



Electric Utility Commission

August 16, 2010

6:00 p.m.

**Town Lake Center, Shudde Fath Conference Room
721 Barton Springs Road, Austin, Texas**

AGENDA

Members:

Phillip Schmandt, Chair
Linda Shaw, Vice Chair
Gary "Bernie" Bernfeld

Shudde Fath
Stephen Smaha

Steve Taylor
Michael E. Webber

For more information, please visit: [City of Austin Boards and Commissions Information Center](http://www.ci.austin.tx.us/cityclerk/boards_commissions/boards/bid27.htm)
(www.ci.austin.tx.us/cityclerk/boards_commissions/boards/bid27.htm)

The Electric Utility Commission may go into a closed session, if necessary, under Chapter 551 of the Texas Government Code to discuss or take action on a "competitive matter" of Austin Energy as provided for under Section 551.086. Reading and Action on Consent Agenda: Items listed under New Business (2-7) may be acted upon by one motion. No separate discussion or action on any of the items is necessary unless desired by a Commissioner.

CALL TO ORDER

APPROVAL OF MINUTES

1. Approve minutes of the July 19, 2010 regular meeting.

CITIZEN COMMUNICATIONS: GENERAL Please sign up to address the Commission before the meeting begins. Please limit comments to three minutes.

NEW BUSINESS

2. Recommend authorization to award and execute a 36-month requirements supply contract with POWER SUPPLY INC., Austin, TX, for the purchase of distribution capacitors for Austin Energy in an estimated amount not to exceed \$174,636, with three 12-month extension options in an estimated amount not to exceed \$58,212 per extension option, for a total estimated contract amount not to exceed \$349,272.
3. Recommend authorization to award and execute a 24-month requirements supply contract with TECHLINE, INC., Austin, TX, for precast concrete manholes in an estimated amount not to exceed \$392,636, with three 12-month extension options in an estimated amount not to exceed \$196,318 per extension option, for a total estimated contract amount not to exceed \$981,590.
4. Recommend authorization to award and execute Amendment No. 2 to a contract with GE PACKAGED POWER INC., Houston, TX, for additional control software and technical services to complete the installation of two LM-6000 combustion turbine generators at

The City of Austin is committed to compliance with the Americans with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. If requiring Sign Language Interpreters or alternative formats, please give notice at least three days before the meeting date. Please call Toye Goodson Collins at Austin Energy at (512) 322-6450 for additional information. TTY users route through Relay Texas at 711.

Austin Energy's Sand Hill Energy Center in an estimated amount not to exceed \$154,257, for a revised total estimated contract amount not to exceed \$34,744,257.

5. Recommend authorization to award and execute two 12-month requirements service contracts for the collection and disposal of industrial non-hazardous and hazardous waste with VEOLIA ES TECHNICAL SOLUTIONS, LLC, Phoenix, AZ, in an estimated amount not to exceed \$146,905, with three 12-month extension options, in an amount of \$146,905 per extension option and CLEAN HARBORS ENVIRONMENTAL SERVICES, San Antonio, TX, in an estimated amount not to exceed \$48,845, with three 12-month extension options in an estimated amount not to exceed \$48,845 per extension option, for total estimated contract amounts not to exceed \$587,620 and \$195,380, respectively.
6. Recommend authorization to award and execute a 12-month requirements service contract with CREATIVE CONSUMER RESEARCH, INC., Stafford, TX, for marketing research service studies in an estimated amount not to exceed \$300,000, with four 12-month extension options in an estimated amount not to exceed \$300,000 per extension option, for a total estimated contract amount not to exceed, \$1,500,000.
7. Recommend authorization to award, negotiate, and execute two 48-month requirements service contracts for a utility rate study to determine the cost of service for Austin Energy with R.W. BECK, INC., Austin, TX, in an estimated amount not to exceed \$2,000,000 and J. STOWE & CO., LLC, Austin, TX, in an estimated amount not to exceed \$1,000,000, for a total estimated combined contract amount not to exceed of \$3,000,000.

OLD BUSINESS

8. Discussion regarding the revision of the Competitive Matters Resolution No. 20051201-002
9. Discussion and Possible Action regarding Austin Energy's Fiscal Year 2011 Proposed Budget

STAFF REPORTS AND BRIEFINGS

10. Monthly Financial Report
11. Monthly Deferred Payment Arrangements and Disconnections Report
12. ARRA-funded Weatherization Program Update
13. Reliability Compliance Report

14. FUTURE AGENDA ITEMS AND REQUESTED BRIEFINGS ON UPCOMING PROCUREMENTS

15. APPROVAL OF REVISED BYLAWS

16. ELECTION OF OFFICERS

17. ADJOURN

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ELECTRIC UTILITY COMMISSION REGULAR MEETING MINUTES JULY 19, 2010

The Electric Utility Commission (EUC) convened in a regular meeting on July 19, 2010 in the Shudde Fath Conference Room at 721 Barton Springs Road in Austin, Texas.

CALL TO ORDER

Phillip Schmandt, Chair, called the meeting to order at 6:01 p.m.

Commissioners in attendance: Phillip Schmandt, Chair; Linda Shaw, Vice Chair; Gary 'Bernie' Bernfeld, Shudde Fath, and Steve Taylor. Stephen Smaha and Michael E. Webber were absent.

Staff in attendance: Robert Goode, Cheryl Mele, Kerry Overton, Elaine Hart, Andy Perny, Mark Dreyfus, Karl Rabago, David Wood, Jawana J.J. Gutierrez, Jim Collins, Fred Yebra, Rosemary Ledesma, Chris Smith, Adrienne Brandt, Jamie Mitchell, Pat Sweeney, Ann Little, Steve Machicek, David Kutach, Tim Kisner, Matt Russell, Christopher Frye, Scott Jarman, Steve Saenz, Elaine Kelly-Diaz, Tim Ardlit, Pat Valdez, Stacy Neef, and Toye Goodson Collins.

1. APPROVAL OF MINUTES

The minutes for the regular meeting of June 21, 2010 were approved on Commissioner Bernfeld's motion and Commissioner Fath's second, on a 5-0 vote.

2. CITIZEN COMMUNICATIONS: GENERAL – None

3. ACTION ON CITY COUNCIL AGENDA ITEMS RELATED TO AUSTIN ENERGY -

The following Recommendations for Council Action (RCAs) were recommended for approval on consent, on Chair Schmandt's motion and Commissioner Taylor's second, on a 5-0 vote with Chair Schmandt abstaining on item p:

- a. Contract with GE ENERGY MANAGEMENT SERVICES for purchase of an Automated Meter Infrastructure software module for the PowerOn Outage Management System with five 12-month extension options for a total of \$330,369.
- c. Contract with DIGITAL INSPECTIONS for the upgrade of the Cascade software from Sybase to Oracle for \$100,275.
- d. A 24-month contract with TEXAS ELECTRIC COOPERATIVES for shunt capacitor banks with three 12-month extension options for a total of \$1,484,250.
- e. Contract with HOLT CAT for an emergency generator and automatic transfer switch for the Transmission/Distribution and Energy Market Back-Up Control Center for \$130,000.
- f. Five-year contract with TECHLINE, INC. for the purchase and installation of a remote intelligent streetlight monitoring system for \$6,070,914.
- j. Amendment No. 6 to an Interlocal Agreement with TEXAS ENGINEERING EXPERIMENT STATION to increase the contract for energy management services for \$600,000.
- k. A 36-month contract with ACLARA SOFTWARE INCORPORATED for online energy audit services with two 12-month extension options for a total of \$576,010.
- m. Rebate to the Texas Facilities Commission, William P. Clements Building for the installation of energy efficient equipment for \$73,106.85.
- n. Ordinance authorizing acceptance of \$10,000 in grant funds from the U.S. Department of Energy through the Public Solutions Group, Ltd. and amending the Fiscal Year 2009-2010

Austin Energy Operating Budget Special Revenue Fund to appropriate such grant funds, and authorize negotiation and execution of a two-year agreement between the Central Texas Clean Cities Program and Texas State Technical College to administer "Clean Start," a DOE Clean Cities Petroleum Reduction Technologies Project, in the amount of \$5,000 a year for two years, for a total amount not to exceed \$10,000. The grant period is Dec. 31, 2009 through Dec. 31, 2013.

