



WATER AND WASTEWATER COMMISSION REGULAR MEETING MINUTES

The Water and Wastewater Commission convened in a regular meeting on August 11, 2010 at Waller Creek Center, 624 East 10th Street, Room 104, in Austin, Texas.

Commission Members in Attendance:

Chair Mario A. Espinoza, Vice Chair Gwen Webb, Sarah B. Faust, Mickey Fishbeck, Aaron Googins, P.E., Dale Gray, P.E. and Chien Lee, P.E., Commissioner Faust arrived at 6:13pm.

Staff in Attendance:

David Anders, Gopal Guthikonda, George Calhoun, Jane Burazer, Daryl Slusher, Dave Juarez, Rusty Cobern, Aldo Ranzani, Mark Dollins, Jim Steed, Seyed Miri, Roger Brown, Kathy Garland, Kathi Flowers, Ross Crow, Joe Hoepken, James King, Drew Hardin, Matt Cullen, Joe B. Smith, Tony Lopez, Ramesh Swaminathan, Brian Long, Brownlee Bowmer, T. Pennington, Denise Avery, Songli Floyd, Charles Muela, James Grabbs, Jules Parrish, and Felicia Cancino.

A. CALL TO ORDER

Chair Espinoza called the meeting to order at 6:07pm.

B. CITIZEN COMMUNICATION

None

C. APPROVAL OF MINUTES

The meeting minutes from the July 14, 2010 Water & Wastewater Commission regular meeting were approved unanimously on Commissioner Gray's motion and Commissioner Lee's second. Commissioner Faust was not present to vote on this item.

D. ITEMS FOR COMMISSION'S REVIEW AND RECOMMENDATION FOR APPROVAL TO CITY COUNCIL

Commissioners consented on items 1, 5, 6, 8 & 11.
Commissioners pulled items 2, 3, 4, 7, 9, 10, and 12.

1. Recommend approval to award, negotiate, and execute a 60-month requirements service contract through the State of Texas Department of Information Resources cooperative purchasing program with **SUMMUS INDUSTRIES, INC., (MB)** Sugarland, TX, for a Microsoft Enterprise License Agreement (EA) and Software Assurance in an estimated amount not to exceed \$14,827,020.

Item passed unanimously on Commissioner Googins motion and Commissioner Webb's second. Commissioner Faust was not present to vote on this item.

2. Recommend approval of an ordinance authorizing negotiation and execution of an amended and restated cost reimbursement agreement with **Club Deal 120 Whisper Valley, L.P., and Club Deal 116 Indian Hills Tx, L.P.**, for construction of 48 and 24 inch water main, the design and construction of 48 inch, or 24 and 36 inch, water main; and for the design of a wastewater treatment plant for a total amount not to exceed \$22.5 million; waiving the requirements of Sections 25-9-33 and 25-9-64, City Code, relating to submission of a Service Extension Request application for required water improvements and cost reimbursement; waiving the requirements of Sections 25-9-61, 25-9-62, and 25-9-63, City Code, relating to the amount of reimbursement for water improvements; and waiving the requirements of Section 25-9-67, City Code, relating to the timing of cost reimbursement payments.
Bart Jennings & Sharon Smith addressed the Commissioners questions and concerns. Item passed on Commissioner Lee's motion and Commissioner Webb's second. Commissioners consenting were Lee, Webb, Googins, Espinoza and Gray. Commissioner Fishbeck dissented and Commissioner Faust abstained.
3. Recommend approval of an ordinance amending the **Fiscal Year 2009-2010 Austin Water Utility Capital Budget of Ordinance No. 20090914-003** to appropriate \$22,500,000 for **Whisper Valley and Indian Hills water improvements. Gopal Guthikonda and Joepken addressed the Commissioners questions and concerns. Item passed on Commissioner Webb's motion and Commissioner Lee's second. Commissioners consenting were Webb, Lee, Gray, Googins and Espinoza. Commissioner Fishbeck dissented and Commissioner Faust abstained.**
4. Recommend approval to execute a construction contract with **SOUTHLAND/SJ LOUIS JOINT VENTURE**, Fort Worth, TX for the South IH-35 Water and Wastewater Program, Onion Creek Wastewater Interceptor – Rinard to Slaughter in the amount of \$10,480,000, plus a \$ 1,048,000 contingency, for a total contract amount not to exceed \$11,528,000.
Gopal Guthikonda addressed the Commissioners questions and concerns. Item passed on Commission Googins motion and Commissioner Espinoza's second. Commissioner Faust dissented and Commissioner's Lee and Gray recused due to a potential conflict of interest.
5. Recommend approval to execute a construction contract with **MUNIZ CONCRETE & CONTRACTING, INC**, (MBE 45.03%), AUSTIN, TX for Riverside Drive Bridges Over Country Club Creek in the amount of \$540,291.40 plus a \$27,014.57 contingency for a total contract amount not to exceed \$567,305.97.
Item passed unanimously on Commissioner Googins motion and Commissioner Webb's second. Commissioner Faust was not present to vote on this item.

6. Recommend approval to execute a construction contract with **EXCEL CONSTRUCTION SERVICES, L.L.C.**, Leander, Texas for Lake Creek Lift Station Improvements in the amount of \$309,000 plus a \$30,900 contingency, for a total amount not to exceed \$339,900.
Item passed unanimously on Commissioner Googins motion and Commissioner Webb's second. Commissioner Faust was not present to vote on this item.

