



Legislation Details (With Text)

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File created: 1/21/2020 **In control:** City Attorney's Office

On agenda: 2/12/2020 **Final action:** 2/12/2020

Title: Authorize Supplemental Agreement No. 5 to the professional services contract with Moses, Palmer & Howell, L.L.P., for additional legal services in the lawsuit styled Trinity East Energy, LLC v. City of Dallas, Texas, Cause No. DC-14-01443 - Not to exceed \$300,000.00, from \$875,000.00 to \$1,175,000.00 - Financing: Risk Management Funds

Sponsors:

Indexes: 300

Code sections:

Attachments: 1. Resolution

Date	Ver.	Action By	Action	Result
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STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: February 12, 2020

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize Supplemental Agreement No. 5 to the professional services contract with Moses, Palmer & Howell, L.L.P., for additional legal services in the lawsuit styled Trinity East Energy, LLC v. City of Dallas, Texas, Cause No. DC-14-01443 - Not to exceed \$300,000.00, from \$875,000.00 to \$1,175,000.00 - Financing: Risk Management Funds

BACKGROUND

Supplemental Agreement No. 5 will authorize Moses, Palmer & Howell, L.L.P., to provide additional legal services in the lawsuit styled Trinity East Energy, LLC v. City of Dallas, Texas, Cause No. DC-14-01443.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 19, 2013, City Council authorized Supplemental Agreement No. 1 to the professional services contract with Moses, Palmer & Howell, L.L.P., for additional legal advice regarding laws pertaining to mineral rights and potential litigation by Resolution No. 13-1036.

City Council was briefed by memorandum regarding this matter on November 9, 2018.

On November 14, 2018, City Council authorized Supplemental Agreement No. 2 to the professional services contract with Moses, Palmer & Howell, L.L.P., for additional legal services in the lawsuit styled Trinity East Energy, LLC v. City of Dallas, Texas, Cause No. DC-14-01443, by Resolution No. 18-1585.

City Council was briefed by memorandum regarding this matter on April 5, 2019.

On April 10, 2019, City Council authorized Supplemental Agreement No. 3 to the professional services contract with Moses, Palmer & Howell, L.L.P., for additional legal services in the lawsuit styled Trinity East Energy, LLC v. City of Dallas, Texas, Cause No. DC-14-01443, by Resolution No. 19-0487.

City Council was briefed by memorandum regarding this matter on November 8, 2019.

On November 13, 2019, City Council authorized Supplemental Agreement No. 4 to the professional services contract with Moses, Palmer & Howell, L.L.P., for additional legal services in the lawsuit styled Trinity East Energy, LLC v. City of Dallas, Texas, Cause No. DC-14-01443, by Resolution No. 19-1747.

City Council will be briefed by memorandum regarding this matter on February 7, 2020.

FISCAL INFORMATION

Fund	FY 2020	FY 2021	Future Years
Risk Management Funds	\$300,000.00	\$0.00	\$0.00

Original Contract	\$ 50,000.00
Supplemental Agreement No. 1	\$ 150,000.00
Supplemental Agreement No. 2	\$ 100,000.00
Supplemental Agreement No. 3	\$ 275,000.00
Supplemental Agreement No. 4	\$ 300,000.00
Supplemental Agreement No. 5 (this action)	<u>\$ 300,000.00</u>
Total	\$1,175,000.00