- o. A 24-month contract with FURMANITE AMERICA, INC.; and TEAM INDUSTRIAL SERVICES, INC, for valve repair services with two 24-month extension options for a total of \$1,200,000 each and combined.
- p. Contract with BAKER & HUGHES PIPELINE MANAGEMENT GROUP for the Lindell Lane to Decker Power Plant Gas Supply pipeline cleaning and inspection for \$203,716.
- q. Contract with ALFRED CONHAGEN, INC. OF TEXAS for the repair and modification of a boiler feed pump for \$128,991.
- r. Contract with DIW ENGINEERING AND FABRICATION, LLC for three cable reel trailers for \$138,600.
- s. Two contracts with AUSTIN TRUCK & EQUIPMENT INC LTD, d.b.a. FREIGHTLINER OF AUSTIN for one service truck for \$118,604; and with LONGHORN INTERNATIONAL TRUCKS LTD for four service trucks for \$467,486.

The following RCAs were pulled from the Consent Agenda, discussed and recommended for approval on Chair Schmandt's motion and Commissioner Fath's second, on a 5-0 vote:

- b. Contract with GE ENERGY MANAGEMENT SERVICES for software license upgrades with five 12-month extension options for a total of \$2,891,062.
 - g. Two 24-month contracts for 15kV padmount switchgear with: KBS ELECTRICAL DISTRIBUTORS with three 12-month extension options for a total of \$1,849,955; and with POWELL ELECTRICAL SYSTEMS, INC. with three 12-month extension options for a total of \$1,352,320.
 - h. A 12-month contract with UNISYS CORPORATION for Remittance Processing Transport Hardware, Software and Training with seven 12-month extension options for maintenance, support and supplies for a total of \$970,671.
 - i. Contract with HOLMAN BOILER WORKS, INC. for a used steam boiler for the Mueller Energy Center for \$330,500.
 - l. A 24-month contract with SOLAR WORLD CALIFORNIA to supply building-mounted solar photovoltaic modules with one 12-month extension option for a total of \$3,700,158.25.
4. **PUBLIC HEARING** – A public hearing was conducted to receive citizen input regarding possible amendments to the Competitive Matters Resolution No. 20051201-002. The following speakers addressed the Commission: Carol Biedrzycki of Texas ROSE; Roger Wood of Freescale and CCARE; Andy Wilson of Public Citizen; Mike Sloan of Virtus Energy; and Chris Searles. Chair Schmandt requested that staff provide monthly reports and updated drafts of the resolution and other related documents and responses to the 113-point request submitted by Mr. Wood. Austin Energy staff will continue to meet with stakeholders and provide updates to the Commission.
5. **OLD BUSINESS** – Discussion of Austin Energy's Fiscal Year 2011 budget development
The following speakers addressed the Commission: Al D'Andrea of McCullough Heating & Air Conditioning and the Resource Conservation Contractors Association; Scott Johnson also

of the Resource Conservation Contractors Association; and Matt Johnson of Public Citizen. All encouraged the full funding of energy efficiency programs.

Elaine Hart, Chief Financial Officer, presented an update on Austin Energy's proposed budget. Next month, Commissioners will be asked to make a recommendation on the budget before Council consideration in September.

6. STAFF REPORTS AND BRIEFINGS

- a. The Financial Report was presented by Steve Machicek, Corporate Accounting Director.
- b. The Deferred Payment Arrangement and Disconnection Report was presented by J.J. Gutierrez, Vice President, Customer Care.
- c. A staff briefing, an update on the Development of Affordability Metrics, was presented by Mark Dreyfus, Director, Regulatory and Government Affairs.
- d. A staff briefing, an update on the Energy Conservation and Audit Disclosure Ordinance was presented by Fred Yebra, Director, Demand Side Management.
- e. A staff briefing, a quarterly update on the Austin Climate Protection Program, was presented by Lisa Braithwaite, Research Analyst, Climate Protection Program.

7. FUTURE AGENDA ITEMS AND REQUESTED BRIEFINGS ON UPCOMING PROCUREMENTS – No discussion.

8. ADJOURNMENT - Chair Schmandt adjourned the regular meeting of the Electric Utility Commission at 9:12 p.m. without objection.

**CITY OF AUSTIN – PURCHASING DEPT.
RECOMMENDATION FOR COUNCIL ACTION
VENDOR NAME: POWER SUPPLY INC.**

AGENDA DATE: 08/26/2010

SUBJECT: Authorize award and execution of a 36-month requirements supply contract with POWER SUPPLY INC., Austin, TX, for the purchase of distribution capacitors for Austin Energy in an estimated amount not to exceed \$174,636, with three 12-month extension options in an estimated amount not to exceed \$58,212 per extension option, for a total estimated contract amount not to exceed \$349,272.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$58,212 is included in the Fiscal Year 2010-2011 Proposed Operating Budget of Austin Energy. Funding for the remaining 24 months of the original contract period and extension options is contingent upon available funding in future budgets.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

PURCHASING: Sole bid received.

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: To be reviewed by the Electric Utility Commission on 08/16/2010.

MBE/WBE: This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

FOR MORE INFORMATION CONTACT: Gabriel Guerrero, Buyer II/322-6060

This contract will provide for the supply of distribution capacitors to replenish stock at Austin Energy's Kramer and St. Elmo warehouses. The capacitors are used to stabilize Austin Energy's electrical power distribution system voltage and power factor as required.

MBE/WBE Solicited: 0/4

MBE/WBE Bid: 0/0

BID TABULATION

IFB No. GGU0087 Distribution Capacitors (Qty - 108)

<u>VENDOR</u>	<u>Each</u>	<u>Total Annual Award</u>
Power Supply Austin, TX	\$539	\$58,212

**CITY OF AUSTIN – PURCHASING DEPT.
RECOMMENDATION FOR COUNCIL ACTION
VENDOR NAME: POWER SUPPLY INC.**

AGENDA DATE: 08/26/2010

A complete bid tabulation is on file in the Purchasing Office and is on the City of Austin, FASD Purchasing Office web site.

PRICE ANALYSIS

- a. Sole bid. Power Supply is the only authorized distributor of the manufacturer ABB (Asea Brown Boveri) to the City of Austin. No other vendor bid an equal product.
- b. Two hundred and nine notices were sent, including four WBEs. There are no known MBEs for this commodity code. One bid was received, with no response from the WBEs.
- c. The pricing offered represents a 22.5% increase to the last contract awarded August 2010. The increase can be attributed to higher prices for steel and raw material.

APPROVAL JUSTIFICATION

- a. Sole bid. Power Supply is the current provider of this material.
- b. The Purchasing Office concurs with Austin Energy's recommended award.
- c. Advertised on the Internet.

**CITY OF AUSTIN – PURCHASING DEPT.
RECOMMENDATION FOR COUNCIL ACTION
VENDOR NAME: TECHLINE, INC.**

AGENDA DATE: 09/23/2010

SUBJECT: Authorize award and execution of a 24-month requirements supply contract with TECHLINE, INC., Austin, TX, for precast concrete manholes in an estimated amount not to exceed \$392,636, with three 12-month extension options in an estimated amount not to exceed \$196,318 per extension option, for a total estimated contract amount not to exceed \$981,590.

AMOUNT AND SOURCE OF FUNDING: Funding is included in the Fiscal Year 2010-2011 Proposed Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

FOR MORE INFORMATION CONTACT: Gage Loots, Buyer II/322-6118

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: To be reviewed by the Electric Utility Commission on 8/16/2010.

PURCHASING: Lowest bid of three bids received.

MBE/WBE: This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

This contract will provide various sizes and types of precast manholes for the underground transmission, distribution, and communication systems for Austin Energy on an as-needed basis. These manholes are used extensively in Austin Energy's underground distribution system for new construction and maintenance purposes. The precast concrete manholes provide a safe means of access and work environment for the installation and maintenance of underground distribution cable and equipment.

