



## Legislation Details (With Text)

<b>File #:</b>	R2016-093	<b>Version:</b>	1
<b>Type:</b>	Resolution	<b>Status:</b>	Regular Agenda
<b>File created:</b>	9/26/2016	<b>In control:</b>	City Council
<b>On agenda:</b>	10/18/2016	<b>Final action:</b>	
<b>Title:</b>	Consider approving Resolution No. 2016-093 authorizing the City Manager to sign an amendment to the professional services contract with McElroy, Sullivan, Miller, Weber, and Olmstead relating to the City's municipal solid waste landfill permit amendment; and take appropriate action.		
<b>Sponsors:</b>	Shane Davis		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. Resolution 2016-093, 2. First Amendment to Legal Services Contract.pdf, 3. Table 3. Schedule of Charges.pdf, 4. Original Schedule of Charges		

Date	Ver.	Action By	Action	Result
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**Consider approving Resolution No. 2016-093 authorizing the City Manager to sign an amendment to the professional services contract with McElroy, Sullivan, Miller, Weber, and Olmstead relating to the City's municipal solid waste landfill permit amendment; and take appropriate action.**

### BACKGROUND:

The City of Farmers Branch entered into a contract with McElroy, Sullivan, and Miller on July 22, 2009 to provide legal services relating to the City's municipal solid waste landfill permit amendment and any related litigation or contested administrative proceedings. During this time the rates billed to the City have not changed, although the firm has had several rate increases.

### DISCUSSION:

The firm recently changed names to McElroy, Sullivan, Miller, Weber, and Olmstead and as part of their internal review noted that rates billed to the City have not increased since the firm was originally engaged. The length of time for the permitting process has been significant and the firm is now requesting the City be billed at their current rates for such professional services. This contract amendment replaces the Schedule of Charges in the contract.

### RECOMMENDATION:

City Administration recommends approving Resolution 2016-093 authorizing the City Manager to sign on behalf of the City an amended professional services contract with McElroy, Sullivan, Miller, Weber, and Olmstead for solid waste legal services related to the municipal solid waste permit amendment for Camelot Landfill and professional services required in relation to any current or future legal actions taken by opposition groups related to the permit amendment application.

### POSSIBLE COUNCIL ACTION:

1. I move to approve Resolution No. 2016-093, authorizing the City Manager to sign on behalf of the City an amended professional services contract with McElroy, Sullivan, Miller, Weber, and Olmstead for solid waste

legal services related to the municipal solid waste permit amendment for Camelot Landfill and professional services required in relation to any current or future legal actions taken by opposition groups related to the permit amendment application, as presented.

2. I move to approve .Resolution No. 2016-093 authorizing the City Manager to sign on behalf of the City an amended professional services contract with McElroy, Sullivan, Miller, Weber, and Olmstead for solid waste legal services related to the municipal solid waste permit amendment for Camelot Landfill and professional services required in relation to any current or future legal actions taken by opposition groups related to the permit amendment application, with modifications.

3. I move to table the issue for further study or take no action.

**ATTACHMENTS:**

1. Resolution 2016-093
2. First Amendment to Legal Services Contract
3. Table 3 - Schedule of Charges
4. Original Schedule of Charges