

AN ORDINANCE **98213**

AUTHORIZING THE CITY MANAGER OR HER DESIGNEE TO EXECUTE THE FOLLOWING DOCUMENTS FOR THE PROVISION OF STATE GOVERNMENTAL AFFAIRS REPRESENTATION FOR TERMS BEGINNING OCTOBER 1, 2003 AND ENDING SEPTEMBER 30, 2005: (1) EXTENSION AGREEMENTS FOR STATE GOVERNMENTAL AFFAIRS REPRESENTATION WITH DENTON, NAVARRO, ROCHA AND BERNAL, P.C. AND MARC A. RODRIGUEZ EXERCISING THE TWO-YEAR RENEWAL OPTIONS OF THEIR STATE GOVERNMENTAL AFFAIRS REPRESENTATION AGREEMENTS ORIGINALLY AUTHORIZED BY ORDINANCE NO. 94568, PASSED ON SEPTEMBER 20, 2001, FOR A COMBINED ANNUAL AMOUNT OF \$95,240.00, (2) AN EXTENSION AGREEMENT AND FIRST AMENDMENT TO STATE GOVERNMENTAL AFFAIRS REPRESENTATION AGREEMENT WITH CHRISTOPHER S. SHIELDS, P.C. EXERCISING THE TWO-YEAR RENEWAL OPTION OF HIS STATE GOVERNMENTAL AFFAIRS REPRESENTATION AGREEMENT ORIGINALLY AUTHORIZED BY ORDINANCE NO. 94568, PASSED ON SEPTEMBER 20, 2001, AND REFLECTING A REDUCTION IN THE ANNUAL PAYMENT FOR SERVICES TO \$48,000.00, AND (3) A STATE GOVERNMENTAL AFFAIRS REPRESENTATION AGREEMENT WITH BAKER BOTTS, L.L.P. FOR AN ANNUAL AMOUNT OF \$48,000.00; AND PROVIDING FOR PAYMENT.

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WHEREAS, the City has retained legislative consultants to represent its interest in Austin, Texas for more than 20 years and to provide related services such as the monitoring and tracking of city-related legislation, communicating City Council policy positions to members of the Texas Legislature, informing state lawmakers of legislation which could impact the City, preparing testimony, assisting with the scheduling of witnesses before legislative committees, providing strategic advice, coordinating the City's Legislative Program with the Texas Municipal League, other interest groups and cities and assisting in affecting regulatory development of City interests; and

WHEREAS, on July 11, 2001, City staff issued a Request for Qualifications for state government affairs services and after a staff committee reviewed five proposals and conducted respondent interviews, it was recommended that the City utilize the services of Christopher S. Shields, P.C., Denton, Navarro & Bernal, P.C. and Marc A. Rodriguez; and

WHEREAS, on September 20, 2001, by the passage of Ordinance No. 94568, City Council approved staff's recommendation and authorized contracts for a two-year period beginning on October 1, 2001 and expiring on September 30, 2003, with one (1) two-year renewal option, in the aggregate amount of \$199,000.00; and

WHEREAS, in September 2002, as part of an effort to assist the City meet its budgetary constraints, the City's government affairs lobby team was asked to take a four percent (4%) reduction in the value of their contracts and as a result, the current expenditure for state representation totals \$191,240; and

WHEREAS, on September 3, 2002, Tristan Castañeda, Jr. joined the firm of Baker & Botts, L.L.P. and through the passage of Ordinance No. 96329 on September 12, 2002, City Council approved of the assignment of a portion of the Christopher S. Shields, P.C.'s contract to Baker Botts, L.L.P. and subsequently Christopher S. Shields, P.C. subcontracted with Baker Botts, L.L.P.; and

WHEREAS, City staff recommends exercising the two year renewal options available in the State Governmental Affairs Representation Agreements with Christopher S. Shields, P.C., Denton, Navarro, Rocha and Bernal, P.C. (formerly Denton, Navarro and Bernal, P.C.) and Marc A. Rodriguez, amending the State Governmental Affairs Representation Agreement with Christopher S. Shields, P.C. to reflect the four percent (4%) reduction in fees previously approved by Ordinance No. 96329 on September 12, 2002, terminating authority for the assignment to Baker Botts, L.L.P. and entering into a State Governmental Affairs Representation Agreement with Baker Botts, L.L.P., for a total cost for state governmental affairs representation services of \$191,240; **NOW THEREFORE:**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. The terms and conditions of Extension Agreements for State Governmental Affairs Representation with Denton, Navarro, Rocha and Bernal, P.C. and Marc A. Rodriguez exercising the two-year renewal options of their State Governmental Affairs Representation Agreements, originally authorized by Ordinance No. 94568, passed on September 20, 2001, in an annual combined amount of \$95,240.00, for a term of October 1, 2003 through September 30, 2005, are hereby authorized and approved.

SECTION 2. The terms and conditions of an Extension Agreement and First Amendment to State Governmental Affairs Representation Agreement with Christopher S. Shields, P.C. exercising the two-year renewal option of his State Governmental Affairs Representation Agreement originally authorized by Ordinance No. 94568, passed on September 20, 2001, and reflecting a reduction in the annual payment for services to \$48,000.00, for a term of October 1, 2003 through September 30, 2005, are hereby authorized and approved.

SECTION 3. The authority for Christopher S. Shields, P.C. to assign a portion of its interest in its State Governmental Affairs Representation Agreement to Baker Botts, L.L.P. granted by Ordinance No. 96329 on September 12, 2002 is hereby rescinded.

SECTION 4. The terms and conditions of a State Governmental Affairs Representation Agreement with Baker Botts, L.L.P. for an annual amount of \$48,000.00, for a term of October 1, 2003 through September 30, 2005, are hereby authorized and approved.

SECTION 5. The City Manager, or her designee, is authorized for a sixty (60) day period following the effective date of this Ordinance to execute Extension Agreements for State Governmental Affairs Representation with Denton, Navarro, Rocha and Bernal, P.C. and Marc A. Rodriguez, an Extension Agreement and First Amendment to State Governmental Affairs Representation Agreement with Christopher S. Shields, P.C. and a State Governmental Affairs Representation Agreement with Baker Botts, L.L.P. Copies of said Agreements, previously executed by the other parties thereto, are attached hereto and incorporated herein as Attachments A, B, C and D, respectively.

SECTION 6. Funds in the amount of \$191,240.00 are authorized to be encumbered in FY 2003-2004, contingent upon budget appropriations, in Fund 11-000000 (General Fund), Index code 289678 entitled "Fees to Professional Contractors," and payment of that amount is authorized to be as follows:

	<u>FIRM</u>	AMOUNT
(1)	Christopher S. Shields, P.C.	\$ 48,000.00
(2)	Tristan Castañeda, Jr. (Baker Botts, L.L.P.)	\$ 48,000.00
(3)	Marc A. Rodriguez	\$ 45,120.00
(4)	Susan Rocha (Denton, Navarro, Rocha and Bernal, P.C.)	<u>\$ 49,920.00</u>
		\$191,240.00

SECTION 7. The financial allocations in this Ordinance are subject to approval by the Director of Finance of the City of San Antonio. The Director of Finance may, subject to concurrence by the City Manager or the City Manager's designee, correct allocations to specific index codes and fund numbers as necessary to carry out the purposes of this Ordinance.

SECTION 8. This Ordinance shall be effective on and after the tenth day after passage hereof.

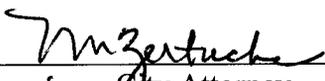
PASSED AND APPROVED this 25th day of September, 2003.



M A Y O R

EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM: 
for City Attorney