

Notice of Contingent Fee Contract

A Resolution of the City Council of the City of Baytown, Texas Approving an Addendum to Engagement Letter with Bracewell LLP Relating to Public Improvement Districts

1. In connection with the development of public improvement districts (“PIDs”), the City of Baytown, Texas (the “City”) may desire to issue bonds and other obligations from time to time for various public purposes authorized by Texas statutes, in order to finance or refinance various public projects located within a PID;
2. Bracewell LLP’s (“Bracewell” or the “Firm”) is a full service firm that is experienced with the creation and development of PIDs and the issuance of PID obligations, and it has the necessary competence, qualification and experience to serve as counsel to the City in connection with the creation and development of PIDs and as bond counsel in connection with PID activities.
3. Bracewell has previously represented the City as bond counsel and disclosure counsel in connection with the City’s issuance of bonds and other obligations;
4. The City’s in-house attorneys and supporting personnel do not have the required experience, qualifications or resources to adequately to provide the legal services to be provided by outside counsel;
5. Given the nature of bond counsel services and the source of payment therefor (being from the proceeds of bonds or other obligations), such legal services cannot reasonably be obtained from attorneys in private practice under a contract providing for the payment of hourly fees without contingency; and
6. Entering into a contract with Bracewell that includes a contingent fee component for PID-related bond counsel services is in the best interest of the residents of the City, and the provision of PID-related bond counsel services will not financially impact the City as the compensation for such services will be paid from the proceeds of such bonds or other obligations.



Arletta Boyer
City Clerk
1/24/2020
@ 10:00 am