



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 10/12/2021

ALL

Item Creation Date: 10/7/2021

LGL- Butler Snow LLP Legal Services Agreement

Agenda Item#: 26.

Summary:

ORDINANCE approving and authorizing a professional services agreement between **BUTLER SNOW LLP** and the City of Houston ("City") relating to review of allegations relating to or arising from affordable housing matters; establishing a maximum contract amount.

Background:

The City Attorney and the Chief Procurement Officer recommend City Council approve an Ordinance authorizing an agreement between the City of Houston ("City") and Butler Snow LLP ("Firm") for professional investigative and legal services with a maximum contract amount of \$275,000.00. The Legal Department has issued a \$50,000.00 purchase order to enable the Firm to begin work immediately. City Council is being asked to approve an additional \$275,000.00 in the contract before City Council.

The former HCDD Director has made allegations relating to affordable housing matters, and one particular project, resulting in potential loss of confidence in City processes for supporting affordable housing projects. The City Attorney recommends engaging the Firm to conduct a thorough internal investigation because the Firm has the necessary experience and ability to conduct such an investigation and to report on any potential illegality, fraud, conflicts of interest, and/or violations of procedures, practices, or policies.

The Firm's attorneys are experienced and highly capable of analyzing the documents and policies involved, conducting thorough witness interviews, and they have successfully handled similar complex internal investigations. The lead attorney is a former federal and state prosecutor as well as a civil litigator, and is highly qualified and experienced in the area of complex internal investigations. He will be supported by other highly experienced former prosecutors and civil litigators who have expertise in conducting internal investigations. The Firm has sufficient experienced lawyers and support staff to handle this investigation.

The City Attorney recommends engaging the Firm to represent the City Attorney because the Firm and its attorneys are pre-eminent in their representation of governmental and corporate entities in complex internal investigations.

Hire Houston First: This procurement is exempt from the City's Hire Houston First Ordinance based on the department's determination that compliance with the ordinance would unduly interfere with contract needs.

Pay or Play: The Agreement requires compliance with the City's Pay or Play ordinance regarding health benefits for employees of City contractors. The Firm provides health benefits to eligible employees in compliance with City policy.

MWBE Information: This professional services contract is being issued with a 10% MWBE goal, a goal reduction approved by the Mayor's Office of Business Opportunity. The Firm has designated the law firm of Monty & Ramirez, LLP as its certified MWBE subcontractor.

Fiscal Note: Funding for this item is included in the FY2022 Adopted Budget. Therefore, no Fiscal Note is required as stated in the Financial Policies.

DocuSigned by:

Arturo Michel

Arturo Michel, City Attorney

DocuSigned by:

Jerry Adams

Jerry Adams, Chief Procurement Officer

Prior Council Action:

No

Amount and Source of Funding:

\$275,000.00

Property & Casualty Fund

Fund No.: 1004

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