

LITTLE ROCK SANITARY SEWER COMMITTEE
Minutes of the Meeting Held
August 12, 2009

The Little Rock Sanitary Sewer Committee met at 4:00 p.m., Wednesday, August 12, 2009, in the conference room of Little Rock Wastewater. Those attending included:

Little Rock Sanitary Sewer Committee

Cynthia C. Miller, Secretary
Ken Griffey, Member
Marilyn K. Perryman, Member

Little Rock Wastewater

Reggie A. Corbitt, P.E., CEO
James A. Barham, Manager of Finance
Howell Anderson, P.E., Manager of Engineering Services
Stanley Miller, Manager of Operations
Mack M. Vought, Manager of Maintenance & Construction

Others attending included Craig Johnson and Aaron Benzing of CDM, Jordan Johnson of Cranford Johnson Robinson Wood, and support staff from Administration and Community Relations, Engineering Services, Environmental Assessment Division, and Information Services. Don F. Hamilton, General Counsel, and Ex Officio Member Mark Stodola did not attend.

The meeting was called to order by Ms. Miller who stated that, with the expiration of the terms of Sewer Committee Chair, Jim Pender, and Vice Chair, Dale Wintroath, the first order of business would be the election of officers to serve for the remainder of the year. After discussion and on motion duly made and seconded the following officers were nominated and unanimously elected:

Cynthia C. Miller, Chair
Ken Griffey, Vice Chair
Marilyn K. Perryman, Secretary

After discussion, and on motion duly made and seconded, the Minutes of the meetings held July 1, 2009, and July 15, 2009, were approved as amended. Ms. Miller then called for public comments and there were none.

Mr. Griffey referred to Mayor Stodola's comment that Little Rock was recently ranked 7th in the nation as having the best metropolitan economy and how Little Rock's rates might compare with other cities of comparable size or against which Little Rock might compete for industrial customers. He said Mr. Stannard of the Raftelis group responded that they are currently gathering the information and the 2008 national survey would be available soon. He asked if the survey is available and Mr. Corbitt said he had not yet received it. Mr. Griffey said he would like a copy of the survey when it is received and the study should also be made available to Mayor Stodola.

Mr. Corbitt reminded the Sewer Committee of the request previously presented by Mark and Cherie Hoffman of 5312 "C" Street claiming damage of \$19,000 as the result of sewer work done in the alley behind their home which they claim caused drainage to seep into their recreation room. He said that staff feels denial of the claim is justified since reports submitted by Utility personnel showed that paving the alley did not change the elevation and called attention to the poor condition of a retaining wall on the property and the buildup of debris in the space between the retaining wall and the structure. He said the report was submitted to Mayor Stodola and to the homeowner and he had not heard from either party. Mr. Vought said that he had since sent someone to check the condition of the property and it is still in the same condition as stated in the report with even more debris as more debris washes into this space each time it rains.. Mr. Griffey asked whether the Utility had tort immunity in this instance and Mr. Corbitt responded that it did. Mr. Corbitt also stated that the Sewer Committee did not have to make a decision at this time and Mr. Griffey asked that the matter be tabled for consideration at the September meeting.

Howell Anderson presented the results of a bid opening held by CDM on July 30, 2009, at the Fourche Creek Wastewater Treatment Plant. Mr. Anderson stated that a comprehensive study of the Fourche Creek plant was completed in July, 2008, for the purpose of developing a Capital Improvement Plan outlining improvement projects for the facility over a 20 year period. This study includes a series of projects to increase hydraulic capacity from 38 mgd to a minimum of 45 mgd as required by the existing Consent Administration Order from the Arkansas Department of Environmental Quality and to meet more stringent new discharge permit limits on the amount of chlorine discharged into the Arkansas River. Mr. Anderson stated that this is the first of three construction projects to address the hydraulic upgrade of the plant by upgrading the disinfection process and addressing the chlorine limits imposed by ADEQ. He called attention to the letter from CDM recommending award of the contract to Van Horn Construction, Inc. of Russellville, Arkansas, and stated that staff concurs with this recommendation and is requesting that the contract be awarded to Van Horn Construction. He also requested that Mr. Corbitt be authorized to execute the contract documents. After discussion, and on motion by Mr. Griffey, seconded by Ms. Perryman, the Sewer Committee voted unanimously to award the contract to Van Horn Construction for the amount of \$5,940,000, and authorize Mr. Corbitt to execute the contract documents.