MBE/WBE solicited: 2/2

MBE/WBE bid: 0/0

**CITY OF AUSTIN – PURCHASING DEPT.
RECOMMENDATION FOR COUNCIL ACTION
VENDOR NAME: TECHLINE, INC.**

AGENDA DATE: 09/23/2010

**BID TABULATION
IFB TVN0056
(14 line items)**

<u>Vendor</u>	<u>Total Bid Amount</u>
Techline, Inc. Austin, TX	\$196,318
Hanson Pipe & Precast Dallas, TX	\$222,515
Hill Country Concrete & Masonry Kerrville, TX	\$307,465

Bid tabulation is on file in the Purchasing Office.

PRICE ANALYSIS

- Adequate competition.
- Fifty-two notices were sent including two MBE's and two WBE's. Three bids were received, with no responses from the MBE/WBE's.
- The pricing offered represents a 39% increase from the last contract award made in September 2006. The increase is due to larger forecasted purchased quantities and higher costs for concrete, steel, and transportation charges.

APPROVAL JUSTIFICATION

- Lowest bid.
- The Purchasing Office concurs with Austin Energy's recommended award.
- Advertised on the Internet.

**CITY OF AUSTIN – PURCHASING DEPT.
RECOMMENDATION FOR COUNCIL ACTION
VENDOR: GE PACKAGED POWER INC.**

AGENDA DATE: 8/19/2010

SUBJECT: Authorize award and execution of Amendment No. 2 to a contract with GE PACKAGED POWER INC., Houston, TX, for additional control software and technical services to complete the installation of two LM-6000 combustion turbine generators at Austin Energy's Sand Hill Energy Center in an estimated amount not to exceed \$154,257, for a revised total estimated contract amount not to exceed \$34,744,257.

AMOUNT AND SOURCE OF FUNDING: Funding in the amount of \$154,257 is available in the Fiscal Year 2009-2010 Capital Budget of Austin Energy.

FISCAL NOTE: A fiscal note is attached.

FOR MORE INFORMATION: Dolores Castillo, Sr. Buyer/322-6466

PRIOR COUNCIL ACTION: October 11, 2007 - Approved contract.

BOARDS AND COMMISSION ACTION: To be reviewed by the Electric Utility Commission on August 16, 2010.

PURCHASING LANGUAGE: Contract Amendment.

MBE/WBE: This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The original contract, approved by City Council on October 11, 2007, included the purchase and installation of two new LM-6000 combustion turbine generators (CTGs) for the Sand Hill Energy Center (SHEC) in an amount not to exceed \$34,538,000. The CTGs are replacing a portion of Austin Energy's generation capacity removed from service with the retirement of the Holly Street Power Plant. A lengthened construction schedule has resulted in an additional 434 technical assistance hours required for completion of the project for an increase of \$124,057.

Additionally, control software changes are required, resulting in an increase of \$30,200, for the Selective Catalytic Reduction (SCR) equipment that controls NOx emissions. This will allow the SCR controls to properly interface with turbine controls.

AGENDA DATE: 08/19/2010

VENDOR NAME: GE PACKAGED POWER

Contract Summary

Action	Description	Amount
Original Contract approved 10/11/07	Council approved award of contract.	\$34,538,000
Amendment No. 1	Increase contract amount for additional technical services	\$ 52,000
Proposed Amendment No. 2	Increase contract amount for additional software and technical services	\$ 154,257
	Revised Total Estimated Contract Amount	\$34,744,257

**CITY OF AUSTIN – PURCHASING DEPT.
RECOMMENDATION FOR COUNCIL ACTION
VENDOR NAME: VEOLIA, CLEAN HARBORS**

AGENDA DATE: 09/23/2010

SUBJECT: Authorize award and execution of two 12-month requirements service contracts for the collection and disposal of industrial non-hazardous and hazardous waste with VEOLIA ES TECHNICAL SOLUTIONS, LLC, Phoenix, AZ, in an estimated amount not to exceed \$146,905, with three 12-month extension options, in an amount of \$146,905 per extension option and CLEAN HARBORS ENVIRONMENTAL SERVICES, San Antonio, TX, in an estimated amount not to exceed \$48,845, with three 12-month extension options in an estimated amount not to exceed \$48,845 per extension option, for total estimated contract amounts not to exceed \$587,620 and \$195,380, respectively.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$195,750 is included in the Fiscal Year 2010-2011 Operating Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

FOR MORE INFORMATION CONTACT: Dolores Castillo, Sr. Buyer/512-322-6466

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: To be reviewed by the Electric Utility Commission on 08/16/2010.

PURCHASING: Lowest, most responsive bidders of four bids received.

MBE/WBE: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

This contract is for the collection and disposal of hazardous and non-hazardous wastes for Austin Energy (AE). AE operates several facilities and work sites that generate hazardous and non-hazardous liquid and solid wastes in daily operations. Such wastes are typically generated during routine maintenance activities at power generation facilities, the cleanup of spills from non-PCB transformers, utility pole replacement activities, and special equipment cleaning projects. In order to comply with federal, state and local regulations, AE requires services from waste management contractors who are qualified and permitted to collect, transport, store, and dispose of various waste streams.

MBE/ WBE Solicited: 0/0

MBE/WBE Bid: 0/0

**CITY OF AUSTIN – PURCHASING DEPT.
RECOMMENDATION FOR COUNCIL ACTION
VENDOR NAME: VEOLIA, CLEAN HARBORS**

AGENDA DATE: 09/23/2010

BID TABULATION

<u>Vendor</u>	<u>Task 1* Total Price</u>	<u>Task 2* Total Price</u>	<u>Task 3* Total Price</u>
Veolia ES Tech Solutions Phoenix, AZ	\$146,905.00	\$45,387.00	\$39,554.00
Clean Harbors Env Svcs San Antonio, TX	\$183,122.90	\$16,965.00	\$31,880.00
Veolia Env. Svcs Baytown, TX	\$196,974.74	\$55,060.00	\$32,280.00
Environmental Mgmt Sys Scottsdale, AZ	\$10.300.00**	No Bid	No Bid

Note:

* Task 1 – PCB and electrical equipment waste management services

Task 2 – Non-PCB waste oil management services

Task 3 – Transformer secondary containment wastewater management services

** Environmental Management Services submitted a bid on one line item in Task 1, therefore, they are not the most responsible bidder with ability to supply all items listed for this task.

PRICE ANALYSIS

- Adequate competition.
- Forty-seven notices were sent. There are no known MBE/WBEs for this commodity code. Four bids were received.
- The pricing offered represents a 9.5% decrease from the last contract established in August 2006.

APPROVAL JUSTIFICATION

- Lowest bidders. Veolia ES Technical Solutions and Clean Harbors Environmental Services are the current providers for these services
- The Purchasing office concurs with Austin Energy's recommended award.
- Advertised on the Internet.

**CITY OF AUSTIN – PURCHASING DEPT.
RECOMMENDATION FOR COUNCIL ACTION
VENDOR NAME: CREATIVE CONSUMER RESEARCH**

AGENDA DATE: 09/23/10

SUBJECT: Authorize award, negotiation, and execution of a 12-month requirements service contract with CREATIVE CONSUMER RESEARCH, INC., Stafford, TX, for marketing research service studies in an estimated amount not to exceed \$300,000, with four 12-month extension options in an estimated amount not to exceed \$300,000 per extension option, for a total estimated contract amount not to exceed, \$1,500,000.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$300,000 is included in the Fiscal Year 2010-2011 Proposed Operating Budget of Austin Energy. Funding for the remaining extension options is contingent upon available funding in future budgets.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

PURCHASING: Best evaluated proposal of three proposals received.

PRIOR COUNCIL ACTION: N/A

BOARD AND COMMISSION ACTION: To be reviewed by the Electric Utility Commission on August 16, 2010.

MBE/WBE: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

FOR MORE INFORMATION CONTACT: Gabriel Guerrero, Buyer II/512-322-6060

The work provided through this contract will provide Austin Energy (AE) with a marketing research firm to conduct quantitative and qualitative customer service related studies of its customers' needs, concerns, and opinions. The studies include a full range of data collection techniques such as telephone interviews, surveys, focus groups, and personal interviews. Specific services will include monitoring the attitudes and perceptions of Austin's citizens and businesses regarding their satisfaction levels with AE's service and insight regarding the programs and services valued by the customer. AE will utilize results from the studies to make business and marketing decisions. These ongoing studies will provide trend data to analyze the impact of program and service offerings and related events on the attitudes and opinions of AE's customers.

