

RESOLUTION NO. {{item.sequential\_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING AN INCREASE IN THE EXPENDITURES FOR FISCAL YEAR 2024 FROM \$247,800 TO \$400,800 FOR THE HAULING AND DISPOSAL OF SLUDGE FEES PAID TO S&M VACUUM & WASTE, LTD. OF KILLEEN, TEXAS; AND PROVIDING AN OPEN MEETINGS CLAUSE.

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**Whereas**, on September 7, 2023, Council authorized the renewal of an annual contract with S&M Vacuum and Waste, Ltd. of Killeen, Texas for hauling and disposal of sludge services for the Water Treatment Plant in the estimated annual amount of \$247,800 for Fiscal Year 2024 - Staff is requesting ratification of an increase to the expenditures for sludge hauling and disposal services by \$153,000 for a total of \$400,800 for Fiscal Year 2024;

**Whereas**, sludge is largely generated by the operation of clarifiers and it was originally budgeted that the clarifiers would operate for only a portion of the year as Staff did not plan to operate them once the membrane plant expansion was online - however, the membrane plant expansion is not yet approved for operation by the Texas Commission on Environmental Quality;

**Whereas**, this annual contract is structured as a 'unit price' contract to allow for flexibility in the contract based on the needs of the City during the fiscal year - accordingly, no change order is required to the executed services agreement;

**Whereas**, Staff recommends Council ratify an increase in the expenditures for Fiscal Year 2024 from \$247,800 to \$400,800 for the hauling and disposal of sludge fees paid to S&M Vacuum & Waste, Ltd.;

**Whereas**, funding for an increase in the expenditures for the hauling and disposal of sludge fees paid to S&M Vacuum & Waste, Ltd. by an estimated amount of \$153,000, to a total of \$400,800 for Fiscal Year 2024, is available in Account No. 520-5100-535-2338; and

**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 ratifies an increase in the expenditures for Fiscal Year 2024 from \$247,800 to \$400,800 for the hauling and disposal of sludge fees paid to S&M Vacuum & Waste, Ltd. of Killeen, Texas, 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 **18<sup>th</sup>** day of **July, 2024**.

THE CITY OF TEMPLE, TEXAS

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TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

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Jana Lewellen  
City Secretary

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Kathryn H. Davis  
City Attorney