7. Recommend approval to execute a construction contract with **PEPPER-LAWSON, L.P.**, Katy, TX for the S IH-35 Water/Wastewater Improvement Program – Pilot Knob Pump Station in an amount of \$6,712,500 plus \$177,500 for allowances and a 10% contingency of \$689,000 for a total amount not to exceed \$7,579,000.
No Recommendation on Commissioner Webb's motion and Commissioner Fishbeck's second. Commissioners consenting were Webb, Fishbeck and Espinoza. Commissioners Lee, Gray and Googins recused due to a potential conflict of interest and Commissioner Faust was not present to vote on this item.

8. Recommend approval of **Service Extension Request No. 2900** for water service for **CRVI LOOP 360, LP**, the owner of Tarlton 360 Townhomes located within the Drinking Water Protection Zone and within portions in the City's Limited Purpose jurisdiction at 2400 WALSH TARLTON LN, proposing a Mixed Use Development with an Estimated Peak Hour Flow of 480 gallons per minute (gpm).
Item passed unanimously on Commissioner Googins motion and Commissioner Webb's second. Commissioner Faust was not present to vote on this item.

9. Recommend approval of **Service Extension Request No. 2901** for wastewater service for **CRVI LOOP 360, LP**, the owner of Tarlton 360 Townhomes located within the Drinking Water Protection Zone and within portions in the City's Limited Purpose jurisdiction and the Robert E. Lee Road Interceptor Study Area at 2400 WALSH TARLTON LN, proposing a Mixed Use Development with an Estimated Peak Wet Weather Flow of 160 gallons per minute (gpm).
John Bernam with Cypress Real Estate Advisors and Seyed Miri addressed the Commissioners questions and concerns.
Item passed on Commissioner Webb's motion and Commissioner Googins second; and, in addition, the Commission recommended that Council and City staff during site plan review or other development review consider documenting a land swap, proposed by the Owner, of 1.54 acres of the site from the Robert E. Lee Relief Interceptor Study decentralized wastewater service area for 1.69 acres of land of the site now located in the centralized wastewater service area. Commissioners consenting were Googins, Webb, Gray, Fishbeck, Espinoza Gray and Lee. Commissioner Faust dissented.

10. Recommend approval to negotiate and execute an agreement with **WINKLEY ENGINEERING, INC.**, for purchase of the approved construction plans for the South I-35 Water and Wastewater Infrastructure Improvements Program, Segment 10, Bradshaw Road at River Plantation Drive to end of future Pleasant Valley Road, 42-Inch Water Main in amount not to exceed \$325,000.00.
Item passed on Commissioner Fishbeck's motion and Commissioner Webb's second. Commissioners consenting were Fishbeck, Webb, Espinoza, Gray and Googins. Commissioner Lee recused and Commissioner Faust was not present to vote on this item.

11. Recommend approval to set and conduct a public hearing to receive public comment on the proposed rate and fee changes for the **Austin Water Utility** as part of the **Fiscal Year 2010-2011 Proposed Budget**.
Item passed unanimously on Commissioner Googins motion and Commissioner Webb's second. Commissioner Faust was not present to vote on this item.

12. Recommend approval of Austin Water Utility's FY 2011 proposed \$440.0 million Operating Budget, \$54.9 million Capital Budget appropriations, \$1.3 billion 5-Year CIP spending plan and 4.5% system-wide rate increase (5.4% water, 3.6% wastewater).
David Anders and Rusty Cobern addressed the Commissioners questions and concerns.
Item passed on Commissioner Lee's motion and Commissioner Espinoza's second contingent that Council direct staff to assess the transfers to the Sustainability Fund and Economic Incentives Reserve Fund. Commissioners consenting were Lee, Espinoza, Fishbeck, and Googins. Commissioners dissenting were Webb, Faust and Gray.

E. VOTING ITEMS FROM COMMISSION

1. Approve the Revised Bylaws
Bylaws were adopted unanimously on Commissioner Lee's motion and Commissioner Webb's second

2. Elect Officers – Chair & Vice Chair
Commissioner Espinoza was nominated to remain Chair by Commissioner Gray, motioned by Commissioner Fishbeck and seconded by Commissioner Googins; passing unanimously. Commissioner Espinoza accepted the position as Chair. Gwen Webb was nominated to remain Vice Chair by Commissioner Googins, motioned by Commissioner Gray and seconded by Commissioner Lee; passing unanimously. Commissioner Webb accepted the position as Vice Chair.

F. REPORTS BY COMMISSION SUBCOMMITTEE

1. Budget Subcommittee Briefing/Report
Budget Subcommittee Chair Gray gave a brief synopsis of the Budget Subcommittee report.

G. NON VOTING DISCUSSION ITEMS

None

H. STAFF BRIEFINGS, PRESENTATIONS, AND OR REPORTS

1. AWU Operating & Capital Budget
David Anders presented the information
2. Utility Asset Management Briefing (Water & Wastewater)
Dave Juarez and James King presented the information
3. Fire Hydrant Maintenance Contract Update
Gopal Guthikonda presented the information

I. FUTURE AGENDA ITEMS

J. ADJOURN

Chair Espinoza adjourned the meeting at 9:17pm without objection.