



**NOTICE
GLENPOOL UTILITY SERVICE AUTHORITY
REGULAR MEETING**

A Regular Session of the Glenpool Utility Service Authority will be held at 6:00 p.m. immediately following the Glenpool City Council Meeting on October 5, 2020, at Glenpool City Hall, City Council Chambers, 12205 S. Yukon Ave., 3rd Floor, Glenpool, Oklahoma.

AGENDA

	Page
A) Call to Order - Timothy Lee Fox, Chairman	
B) Roll Call, Declaration of Quorum – Wendy Knight, Secretary; Timothy Lee Fox, Chairman	
C) Public Works Director Report - Rob Werley	
1) GUSA PW report Sept 2020	2 - 3
D) Scheduled Business	
1) Discussion and possible action to approve minutes from September 8, 2020 meeting. (Wendy Knight, Secretary) GUSA - 08 Sep 2020 - Minutes - Html	4 - 5
2) Discussion and presentation of the Engineering Report and Master Planning by Tetra Tech as mandated by the ODEQ Consent Order. No action will be taken. (Lynn Burrow, Community Development Director) 10 05 20 Tetra Tech Presentation	6 - 16
3) Discussion and possible action to approve a quote from Barnhart Excavating for fire hydrant repairs in an amount not to exceed \$27,250.00, to be funded from the approved FY 20/21 Annual Budget under Item No. 02-6-16-6273: Repair and Maintenance, and to authorize the City Manager to execute the same. (Lynn Burrow, Community Development Director) 10 05 20 Fire Hydrant Repair Project	17 - 21
4) Discussion and possible action to approve Fourth Addendum to City Manager Employment Contract, between and among the City Council, the Glenpool Utility Services Authority and David Tillotson for the term July 1, 2020 – June 30, 2024. (Lowell Peterson, City Attorney)	

E) Adjournment

This notice and agenda was posted at Glenpool City Hall, 12205 S. Yukon Ave., Glenpool, Oklahoma, on October 2, 2020, by 4:00 pm.

Signed: Wendy Knight

Secretary



5 October 2020

To: Honorable Chairman and Trustee's, Glenpool Utility Service Authority

From: Rob Werley, Public Works Director

RE: September 2020 Public Works Operations Report

The following information is a summary of the work that is in progress or has been completed by Public Works crews for the month of September:

Wastewater:

- Repairs to level sensor and SCADA communication at Speedy's lift station
- Repaired electrical issues at Hickory lift station
- Had a section of the fence around Eden South lift station replaced
- 7 sewer line backups; 1 due to sensor issue at Speedy's; 1 customer issue; 5 due to sewer main being replaced in Rolling Meadows
- Sewer main in Rolling Meadows has been re-routed and cleanup / landscaping of the site is being completed

Water:

- Meter reading started on the 1st of September and was completed by the 4th of September to include 1 re-read
- Replaced 18 defective registers
- 90 customers were cutoff for non-payment
- 4 blue tags were sent out for non-sufficient funds
- 174 service orders were completed for the Utility Billing Department
- Monthly bac-t samples were taken, all samples passed
- Repairs to PLC screen and SCADA communications to Water booster station
- 244 locates were completed
- Repaired 10 service line / meter leaks
- Repaired 2" water line leak in Glen Pines Trailer Park
- Repaired 4" water line leak at 14615 Waco
- Repaired an 8"X6" 'Tee' leaking at 2900 W 121st (XPO trucking)
- Repaired a 2" leak at Grandview Apartments
- 4 new residential water service taps completed

Parks:

- Daily check of parks, pick up trash and empty trash cans

12205 S. Yukon, Glenpool, OK 74033 OFFICE: 918-322-5409 FAX: 918-209-4641
Mayor Tim Fox, Vice-Mayor Momodou Ceesay, Councilors: Joyce Calvert, Brandon Kearns, and Jacqueline Lund
City Manager David Tillotson, Assistant City Manager Susan White, City Clerk Wendy Knight
www.glenpoolonline.com

- Mow, weed eat at City Parks
- Service and clean mowers and weed eaters
- Prep Black Gold Park for upcoming Black Gold Day festivities
- Haul bleachers, supply orange fencing, trash cans, and barricades for Black Gold Days
- Installed new backboards at Rolling Meadows Park

Streets:

- Mow, weed eat City right of ways
- Service and clean mowers and weed eaters
- Replaced mower decks on both 60" mowers and 72" mowers
- Place out / remove cones and barricades for Glenpool Community Cleanup
- Pothole repair on 146th

Note: Public Works staff manned the Community Clean drop off site at the Glenpool Highschool football field parking lot on Saturday September 26th from 8AM until 2PM. Approximately 37 tons of miscellaneous debris was collected and disposed of.



**MINUTES
GUSA Meeting**

Tuesday, September 8, 2020 Council Chambers 9:00 PM

TRUSTEES PRESENT: Tim Fox
Momodou Ceesay
Brandon Kearns

TRUSTEES ABSENT: Jacqueline Triplett-Lund
Joyce Calvert

STAFF PRESENT: Susan White
Lowell Peterson
Wendy Knight
John Gonsalves
Lynn Burrow
Jim Martin
Rob Werley

STAFF ABSENT: David Tillotson

- A) Call to Order - Timothy Lee Fox, Chairman**
Chairman Fox called the meeting to order at 7:20 p.m.
- B) Roll Call, Declaration of Quorum – Wendy Knight, Secretary; Timothy Lee Fox, Chairman**
Wendy Knight called the roll, Chairman Fox declared a quorum present.
- C) Public Works Director Report - Rob Werley**
[GUSA PW report August 2020](#)
- D) Scheduled Business**
- 1) Discussion and possible action to approve minutes from August 3, 2020 meeting.
(Wendy Knight, Secretary)
- Moved by Brandon Kearns, seconded by Momodou Ceesay
- To approve the minutes as presented.*
- For Against Abstained Absent**

GUSA
September 8, 2020

Tim Fox	x			
Momodou Ceesay	x			
Joyce Calvert				x
Jacqueline Triplett-Lund				x
Brandon Kearns	x			
	3	0	0	2

CARRIED.