An AE team with marketing research and marketing program development experience evaluated the proposals based on:

- 1) Standard Marketing Research Data Collections and Analysis Experience.
- 2) Applicable Project Related Experience.
- 3) Presenting Marketing Research Findings and Reports Experience.
- 4) Personnel Qualifications.

**CITY OF AUSTIN – PURCHASING DEPT.
RECOMMENDATION FOR COUNCIL ACTION
VENDOR NAME: CREATIVE CONSUMER RESEARCH**

AGENDA DATE: 09/23/10

- 5) Professional References.
- 6) Total Evaluated Cost.

MBE/WBE solicited: 31/30

MBE/WBE bid: 1/0

The evaluation team unanimously recommended Creative Consumer Research, Inc. as the best proposer to perform Marketing Research Service Studies and their subcontractor, Austin Market Research (WBE) to provide Data Collection Services.

RFP No. GGU0005

Marketing Research Service Studies

PROPOSAL ANALYSIS

- a. Adequate competition.
- b. Three hundred and eighty-six notices were sent, including 31 MBE/30 WBEs. Three proposals were received, including one response from a MBE and no response from the WBEs.

APPROVAL JUSTIFICATION

- a. Best evaluated proposal received. Creative Consumer Research, Inc. is the current provider of these services.
- b. The Purchasing Office concurs with Austin Energy's recommended award.
- c. Advertised on the Internet.

**CITY OF AUSTIN – PURCHASING DEPT.
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA DATE: 8/26/2010

SUBJECT: Authorize award, negotiation, and execution of two 48-month requirements service contracts for a utility rate study to determine the cost of service for Austin Energy with R.W. BECK, INC., Austin, Texas in an estimated amount not to exceed \$2,000,000 and J. STOWE & CO., LLC in an estimated amount not to exceed \$1,000,000, for a total estimated combined contract amount not to exceed of \$3,000,000.

AMOUNT AND SOURCE OF FUNDING: Funding in the amount of \$250,000 is available in the Fiscal Year 2009-2010 Operating Budget of Austin Energy. Funding for the remaining 46 months of the original contract period is contingent upon available funding in future budgets.

FISCAL NOTE: There is no unanticipated fiscal impact. A fiscal note is not required.

FOR MORE INFORMATION: Rosemary Ledesma, Purchasing Manager/322-6155; Mark Dreyfus, Director of Regulatory & Government Affairs/322-6544; Ann Little, Vice President of Finance and Corporate Services/322-6148.

BOARDS AND COMMISSION ACTION: To be reviewed by the Electric Utility Commission on August 16, 2010.

PURCHASING LANGUAGE: Best evaluated proposals of nine proposals received.

MBE/WBE: This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

These contracts are for a utility rate study to determine the cost of Austin Energy's generated and delivered energy service for residential, commercial, and industrial customers in the Electric Reliability Council of Texas (ERCOT) region. A request for proposal (RFP) solicitation was issued on April 5, 2010 seeking responses from qualified firms and individuals to propose services for one or more of the three service components listed below:

A. Prepare cost of service and rate design

- review and recommend electric cost of service rate filing formats and methodologies
- develop a cost of service model
- prepare an electric utility cost of service rate study
- design and recommend alternative rate options
- perform a comprehensive rate filing package
- serve as expert witness, prepare written testimony and testify before jurisdictional bodies if necessary
- provide assistance with requests for information from the public

B. Develop, implement and lead a public involvement communication plan

- the plan will encompass consultant services for all rate classes

**CITY OF AUSTIN – PURCHASING DEPT.
RECOMMENDATION FOR COUNCIL ACTION**

AGENDA DATE: 8/26/2010

- develop, attend, facilitate and/or lead presentations and meetings
- handle updating and providing communication to the website
- provide assistance with requests for information from the public

C. Act as a financial consultant and additional resource to assist Austin Energy

- provide additional evaluation independently of the results of the cost of service study, rate design, and proof of revenue
- serve as a liaison between the cost of service, rate design and public involvement functions
- serve as an expert witness, prepare written testimony and testify before jurisdictional bodies if necessary
- provide recommendations and alternatives to the results of the rate filing package and related concepts
- provide assistance with requests for information from the public
- coordinate and participate in meetings

The rate study and all service components above are expected to be delivered in three phases over a contract term of four years with anticipation of City Council approval of the new electric rates in September of 2012. Phase I will include project planning and development of an unbundled Cost of Service and Rate Design Model to be completed early in 2011. Phase II will include modeling detailed rate design scenarios, as well as public involvement input, community outreach, and town hall meetings. Phase III will involve incorporation of the new electric rate proposal into the City's budget process, formal review by the Electric Utility Commission in anticipation of City Council approval in September 2012, and billing implementation upon completion of approval process.

An Austin Energy team with expertise in utility rates, financials, communication, regulatory policy, and management evaluated the proposals and unanimously chose these two top proposers, R.W. Beck to provide preparation of the cost of service and rate design for Austin Energy (component A) and for the public involvement communications plan (Component B) with their subcontractor, Group Solutions RJW (WBE-FB) providing specific elements for component B including: creating & maintaining stakeholder input database services, maintaining & updating the project website, meeting set up and catering services, and providing meeting transcripts; and J. Stowe & Co. to provide the financial consultant assistance services (component C). The criteria evaluated included project concept and solutions and program proposed, demonstrated applicable experience of company, evidence of good organization and management practices, personnel qualifications and experience, schedule, financial viability/stability, additional proposed applicable resources, and total evaluated cost.

MBE/WBE solicited: 26/39

MBE/WBE bid: 0/1

PROPOSAL ANALYSIS

- a. Adequate competition.
- b. Seven hundred sixty-seven notices were sent, including 29 MBEs and 39 WBEs. Nine proposals were received, with no response from the MBEs.

APPROVAL JUSTIFICATION

- a. Best two evaluated proposals received.
- b. The Purchasing Office concurs with Austin Energy's recommended award.
- c. Advertised on the Internet.

REQUEST FOR PROPOSAL - RML0021
EVALUATION MATRIX

UTILITY RATE STUDY, COST OF SERVICE FOR AUSTIN ENERGY

Component A - Prepare Cost of Service and Rate Design

PROPOSERS NAME:		R.W. Beck, Inc. Austin, TX	Navigant Consulting, Inc. Chicago, IL	Black & Veatch Corp. Overland Park, KS	Concentric Energy Advisors, Inc. Malborough, MA	PA Consulting Group Los Angeles, CA
Evaluation Factors	# Possible points					
Project Concept and Solutions and Program Proposed (Grasp of the requirement and its solutions(s), responsiveness to terms and conditions, completeness and thoroughness of the technical data and documentation.).	20	19	17	13	12	15
Demonstrated Applicable Experience of Company	10	9	9	9	6	6
Evidence of Good Organization and Management Practices	10	9	7	5	5	5
Personnel Qualifications and Experience.	15	14	13	13	11	6
Schedule (Thoroughness of Proposer's proposed project schedule and ability to meet proposed implementation date.)	10	8	4	4	4	4
Financial viability/stability (Verifiable evidence of financial strength, including but not limited to: financial ratings, financial statements and other similar documentation.)	5	5	5	0	3	4
Additional applicable resources (software, equipment, facilities, etc.)	5	4	3	3	2	2
Cost Proposal. Total Evaluated Cost. The Proposer with the lowest cost proposed is given the maximum points; a percentage ratio formula is applied to remaining proposers.	25	24	21	25	18	16
Total Points:	100	92	79	72	61	58

REQUEST FOR PROPOSAL - RML0021
EVALUATION MATRIX

UTILITY RATE STUDY, COST OF SERVICE FOR AUSTIN ENERGY

Component B - Develop, implement and lead a Public Involvement Communication Plan

