



# City of Pflugerville

## Legislation Details (With Text)

**File #:** 2021-8914    **Version:** 1    **Name:**  
**Type:** Agenda Item    **Status:** Approved  
**File created:** 12/18/2020    **In control:** Public Works  
**On agenda:** 1/26/2021    **Final action:** 1/26/2021  
**Title:** Approving the engagement of McCarthy & McCarthy LLP as Special Counsel for the City.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Engagement Letter 1-15-21, 2. FINAL Water Rights TM\_20201207

Date	Ver.	Action By	Action	Result
1/26/2021	1	City Council	Approved	Pass

Approving the engagement of McCarthy & McCarthy LLP as Special Counsel for the City.

Staff is requesting that the City Council allow staff to obtain the professional services of McCarthy & McCarthy LLP for the purpose of assisting staff with permits, contracts and negotiations related to obtaining additional water rights to support the future growth of Pflugerville. In working with the City Attorney's office, it was recommended to hire outside counsel for this task. In accordance with section 4.03 of the City Charter, the City Council may retain special counsel at any time it deems necessary or advisable.

The 2020 Water Master Plan concluded that by 2029 the City will be required to have additional water sources online in order to meet anticipated demands. In anticipation of acquiring additional water supply, the City contracted with Garver to provide Owner's representative services and analyze available supply options. The attached technical memorandum outlines conceptual water supply alternatives which will allow the City to proactively plan for the future and meet all anticipated water demands. Garver also provided a summary presentation to the City Council on their analysis and proposed alternatives at the July 28, 2020 Worksession.

City Staff and Garver began meeting with LCRA in October 2020 to begin conversations regarding future supply needs and available options. McCarthy & McCarthy LLP will aid in future conversations, contract negotiations and any necessary permits.

These services were budgeted as Water Supply Evaluation in the 2021 Budget under Public Works Administration Other Professional Fees.

### Prior City Council Action

None.

### Deadline for City Council Action

Action is requested on January 26, 2020.

**Funding Expected:** Revenue  Expenditure  N/A

**Budgeted Item:** Yes  No  N/A

**Amount:** \$40,000.00

**1295 Form Required?** Yes  No

**Legal Review Required:** N/A  Required  Date Completed: 1/19/2021

**Supporting documents attached:**

Engagement Letter

**Recommended Action**

Approve the engagement of McCarthy & McCarthy LLP as Special Counsel for the City.