

STATE OF TEXAS
COUNTY OF CULBERSON
TOWN OF VAN HORN

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**Regular Meeting of the City Council, Town of Van Horn, Tuesday, June 8, 2021 City Hall,
1801 W. Broadway, Van Horn, TX.**

PRESENT:

Mayor Rebecca L. Brewster

Mayor Pro Tem Re-Elect	Lyndon McDonald
Alderman	Michael Garibay
Alderman Re-Elect	Joseph Corrales
Alderman	Nuny Morriss
Alderman Elect	Rene Mendoza, Jr.
City Secretary	Fran Malafronte
Utilities Director	Edward Torres
Asst. Chief Water Operator	Jaime Hudson
City Attorney	Steve Mitchell - Absent

Press: Gilda Morales, Van Horn Advocate online

Staff: Rebecca Mendias, Joe Solis, Grace Dickenson

Visitors: Albert Barragan, Summer Webb, Tata Corrales

INVOCATION and PLEDGE OF ALLEGIANCE

CALL TO ORDER:

Mayor Brewster called the meeting to order at 7:00 p.m. after ascertaining that a quorum was present and that the notice of meeting was posted according to the Texas Government Code Section 551 on Friday, June 4, 2021 at 4:00 p.m.

APPROVAL OF MINUTES:

Ald. Mc Donald made and Ald. Garibay seconded a motion to approve the Regular Minutes of May 25, 2021 with the word Pool corrected on the first page. Motion carried unanimously.

APPROVAL OF FINANCIAL REPORTS:

None.

APPROVAL OF PAYMENT OF CURENT BILLS:

None.

DEPARTMENTAL OPERATIONS:

Edward Torres, Utilities Director addressed the Council. Mr. Torres stated that the Courthouse Well is now up and running. Since the beginning of June through today 15 water leaks have been repaired. Eisenhower Street has a pending leak to a 10" main line. He reported that there were water leaks in the Sierra Blanca line and other lines around town. Mr. Torres noted that even new PVC lines were breaking. Saul

came in to repair the pool however there are still things that are wrong. Lighting in the Pool is now working. Abraham will address issues with the electric and plumbing at the Pool Building. The good news is that everything else at the Pool is operational. Steps with rails for the deep end are still pending. The landfill is OK. The guys were having trouble with the landfill compactor due to the extreme heat. The new trash truck will be going in for service in the morning. The old trash truck will be used in the interim. Regarding the new residential meters, Mr. Torres stated "that because of a lack of workers the installation has not begun yet". The meter installation company is hoping to hire workers in the near future. The VHEDC has purchased canopies for the Pool which includes installation, to be installed sometime in July.

PUBLIC COMMENT:

None.

EXECUTIVE SESSION:

None.

REQUEST FROM CINDY ORNELAS TO HAVE COUNCIL CONSIDER ALLEY CLOSURE LOTS 1 THROUGH 4, BLOCK B, SANTA CRUZ SUBDIVISION, ORDINANCE NO. 21-06-423:

Ald. Garibay made and Ald. Mendoza seconded a motion to approve Ordinance No. 21-06-423 to close the above noted Alley. Motion carried unanimously.

REVIEW/AWARD BID FOR LANDSCAPING/PARKS CONTRACTOR:

Ald. McDonald made and Ald. Morriss seconded a motion to Table this Agenda item. Motion carried unanimously.

REVIEW/APPROVE CONTRACT WITH WINDSTREAM FOR AVAYA PHONES MAINTENANCE CONTRACT FOR \$495.09 TERM: 1 YEAR:

Ald. Corrales made and Ald. McDonald seconded a motion to approve the contract with Windstream for Avaya Phone Maintenance for \$495.09. Motion carried unanimously.

REQUEST FROM JAIME HUDSON, WATER OPERATOR, TO HAVE COUNCIL ACCEPT THE 2020 CONSUMER CONFIDENCE REPORT AND GIVE AUTHORIZATION TO PUBLISH, POST AND DELIVER THE REPORT TO CONSUMERS BY JULY 1, 2021 AS REQUIRED BY TCEQ:

Jaime Hudson, Water Operator addressed the Council regarding the 2020 Water Confidence Report. He stated that all minerals are within acceptable limits. Fluoride is a bit high, but again within normal limits. Lead and copper changed from the previous year and they too are within normal limits. Ald. Corrales made and Ald. Morriss seconded a motion to approve the 2020 Consumer Confidence Report as presented by Jaime Hudson. Motion carried unanimously.

