

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING A DISCRETIONARY SERVICE AGREEMENT WITH ONCOR ELECTRIC DELIVERY COMPANY, LLC FOR THE RELOCATION OF ITS OVERHEAD ELECTRICAL SYSTEM IN ASSOCIATION WITH THE OUTER LOOP WEST, PHASE I PROJECT IN THE ESTIMATED AMOUNT OF \$58,416.88; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, approval of this item will allow for the execution of a Discretionary Service Agreement with Oncor Electric Delivery Company, LLC, (Oncor) for the relocation of Oncor assets as part of the Outer Loop West, Phase I Project;

Whereas, on October 19, 2017, Council authorized a contract with Kasberg, Patrick & Associates, LP for professional services required to design and bid the proposed improvements to Phase IV of the Outer Loop - on August 16, 2018, Council authorized an application for federal funding, to include a 20 percent match in future funding for selected projects, through the Killeen Temple Metropolitan Planning Organization (KTMPO) Category 7 Program;

Whereas, on January 16, 2019, KTMPO allocated available Category 7 federal funds for Outer Loop West, Phase I - on August 17, 2023, Council authorized a construction contract with Emerson Construction Company, Inc. for construction of the Outer Loop West, Phase I;

Whereas, these improvements required relocation of Oncor's assets as part of this capital improvement project - after relocation of Oncor assets, City Staff requested Oncor take lines from overhead power poles to underground conduit for beatification due to densely-placed power poles in two areas;

Whereas, Staff recommends Council authorize a Discretionary Service Agreement with Oncor for the relocation of its overhead electrical system in association with the Outer Loop West, Phase I Project in the estimated amount of \$58,416.88; and

Whereas, funding for the Discretionary Service Agreement with Oncor for the relocation of a portion of its system in association with the Outer Loop West, Phase I Project in the amount of \$58,416.88 is available in Project No. 101714, as follows:

	Grant	Mobility	Water	Wastewater	
	260-3400-531-6813	365-3400-531-6813	561-5200-535-6813	561-5400-535-6813	Total
Project Budget	\$ 13,656,058	\$ 14,335,830	\$ 3,811,347	\$ 1,517,977	\$ 33,321,212
Encumbered/Committed to Date	(13,518,669)	(14,117,174)	(3,802,335)	(1,517,977)	(32,956,155)
Remaining TXDOT Admin Fee	(137,389)	-	-	-	(137,389)
Oncor Electric Delivery DSA	-	(58,417)	-	-	(58,417)
Remaining Project Funds Available	\$ -	\$ 160,239	\$ 9,012	\$ -	\$ 169,251

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, THAT:

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes a Discretionary Service Agreement with Oncor Electric Delivery Company, LLC for the relocation of its overhead electrical system in association with the Outer Loop West, Phase I Project in the estimated amount of \$58,416.88, and authorizes the City Manager, or her designee, after approval as to form by the City Attorney's Office, to execute any necessary documents.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 18th day of **July, 2024**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney