City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Legislation Details (With Text)

File #:	23-87	**Version:**	1	**Name:**	
Type:	ITEMS FOR FURTHER CONSIDERATION			**Status:**	Approved as Amended
File created:	12/15/2022			**In control:**	City Attorney's Office
On agenda:	1/25/2023			**Final action:**	
Title:	Authorize Supplemental Agreement No. 2 to the professional services contract with Messer, Fort & McDonald, PLLC to provide additional legal services related to appeals and defense of the Board of Adjustment in connection with Cause No. DC-22-03741; David Session v. Board of Adjustment for the City of Dallas, et al., now styled as Andres “Andrew” Espinoza, in his Official Capacity as the Building Official of the City of Dallas, Texas v. Board of Adjustment for the City of Dallas and TCHDallas2, LLC, and Cause No. DC-22-05679; Andres "Andrew" Espinoza, in his Official Capacity as Director and Chief Building Official of the City of Dallas, Texas v. Board of Adjustment for the City of Dallas and Shuffle 214, LLC, a Texas Limited Liability Company - Not to exceed $200,000.00, from $100,000.00 to $300,000.00 - Financing: Liability Reserve Fund (This item was deferred on December 14, 2022)				
Sponsors:					
Indexes:	300				
Code sections:					
Attachments:	1. Resolution				

Date	Ver.	Action By	Action	Result

STRATEGIC PRIORITY: Government Performance & Financial Management

AGENDA DATE: January 25, 2023

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney’s Office

EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize Supplemental Agreement No. 2 to the professional services contract with Messer, Fort & McDonald, PLLC to provide additional legal services related to appeals and defense of the Board of Adjustment in connection with Cause No. DC-22-03741; David Session v. Board of Adjustment for the City of Dallas, et al., now styled as Andres “Andrew” Espinoza, in his Official Capacity as the Building Official of the City of Dallas, Texas v. Board of Adjustment for the City of Dallas and TCHDallas2, LLC, and Cause No. DC-22-05679; Andres "Andrew" Espinoza, in his Official Capacity as Director and Chief Building Official of the City of Dallas, Texas v. Board of Adjustment for the City of Dallas and Shuffle 214, LLC, a Texas Limited Liability Company - Not to exceed $200,000.00, from $100,000.00 to $300,000.00 - Financing: Liability Reserve Fund (This item was deferred on December 14, 2022)

powered by Legistar™

BACKGROUND

Supplemental Agreement No. 2 will authorize Messer, Fort & McDonald, PLLC to provide additional legal services related to appeals and defense of the Board of Adjustment in connection with Cause No. DC-22-03741; David Session v. Board of Adjustment for the City of Dallas, et al., now styled as Andres “Andrew” Espinoza, in his Official Capacity as the Building Official of the City of Dallas, Texas v. Board of Adjustment for the City of Dallas and TCHDallas2, LLC, and Cause No. DC-22-05679; Andres "Andrew" Espinoza, in his Official Capacity as Director and Chief Building Official of the City of Dallas, Texas v. Board of Adjustment for the City of Dallas and Shuffle 214, LLC, a Texas Limited Liability Company.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

A confidential memorandum regarding this matter will be provided to the City Council on December 9, 2022.

On December 14, 2022, this item was deferred by Councilmember Chad West.

FISCAL INFORMATION

Fund	FY 2023	FY 2024	Future Years
Liability Reserve Fund	$200,000.00	$0.00	$0.00

Original Contract	$ 50,000.00
Supplemental Agreement No. 1	$ 50,000.00
Supplemental Agreement No. 2 (this action)	$200,000.00
Total	$300,000.00

OWNER

Messer, Fort & McDonald, PLLC

Andy Messer, Partner
Julie Fort, Partner
Brenda McDonald, Partner