PROPOSERS NAME:		R. W. Beck, Inc. Austin, TX	J. Stowe & Co., LLC Austin, TX	Fox Smolen & Associates, Inc. Austin, TX	Diversified Utility Consultants, Inc. Austin, TX
Evaluation Factors	# Possible points				
Project Concept and Solutions and Program Proposed (Grasp of the requirement and its solutions(s), responsiveness to terms and conditions, completeness and thoroughness of the technical data and documentation.).	20	18	17	9	8
Demonstrated Applicable Experience of Company	10	7	8	5	2
Evidence of Good Organization and Management Practices	10	8	8	5	5
Personnel Qualifications and Experience.	15	12	12	7	4
Schedule (Thoroughness of Proposer's proposed project schedule and ability to meet proposed implementation date.)	10	8	8	3	3
Financial viability/stability (Verifiable evidence of financial strength, including but not limited to: financial ratings, financial statements and other similar documentation.)	5	4	4	0	0
Additional applicable resources (software, equipment, facilities, etc.)	5	3	3	2	2
Cost Proposal. Total Evaluated Cost. The Proposer with the lowest cost proposed is given the maximum points; a percentage ratio formula is applied to remaining proposers.	25	19	12	25	23
Subtotal	100	79	72	56	47
Interview	25	19	22	N/A	N/A
Total Points:	125	98	94		

REQUEST FOR PROPOSAL - RML0021**Evaluation Matrix****UTILITY RATE STUDY, COST OF SERVICE FOR AUSTIN ENERGY**

Component C - Financial Consultant and Assisting AE as a dedicated financial resource

PROPOSERS NAME:		J. Stowe & Co., LLC Austin, TX	R.W. Beck, Inc. Austin, TX	PA Consulting Group Los Angeles, CA	RJC Energy Consulting Austin, TX	Diversified Utility Consultants, Inc. Austin, TX	Fox Smolen & Associates, Inc. Austin, TX
Evaluation Factors	# Possible points						
Project Concept and Solutions and Program Proposed (Grasp of the requirement and its solutions(s), responsiveness to terms and conditions, completeness and thoroughness of the technical data and documentation.).	20	19	10	12	5	6	5
Demonstrated Applicable Experience of Company	10	8	8	6	7	6	5
Evidence of Good Organization and Management Practices	10	9	8	7	4	4	3
Personnel Qualifications and Experience.	15	13	12	7	13	4	6
Schedule (Thoroughness of Proposer's proposed project schedule and ability to meet proposed implementation date.)	10	8	8	5	3	2	3
Financial viability/stability (Verifiable evidence of financial strength, including but not limited to: financial ratings, financial statements and other similar documentation.)	5	4	4	4	0	0	0
Additional applicable resources (software, equipment, facilities, etc.)	5	4	3	3	3	1	2
Cost Proposal. Total Evaluated Cost. The Proposer with the lowest cost proposed is given the maximum points; a percentage ratio formula is applied to remaining proposers.	25	21	20	14	17	25	22
Total Points:	100	86	73	58	52	49	46

RESOLUTION NO _____

WHEREAS, Section 552.133 of the Texas Government Code¹ allows an exception to the Texas Public Information Act for documents containing certain information relating to Austin Energy that the Austin City Council determines in good faith to be “competitive” in nature “and would, if disclosed, give advantage to competitors”; and

WHEREAS, on December 1, 2005, the City Council adopted Resolution No. 20051201-002, which among other things set forth those categories of information the council deemed competitive under Section 552.133 and also imposed certain reporting requirements upon the City Manager regarding Austin Energy; and

WHEREAS, there are generally increased efforts by governmental bodies that contemplate increasing the transparency of municipal utility data and required information reporting, such as the U.S. Federal Energy Regulatory Commission’s Docket No. RM10-12-000 and the Public Utility Commission of Texas’ efforts to address disclosure of generator data; and

WHEREAS, Austin City Council is the public power utility governing body of Austin Energy and has exclusive authority, per Section 552.133(a) of the Texas Government Code, to determine what information is a confidential “competitive matter” that can be withheld from the customer-owners of Austin Energy; and

WHEREAS, the principles of open government and public disclosure require that any exceptions to these principles be allowed only to the extent necessary to accomplish the goal of maintaining the electric utility’s ability to operate in the public’s best interest and that any exceptions be limited in duration and mitigated to the fullest extent possible by other means of public reporting; and

WHEREAS, the City Council strongly believes in public process and open government and, through transparency hearings before the Electric Utility Commission, has received significant input from a diverse cross-section of citizens who believe that the interests of the community would be best served by an open and transparent release of utility information;

NOW THEREFORE,

¹ link <http://law.onecle.com/texas/government/552.133.00.html>

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. **AUSTIN ENERGY INFORMATION IS PRESUMED PUBLIC:** All electric utility information shall be presumed to be open to the public unless a specific exception is made by City Council.
2. **EXCEPTIONS:** City Council may grant exceptions to the public disclosure of Austin Energy information in specific instances where Austin Energy justifies why the exception is needed and demonstrates the damage that could happen to the customer-owners of Austin Energy if the information is released; including:
 - a. All “competitive matters” identified as exceptions in EXHIBIT A;
 - b. Austin Energy may request that additional items not identified in EXHIBIT A be deemed “competitive matters” exceptions through a request process conducted by the Electric Utility Commission that culminates in a vote by City Council granting exception;
 - c. When seeking exceptions from public disclosure, Austin Energy shall:
 - i. evaluate the confidentiality of information based on present day competition not potential future retail competition;
 - ii. explain the denial of an open record request and file a timely appeal to the Texas Attorney General as directed by the Public Information Act and, to the extent the open record request is not addressed by a specific exception from disclosure, initiate the process described in subsection (2)(b) seeking a City Council decision on whether to grant an exception or not; and
 - d. Austin City Council may, by majority vote at any time, make public specific documents or information previously classified as confidential for competitive reasons.
3. **PUBLIC INFORMATION:** Austin Energy shall establish a standardized reporting process providing information on-line and on paper that is accessible to the public, including:
 - a. **Standardized Reports:** Austin Energy shall at a minimum provide public reports on an annual and monthly basis, as described in EXHIBIT B, that will include description of the customer base, system load, generation facilities, purchase power and energy efficiency programs, breakdown of revenue and

expenditures, fuel costs, average rates and bills for customer classes and residential energy burden, performance measures and economic and environmental impacts of investments, customer service performance and targets and performance for low-income programs, and any additional information as directed by the Electric Utility Commission.

b. **Convenient Public Access:** Austin Energy shall:

- i. identify and provide convenient public access to all public information including on-line Internet access by site index, word search and Public Information Act (PIA) portal;
- ii. maintain all current and historic public information including reports and information submitted to other agencies at a readily accessible location on Austin Energy's website, along with the name and contact information of the Public Information Officer;
- iii. make information available in a timely manner for public review prior to any public discussion, such as Electric Utility Commission meetings;
- iv. make energy usage data available for evaluation of building energy efficiency.

c. **Information Requests:** Austin Energy shall:

- i. develop an open records process and public access to information so that all information is provided under a standard procedure that requires Austin Energy to provide a descriptive response and data location quickly and not later than the time limits established under the Public Information Act;
- ii. identify standard locations where all information requests (EXHIBIT C), their status and the location of responses can be accessed by the public;
- iii. provide a librarian or help desk to provide support to citizens in locating facts and identifying sources of information that may be beneficial to the individual's information search.

ADOPTED: _____, 2010

ATTEST: _____

Shirley Gentry, City Clerk

EXHIBIT A: CONFIDENTIAL INFORMATION – Competitive Matters Exceptions

(Specifics of this Exhibit are in development based on discussions between AE staff and community stakeholders. An illustrative example of items that may be included in this exhibit are a small subset of yet-to-be-determined items on the Transparency Working Group’s “113 item list”. This Exhibit A is identical in concept to “Exhibit A Competitive Matters” in Austin Energy’s staff draft CMR. Draft language in the Staff draft CMR Exhibit A has not been vetted with the public, but is generally considered by the Transparency Working Group to be overreaching.)

EXHIBIT B: PUBLIC INFORMATION – Access to Standardized Information

(Specifics of this Exhibit are in development based in part on discussions between AE staff and community stakeholders. Illustrative examples of items to be included in this exhibit include identical language developed for “Exhibit B Annual Reporting Requirements” and “Exhibit C Long-Term Power Purchase Disclosure Requirements” in the AE staff draft CMR. The Transparency Working Group envisions this CMR exhibit to also provide requirements for other standardized reports (e.g. monthly reports) and details on how standardized reports can be accessed by the public.)