Mr. Anderson also presented a request for approval of CDM Contract Amendment 2, for the Fourche Creek Wastewater Treatment Facility Improvements, Phase I. He stated that the purpose of the amendment is to add fees related to the bidding and construction phase services for the three multiple construction contracts currently defined as Phase I of Fourche Creek Facility Capital Improvement Plan. The amendment will be structured around an hourly fee schedule with a "Not to Exceed Maximum Amount" and invoicing will be from time sheets and the schedule of hourly rates contained within the Contract. Mr. Anderson said the fees schedule provided \$712,505.00 for the original contract amount (Capital Improvement Plan Development), Amendment I (Design Services) of \$1,561,500.00, Amendment 2 (Bidding and Construction Services) of \$1,884,067.00, for the Revised Total Contract Amount not to exceed \$4,158,072.00. After discussion, and on motion by Ms. Perryman, seconded by Mr. Griffey, the Sewer Committee voted unanimously to approve CDM Contract Amendment 2.

After discussion, and on motion duly made and seconded, the following Purchase Approval Requests were unanimously approved:

<u>Item</u>	<u>Vender</u>	<u>Amount</u>
Backhoes & Mini Trackhoes	Warrior of Arkansas	\$541,726
Less Buy Back		<u>503,653</u>
Net		\$ 38,073
Screening, Removal and Beneficial Use of Biosolids	Terra Renewal Services	\$392,450

Mack Vought reported five dry weather overflows during the month of July, bringing the annual total to 24. He said that four of the overflows were caused by grease in the main and the areas were scheduled for more frequent cleaning and maintenance. Mr. Vought also reported that the plant maintenance system showed 46.7 hours preventive maintenance, 326.5 hours proactive maintenance, and 42 hours as reactive maintenance.

Mr. Barham presented the financial report for the month of July, 2009. After review, and upon motion duly made and seconded, the financial reports were approved by the Sewer Committee, including the payment of Operations & Maintenance expenditures in the amount of \$1,993,956. The Consolidated Statement of Cash Receipts and Disbursements reflect receipts of \$4,181,040 and disbursements of \$9,947,010, decreasing funds available for the month by \$5,765,970. Net income for the month is \$275,950 and net income year to date is \$498,070.

Mr. Barham stated that the six month insurance review was recently performed, and LRW is still below 2005 totals although this amount is increasing due to five fairly high claims that are beginning to come in and which he expects to continue over the next few months.

Stan Miller reported record rainfall measured at both treatment facilities during the month of July. He stated there was one permit violation at the Fourche Creek Treatment Plant pertaining to the amount of chlorine that can be put into outfall. He said permit limitation was 1.50 ppm and the analysis showed 1.51 ppm. Mr. Corbitt pointed out that the Sewer Committee approved the disinfection system project which is intended for prevention of this type of violation.

Howell Anderson reported that the peak flow facility was turned over to Operations on August 5th. He commended John Jarratt and LRW staff for the time and effort dedicated to the ribbon cutting ceremony. Mr. Griffey stated that he and Ms. Perryman were just discussing what an impressive facility it is, and also what an excellent job staff did in receiving the public and the press. He asked whether any issues had been raised by the public, and Mr. Corbitt said that he had only received a few calls commenting on the excellent article in the newspaper.

Mr. Anderson stated that the Arch Street Pump Station is only about 3% complete, but that he is pleased with the work that has been done. He said that the Little Maumelle project is about 48% complete, with some of the buildings having roofs. He stated that there is still some concern about the percentage of completion compared to time that has elapsed on Contract III, the Little Maumelle Pump Station, but CDM and staff is overseeing this project and they hope to see this project proceeding more quickly. Contract IV for the conveyance system is about 18% complete; however, another pipe laying crew has been moved in and this percentage should increase significantly. Mr. Anderson said he estimates that the pipeline will be installed across Ranch properties within about ten working days.