REQUEST FROM JAIME HUDSON, WATER OPERATOR, TO ADDRESS COUNCIL REGARDING THE WATER CONNECTION COUNT AND TO CONSIDER A PROACTIVE APPROACH TO INFRASTRUCTURE WHILE FOLLOWING TCEQ GUIDELINES:

Jaime Hudson, Water Operator addressed the Council regarding the Water Connection Count. He presented the Council with various reports including The TCEQ "Determining Connections and Populations Served for Public Water Systems", The "Hudspeth County TCEQ Investigative Report #1597541", Town of Van Horn Incode Meter Reports and the "2021 Update on Current Water and Wastewater capacities updated June 7, 2021". Mr. Hudson told the Council that there are currently 1,501 Water Connections, 315 Transient Connections for a total of 1,816 Total Connections in Town. Our Overhead Storage is out of Compliance. Our wells are at capacity with everything working. Our Wastewater Systems have a Sludge problem that needs addressing. Attached is the 2021 Update on Current Water and Wastewater

capacities updated June 7, 2021 report compiled by Jaime Hudson which details the current situation of our Water Connection/Wastewater. Council thanked Mr. Hudson for his well-documented report.

Town of Van Horn
2021 Update on current Water and Wastewater capacities
Updated June 7, 2021

CONNECTIONS

The Town of Van Horn owns and operates four groundwater wells and has access to a fifth well. The water system serves approximately 2,000 permanent people with total metered connections of 1,315, with 5 water taps currently outstanding. This includes both active and idle, or not in use, meters. With these metered connections we must also include an additional 10 connections for individuals who have a second mobile home or apartments on their property, being supplied by one meter. In addition to our metered connections, we also must include all apartments as a single connection and all mobile homes as a single connection if they are receiving service from a master meter. Additionally, we have 171 apartments connected to our system which also raises our total connection count per apartment. This breaks down as follows; Housing Authority has 36, Van Horn RV Park's mobile home apartments has 27 units, Historia Apartments has 48 units, and there are an additional 5 units behind the Holiday Inn Express, the Days Inn has 13 apartments in the back, the Taylor has 12 units, the Oasis has 13, and the Sands 17. This does not take into account any of the other hotels that provide weekly or monthly rates, which would then be considered as "extended stay", and need to be counted as well.

In total, we have 1,501 connections that we provide service or have the potential to provide service to and DOES NOT take into consideration the transient population. Between hotels, motels and RV Parks the overnight population can increase dramatically.

We also have one wholesale connection (Hud. Co. Water District) with a reported population of 770 and the detention facility with an ever increasing population, which demands approximately 250 gallons per minute from our distribution system, (**notice pg 6 connection count guidance**)

EQUIPMENT CAPACITIES:

TCEQ Ch. 290.45(b)(1)(D)(i) (Rules for Public Drinking Water) states that a system with 250 or more connections must have a total well capacity to provide 0.6 gallons per minute (gpm) per connection.

Thrift Well pumps 500 gpm max
Courthouse Well pumps 150 gpm max
Sanchez Well pumps 220 gpm max
Airport North Well pumps 680 gpm max
Airport South Well (HCWID) pumps 650 gpm max

Our current well capacity, from the list above, gives us 2200 gpm. However, these numbers are inaccurate because we do not have the ability to pump both Airport Wells into town at the same time. All water at the airport, regardless of which well it was pumped from, must be pumped to town using 1 of 2 boosters located at the Airport Booster Station. Each one of these 2 boosters pumped can provide 650 gpm to town, but only 1 booster can run at a time. Taking this into consideration, the accurate number of actual usable gallons per minute is 1,520.

We can receive 1,520 gallons per minute from our well sites to our shop storage tank, but from this, we must subtract 250 gpm to allow for our contractual obligation to Hudspeth County. This only allows us 1,270 gpm to provide to our customers.

Well gpm added and divided per connection equals 0.84 gpm per connection currently available

This is within TCEQ's requirement of 0.6 gpm, but it is cutting it close.

