



MEMORANDUM

OCMFA Agenda
Item No. MFA. E
12/31/24

The City of OKLAHOMA CITY

TO: Chairman and Trustees of the Oklahoma City Municipal Facilities Authority

FROM: Kenneth Jordan, Municipal Counselor

Joint Resolution approving a Comprehensive Retainer Agreement with The City of Oklahoma City and Pierce Couch Hendrickson Baysinger & Green, LLP, to provide professional services for defense of City employees, estimated cost \$50,000, retroactive to December 12, 2024 through June 30, 2025.

Purpose:

This agreement between OCMFA, the City and FIRM outlines the responsibilities of the parties under the Comprehensive Retainer Agreement.

Background:

On March 24, 1987, the City Council adopted a policy which recognized the potential conflict of interest between The City and its employees which arises in certain litigation when the employees are sued for punitive damages or an actual conflict of interest arises between the employee and The City, and directed that a City employee, who is entitled to legal counsel by The City, shall be permitted to select outside counsel to be retained on his/her behalf. Also on the same day, the OCMFA adopted a resolution which authorized the OCMFA to administer such agreements.

The Municipal Counselor's Office has developed a panel of qualified attorney and has prepared a retainer agreement with the FIRM. The terms of this retainer agreement provide for outside counsel to provide legal services and representation to City employees, if City Council approves the hiring of outside counsel. The contract provides a not-to-exceed amount of \$50,000.00.

OCMFA desires to have an agreement in place between OCMFA and the FIRM to ensure that both parties' responsibilities under the agreement are clearly defined.

Source of Funds:

OCMFA General Purpose-MFA General Purpose-Non-Departmental MFA-Professional Services-Legal (3000-9802200-52040001)

Review:

Municipal Counselor's Office

Recommendation: Joint Resolution be adopted.