EXHIBIT C: INFORMATION REQUESTS – Procedures for Making a Request

(This exhibit should clearly outline the procedures for how a citizen may request information and the timelines governing Austin Energy’s response, including for circumstances when it is not clear whether the information requested is public or confidential.)

AUSTIN ENERGY
FY 2010 BUDGET TO ACTUAL (Budget Based Statement)



Unaudited Results

\$ in Thousands

	June 2010 Year to Date Actual	June 2010 Year to Date Budget	Variance	Percent
<u>REVENUES</u>				
Service Area Base Revenue	\$ 405,420	\$ 404,616	\$ 804	0.2%
Bilateral & Ancillary Service Sales	12,508	23,775	(11,267)	-47.4%
Transmission Service Revenue	43,637	43,205	432	1.0%
Miscellaneous Revenue	24,445	27,964	(3,519)	-12.6%
Interest Income	5,938	8,578	(2,640)	-30.8%
Total Operating Revenue Without Fuel Revenue	491,948	508,138	(16,190)	-3.2%
Fuel & Green Choice Revenue	291,519	348,687	(57,168)	-16.4%
Total Operating Revenue	783,467	856,825	(73,358)	-8.6%
<u>TRANSFERS IN</u>				
Repair & Replacement Fund	2,000	2,000	-	0.0%
Total Transfers	2,000	2,000	-	0.0%
Total Revenue	785,467	858,825	(73,358)	-8.5%
<u>OPERATING REQUIREMENTS</u>				
Fuel and Green Power Expense	295,471	347,322	51,851	14.9%
<u>Department O&M Without Fuel</u>				
Department O&M	149,132	157,637	8,505	5.4%
Transmission Service Expense	46,104	47,591	1,487	3.1%
South Texas Project O&M	54,805	47,236	(7,569)	-16.0%
Fayette Power Project O&M	18,866	19,154	288	1.5%
Call Center	18,455	22,403	3,949	17.6%
Energy Conservation Rebates	12,745	9,478	(3,267)	-34.5%
Bad Debt Expense	2,761	2,382	(379)	-15.9%
Administrative Support Transfer	10,893	10,893	0	0.0%
Total Operating O&M Without Fuel	313,761	316,774	3,013	1.0%
Total Operating Requirements	609,232	664,096	54,864	8.3%
<u>DEBT SERVICE REQUIREMENTS</u>				
Revenue Bond	105,887	109,774	3,887	3.5%
Other Obligations	595	1,828	1,233	67.5%
Total Debt Service Requirements	106,482	111,602	5,120	4.6%
<u>TRANSFERS/USES OF COVERAGE</u>				
General Fund Transfer	75,750	75,750	0	0.0%
Electric CIP Transfer	44,953	44,783	(170)	-0.4%
Revenue Bond Retirement Reserve Transfer	44,000	44,000	0	0.0%
Total Transfers	164,703	164,533	(170)	-0.1%
Total Requirements Without Encumbrances	880,417	940,231	59,814	6.4%
Total Encumbrances	12,626	12,626	0	0.0%
Total Requirements	893,043	952,857	59,814	6.3%
CHANGE TO BEGINNING BALANCE	\$ (107,576)	\$ (94,032)	\$ (13,544)	-14.4%

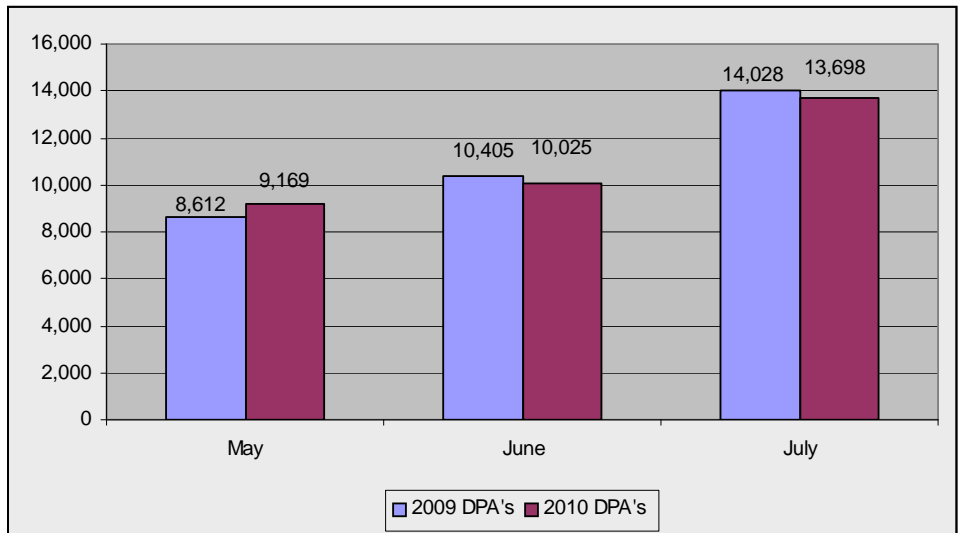


Monthly DPA and Disconnect Report Including Summer Moratorium information August 2010

Deferred Payment Agreements

	2009	2010
Month	DPAs	DPAs
May	8,612	9,169
June	10,405	10,025
July	14,028	13,698
Monthly Total	33,045	32,892

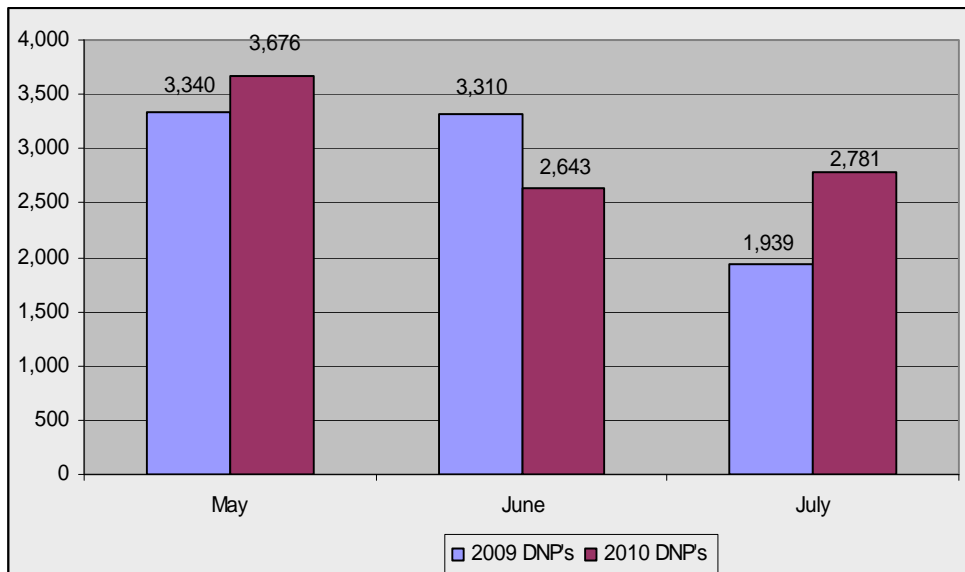
Note: In July 2010 there was a 2.5% decrease in the number of DPAs written compared to the number written in July 2009.



