



**RCA  
CITY OF AUSTIN  
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 5  
AGENDA DATE: Thu 09/29/2005  
PAGE: 1 of 2**

**SUBJECT:** Approve negotiation and execution of an Interlocal Agreement for Pretreatment Services establishing the Austin's Water Utility assistance to the City of Manor for performing pretreatment inspections, sampling, lab analyses, permitting, and enforcement support.

**AMOUNT & SOURCE OF FUNDING:** The City of Manor will pay the City for services rendered on a time and materials basis plus overhead.

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

**REQUESTING** Austin Water Utility      **DIRECTOR'S**  
**DEPARTMENT:**                                      **AUTHORIZATION:** Chris Lippe

**FOR MORE INFORMATION CONTACT:** Ed Sanchez, 972-1060; Antonio Canales, 972-1060

**PRIOR COUNCIL ACTION:** N/A

**BOARD AND COMMISSION ACTION:** Recommended by the Water and Wastewater Commission.

**PURCHASING:** N/A

**MBE / WBE:** N/A

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The City of Austin is required by federal law to control discharges of industrial waste entering into its wastewater collection system and publicly owned treatment works. The City's program for pretreatment and monitoring of industrial waste is approved by the U.S. Environmental Protection Agency (EPA) and the Texas Commission on Environmental Quality (TCEQ) and the implementation of this approved program is a condition of Austin's Texas Pollution Discharge Elimination System permits for its wastewater treatment plants. Part of this pretreatment program includes the establishment of appropriate controls in interjurisdictional contexts, which result in the discharge of industrial waste to Austin's wastewater treatment works. In interjurisdictional contexts where Austin's ordinances do not apply to retail customers of another entity such as the City of Manor, EPA and TCEQ allow this authority to be established by contract rather than by direct assertion of ordinance authority.

Under several previous agreements, Austin provides wastewater service to certain commercial properties located in the City of Manor. Some of these customers are dischargers of industrial waste, e.g., restaurants, schools, etc., and because the City of Manor lacks the trained personnel necessary to implement a viable pretreatment and monitoring program, they have requested the City of Austin to conduct this for them through this interlocal agreement.

Under the proposed Interlocal Agreement, the City of Manor agrees to adopt and implement industrial waste regulations no less stringent than those of the City of Austin. Austin Water Utility personnel would assist the City of Manor in performing industrial waste services such as issuance of notices of violations, compliance notices, compliance orders, etc., for the City of Manor. City personnel would not prosecute or take legal action on behalf of the City of Manor but could appear as witnesses if needed in enforcement actions brought by the City of Manor to enforce its pretreatment regulations.



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PAGE: 2 of 2**

The City would be paid for its services on a time and materials basis plus a factor for overhead as determined annually by the City.

The City has previously entered into eight such Interlocal Agreements with Anderson Mill MUD, North Austin MUD, River Place MUD, Wells Branch MUD, Shady Hollow MUD, the City of Sunset Valley, the City of West Lake Hills, and the City of Rollingwood. In addition to assisting neighboring political subdivisions in enforcing their pretreatment regulations, such agreements also provide an opportunity to assist the contracting political subdivision to maintain compliance with the City's Pretreatment Regulations which, in turn, allows the City to keep its pretreatment and monitoring program in compliance with EPA and TCEQ requirements. Thus, these agreements are viewed as a relationship providing mutual benefits on a cost-neutral basis.

Staff recommends approval of a resolution authorizing negotiation and execution of interlocal agreement for pretreatment services with the City of Manor.

NO. (907)05-1


**WATER AND WASTEWATER COMMISSION RESOLUTION  
INTERLOCAL AGREEMENT FOR PRETREATMENT SERVICES TO ASSIST THE CITY OF MANOR  
IN PERFORMING PRETREATMENT INSPECTIONS, SAMPLING, LAB ANALYSES, PERMITTING,  
AND ENFORCEMENT SUPPORT FOR THE CITY OF MANOR**

**September 7, 2005  
REGULAR MEETING  
VOIE: 6-0-0-3**

Motion made by: Warner  
Commissioners Consenting: Cadenas, Rahn, Friesse, Chan, Scott-Ryan  
Commissioners Dissenting:  
Commissioners Abstaining:  
Commissioners Absent: Gonzalez, Paul, Lee

The Water and Wastewater Commission recommends the Council authorize negotiation and execution of Interlocal Agreement for Pretreatment Services setting out terms under which the City of Austin's (City) Water Utility would assist the City of Manor in performing pretreatment inspections, sampling, lab analyses, permitting, and enforcement support for the City of Manor.

  
Michael Warner, Chairman  
Water and Wastewater Commission

  
Date: 9/7/05