



Legislation Details (With Text)

File #: 2020-319 **Version:** 2 **Name:**
Type: Executive Session - Legal Matters **Status:** Passed
File created: 8/17/2020 **In control:** Board of Directors
On agenda: 9/18/2020 **Final action:** 9/18/2020
Title: Resolution - Approval of Authorization for Settlement of Litigation Matter(s)
Sponsors:
Indexes:
Code sections:
Attachments:

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------------|----------|--------|
| 9/18/2020 | 2 | Board of Directors | approved | Pass |

Resolution - Approval of Authorization for Settlement of Litigation Matter(s)

Submitted By: Don Ballard

Department: General Counsel

Financial Impact and Cost/Benefit Considerations: As discussed in Executive Session.

In January 2019, Pedernales Electric Cooperative, Inc. (the "Cooperative") instituted a condemnation proceeding against William Fielding et al. for the acquisition of easement rights in connection with the Wirtz to Mountain Top Transmission Line Project. On June 13, 2019 the Special Commissioners of Blanco County awarded William Fielding et al. \$950,000.00 for the easement. The Cooperative appealed this decision and the District Court of Blanco County ordered mediation prior to trial. The Cooperative may consider settlement of these litigation matters on the terms discussed this day in Executive Session and permit the Chief Executive Officer or designees to negotiate any other terms as may be necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE COOPERATIVE that the Cooperative is authorized to settle certain litigation that involves the Cooperative on the terms discussed this day in Executive Session, and

BE IT FURTHER RESOLVED BY THE BOARD OF DIRECTORS OF THE COOPERATIVE that the Chief Executive Officer, or designees, are hereby authorized to negotiate any other terms as necessary for disposition of the litigation matters and execute, acknowledge and deliver any such documents, and otherwise take any actions as needed to implement this resolution.