



# Corpus Christi

1201 Leopard Street  
Corpus Christi, TX 78401  
cctexas.com

## Meeting Minutes

### City Council

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Monday, May 23, 2016

11:30 AM

Council Chambers

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#### SPECIAL CITY COUNCIL MEETING

**Public Notice - - THE USE OF CELLULAR PHONES AND SOUND ACTIVATED PAGERS ARE PROHIBITED IN THE CITY COUNCIL CHAMBERS DURING MEETINGS OF THE CITY COUNCIL.**

- A. Mayor Nelda Martinez to call the meeting to order.**

Mayor Martinez called the meeting to order.

- B. Invocation to be given by Deacon Michael Mantz, Diocese of Corpus Christi.**

Deacon Michael Mantz gave the invocation.

- C. Pledge of Allegiance to the Flag of the United States to be led by Elizabeth Hardin, Mayor's Chief of Staff.**

The Mayor's Chief of Staff Elizabeth Hardin led the Pledge of Allegiance.

- D. City Secretary Rebecca Huerta to call the roll of the required Charter Officers.**

City Secretary Rebecca Huerta called the roll and verified that a quorum of the City Council and the required Charter Officers were present to conduct the meeting.

Charter Officers:

Acting City Manager Margie C. Rose, City Attorney Miles K. Risley, and City Secretary Rebecca Huerta.

**Present:** 9 - Mayor Nelda Martinez, Council Member Rudy Garza, Council Member Michael Hunter, Council Member Chad Magill, Council Member Colleen McIntyre, Council Member Lucy Rubio, Council Member Brian Rosas, Council Member Mark Scott, and Council Member Carolyn Vaughn

- E. REGULAR AGENDA:**

- 1. Discussion and consideration with possible action regarding a staff update on the Short Term Action Plan regarding water quality issues.**

Mayor Martinez referred to Item 1. Assistant City Manager Mark Van Vleck stated that the purpose of this item is to provide an update on the short-term

action plan regarding water quality issues. Assistant City Manager Van Vleck stated that the City has contracted with the team of LNV Inc. and Hazen to assist in the development of this plan. Assistant City Manager Van Vleck stated that the members of the team were available to provide their technical expertise and answer questions.

Assistant City Manager Van Vleck explained that the City has taken action to convert to the alternate disinfectant, free chlorine. Over the next 60 days, the team will: 1) begin a systematic root cause analysis for each of the sites that were starting to see lower chlorine residuals and 2) develop short- and long-term action plans for the following areas: source water quality; treatment; the distribution system design; and the operations and maintenance of the distribution system. Assistant City Manager Van Vleck presented the following information: a map of the water distribution system; the points raised in each of the areas; and an explanation of the sampling for testing purposes.

**2. Discussion and consideration with possible action regarding a staff update on Water Quality: Our Present Status.**

Mayor Martinez referred to Item 2. Assistant City Manager Mark Van Vleck stated that the purpose of this item is to provide an update on the present status of the City's water quality. Assistant City Manager Van Vleck stated that staff has been posting maps depicting the progression of free chlorine through the water distribution system. The treatment is moving slower than anticipated. It is expected to be through the entire water distribution system by the end of the day tomorrow which is necessary for the water boil notice to be lifted. In response to Mayor Martinez, Assistant City Manager Van Vleck provided an overview of the free chlorine distribution through the water system. Dan Leyendecker, President of LNV Inc., introduced the team of water consultants who responded to questions throughout the meeting: Dr. Bill Becker and Dr. Ben Stanford. Susan Clewis and Melanie Edwards with the Texas Commission on Environmental Quality (TCEQ) were present and responded to City Council's questions.

Mayor Martinez called for comments from the public. Susie Luna Saldana, 4710 Hakel, expressed frustration with the three water boil advisories this year and asked why the problems with the water system have not been addressed. Jack Gordy, 4118 Bray, spoke regarding City staff being aware of the water issue prior to informing the public and stated that changes should be made in the Water Department.

Acting City Manager Margie Rose addressed the issues surrounding the three water boil notices that have occurred over the last 10 months and the steps she is taking to reach out to water industry associations to help the City of Corpus Christi evaluate, manage and treat the public water supply system. Acting City Manager Rose stated that the water system is being treated as a top priority.

