



Legislation Text

File #: 20-829, **Version:** 1

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: May 13, 2020

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

EXECUTIVE: Christopher J. Caso

SUBJECT

Authorize Supplemental Agreement No. 6 to the professional services contract with Moses, Palmer & Howell, L.L.P., for final payment of legal services rendered in the lawsuit styled Trinity East Energy, LLC v. City of Dallas, Texas, Cause No. DC-14-01443 - Not to exceed \$11,000.00, from \$1,175,000.00 to \$1,186,000.00 - Financing: Risk Management Funds

BACKGROUND

Supplemental Agreement No. 6 will authorize final payment to Moses, Palmer & Howell, L.L.P., for legal services rendered in the lawsuit styled Trinity East Energy, LLC v. City of Dallas, Texas, Cause No. DC-14-01443. Upon final payment, the contract with Moses, Palmer & Howell, L.L.P. will be terminated.

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 was briefed by memorandum regarding this matter on February 7, 2020.

On February 12, 2020, City Council authorized 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, by Resolution No. 20-0256.

City Council will be briefed by memorandum regarding this matter on May 8, 2020.

FISCAL INFORMATION

Fund	FY 2020	FY 2021	Future Years
Risk Management Funds	\$11,000.00	\$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	\$ 300,000.00
Supplemental Agreement No. 6 (this action)	<u>\$ 11,000.00</u>
Total	\$1,186,000.00