If the Thrift Well was to go down, our available gpm for distribution would fall to a mere 770 gpm for the town. That only allows us to provide 0.51 gpm per connection, which is below the state requirement. - **Out of Compliance**

If we were to lose the boosters at the Airport GST, our gpm for the town would drop to 0.41. well below the state requirement. - **Out of Compliance**

NOTE A similar situation happened last summer when the Thrift Well went down due to electrical issues. We had to immediately enact our Drought Contingency Plan and the impact was so bad that the first two phases had to be skipped entirely, jumping straight to Phase 3. This included us cutting off anyone trying to access our bulk water and overhead fill station, no outside watering at any time, and businesses such as the laundromat and car wash had to cease operations.

§290.41(b) Water quantity. Sources of supply, both ground and surface, shall have a safe yield capable of supplying the maximum daily demands of the distribution system during extended periods of peak usage and critical hydrologic conditions. The pipelines and pumping capacities to treatment plants or distribution systems shall be adequate for such water delivery. Minimum capacities required are specified in

§290.45 of this title (relating to Minimum Water System Capacity Requirements).

Also, these numbers DO NOT reflect bulk water and rack water sales. Nor does it take into account any water used to irrigate the golf course with the truck, fire protection and compaction at the landfill and water loss due to leaks in the distribution system. According to last year's report, these numbers were minimal in the overall comparison of use, however, the narrower the margin we have to work with, the more every drop counts. We must remember that this water also comes from our overall well production of 1,270 gpm.

TRANSIENT POPULATION

If we were to factor in the transient population that the Town of Van Horn provides potable water to on a daily basis, this would change the scope of things dramatically. Please see connection count guidance pages 8-9 for the following.

If we count RV spaces, this adds an additional 315 connections to our system that we must account for. (A detailed breakdown is available upon request.)

Adding our 315 connections from RV spaces to our regular count of 1,501 gives us a total of **1,816** total connections that we have the potential to serve and must meet requirements if need be.

This total means that our elevated storage is out of compliance by 31,600 gallons. Our well capacity drops to only 0.69 gpm per connection; if everything is running perfectly. This is in compliance but leaves absolutely **NO** room in case something was to happen.

Like earlier, if the Thrift Well were to go down, we would only have 0.42 gpm available. -

Out of compliance

If the Airport Boosters went down, we would only have 0.34 gpm per connection. - **Out of compliance**

The Sanchez Well - 0.57 - **Out of compliance**

The Courthouse Well - 0.61 - Barely above required state minimum.

Again, this DOES NOT reflect the transient population served by overnight hotel stays. Nor does it show the weekly/monthly rental of rooms some or most hotel/motel(s) offer. All hotels are counted as a single connection unless they willingly admit a certain number of rooms are set aside for extended periods.

In preparing this report, some hotels were cooperative in volunteering information, while others were not. As we all know, a certain hotel hosts quite a few National Guards, some house seasonal workers, construction workers, etc.

Each of these extended stay rentals SHOULD be counted but unfortunately no information was provided.

During a phone conference with TCEQ, both Edward and myself were made aware that

when counting connections for a PWS, there is in fact a “gray area”.

As one division of TCEQ, being the Water Supply Division; they will not count transient spaces as individual connections. However, if it is ever determined that a water demand is not being met and an investigation ensues, the Litigation side of TCEQ will, in fact, count individual transient spaces as connections. The reason being is that they are supplied drinking water by the PWS or they have the potential to be supplied drinking water by the PWS.

(Notice TCEQ Investigation Report # 1597541 pg 3)

An area of concern that everyone needs to consider is the following:

IF THERE WAS EVER AN ISSUE WHERE WE COULD NOT PROVIDE SOMEONE OR SOME PLACE WITH ADEQUATE WATER AND A COMPLAINT WAS MADE, BY ANYONE, TO TCEQ, AN INVESTIGATION CAN AND PROBABLY WILL RESULT. THIS IS EXACTLY WHAT HAPPENED WITH HCWID. ONCE THE LITIGATION SIDE OF TCEQ GETS A HOLD OF IT AND INVESTIGATES, THEY WILL COUNT TRANSIENT SPACES, INCLUDING HOTEL/MOTEL ROOMS, (ref HCWID investigation report)

IT ONLY TAKES ONE PERSON TO COMPLAIN, LET US NOT FORGET WHAT HAPPENED WITH OUR OWN GOLF COURSE, LET US LEARN FROM THE PAST, LET US LEARN FROM HCWID. THESE ISSUES ARE LITERALLY HAPPENING ALL AROUND US.

