



Recommendation for Action

File #: 22-3511, Agenda Item #: 28.

12/1/2022

Posting Language

Authorize negotiation and execution of an amendment to the legal services agreement with Winstead PC for representation related to the City of Austin v. LoneStar Airport Holdings, LLC and Texas Capital Bank in the condemnation proceeding in Probate Court No. 1 and the LoneStar Airport Holdings, LLC v. the City of Austin, Texas federal lawsuit in the Western District of Texas, Austin Division, in the amount of \$1,500,000, for a total contract amount not to exceed \$3,097,000.

Lead Department

Law Department.

Fiscal Note

Funding in the amount of \$1,500,000 is available in the Fiscal Year 2022-2023 Department of Aviation's Operating Budget.

Prior Council Action:

August 26, 2021 - Council approved the first amendment to the legal services agreement with Winstead PC in the amount of \$185,000, for a total contract amount not to exceed \$247,000.

February 3, 2022, Council approved the second amendment to the legal services agreement with Winstead PC in the amount of \$600,000, for a total contract amount not to exceed \$847,000.

September 29, 2022, Council approved the third amendment to the legal services agreement with Winstead PC in the amount of \$750,000, for a total contract amount not to exceed \$1,597,000.

For More Information:

Shannon "Shay" Kackley, Assistant City Attorney, 512-974-2317.

Additional Backup Information:

This litigation is related to the state court condemnation and federal court breach of contract lawsuits involving the tenant of the South Terminal at Austin-Bergstrom International Airport.

Strategic Outcome(s):

Government that Works for All.