

Memorandum



CITY OF DALLAS

DATE August 15, 2014

TO Members of the Budget, Finance & Audit Committee: Jerry R. Allen (Chair),
Jennifer S. Gates (Vice Chair), Tennell Atkins, Sheffie Kadane, Philip T. Kingston

SUBJECT Upcoming Agenda Item: Amendment to the Contracts for Co-Bond Counsel Services

The August 27, 2014 Council Agenda includes an item for your consideration to authorize an amendment to the contracts for co-bond counsel services with McCall, Parkhurst & Horton, L.L.P. and Escamilla Poneck & Cruz, LLP (Team A) and Bracewell & Giuliani LLP and West and Associates, L.L.P. (Team B). This amendment will extend the contracts for a two-year term ending February 28, 2016.

On February 28, 2007, the City Council authorized a three-year contract with: (1) McCall, Parkhurst & Horton, L.L.P. and Escamilla & Poneck, Inc. (Team A) to provide legal services to the City in connection with the issuance of its Water and Sewer System Bonds, and Commercial Paper Notes, bonds issued by the Consolidated Economic Development Boards, and certain other City conduit issuers, Economic Development obligations, Tax Increment Financing bonds, Public Improvement District bonds and other special district bonds; and (2) Vinson & Elkins L.L.P. and West and Associates, L.L.P. (Team B) to provide legal services to the City in connection with the issuance of its various types of general obligation debt, Convention Center Bonds and Dallas Multifamily Housing Acquisition Corporation Obligations. On February 24, 2010, the City Council authorized a two year renewal to extend the contracts.

The attorneys who have served as co-bond counsel at Vinson & Elkins, L.L.P., departed from that firm and joined Bracewell & Guiliani LLP, during January 2012. On April 11, 2012, the City Council authorized a two year contract with McCall, Parkhurst & Horton, L.L.P. and Escamilla Poneck & Cruz, LLP (f/k/a Escamilla & Poneck, Inc.) (Team A) and Bracewell & Giuliani LLP and West and Associates, L.L.P. (Team B) for co-bond counsel services for a two year-term.

The fees for legal services provided by the co-bond counsel firms in connection with the issuance, sale and delivery of the City's bonds are contingent upon the sale and delivery of the bonds, remain the same fees payable under the prior contracts and are payable from bond proceeds or Water Utilities funds, as applicable. The fees under the proposed amendment remain the same as those under the previously-approved contracts.

Please contact me if you need additional information.



Warren M. S. Ernst
City Attorney

Attachment

c: Honorable Mayor and Members of City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Theresa O'Donnell, Interim Assistant City Manager
Shawn Williams, Interim Public Information Officer
Elsa Cantu, Assistant to the City Manager