STORAGE

TCEQ Ch. 290.45(b)(1)(D) (ii, iv) also states that a public water system must provide a total storage capacity of 200 gallons per connection, in addition to the 200 gallons of total storage per connection, the PWS must also provide 100 gallons of elevated storage per connection when elevated storage tanks are used.

Airport Ground Storage Tank 428,000 gallons Shop Ground Storage Tank 250,000 gallons
Houston Elevated Tank 50,000 gallons Taylor Elevated Tank 100,000 gallons

Total storage capacity = 828,000 gallons

With our current connection count of 1,816, we would need a total storage of **363,200 gallons**. Which is well within our capabilities.

ELEVATED STORAGE

Our elevated storage is currently being supplied by the Houston Tower and the Taylor Tower. As noted above, the combined elevated storage the Town of Van Horn has is 150,000 gallons. As per TCEQ rules, we are required to have 100 gallons of elevated storage per connection. At our current connection count of 1,816, we should have 181,600 gallons minimum of elevated storage.

We are currently outside of TCEQ's requirements, exceeding our overhead storage by 31,600 gallons.

NOTE: THE LAST TIME THIS PART OF OUR SYSTEM WAS UPDATED WAS IN 1996, WHEN THE TAYLOR TOWER WAS CONSTRUCTED.

TAC TCEQ RULE §290.45 Minimum Water System Capacity Requirements

(D) For more than 250 connections, the system must meet the following requirements:

(i) **two or more wells having a total capacity of 0.6 gpm per connection.** Where an interconnection is provided with another acceptable water system capable of supplying at least 0.35 gpm for each connection in the combined system under emergency conditions, an additional well will not be required as long as the 0.6 gpm per connection requirement is met for each system on an individual basis. Each water system must still meet the storage and pressure maintenance requirements on an individual basis unless the interconnection is permanently open. In this case, the systems' capacities will be rated as though a single system existed;

(ii) **a total storage capacity of 200 gallons per connection;**

(iii) two or more pumps that have a total capacity of 2.0 gpm per connection or that have a total capacity of at least 1,000 gpm and the ability to meet peak hourly demands with the largest pump out of service, whichever is less, at each pump station or pressure plane. For systems which provide an elevated storage capacity of 200 gallons per connection, two service pumps with a minimum combined capacity of 0.6 gpm per connection are required at each pump station or pressure plane. If only wells and elevated storage are provided, service pumps are not required;

(iv) **an elevated storage capacity of 100 gallons per connection** or a pressure tank capacity of 20 gallons per connection. If pressure tanks are used, a maximum capacity of 30,000 gallons is sufficient for up to 2,500 connections. An elevated storage capacity of 100 gallons per connection is required for systems with more than 2,500 connections. Alternate methods of pressure maintenance may be proposed and will be approved if the criteria contained in subsection (g)(5) of this section are met;

WASTE WATER

The Town also operates a wastewater treatment system, as permitted by TCEQ.

The natural treatment system consists of two aeration ponds and two stabilization ponds. The capacity is as follows:

Aeration Pond #1: 172,800 cu.ft. (1,292,544 gallons)

Aeration Pond #2: 190,080 cu.ft. (1,421,798 gallons)

Stabilization Pond #1: 1,263,168 cu.ft. (9,488,496 gallons)

Stabilization Pond #2: 1,171,800 cu.ft. (8,765,064 gallons)

Providing a total gallon capacity of 20,967,902 gallons.

We monitor the influent and effluent flows. The average influent for May, June, and July

(typically high usage months) is around 235,000 gpd. The average effluent for the same months is around 165,00 gpd.

Our permit allows us to discharge up to 0.405 million gallons of treated wastewater per day. According to item number 8 under Operational Requirements in our permit we must initiate engineering and financial planning for expansion and/or upgrading of our wastewater collection system whenever flow measurements reach 75% of the permitted daily average or annual average flow for three consecutive months. Once we hit 90% then we have to obtain necessary authorization from TCEQ to commence construction of the necessary additional facilities.

As of yet we have not hit 75% of the permitted daily average for three consecutive months. We are holding steady at about 35%-40%.

