

# CAPITAL IMPROVEMENT BUDGET FISCAL NOTE

DATE OF COUNCIL CONSIDERATION:  
WHERE ON AGENDA:  
DEPARTMENT:

01/15/09  
Resolution  
Austin Water Utility

TITLE:

**DESCRIPTION:**

Authorize negotiation and execution of an amendment to legal services agreement with Scott, Douglass & McConnico, L.L.P., in connection with litigation, and litigation support services, including expert witnesses, related to Archer Western Contractors, Ltd. v. City of Austin, Cause No. D-1-GN-07-001790, 201st District, in an amount of \$1,600,000 for a total contract amount of \$3,338,500.

**FINANCIAL INFORMATION:**

**Water:**

Project Name: Ulrich WTP Claims Resolution  
Fund/Department/Unit 3960 2207 7164

Current Appropriation	\$ 3,321,500.00	
Unencumbered Balance		\$ 1,627,676.50
Less Outstanding Commitments		0.00
Amount of This Action		<u>(1,600,000.00)</u>
Remaining Balance		<u>\$ 27,676.50</u>

Total Austin Water Utility Funding

\$ 1,600,000.00

Utility Finance:

Prepared By: Tom Albin  
Tom Albin, Utility Financial Analyst Senior

Date: 12/30/2008

Reviewed By: Robert Butler  
Robert Butler, Utility Financial Manager

Date: 12-30-2008

Approved By: Rusty Cobern  
Rusty Cobern, Utility Budget & Finance Manager

Date: 12-30-2008