISSION ACTION:**

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This action authorizes a legal services contract with Andrews & Kurth, L.L.P., Austin, Texas, to provide legal counsel regarding the City's Minority-Owned and Women-Owned Business Enterprise Program and Ordinance and purchasing issues.

The City originally contracted with this firm (formerly Mayor, Day Caldwell and Keeton) in 1998 to review and advise the City regarding possible amendments to the City's MBE and WBE Program and ordinance. Rex VanMiddlesworth and Lino Mendiola have provided those services to the City and also provide such services to other government entities regarding both local MBE/WBE programs and federal DBE programs. Since that time, the firm has continued to provide legal services and counsel concerning the M/WBE ordinance and other purchasing issues. This contract will allow the continuation of those services.