

## AGENDA



Thursday, November 29, 2007

**Item(s) to Set Public Hearing(s)**  
**RECOMMENDATION FOR COUNCIL ACTION****Item No. 49**

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**Subject:** Set a public hearing to consider an ordinance extending the expiration of Ordinance Nos. 020627-115 and 030731-55 from December 31, 2007 to June 30, 2009. The ordinances establish an administrative process for variances from certain land development code provisions for wastewater collection system construction projects needed to eliminate sanitary sewer overflows as part of the Austin Clean Water Program (ACWP). (Suggested date and time: December 13, 2007, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.).

**Amount and Source of Funding:** There is no anticipated fiscal impact.

**Fiscal Note:** A fiscal note is not required.

**For More Information:** Gopal Guthikonda, 972-0240; Joe Pantalion, 974-3438; Denise Avery, 972-0104

**Boards and Commission Action:** Recommended by the Environmental Board. To be reviewed by the Parks Board on November 27, 2007; the Water and Wastewater Commission on November 28, 2007; and, the Planning Commission on December 11, 2007.

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The Austin Clean Water Program (ACWP) was created in 2001 to comply with the U.S. Environmental Protection Agency (EPA) issued Administrative Order (AO) to eliminate Sanitary Sewer Overflows (SSOs) from the City of Austin's wastewater collection system. City of Austin received an AO from the U.S. EPA on April 29, 1999. The AO requires the City of Austin to perform a series of activities designed to result in an improved wastewater collection system free from SSOs. These activities include Infiltration/Inflow Studies (I/I), Sanitary Sewer Evaluation Surveys (SSES), as well as subsequent design and construction of necessary improvements to the wastewater collection system. ACWP provides planning, design and construction of sustainable wastewater collection facilities necessary to meet the AO requirements.

In order to meet the AO mandated schedule to rehabilitate the wastewater collection system, on June 27, 2002, the City Council approved an Ordinance, No. 020627-115 establishing an administrative variance process necessary to provide an accelerated permit approval process for the AO related projects. The City Council also approved Ordinance No. 030731-55 on July 31, 2003. Both ordinances expire 12/31/2007.

Under these two ordinances, the ACWP will complete permitting all AO related projects. In order to allow for permitting, corrections and revisions to the approved permits, an extension of both ordinances is necessary until construction of all the projects is complete. The requested extension would extend the authority of both ordinances to the EPA established AO deadline or when construction of all approved projects is complete.