That being said, when there is a sudden, temporary influx in the population, such as RV'ers, the additional wastewater upsets the delicate chemical balance of the lagoon system; causing the monitored parameters to rise above the specified limits within our permit. This puts us in violation of our own permit and risks our system getting flagged by TCEQ.

NOTE: As of March 22, the final 2 stabilization ponds have sludge depths of 13.6" and 10.6" respectively. This put their total sludge volumes at 22% and 22%.

UPDATE-I have been waiting on a definitive answer from Brock & Bustillos regarding the actual design depths of the stabilization ponds, because the percentage of sludge is in direct relationship with the depth of the pond. (The deeper the pond, the lower your percentage; the shallower the pond, the higher your sludge percentage will be.)

June 7, 2021 I received word that based on the engineered design, it appears that both stabilization ponds were meant to operate at a depth of 4 feet, with a high water line (max flow of 405,000 gpd) being 4.5 feet.

With the confirmation of the design depth from the engineers, this does change the percentage of sludge volume.

The first stabilization pond with a sludge depth of 13.66" has a sludge volume of 28%. Which is out of compliance.

The second stabilization pond with a sludge depth of 10.66" has a sludge volume of 22%.

As per our TPDES Permit No. WQ0014241001 (wastewater permit), listed under ‘Other Requirements’ 9(a) on page 38,

“The permittee shall monitor sludge accumulation and water depth in the facultative lagoon

and stabilization ponds... at least once every 3 years to ensure the ponds maintain the design storage volume and provide sufficient volume for sludge accumulation.

Sludge shall be removed within 6 months from the test date if the permittee determines the capacity for sludge storage in the ponds is reduced from the design capacity by more than 25%.”

RENEW EMPLOYEE HEALTH INSURANCE WITH TML FOR PERIOD BEGINNING OCTOBER 1, 2021 THROUGH SEPTEMBER 30, 2022:

Ald. McDonald made and Ald. Morriss seconded a motion to renew the Employee Health Insurance with TML, Option #1 for \$650.12 per month per employee for the period beginning October 1, 2021 through September 30, 2022. Motion carried unanimously.

REQUEST FROM JOE SOLIS, GOLF COURSE, TO DISCUSS GOLF COURSE HOURS OF OPERATION:

Joe Solis, Golf Course addressed the Council. He stated he wanted to change the Golf Course hours from Thurs – Sun: 12 PM to 9 PM to Thurs 10 AM – 9 PM and Fri Sat and Sun 10 AM – 6 PM. Ald. McDonald made and Ald. Morriss seconded a motion to approve the New hours proposed by Joe Solis. Ald. Corrales, Mendoza and Garibay all voted no. Motion failed.

REVIEW/APPROVE QUOTE FROM ZAP’D, I.T. FOR CAMERAS AT SWIMMING POOL, FOR SAFETY PURPOSES:

Ald. Mendoza made and Ald. Corrales seconded a motion to approve the quote from ZAP’D for \$2,937.00 for Security Cameras at the Swimming Pool. Motion carried unanimously.

REVIEW/APPROVE QUOTE FROM WINDSTREAM FOR INTERNET SERVICE AT THE POOL:

Ald. McDonald made and Ald. Morriss seconded a motion to approve the quote from Windstream for \$117.00 per month which includes phone service on a Seasonal Contract. Motion carried unanimously.

REVIEW/APPROVE QUOTE FROM DELCOM TO IMPROVE INTERNET SERVICE AT CITY HALL; INCREASING FROM 5MBPS TO 50MBPS AS RECOMMENDED BY DAVID RIVERA, IT CONSULTANT:

Ald. McDonald made and Ald. Corrales seconded a motion to approve the quote from

Delcom for \$120.00 per month to increase the Mbps to 50. Motion carried unanimously.

REQUEST FROM ALD. CORRALES TO CONSIDER SOLICITING PROPOSALS FOR ENGINEERS FOR VARIOUS PROJECTS:

Ald. McDonald made and Ald. Morriss seconded a motion to Table this Agenda item. Motion carried unanimously.

GRANT PROGRAMS:

No Report given.

REPORTS OF OFFICERS, EMPLOYEES AND COMMITTEES:

No Report given.

ADJOURNMENT:

After no further business, Mayor Brewster adjourned the meeting at 8:50 p.m.

ATTEST:

Rebecca L. Brewster
Mayor

Fran Malafronte
City Secretary