



Legislation Text

File #: 22-1111, Version: 1

STRATEGIC PRIORITY: Government Performance & Financial Management
AGENDA DATE: May 25, 2022
COUNCIL DISTRICT(S): N/A
DEPARTMENT: City Attorney's Office
EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with Kirkland & Ellis LLP for final payment of legal services rendered to the City of Dallas in connection with an investigation of, and report about, data loss involving City of Dallas Information and Technology Services Department employee(s) migrating Dallas Police Department and City Secretary's Office files from an online cloud-based archive to a server for the time period of January 21, 2021 through April 1, 2021, and any other data loss reported - Not to exceed \$82,803.88, from \$548,450.00 to \$631,253.88 - Financing: Liability Reserve Fund

BACKGROUND

Supplemental Agreement No. 1 will authorize final payment to Kirkland & Ellis LLP for legal services in connection with an investigation of, and report about, data loss involving City of Dallas Information and Technology Services Department employee(s). Upon final payment, the contract with Kirkland & Ellis LLP will be terminated.

On August 18, 2021, City Council was briefed in a closed session about legal issues and security assessment related to information resources technology/data loss from the Dallas Police Department's network drive.

On September 10, 2021, the Ad Hoc Committee on General Investigating and Ethics ("Committee") heard an update on the status of the city's data loss recover efforts and report about any newly discovered data loss as well as considering hiring a third-party law firm to complete an impartial comprehensive investigation of, and report about, the city's data loss. The Committee moved that the city attorney conduct a request for submittals and provide the top three law firms for the Committee to interview and recommend a firm to City Council.

On October 14, 2021, the Committee interviewed three law firms with cybersecurity and data management and protection experience to investigate the data loss involving City of Dallas Information and Technology Services Department employees migrating Dallas Police Department

and City Secretary's Office files from an online cloud-based archive to a server for the time period of January 21, 2021 through April 1, 2021, and any other data loss reported, and recommended Kirkland & Ellis LLP to City Council.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council was briefed regarding this matter on August 18, 2021.

On October 27, 2021, City Council authorized a professional services contract with Kirkland & Ellis LLP to provide legal services to the City of Dallas including an investigation of, and report about, data loss involving City of Dallas Information and Technology Services Department employee(s) migrating Dallas Police Department and City Secretary's Office files from an online cloud-based archive to a server for the time period of January 21, 2021 through April 1, 2021, and any other data loss reported; **(2)** an increase in appropriations in an amount not to exceed \$548,450.00 in the Liability Reserve Fund; and **(3)** a transfer in an amount not to exceed \$548,450.00 from General Fund Contingency to the Liability Reserve Fund by Resolution No. 21-1779.

A confidential memorandum regarding this matter will be provided to the City Council on May 20, 2022.

FISCAL INFORMATION

Fund	FY 2022	FY 2023	Future Years
Liability Reserve Fund	\$82,803.88	\$0.00	\$0.00

Original Contract	\$548,450.00
Supplemental Agreement No. 1 (this action)	<u>\$ 82,803.88</u>

Total	\$631,253.88
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OWNER

Kirkland & Ellis LLP