Mr. Griffey said he was approached by a resident of County Farm Road who wanted to know how soon the pipe will disappear. Mr. Anderson said there was an approximately 1,000 foot section between the park and Beck Road that was skipped because of the high water table to allow that ground to dry out and some dewatering equipment might have to be brought in. He said the crews are installing approximately 200 feet of pipe per day and he was told at the monthly meeting with the contractor that the contractor expected to have the pipe in place all the way to the Little Maumelle Pump Station by the date of their next monthly meeting. Mr. Anderson said there is an agreement with the County to completely overlay County Farm Road once the project is completed.

Mr. Anderson continued, stating that the portion of the Fourche Creek Redundant Force Main between Fourche Creek Treatment Plant and the College Station Pump Station is about 55% complete and the contractor has begun the portion between the Arch Street Pump Station and the College Station Pump Station and that project is about 13% complete. He said the contractor has a crew working ahead to complete the bores under the roadways and railroad and he is pleased with the work so far although there have been some issues with the contractor such as keeping staff and CDM informed of what they intend to do, etc.

Mr. Anderson said the next project in the Fourche Creek upgrade is the secondary clarifier. Staff and CDM attended a 60% design review workshop on August 10th and the bid opening is scheduled for October.

He stated that the main collection system rehabilitation projects currently underway include the Allsop Park South project which is approximately 74% complete and the Barton Area overflow mitigation project on which construction began in July and is estimated to be about 10% complete.

Mr. Corbitt asked Mr. Anderson to give the Sewer Committee a brief overview of the System Evaluation & Capacity Assurance Plan (SECAP) projects, and Mr. Anderson stated that the Utility has used approximately 40% of the funds identified for SECAP. He said the original SECAP was based on flow monitoring data, hydraulic modeling, and certain rehabilitation projects such as upgrading the Adams Field and Fourche Creek Treatment Plants, the upgrade of the Arch Street Pump Station, building the peak flow basin, etc. Staff now feels that we are to the point where it is time to evaluate whether to take the southern two-thirds of the system and update the SECAP model. Mr. Anderson said staff feels that it is important that the current plan be evaluated in order to determine whether the plan will get us to the January 1, 2016, Consent Administration Order deadline. He mentioned that projects totaling approximately \$70 million dollars are planned from now until 2016, and it is hoped that the upgrading of the Adams and Fourche plants, completion of the peak flow basin, collection system upgrades, etc. might allow some of the planned projects to either be eliminated or scaled down.

Mr. Anderson said he and Oren Noble planned to meet with the consulting firm who performed the previous flow monitoring and hydraulic modeling to discuss their understanding of the system and see how comfortable we are with having them take this plan to the next level. Mr. Corbitt said we plan to have the new study performed during the fall, winter, and early spring wet seasons when some of the major upgrades are in operation and actual data can be used for the model. He said the study will be completed in time to have that information available in 2010 for use in preparation of the 2011 budget. He said the Little Maumelle facility should be on line in September of 2010, and we will know the net effect of that facility on the Adams Field Treatment Plant and the remainder of the collection system that is presently affected by flow coming from the Little Maumelle basin. He said, for instance, all of the flow in the Little Maumelle basin now comes to the Cantrell Road Pump Station and an upgrade will probably be needed to accommodate the increased flow. He also stated that the new study will provide more accurate information for design of this pump station upgrade and show the net effect on the Adams Field Plant.

Mr. Griffey asked about the budget review process and Mr. Barham said that the customary procedure is that the Sewer Committee appoints a member to meet with staff prior to completion of the budget so that necessary changes and/or adjustments can be made before the budget is presented to the full Committee. The budget then goes to the Committee with a recommendation from the subcommittee. Ms. Miller asked if the

number of Sewer Committee members serving on the subcommittee is limited to one, and Mr. Corbitt stated that it is not and the reason for doing this in the past is that the press must be notified if two or more members are present.

In the absence of Don Hamilton, Mr. Corbitt reported that we are still waiting for court action on the Ranch Properties easement for the Little Maumelle project, and since we anticipate that the project will be completed within ten days, it should not have an adverse effect. In the matter of the Petey King and Angela Harrison lawsuit, a Motion for Summary Judgment was filed and the plaintiff had ten days to file a response; however, an extension was granted because another insurance company was included and needed to be brought up to date on the proceedings.