Council members spoke regarding the following topics: the entry point for the free chlorine treatment; the start of the free chlorine conversion; how long the alternate disinfection takes to travel through the water system; structural design flaws which may attribute to the free chlorine flow moving at a slower pace; the recent rains being a factor; the plan presented in 2007 to implement an elevated water tank system, the reasons that project was not completed and the current status on the project; the reason for closing valves to redirect

water; concern that E. coli could be detected after flushing the system or the free chlorine conversion has occurred; providing information on the capital improvement program from 2007; low chlorine residuals being the reason for the water boil notice; the pain and suffering the water boil notice has caused citizens; a timeline to bring to City Council procedures to implement, prioritize, and fund recommendations; why the 2007 recommendations were never implemented; the starting date for the water boil; whether the City had enough chemicals on-site; whether there was an area in the City that was having problems 2 to 3 weeks prior to the water boil notice; when staff identifies a site as a problem; the City of Corpus Christi, state and federal minimum standards for chlorine residual; the low chloramine levels in the Glenmore area; whether residents in the Glenmore area were made aware of the low chloramine levels; the reason the Water Department and TCEQ would receive different readings from water samples; TCEQ's chloramine reading in the Glenmore area; the four other Texas cities that have had lower chloramine levels than Corpus Christi that were not placed on a water boil alert; direction from TCEQ to inform staff of the levels the City should be looking for to prevent a water boil advisory; the number of sites with declining chlorine residual readings that the TCEQ tested that were lower than .5; the TCEQ requirement that if the City had more than 5% of readings coming in at below .5 for a two-month period, the City is required to post a non-acute message to residents that the City's chloramine levels are too low; the TCEQ's regulations for mandatory and discretionary water boil orders; the data in the Quetzal area and the reason that the free chlorine conversion would not have fixed the situation and may have hindered findings; the reason that TCEQ ordered a city-wide water boil when certain areas were not affected; how often the Water Department performs water sampling; TCEQ's evaluation of Padre Island since it is on a separate water line; why TCEQ will not release the city-wide boil notice when free chlorine has progressed through portions of the City; whether the prior water boil notices were a factor in TCEQ's decision for a city-wide water boil notice; and creation of an ad hoc committee or the assembling of a group of experts to address water issues and best practices.

Susan Clewis with TCEQ stated that the agency ordered the water boil notice because the entire water distribution system as a whole was not stable. The City's prior water boil notices were not a factor.

**3. Discussion and consideration with possible action regarding an update on the meeting with Texas Commission on Environmental Quality (TCEQ) related to the boil water notice.**

Mayor Martinez referred to Item 3, an update on the meeting with Texas Commission on Environmental Quality (TCEQ) related to the boil water notice. Mayor Martinez spoke regarding the discussions with TCEQ on the City's linear design of the water distribution system and the possibility this design allowing for a boil-water notice to be issued only to affected areas of the city, instead of the entire city. Acting City Manager Margie Rose reported on the issues discussed at the meeting: the goal to review if there can be an exception during a water boil advisory to allow for a boil-water notice to be issued to only affected areas instead of the entire city; should TCEQ report to the City that there is nothing in the regulations that would allow such an exception, it would be helpful for TCEQ's regional leadership to assist with other options; the reasons for not having the ability to isolate portions of the City's water distribution system; improved communication between staff and TCEQ on data, measures being taken, and taking advantage of TCEQ resources to

provide technical assistance.

Susan Clewis, TCEQ, reported that the City has provided excellent data and applauded those improvements. Ms. Clewis said there is an open investigation which prohibits her from discussing specifics at this time. However, TCEQ is willing to work with the City and open up the channels of communication to provide technical assistance to help resolve the problem.

