

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN INCREASE IN THE ESTIMATED EXPENDITURES FOR FISCAL YEAR 2025 FROM \$50,000 TO \$140,000 FOR LEGAL SERVICES ASSOCIATED WITH VARIOUS CONDEMNATION PROCEEDINGS FROM HALEY & OLSON, P.C.; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, 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;

Whereas, due to 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;

Whereas, Staff recommends Council authorize this increase in the estimated expenditures for Fiscal Year 2025 from \$50,000 to \$140,000 for legal services associated with various condemnation proceedings from Haley & Olson, P.C.;

Whereas, 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 & Olson, P.C. - 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
Haley & Olson			\$ 140,000

Whereas, this expenditure may vary between projects and will only be utilized on properties that have been approved by Council for eminent domain condemnation proceedings; 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 authorizes an increase in the estimated expenditures for Fiscal Year 2025 from \$50,000 to \$140,000 for legal services associated with various condemnation proceedings from Haley & Olson, P.C., 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: The City Council authorizes an adjustment to the Fiscal Year 2025 Budget, substantially in the form of the copy attached hereto as Exhibit A.

Part 4: 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 6th day of **March, 2025**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney