

## A G E N D A



## Recommendation for Council Action

|                     |         |       |               |     |
|---------------------|---------|-------|---------------|-----|
| Austin City Council | Item ID | 73009 | Agenda Number | 15. |
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|               |          |             |       |
|---------------|----------|-------------|-------|
| Meeting Date: | 8/3/2017 | Department: | Legal |
|---------------|----------|-------------|-------|

## Subject

Authorize negotiation and execution of a legal services contract with the law firm of Lloyd Gosselink Rochelle and Townsend, P.C. in an amount not to exceed \$ 725,000.00, to represent the City in its water wastewater rate review.

## Amount and Source of Funding

Funding is available in the Fiscal Year 2016-2017 Austin Water Utility operating budget.

## Fiscal Note

A fiscal note is not required.

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|--|---|
| Purchasing Language:                             |   |
| Prior Council Action:                            |   |
| For More Information:                            | Clark Cornwell, Assistant City Attorney, 512-974-2268 |
| Council Committee, Boards and Commission Action: |   |
| MBE / WBE:                                       |   |
| Related Items:                                   |   |

## Additional Backup Information

In an effort to establish fair and balanced water and wastewater rates, Austin Water convened meetings in fall of 2016 through spring of 2017 with involvement committees comprised of wholesale and retail customers. Upon the conclusion of the involvement committee process, Austin Water prepared a cost of service model and proposed rates to be implemented in 2018. Before adopting proposed rates, Austin Water will undergo a rate examination and review conducted by an independent hearings examiner beginning this fall. The hearing examiner will preside over a hearing addressing the cost of service and rate schedules proposed by Austin Water. Austin Water seeks professional legal services during prehearing, hearing, and post-hearing on the proposed rates in order to advocate Austin Water's position before the presiding hearings examiner. For this, the City requires assistance from specialized legal counsel to include: preparing and filing motions, conducting extensive discovery, presenting evidence, rate analysis, presenting oral argument, and generally, representing Austin Water during the rate review.

Lloyd Gosselink has a high level of expertise in administrative water rate cases, particularly advising and representing municipalities in water utility rate cases before the state.