Residential Disconnections

	2009	2010
Month	Disconnects	Disconnects
May	3,340	3,676
June	3,310	2,643
July	1,939	2,781
Monthly Total	8,589	9,100

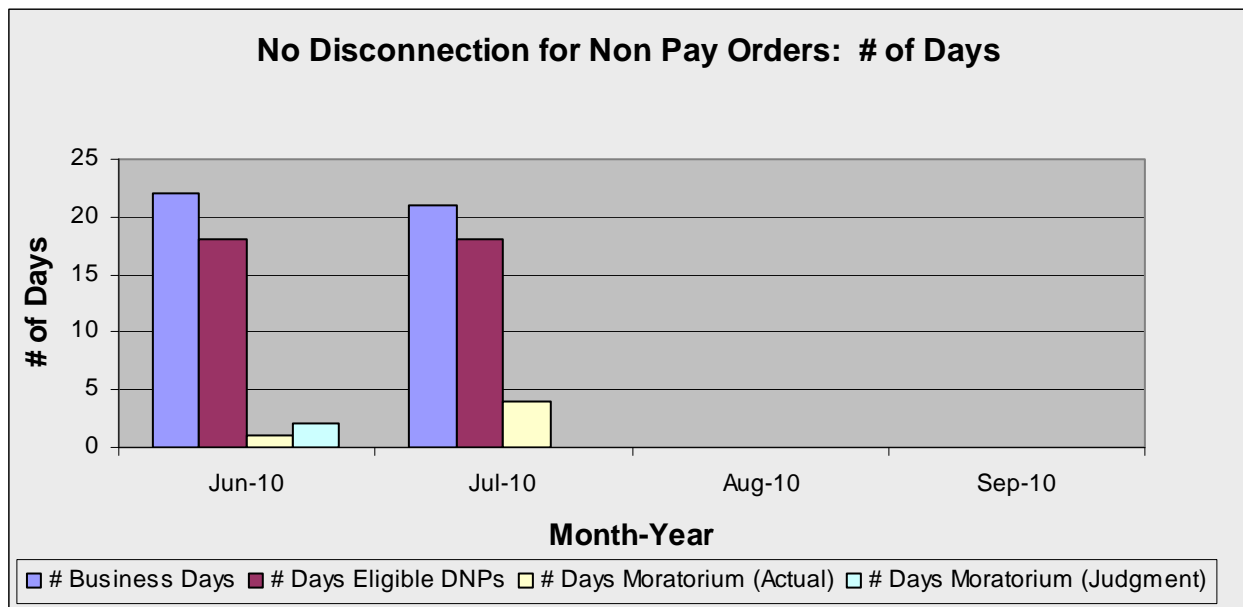
Life Support Information: For the month of July 2010, 103 customers were identified as Life Support Certified. 31 accounts not active on a payment arrangement became delinquent. 12 accounts received 24 hour notices and 0 were disconnected (due to payment being received or payment arrangement being activated).



Summer Moratorium Information

For the month of July 2010, Austin Energy has recorded a total of 18 business days eligible to create disconnect for non-payment (DNP) service orders. Austin Energy has implemented the summer weather moratorium on 4 days, and DNP's were not issued on July 15th, 16th, 19th and 20th due to the combination of actual plus forecasted heat index.

	# Business Days	# Days Eligible for DNP's	# Days Moratorium (Actual)	# Days Moratorium (Judgment)
Jun-10	22	18	1	2
Jul-10	21	18	4	0
Aug-10				
Sep-10				



UPCOMING PROCUREMENTS BY AUSTIN ENERGY**Purchasing Department Report • Electric Utility Commission • August 16, 2010**

	PROJECT NAME	ESTIMATED AMOUNT	CUSTOMER	ESTIMATED COUNCIL	DESCRIPTION
1	Uniformed security guard services	\$1,600,000	Facilities	September	Unarmed security guard services for various AE facilities.
2	EPA Protocol Calibration Gas	\$100,000	Environmental Care & Protection	September	Contract for purchase and rental of EPA protocol gases to support the continuous emissions monitoring system (CEMS) for Decker and Sand Hill power plants.
3	Fire Protection System Inspection, Testing and Maintenance	\$300,000	Power Production	September	Annual fire protection system inspection, testing and maintenance for systems at Decker and Sand Hill power plants.
4	Microsoft Enterprise License Agreement and Software Assurance - DIR (Summus Industries, Inc.)	\$14,600,000 (City-wide)	ITT	September	Citywide procurement through CTM for enterprise license agreement through Dell with Microsoft to update to the current versions. AE portion is \$520,000.
5	EPA-Required Oil removal services	\$125,000	Environmental Care & Protection	October	EPA requires that AE contract with a Coast Guard-certified Oil Spill Response Organization (OSRO) for oil storage at Decker.
6	Response and Remediation Services	\$275,000	Environmental Care & Protection	October	Law requires quick response to spills of oil or other hazardous substances by OSHA-trained emergency responders on call 24/7.
7	Underground Utility Locating	\$500,000	ESD	October	Annual agreement for locating and marking for underground electrical facilities; replaces expiring contract.
8	Aerial Maintenance for Transmission	\$150,000	ESD	October	Annual agreement for aerial maintenance service for energized and de-energized lines; replaces expiring contract.
9	Plants and Trees for Mitigation	\$60,000	ESD	October	Requirements contract for the purchase of trees and plants for mitigation.
10	Residential Customer Independent Rate Advisor	\$75,000	Regulatory & Government Affairs	October	Contract to provide advisory services as an independent representative during cost of service study and related processes,
11	Transmission and Distribution Electrical Services	\$7,400,000/yr	ESD	November	Five-year contract for providing routine and emergency electric distribution powerline above-ground installations and maintenance services.
12	Stormwater Pond Maintenance	\$90,000	Environmental Care & Protection	November	Annual agreement for maintenance and repair to stormwater ponds owned, operated by, or affecting AE in compliance with environmental criteria and regulations.
13	Upgrade to Demineralizer at Decker	\$2,000,000	Power Production	November	Upgrade to the current demineralizer system at the Decker Creek Power Station.
14	Meters, Meter Sockets, Current Transformers	\$6,000,000	ESD	November	Annual agreement for the purchase of meters, meter sockets and current transformers.
15	Rental of Back Up Equipment for On-Site Energy Resources	\$182,000	On-Site Energy Resources	November	Annual agreement for the rental of backup equipment, as needed; includes chillers, boilers and generators for both downtown cooling plants, Mueller and Domain.

ELECTRIC UTILITY COMMISSION
Tentative Schedule of Upcoming Briefings
In addition to monthly Budget, Procurements and DPA/Disconnection reports

AUGUST 16, 2010 (*Election of Officers*)

- FY 2010-2011 Budget Presentation – EUC action (Hart)
- Update on Competitive Matters Resolution (Mele, Perny)
- Rate Review Overview (in association with RCA; Dreyfus)
- ARRA-Funded Weatherization Program Update (Rabago)
- Reliability Compliance (Gallo)

SEPTEMBER 20, 2010

- Update on Competitive Matters Resolution (Mele, Perny)
- Update on the development of affordability metrics (Dreyfus)
- Quarterly M/WBE goals update (Ledesma, Lawson, Harris)
- Plug-In Hybrid Program Update (Librach)

OCTOBER 18, 2010

- Update on Competitive Matters Resolution (Mele, Perny)
- Update on the development of affordability metrics (Dreyfus)
- Austin Climate Protection Program Quarterly Report (Matthews)
- Imagine Austin Comprehensive Plan – briefing requested by Planning & Development Review Department
- Fuel Hedging Program (Sweeney)
- Meter Implementation Project Update (Wood)

NOVEMBER 15, 2010

- Update on Competitive Matters Resolution (Mele, Perny)
- Update on the development of affordability metrics (Dreyfus)

DECEMBER 13, 2010

- Quarterly M/WBE goals update (Ledesma, Lawson, Harris)
- Update on Competitive Matters Resolution (Mele, Perny)

Looking ahead...

JANUARY 2011

- 2011 Texas Legislative Session (Alofsin, Mitchell)
- Austin Climate Protection Program Quarterly Report

ORDINANCE NO. 20100729-086

AN ORDINANCE AMENDING CITY CODE SECTION 2-1-42 TO LENGTHEN THE TERM LIMIT FOR BOARD OFFICERS; MODIFYING THE CITY'S STANDARD BYLAWS FOR BOARDS; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. City Code Subsection 2-1-42(B) (*Officers and Committees*) is amended to read as follows:

(B) A person may not serve as ~~[the chair]~~ an officer in a designated position of a board for more than ~~[two]~~ three consecutive years ~~one-year terms~~. Service before July 31, 2008 is excluded in determining the number of years served. A person who has served as an officer in a designated position of a board for three consecutive terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office.

PART 2. Subsection (C), Article 4 (*Officers*) of the "Template for Standard City Board Bylaws," as adopted in Ordinance 20080214-012 and modified by the Council Audit and Finance Committee on September 23, 2008, is repealed and replaced to read as follows:

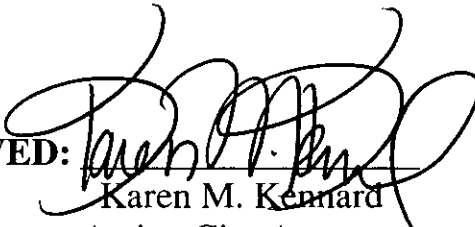
(C) The term of office shall be one year, beginning September 1 and ending August 31. An officer may continue to serve until a successor is elected. A person may not serve as an officer in a designated position of a board for more than three consecutive one-year terms. A person who has served as an officer in a designated position of a board for three consecutive terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office.

