



# AGENDA MEMO

## Business of the City Council City of Sweeny, Texas

<b>Meeting Date</b>	04.10.2023	<b>Agenda Item</b>	
<b>Approved by City Manager</b>	Yes	<b>Presenter(s)</b>	Michael Gonzales, Professional Water Consultant Keyur Gorji, P. E. and Representative from Water Equipment and Treatment Services Lindsay Koskiniemi, City Manager
<b>Reviewed by City Attorney</b>	Yes	<b>Department</b>	Water
<b>Subject</b>	Discuss and act on a quote from Water Equipment and Treatment Services for the provision of urgent repair work for the water system softeners.		
<b>Attachments</b>	Quote for water softener repair		
<b>Financial Information</b>	Expenditure Required:	\$140,550 - \$208,550	
	Amount Budgeted:	N/A	
	Account Number:	2019 Certificates of Obligation	
	Additional Appropriation Required:		
	Additional Account Number:		

### Executive Summary

The City of Sweeny has observed a spike in “dirty water” complaints from residents since January 2023. The City of Sweeny hosted a special City Council on March 06, 2023 to discuss the water coloration with the public and explain efforts in progress to find a solution. Public Works offered information concerning a directive from Texas Commission on Environmental Quality (TCEQ) to cease use of polyphosphate, a sequestering agent used to conceal the coloration of iron and manganese, common substances found in well water. Staff have fully cooperated with TCEQ through this process and requested the reinstatement of polyphosphate to help alleviate the water color.

Management contacted external sources for assistance with testing and diagnosis the system. Independent water testing companies were brought in to collect water samples and conduct full spectrum tests. The results of all tests showed elevated levels of manganese, a substance ranging in color from brownish-red to black. No test done by third party testing companies or by TCEQ disclosed threats to health.

Management contacted a professional water consultant to perform an on-site water system diagnosis. The consultant found that there is a problem with the media inside the water softeners. Water softeners use resin called ‘media.’ The water softener contains resin — beads that are electro-statically sensitive. As the water flows through the resin chamber, the beads attract and hold ions from the hardness minerals, releasing non-harmful ions such as sodium or potassium instead. At a basic level, a water softener operates like ‘out with the bad, in with the good,’ to soften the water.



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Staff contacted and notified TCEQ that the water softeners would be bypassed in the system for maintenance and repair. TCEQ took objection and will be notified of a project timeline once a purchase order and notice to proceed is issued for the proposed repair and maintenance work.

The existing water softeners were installed in 1996 (2) and 2016 (1) by Water Equipment and Treatment Services (WETS). WETS has assessed the system and provided a quote to rehab filters for each softener, clean the softeners out, and replace the media (\$140,550) with an alternate to change the existing control system to a new one to improve operational efficiency for an additional \$68,000. The cost of the project is proposed to be paid from the 2019 certificates of obligation issuance and is consistent with the bond covenants.

Due to the urgency of the matter and public concern for health and safety of drinking water, city management recommends moving forward with the existing quote consistent with Texas Local Government Code Chapter 252 – Purchasing and Contracting Authority of Municipalities, which provides that exceptions to competitive open bidding can be made in instances of the following:

Sec. 252.022. GENERAL EXEMPTIONS.(a)This chapter does not apply to an expenditure for:

- (1) a procurement made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the municipality's residents or to preserve the property of the municipality;
- (2) a procurement necessary to preserve or protect the public health or safety of the municipality's residents;
  - (7) a procurement of items that are available from only one source, including:
    - (C) gas, water, and other utility services;

It should be noted that the waterline replacement project is still in construction, and TCEQ has not approved the use of polyphosphate and possibly may not approve the City's request to reinstate the use of polyphosphate. Rehab work on the softeners may not fully alleviate all water coloration but may provide substantial relief.

#### Recommended Action

City staff recommend approval.