



CITY OF DALLAS

Memorandum

DATE March 30, 2012

TO Honorable Members of the Budget, Finance & Audit Committee: Jerry R. Allen (Chair), Tennell Atkins (Vice Chair), Monica R. Alonzo, Scott Griggs, Ann Margolin

SUBJECT Bond Counsel Contracts

At the meeting of the Budget, Finance & Audit Committee on Monday, April 2, 2012, there will be a briefing regarding the City's bond counsel contracts.

The briefing regards a proposal to enter into new two-year agreements for co-bond counsel services with McCall, Parkhurst & Horton, L.L.P. and Escamilla Poneck & Cruz, LLP (formerly known as Escamilla & Poneck, Inc.) (Team A) and Bracewell & Giuliani LLP and West and Associates, L.L.P. (Team B). The City's co-bond counsel teams are currently engaged in issuance of Water and Sewer System Commercial Paper Notes, the proposed 2012 general obligation bond program and a potential certificate of obligation issuance to fund needed infrastructure improvements.

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, Water and Sewer System 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 General Obligation Bonds, Certificates of Obligation, Equipment Notes, Convention Center / Arena Bonds, Risk Notes 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.

The fees for legal services provided by the co-bond counsel firms in connection with the

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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 contracts remain the same as those under the previously-approved contracts.

Please contact me if you need additional information.



Warren M.S. Ernst
Assistant City Attorney

Cc: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Rosa A. Rios, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
C. Victor Lander, Administrative Judge
A.C. Gonzalez, First Assistant City Manager
Ryan S. Evans, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Edward Scott, City Controller
Paul D. Dyer, P.E., Director
Stephanie Pegues-Cooper, Assistant to the City Manager