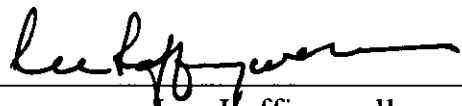
PART 3. Each advisory board is directed to adopt amended bylaws that reflect the new bylaw language at its first regular meeting after August 1, 2010.

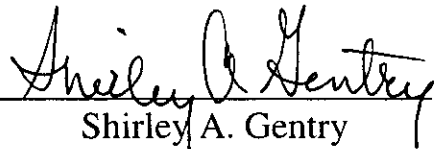
PART 4. The council finds that the city's advisory boards will immediately elect officers as required by each board's bylaws, which constitutes an emergency. Because of this emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health and safety.

PASSED AND APPROVED

July 29, 2010

APPROVED: 
Karen M. Kennard
Acting City Attorney

§
§
§ _____

Lee Leffingwell
Mayor

ATTEST: 
Shirley A. Gentry
City Clerk

**BYLAWS OF THE
ELECTRIC UTILITY COMMISSION**

ARTICLE 1. NAME.

The name of the commission is the Electric Utility Commission.

ARTICLE 2. PURPOSE AND DUTIES.

- (A) The commission shall review and analyze all policies and procedures of the electric utility, including the electric rate structure, fuel costs and charges, customer services, capital investments, new generation facilities, selection of types of fuel, purchase of fuel, transportation of fuel, billing procedures, and the transfer of electric utility revenues from the utility fund to the general fund.
- (B) The commission shall advise the city council, the city manager, the electric utility, city departments, and city boards, commissions, and committees on policy matters relating to the electric utility. All advisory information given shall simultaneously be forwarded to the city manager.
- (C) The commission may review, study, and make recommendations to the Planning Commission on proposed electric utility projects for inclusion in the Capital Improvements Program.
- (D) The commission shall request that the city council hire an outside consultant every five years to make a comprehensive review of the policies and procedures of the electric utility. The commission may initiate an external or internal review of the policies and procedures of the electric utility. If the commission initiates a review, it shall report its findings to the city council and the city manager.
- (E) The commission shall interpret the role of the electric utility to the public and the role of the public to the electric utility. The commission may hold a public hearing and briefing session every six months to explain new policies and to take citizens comments, suggestions, and complaints.
- (F) The commission may make recommendations to the city council before final council action on a policy or procedure of the electric utility.
- (G) The commission shall request from the city manager any information which it deems to pertain to the electric utility.
- (H) The commission shall, as a body, review customer complaint procedures and specific customer grievances and complaints, and make recommendations to the city council and city manager based on its findings. This duty does not supersede, replace, or substitute for the appeal procedures provided to customers in the City Utility Service Regulations.

- (I) The commission shall seek to promote close cooperation between the city council, other city boards, committees, and commissions, city departments and individuals, institutions and agencies concerned with the policies, procedures, and operations of the electric utility to the end that all similar activities within the City may be coordinated to secure the greatest public welfare.

ARTICLE 3. MEMBERSHIP.

- (A) The commission is composed of seven members appointed by the city council.
- (B) A member serves at the pleasure of the city council.
- (C) Commission members serve for a term of three years beginning August 1st on the year of appointment.
- (D) An individual commission member may not act in an official capacity except through the action of the commission.
- (E) A commission member who is absent for three consecutive regular meetings or one-third of all regular meetings in a twelve month time period automatically vacates the member's position. This does not apply to an absence due to illness or injury if the member notifies the staff liaison of the reason for the absence no later than the next meeting of the commission.
- (F) At each meeting, each commission member shall sign an attendance sheet which indicates that the member does not have a conflict of interest with any item on that agenda, or identifies each agenda item on which the member has a conflict of interest.
- (G) A member who seeks to resign from the commission shall submit a written resignation to the chair of the commission, the staff liaison, or the city clerk's office. If possible, the resignation should allow for a thirty day notice so the city council can appoint a replacement.

ARTICLE 4. OFFICERS.

- (A) The officers of the commission shall consist of a chair and a vice-chair.
- (B) Officers shall be elected annually by a majority vote of the commission at the first regular meeting in August. In the event a current officer becomes ineligible to serve as an officer, the board may hold an emergency election as needed.
- (C) The term of office shall be one year, beginning September 1 and ending August 31. An officer may continue to serve until a successor is elected. A person may not serve as an officer in a designated position of a board for more than three consecutive one-year terms. A person who has served as an officer in a designated position of a board for three consecutive terms is not eligible for re-election to that designated office until the expiration of two years after the last date of the person's service in that office.
- (D) A member may not hold more than one office at a time.

ARTICLE 5. DUTIES OF OFFICERS.

- (A) The chair shall preside at commission meetings, appoint all committees, and represent the commission at ceremonial functions.
- (B) In the absence of the chair, the vice-chair shall perform all duties of the chair.

ARTICLE 6. AGENDAS.

- (A) Two or more commission members may place an item on the agenda by oral or written request to the staff liaison at least five days before the meeting.
- (B) The staff liaison shall prepare and distribute the agenda to the commission members not less than 72 hours before the meeting.
- (C) Posting of the agenda must comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 7. MEETINGS.

- (A) The commission meetings shall comply with Texas Government Code Chapter 551 (Texas Open Meetings Act).
- (B) Commission meetings shall be governed by Robert's Rules of Order.
- (C) The commission may not conduct a closed meeting without the approval of the city attorney.
- (D) The regular meeting of the commission shall be held on the third Monday of each month at 6:00 p.m., at the Town Lake Center, 721 Barton Springs Road, Austin, Texas, unless otherwise determined by the commission. If the regular meeting day is a holiday, the meeting will be held on the following Monday of the month.
- (E) The chair may call a special meeting, and the chair shall call a special meeting if requested by three or more members. The call shall state the purpose of the meeting. A notice of a special meeting must be in writing and sent to all members at least three days before the meeting.
- (F) Four members constitute a quorum.
- (G) If a quorum for a meeting does not convene within one-half hour of the posted time for the meeting, then the meeting may not be held.
- (H) To be effective, a commission action must be adopted by affirmative vote of not less than the four members.
- (I) The chair has the same voting privilege as any other member.
- (J) The commission shall allow citizens to address the commission on agenda items and during a period of time set aside for citizen communications. The chair may limit a speaker to three minutes.

- (K) The staff liaison shall prepare the commission minutes. The minutes of each commission meeting must include the vote of each member on each item before the commission and indicate whether a member is absent or failed to vote on an item.
- (L) The electric utility department shall retain all official commission documents. The documents are public records under Texas Local Government Code Chapter 552 (Texas Public Information Act).
- (M) The chair shall adjourn a meeting not later than 10 p.m., unless the commission votes to continue the meeting.

ARTICLE 8. COMMITTEES.

- (A) Each standing or special committee must be established by an affirmative vote of the board. Each committee shall consist of at least three commission members appointed by the chair. A staff member shall be assigned to each committee by the director of the electric utility department.
- (B) The commission chair shall appoint a committee member as the committee chair, with the member's consent.
- (C) A majority of the total number of appointed committee members constitutes a quorum.
- (D) Each standing committee shall meet on a regularly scheduled basis at least quarterly.
- (E) Each standing committee shall make an annual report to the commission at the January commission meeting.
- (F) Committee meetings must be posted in accordance with Texas Government Code Chapter 551 (Texas Open Meetings Act).

ARTICLE 9. PARLIAMENTARY AUTHORITY.

The rules contained in the current edition of Robert's Rules of Order shall govern the commission in all cases to which they are applicable, except when inconsistent with these bylaws or with special rules of order which the commission or city council may adopt.

ARTICLE 10. AMENDMENT OF BYLAWS.

A bylaw amendment is not effective unless approved by the Council Audit and Finance Committee.

The bylaws were approved by the _____ (*insert - board name*) at their meeting held on _____ (*insert – month date, year*).

(*signature of Executive or Staff Liaison*)

(*insert – Title -- Executive or Staff Liaison*)