



LEGAL SERVICES AGREEMENT

RS-23-050

March 7, 2023

Background

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- ❑ January 19, 2021: Council approved street light audit and negotiations with Oncor to obtain ownership of street lights for the purpose of significantly reducing annual street lighting costs.
- ❑ February 15, 2022: Council directed staff to offer to purchase street lights from Oncor.
- ❑ May 25, 2022: City engaged Lloyd Gosselink to provide legal services with regard to acquiring street lighting system from Oncor.
- ❑ December 23, 2022: City made an initial offer to Oncor to purchase the street lighting system.
- ❑ January 3, 2023: City made a final offer to purchase the street lighting system, which Oncor did not accept.

Litigation

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- ❑ On January 13, 2023, Oncor filed a lawsuit for declaratory and injunctive relief to restrain the City from condemning the street light system through eminent domain.
- ❑ To continue to defend the declaratory and injunctive lawsuit and continue attempts to purchase the street lights system, legal expenses will exceed \$50,000 in this fiscal year.

Alternatives

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- Alternatives are:
 - ▣ Ratify the Lloyd Gosselink agreement for legal services related to the Oncor lawsuit and the street lighting system
 - ▣ Not ratify the Lloyd Gosselink agreement

Recommendation

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- Staff recommends that City Council ratify the agreement with Lloyd Gosselink if the City wants to continue to defend the Oncor lawsuit and continue to attempt to purchase the street light system.