



CITY OF HOUSTON - CITY COUNCIL

Meeting Date: 12/19/2023

Item Creation Date:

LGL McCall Parkhurst Horton CUS Refunding 2024 Disclosure Counsel EL

Agenda Item#: 10.

Summary:

ORDINANCE approving and authorizing an agreement between the City of Houston and McCall, Parkhurst & Horton, LLP for disclosure counsel services for various departments; providing a maximum contract amount.

Pursuant to Texas Government Code Section 2254.1036, the following written notice is given to the public: The City desires to sell bonds for public purposes as authorized by State law and as further set forth in the ordinance to finance current expenses. The proposed disclosure counsel, McCall, Parkhurst & Horton, LLP ("McCall Parkhurst") is a full-service firm that includes a public finance practice and has the necessary competence, qualification and experience to serve as disclosure counsel for the City. McCall Parkhurst has previously represented the City in connection with the issuance of various bonds and other obligations. The engagement of McCall Parkhurst is in the best interest of the City, since the legal services requested require specialized experience in municipal finance, federal tax, and state securities law and therefore cannot be adequately performed by the attorneys and supporting personnel of the City. Furthermore, such legal services cannot be reasonably obtained from attorneys in private practice for the payment of hourly fees without contingency because the City will not be obligated to pay any legal fees unless the transaction successfully closes.

Background:

RFQ received for S67-26565 – Approve Agreement with McCall, Parkhurst & Horton, LLP for disclosure counsel services in an amount not to exceed \$250,000.00.

SPECIFIC EXPLANATION:

The City Attorney recommends City Council approve an ordinance approving and authorizing a legal services agreement with McCall, Parkhurst & Horton, LLP ("Firm") for disclosure counsel services in an amount not to exceed \$250,000.00, for the purpose of representing the City in connection with the Combined Utility System First Lien Revenue and Refunding Bonds, Series 2024.

MWBE Information:

This contract is issued with a 24% MWBE participation goal. The Firm will utilize the services of co-disclosure counsel, West & Associates, LLP.

PAY OR PLAY:

The contract requires compliance with the City's Pay or Play Ordinance regarding health benefits for employees of City contractors. In this case, the Firm provides health benefits for eligible employees in compliance with City policy.

HIRE HOUSTON FIRST:

This procurement is exempt from the City's Hire Houston First Ordinance. The Legal Department is utilizing a professional services procurement.

REQUIRED AUTHORIZATION:

DocuSigned by:

A handwritten signature in blue ink, appearing to read "Arturo G. Michel".

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Arturo G. Michel, City Attorney

Amount and Source of Funding:

Funding for this item is contingent on the issuance of the above-referenced bonds. Payment for services will not exceed \$250,000.00 and will be paid from the proceeds of said bonds.

Contact Information:

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