



## Recommendation for Action

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**File #:** 19-2073, **Agenda Item #:** 7.

6/6/2019

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### **Posting Language**

Authorize negotiation and execution of an amendment to the legal services agreement with Husch Blackwell LLP for legal services related to the acquisition of Nacogdoches Power LLC and the 100 MW biomass-fueled power generation facility owned by the LLC in the amount of \$205,000 for a total contract amount not to exceed \$505,000.

### **Lead Department**

Law Department.

### **Fiscal Note**

Funding in the amount of \$205,000 is available in the Fiscal Year 2018-19 operating budget of Austin Energy.

### **Prior Council Action:**

The contract was initially approved on March 7, 2019.

### **For More Information:**

Andy Perny, Assistant City Attorney (512) 974-2268.

### **Additional Backup Information:**

This relates to the City's ongoing acquisition of Nacogdoches Power LLC and the 100 MW biomass-fueled power generation facility owned by the LLC in Nacogdoches County, Texas. Council previously authorized funding for this contract to conduct the acquisition of the LLC. While that work is ongoing and within budget, additional work will be required to accomplish the transfer of title to the facility from the LLC to the City, along with numerous associated contracts and regulatory permits. This contract increase will allow that work to be performed in an expeditious manner.