

Mayor and Council Communication

DATE: 02/08/22

M&C FILE NUMBER: M&C 22-0094

LOG NAME: 12OUTSIDECOUNSELLCARTER

SUBJECT

(ALL) Adopt a Resolution Ratifying the Retention of Leon Carter and the Carter Arnett Law Firm as Outside Legal Counsel to Provide Legal Representation to the City of Fort Worth in the Lawsuit Entitled, Joel F. Fitzgerald, Sr. v. City of Fort Worth, Texas (Cause No. DC-19-08184)

RECOMMENDATION:

It is recommended that the City Council adopt the attached resolution ratifying the retention of Leon Carter and the Carter Arnett Law Firm as outside legal counsel to provide legal representation to the City of Fort Worth in the lawsuit entitled, Joel F. Fitzgerald, Sr. v. City of Fort Worth, Texas (Cause No. DC-19-08184).

DISCUSSION:

Joel F. Fitzgerald, Sr. (Fitzgerald) was hired as the Chief of Police in 2015. On May 20, 2019, Fitzgerald was terminated from his employment with the City of Fort Worth (City). Fitzgerald filed a lawsuit against the City on June 6, 2019, claiming that his termination from the City violated the Texas Whistleblower Act, the Texas Open Meetings Act, the Public Information Act, and the Texas Constitution. Due to the complex nature of the litigation and the importance to the City, it is recommended that Leon Carter and the Carter Arnett Law Firm be retained to represent the City in the lawsuit entitled, Joel F. Fitzgerald, Sr. v. City of Fort Worth, Texas (Cause No. DC-19-08184).

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that upon approval of the recommendations, funds are available in the current operating budget, as appropriated, of the Risk Financing Fund. Prior to an expenditure being incurred, the Human Resources Department has the responsibility to validate the availability of funds.

Submitted for City Manager's Office by: ALL ACMs 6222

Originating Business Unit Head: Laetitia Coleman Brown 6639

Additional Information Contact: Christopher B. Mosley 7603