

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, RATIFYING THE EXPENDITURE OF ADDITIONAL FUNDS FOR THE PURCHASE OF HOT-MIX ASPHALT MATERIAL FROM TEXAS MATERIALS, INC. OF KEMPNER, TEXAS IN THE ESTIMATED ADDITIONAL AMOUNT OF \$61,314, FOR A TOTAL OF \$201,314 FOR FISCAL YEAR 2024; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this item will allow for ratification of additional funds expended for hot-mix asphalt material needed to repair South Whitehall Road, which was severely damaged and became hazardous for traffic in certain areas;

Whereas, on September 7, 2024, Council authorized an annual purchase agreement with Texas Materials, Inc. of Kempner, Texas, procured through Bid No. 31-03-23, in the estimated annual amount of \$140,000, of which \$112,228 has been expended from the departmental operating budget - an additional \$89,086 is required for the South Whitehall Road Project;

Whereas, Staff recommends Council ratify the expenditure of additional funds for the purchase of hot-mix asphalt material from Texas Materials, Inc. in the estimated additional amount of \$61,314, for a total of \$201,314 for the remainder of Fiscal Year 2024;

Whereas, funding for the construction contract with Texas Materials, Inc. for hot-mix asphalt material in the estimated amount of \$89,086.17, which is an increase of \$61,314 to the previously-approved annual expenditure of \$140,000, is available in Account No. 110-3400-531-2321; 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 the expenditure of additional funds for the purchase of hot-mix asphalt material from Texas Materials, Inc. of Kempner, Texas in the estimated additional amount of \$61,314, for a total of \$201,314 for Fiscal Year 2024, 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 19th day of **September, 2024**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney