

**THE CITY OF OKLAHOMA CITY
OFFICE OF
THE MUNICIPAL COUNSELOR**

Council Agenda
Item No. IX. CF
8/27/2024

TO: Mayor and City Council

FROM: Kenneth Jordan, Municipal Counselor

Amendment No. 2 to Retainer Agreement with A New Energy, LLC, for professional legal services in matters before the Oklahoma Corporation Commission and/or fuel, oil and gas, transportation, telecommunications, or public utility matters, retroactive to July 1, 2024 through June 30, 2025.

Background:

The City requires legal services of attorneys experienced in matters before the Oklahoma Corporation Commission and other public utility matters.

On August 16, 2022 (Item No. IX. CN.), the City Council approved a Retainer Agreement for Legal Services with A New Energy, LLC, for such purposes. The Retainer Agreement provided for reimbursement of expenses up to \$150,000.

On August 1, 2023 (Item No. IX. BZ.), the City Council approved Amendment No. 1 to the Retainer Agreement to increase its not-to-exceed amount by \$100,000, resulting in a total not-to-exceed amount of \$250,000. This increase was desired primarily due to ongoing consultation and legal services being provided for Oklahoma Supreme Court Case No. CU-120707.

Oklahoma Supreme Court Case No. CU-120707 remains pending. To provide for A New Energy, LLC's ongoing consultation and legal services in this matter, Amendment No. 2 to the Retainer Agreement would extend the Agreement's term through June 30, 2025. Amendment No. 2 also modifies the scope of legal services to matters before the Oklahoma Corporation Commission and/or fuel, oil and gas, transportation, telecommunications, or public utility matters.

Source of Funds:

General Fund – General Operations – Municipal Counselor Executive Leadership – Professional Svc-Legal (1001-1700101-52040001)

Review:

Municipal Counselor's Office

Recommendation: Amendment be approved