Mayor Martinez called for comments from the public. Abel Alonzo, 1701 Thames, stated that based on today's discussion he understood that at no time were citizens' health in jeopardy and the City did not have the ability to isolate the water boil notice to one area. Mr. Alonzo talked about the challenges with the infrastructure and making improvements to do what is best for the community. Carolyn Moon, 4902 Calvin and on behalf of Bay Area Smart Growth, said the solution to sustainability is for the City to quit spreading out its boundaries. Shirley Thornton, 1917 Wood Crest, spoke regarding communication problems and holding people accountable for the job they were hired to do. Gloria Scott, 4422 S. Alameda, spoke regarding the history of the water problems in the City and encouraged the City Council to get accurate, appropriate and complete reports to the public. Isabel Araiza, 326 Poenish, stated that government officials should look out for the public good and good quality water is a right of the citizens, not a privilege. Lee Hassman, 3105 Santa Cruz, thanked the City Council for protecting citizens and the environment. Mr. Hassman asked questions regarding the difference between hard and soft water. John Stafford, 5530 Fox Run, spoke regarding: the water boil ordered for the entire city instead of being localized; the use of automatic testing as opposed to manual testing; and the City having a better response to the water situation. Jose Villarreal, 3100 Santa Fe, spoke regarding the following: providing a discount to residents on water bills; short- and long-term solutions to infrastructure needs; health concerns relating to the water boil requirement; and the need for the City to provide free bottled water to residents while the boil-water notice is in effect. John Kelley, 3621 Austin, spoke regarding the problems with infrastructure; holding leadership accountable; and delayed provision of information to the public. Cinia Clarich Montoya, 4721 Woodridge, expressed concern for the elderly during the water boil notice and advised the council and the public of a company that was willing to come in and deliver truck loads of potable water to the community. Ms. Montoya asked that if the water boil does not get lifted by Tuesday, the City have a better system in place for emergency purposes. Jason Meran, 4409 Bluefield, asked that the City be as transparent as possible and inform the public of what happened and the process moving forward. Ivan Siverand, 754 N. Wirt, spoke regarding a device that could filter water, making it safe to drink.

Acting City Manager Rose provided an updated on the water boil advisory. Acting City Manager Rose referred to the map of the progression of the free chlorine areas in the water distribution system. The goal is to have the free chlorine move throughout the entire city in order to consider the lifting of the water boil advisory. There continues to be no E. coli in the water system and the samples are free of bacteria.

Mayor Martinez returned to comments from the public. Dorothy Pena, 5906 Cinnamon Oaks, asked why she was unable to access water from commercial reverse osmosis machines during the water boil. Ms. Pena stated that if trust is broken with city leadership, the community will have to band together to come

up with a solution. Paul Hickey, 2926 Irma, said transparency is a key issue and if a bond issue is needed to repair infrastructure, it should be explained thoroughly to the taxpayers and be timely completed. Kevin Schuster, 319 Meldo Park Drive, spoke regarding the need for citizens to act as a community and take responsibility to help keep the water system clean and get educated on the situation. Michael Gunning, 738 Crestview, thanked the City Council, staff and outside experts for looking for solutions to the water boil problems and suggested that the City Council use the capital improvement program as a tool to work for the City. Bob Bowcock, 405 N. Indian Hill, Claremont, California, stated that the City's consulting engineering and staff are the best team in the country to address this issue. Mr. Bowcock stated that the City's hydrologic model is probably in the top 5% in the country. Mr. Bowcock spoke regarding the chlorine system burnout and hopes the City uses the practice of the chlorine system conversion and never turns the ammonia back on. Mr. Bowcock said that the City is on the right track by making the improvements associated with the capital improvement program, developing plans relating to the quality and treatment of source water, and improvements to the water distribution system. Larry White, 5506 Sentry, spoke regarding chloramines and disinfection.

Council members spoke regarding the following topics: whether the public was in any danger; the average timeframe for capital improvement projects; consideration to add larger lines in older areas of the City to help the progression of free chlorine through the system; prioritizing capital improvement projects that are critical for health and safety; creation of an ad hoc committee or group of water experts; whether the national attention from Erin Brockovich was a factor in the TCEQ requiring a water boil notice; communication with the TCEQ officials from Austin and the Texas Optimization Program (TOP); feedback from the internal investigation and TCEQ's investigation; measures that can be taken to improve responses; the sampling procedures; the causes for ordering water boil notices; whether at any point since March 1st there have been readings for total chloroform or E. coli; receiving firmer requirements from TCEQ; the new Environmental Protection Agency (EPA) regulations for chloroforms; concern relating to asbestos cement pipes in the system; testing not being conducted from hydrants; the ordinance addressing the looping of lines; the severity of the water boil; improvements to the capital improvement projects process; the nitrification plan; consideration to log in the status of valves in Maximo software; improved communication to the public; a future discussion on the Water Fund balance; improvements to the water system; and utility bond capacity; hurricane plan communication; the difference between chlorine and chloramine; accountability; the sale of water to outside customers; and a financial discussion relating to the disinfection process moving forward.

Dan Leyendecker stated that the City Council will get a report on the possible short-term solutions by next week. The report will be presented to the City Council at its June 14, 2016 meeting.

## **F. ADJOURNMENT**

The meeting was adjourned at 3:20 p.m.