



## COUNCIL AGENDA ITEM MEMORANDUM

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**DEPT./DIVISION SUBMISSION & REVIEW:**

Kathryn Davis, City Attorney

**ITEM DESCRIPTION:** Consider adopting a resolution authorizing an increase in the estimated expenditures for FY 2025 from \$50,000 to \$140,000 for legal services associated with various condemnation proceedings from Haley & Olson, P.C.

**BACKGROUND:** In October 2022, Council authorized a five-year professional services agreement with Haley & Olson, P.C., for the provision of legal services for condemnation proceedings to cover fiscal years 2023-2028, in an estimated amount of \$50,000 per fiscal year. Due the increase of infrastructure projects started in fiscal years 2023 and 2024 needing right of way and the number of properties requiring condemnation on those projects, expenditures for condemnation proceedings are ongoing and are higher than expected this fiscal year. Therefore, staff is recommending an amendment to the professional services agreement with Haley & Olson, P.C., for an increase from \$50,000 to \$140,000 for fiscal year 2025.

**ALIGNMENT WITH ADOPTED PLANS:**

Plan	Comments
Strategic Plan	This item supports the City of Temple’s Strategic Plan goals of “A City that supports well-managed growth and development to promote a thriving economy” as well as the Strategic Plan commitments of “Facilitate high quality, safe, and strategic community growth.”

**STAFF RECOMMENDATION:** Adopt resolution as presented in item description

**BOARDS & COMMISSIONS RECOMMENDATION:** This item was not reviewed by any of the official boards and commissions.

**FISCAL IMPACT:** A budget adjustment is being presented to Council for approval to appropriate additional funding to the Bell County Annex Site project for legal services associated with continued condemnation proceedings from Haley and Olson. After approval of the budget adjustment, funding will be available in the amount of \$140,000 in the capital projects and account numbers as shown below:

Project Description	Account #	Project #	Estimated Legal Services—FY 2025
Avenue C Roadway Expansion	795-9500-531-6892	101841	\$ 15,000
Poison Oak Road, Phase II	365-3400-531-6886	101715	6,000
Upsize Pepper Creek Trunk Sewer	795-9600-531-6352	102474	10,000
Barnhardt Road Reconstruction	365-3400-531-6725	102727	10,000
Outer Loop West, Phase II	795-9600-531-6557	101585	5,000
Lake Point Drive Extension	365-3400-531-6726	102425	15,000
Pepper Creek Drainage Channel	353-2900-534-6813	102016	2,000
Bell County Annex Site	365-1100-513-6110	102873	30,000
Little Elm Trunk Sewer Extension	795-9200-531-6368	102671	32,000
Ave D Roadway Improvements	362-3400-531-6974	102249	15,000
<b>Haley &amp; Olson</b>			<b>\$ 140,000</b>

This expenditure may vary between projects and will only be utilized on properties that have been approved by Council for eminent domain condemnation proceedings.

**ATTACHMENTS:**  
 Budget Adjustment  
 Resolution