Mr. Corbitt said that the hearing officer issued a ruling against Mountain Pure Water and a letter was received from Mountain Pure asking for a check. Mr. Corbitt said we responded with a letter denying their request. He said they had meanwhile filed a temporary restraining order because Central Arkansas Water was going to shut off water to their business and LRW has asked the court for a motion to dismiss and a decision.

He said that it was thought that a condemnation would have to be filed for an easement on the Howard Street property but the easement was obtained from the railroad.

Mr. Corbitt said he and Mr. Hamilton met with the City Manager, representatives of the Public Works Department, and the Beechwood property owner on Friday of the previous week. He said the culvert in question was constructed in the late '40's or early '50's, either by a drainage improvement district or the property owner, but most likely by the property owner so that a carport could be constructed. In 1952, six of the upstream neighbors filed a lawsuit because the culvert was not large enough to accommodate the flow of water and it was improved in 1952 or 1953. The carport was subsequently enclosed and an additional carport was built over the top of the drainage structure which led to the recent collapse of the culvert because it was not designed to accommodate that load. Mr. Corbitt said it is the property owner's contention that the sewer line stopped up the culvert. However, Mr. Corbitt said the sewer line is an 8 inch line inside a 6' wide by 4' tall structure which is less than 1.5% of the culvert area which would not have a detrimental effect on the flow or cause the culvert to collapse; however, the homeowner contends that it contributed to the collapse of the culvert.

Mr. Corbitt said that the sewer line was installed in 1926, the area was apparently platted in 1903, and the plat did not show specific easements, but stated that utilities will be in streets and alleys. An alley is platted in an east/west direction, and the sewer main makes a southeast turn and follows the creek. Mr. Corbitt commented that little emphasis was placed on getting correct easements at that time in history. He said that further complicating this matter is the fact that, due to the age of the area, there have been several replats on which the underground utilities were not picked up and shown on the documents.

Mr. Griffey asked if the house is inhabitable and Ms. Miller said that the house had been torn down and completely removed from the site. Ms. Perryman asked about the issue mentioned in the letter stating that no city funds were available to address this issue. Mr. Corbitt said that matter was discussed in the meeting and there had been correspondence between current and previous Public Works administration over the years. One of the letters stated they would put this problem on the unfunded projects list. The City says they do not nor have they ever owned this culvert. The homeowner's attorney says that since this property is included on the unfunded projects list, it implies ownership. Mr. Corbitt said the list contains approximately \$700 million in unfunded drainage and street projects and a large percentage of those projects involve work on private property, where the City would obtain an easement, upgrade a structure, and take over and maintain it from that point forward.

Mr. Corbitt said the elevation of the manhole at Beechwood and Club limits the possibilities for rerouting the sewer main. He said rerouting this line was considered when a problem arose at a residence three houses down from Beechwood & Club and a viable route could not be found. He mentioned two possible options to alleviate this problem, the first being to encase the existing line and the least viable option would be to install a pump station, which he did not think would be readily accepted by area residents. Mr. Corbitt said that this problem is very prevalent in that area and said there are 600 residences in the area bound on the south by Markham Street, on the west by University, and on the north by the Arkansas River, which have sewer mains running under structures, and that, as problems occur, we try to either reline or relocate the sewer main. Mr. Corbitt stated that he would keep the Sewer Committee informed on this issue.

Mr. Corbitt called attention to the Peak Performance Gold Awards, displayed in the conference room, which were awarded to the Adams Field and Fourche Creek treatment facilities by the National Association of Clean Water Agencies (NACWA) for perfect compliance in 2008. The Sewer Committee commended the efforts of LRW staff in achieving this recognition.

Mr. Griffey asked about appointments to fill the vacancies on the Sewer Committee created by the expiration of Mr. Pender's and Mr. Wintroath's terms. Mr. Corbitt stated that he was not aware of appointments by the Little Rock Board of Directors to fill these vacancies and stated that he thought the matter would be included on the next City Board agenda. He said that the application deadline had expired but he thought the Board may reopen the matter for additional applicants.

There being no other business, and on motion duly made and seconded, the meeting was adjourned.

Respectfully submitted,

Marilyn K. Perryman, Secretary