

# CIP BUDGET FISCAL NOTE

**DATE OF COUNCIL CONSIDERATION:**  
**CONTACT DEPARTMENT(S):**

3/8/12  
Financial and Administrative Services Department

**SUBJECT:** Approve an Ordinance amending the Fiscal Year 2011-2012 Financial and Administrative Services Department Capital Budget (Ordinance No. 20110912-006) to reallocate and appropriate \$950,000 from the Capital Improvement Program Contingency Program to the Elevator Compliance project.

**CURRENT YEAR IMPACT:**

Project Name:	CIP Contingency
Project Authorization:	2011-2012 Capital Budget
Funding Source:	CIP Interest
Fund/Dept/Unit:	8560-7407-0005

Current Budget	6,317,095
Unencumbered Balance	6,317,095
This Action	<u>(950,000)</u>
Estimated Available	5,367,095

Project Name:	Elevator Compliance
Project Authorization:	2011-2012 Capital Budget
Funding Source:	CIP Interest
Fund/Dept/Unit:	8560-7407-NEW

Current Budget	0
Unencumbered Balance	0
This Action	<u>950,000</u>
Estimated Available	950,000

**ANALYSIS / ADDITIONAL INFORMATION:** This action approves the transfer of \$950,000 from the Capital Improvement Program Contingency Program to Elevator Compliance project within the Financial and Administrative Services Department Capital Budget.

Chapter 754 of the Health and Safety Code requires every elevator in Texas with more than 25 foot of travel to have fire service and door restrictors. The Texas Department of Licensing and Regulation (TDLR) has previously granted waivers of these requirements to building owners. TDLR has indicated that it is not granting any more waivers to owners, and that if the City elevators listed below are not brought into compliance by September 2012, then emergency shutdown orders will be issued and elevators taken out of service until compliance is achieved.

On March 21, 2011, the Building Services Department received the City's last waiver from TDLR regarding 4 elevators at Austin Police Department headquarters, 2 elevators at Municipal Court, and 2 elevators at the Municipal Building. This waiver states that the City has been granted a delay until September 1, 2012 to bring these elevators into compliance. There is no provision to extend the deadline for fire service and/or door restrictors, and that the maximum fine available under law is \$5,000 per day per elevator per violation.