

**CITY OF EL PASO, TEXAS  
AGENDA ITEM  
DEPARTMENT HEAD'S SUMMARY FORM**

**DEPARTMENT:** Legal

**AGENDA DATE:** October 8, 2013

**CONTACT PERSON NAME AND PHONE NUMBER:** Sylvia Borunda Firth-915-541-4550

**DISTRICT(S) AFFECTED:** All

**SUBJECT:**

**APPROVE a resolution / ordinance / lease to do what? OR AUTHORIZE the City Manager to do what?  
Be descriptive of what we want Council to approve. Include \$ amount if applicable.**

Discussion and action regarding a Resolution that the City Manager be authorized to sign a Second Amendment to the Professional Services Agreement by and between the City of El Paso and Focused Advocacy, LLC for outside counsel in connection with the City of El Paso's state legislative program to extend the term for an additional two (2) years for a term ending October 13, 2015. Compensation and expenses for the first year shall not exceed \$102,000.00 and will be paid out in monthly installments of \$7,500.00, plus reasonable pre-approved travel expenses to El Paso; and compensation and expenses for the second year shall not exceed \$114,000.00 that will be paid out in monthly installments of \$8,500.00, plus reasonable pre-approved travel expenses to El Paso.

**BACKGROUND / DISCUSSION:**

The City entered into a Professional Services Agreement with Focused Advocacy for outside counsel in connection with the City of El Paso's state legislative program. The agreement provided for one option to extend the agreement which the City exercised on July 26, 2011. The agreement was amended on October 2, 2012 to extend the term for one additional year to expire October 13, 2013. The City desires to extend the current agreement, and this 2<sup>nd</sup> Amendment will extend the term for 2 years to expire October 13, 2015. Compensation and expenses for the first year shall not exceed \$102,000.00 and will be paid out in monthly installments of \$7,500.00, plus reasonable pre-approved travel expenses to El Paso; and compensation and expenses for the second year shall not exceed \$114,000.00 that will be paid out in monthly installments of \$8,500.00, plus reasonable pre-approved travel expenses to El Paso.

**PRIOR COUNCIL ACTION:**

**Has the Council previously considered this item or a closely related one?**

Yes. 1<sup>st</sup> Amendment was approved by City Council on October 2, 2012.

**AMOUNT AND SOURCE OF FUNDING:**

**How will this item be funded? Has the item been budgeted? If so, identify funding source by account numbers and description of account. Does it require a budget transfer?**

Item has been budgeted. (Div. 10570, Dept. 103, Fund. 2533, Account 522150)

**BOARD / COMMISSION ACTION:**

**Enter appropriate comments or N/A**

N/A

\*\*\*\*\*REQUIRED AUTHORIZATION\*\*\*\*\*

**DEPARTMENT HEAD:**

**(If Department Head Summary Form is initiated by Purchasing, client department should sign also)**

***Information copy to appropriate Deputy City Manager***

## RESOLUTION

### BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

THAT the City Manager be authorized to sign a Second Amendment to the Professional Services Agreement by and between the City of El Paso and Focused Advocacy, LLC for outside counsel in connection with the City of El Paso's state legislative program to extend the term for an additional two (2) years for a term ending October 13, 2015. Compensation and expenses for the first year shall not exceed \$102,000.00 and will be paid out in monthly installments of \$7,500.00, plus reasonable pre-approved travel expenses to El Paso; and compensation and expenses for the second year shall not exceed \$114,000.00 that will be paid out in monthly installments of \$8,500.00, plus reasonable pre-approved travel expenses to El Paso.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

CITY OF EL PASO

\_\_\_\_\_  
Oscar Leeser  
Mayor

ATTEST:

\_\_\_\_\_  
Richarda Duffy Momsen  
City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Sylvia Borunda Firth  
City Attorney



4. Except as expressly modified herein, all other terms and conditions of the October 12, 2010 Professional Services Agreement as amended by that First Amendment dated October 2, 2012 shall remain in full force and effect and shall remain as written.

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2013.

**CITY OF EL PASO**

\_\_\_\_\_  
Joyce A. Wilson  
City Manager

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Sylvia Borunda Firth  
City Attorney

**FIRM: FOCUSED ADVOCACY, LLC.**

By: \_\_\_\_\_  
Snapper L. Carr  
Partner & General Counsel