[GUSA - 03 Aug 2020 - Minutes - Html](#)

- 2) Discussion and possible action to engage Hinkle & Company, CPA to conduct the fiscal year ending June 30, 2020 Annual Audit.
(Susan White, Asst. City Manager)

Ms. White recommended Board approval of engaging Hinkle & Company, CPA to conduct the fiscal year ending June 30, 2020 Annual Audit.

Moved by Brandon Kearns, seconded by Momodou Ceesay

To engage Hinkle & Company, CPA to conduct the fiscal year ending June 30, 2020 Annual Audit.

	For	Against	Abstained	Absent
Tim Fox	x			
Momodou Ceesay	x			
Joyce Calvert				x
Jacqueline Triplett-Lund				x
Brandon Kearns	x			
	3	0	0	2

CARRIED.

[Staff.Report.Hinkle.Annual.Audit.09.08.20](#)

E) Adjournment

Chairman Fox declared the meeting adjourned at 7:29 p.m.



MEMORANDUM

**TO: CHAIRMAN AND BOARD OF TRSTEEES
GLENPOOL UTILITY SERVICES AUTHORITY**

**FROM: LYNN BURROW, PE
COMMUNITY DEVELOPMENT DIRECTOR**

**RE: TETRA TECH, INC. PRESENTATION
ENGINEERING REPORT and SANITARY SEWER MASTER PLANNING**

DATE: OCTOBER 5, 2020

BACKGROUND

This item covers a presentation by Tetra Tech Consulting Engineers regarding the on-going efforts involved with the City's official response to Oklahoma Department of Environmental Quality (ODEQ) pertaining to the Notice of Violation and resulting Consent Order covering Discharge Permit violations. As the Board recalls, ODEQ issued an official Consent Order in response to listed Discharge Permit violations that had occurred at the Glenpool wastewater treatment facility. The Consent Order mandated the development and submittal of an Engineering Report that covers what the City proposes in order to eliminate the violations and bring the existing facility back into compliance within the water quality standards specified in the current Discharge Permit. Tetra Tech was retained to provide research, conceptual design considerations, and to author an Engineering Report to be issued to ODEQ as mandated in the Consent Order. As part of this effort, Tetra Tech has been commissioned to research and evaluate the current needs of the City from a sanitary sewer collection and treatment processing standpoint as well as to predict future needs resulting from population growth. As part of this effort, they have prepared a presentation for GUSA information, consideration, and any input the Board may have to assist in the completion of the Engineering Report and Master Planning effort to be submitted to ODEQ on or before the December 1st deadline specified in the Consent Order. This is to be a non-action presentation.

Attachments:

1. ODEQ Consent Order

12205 S. Yukon, Glenpool, OK 74033 OFFICE: 918-322-5409 FAX: 918-209-4641
Mayor Tim Fox, Vice-Mayor Momodou Ceesay, Councilors: Joyce Calvert, Brandon Kearns, and Jacqueline Lund
City Manager David Tillotson, Assistant City Manager Susan White, City Clerk Wendy Knight
www.glenpoolonline.com



SCOTT A. THOMPSON
Executive Director

OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY

KEVIN STITT
Governor

May 26, 2020

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Timothy Fox, Chairman
c/o David Tillotson, City Manager
Glenpool Utility Services Authority
P.O. Box 70
Glenpool, Oklahoma 74033-0070



Re: Consent Order 19-289 (Reoffer)
Glenpool Utility Services Authority Wastewater Treatment Facility
Facility No. S-20430
OPDES Permit No. OK0027138
Problem(s): Permit Violation(s); 5-day Biochemical Oxygen Demand Exceeded Permit Limits

Dear Mr. Fox:

The enclosed Consent Order 19-289 requires the Glenpool Utility Services Authority ("Authority") to perform certain tasks to eliminate OPDES Permit violations from its wastewater treatment facility ("WWTF"). The Consent Order establishes Tasks and a schedule to bring the WWTF into compliance with Oklahoma statutes and regulations. This Consent Order also requires the Authority to complete a Supplemental Environmental Project (SEP) to offset an administrative penalty as outlined in Paragraph 18 of this Consent Order.

Please sign and mail the original to me at: Department of Environmental Quality, Water Quality Division, P.O. Box 1677, Oklahoma City, OK 73101-1677. **A file-stamped copy of the signed original will be returned to you.** If this Consent Order is not signed and returned to DEQ within thirty (30) days of receipt, we will pursue other enforcement actions to ensure compliance.

If you have any questions concerning this Consent Order, please contact Elizabeth Denning, E.I., District Representative, Municipal Wastewater Enforcement Section, Water Quality Division, DEQ, at (918) 293-1626 or write to Ms. Denning at the letterhead address.

Sincerely,

Shellie R. Chard, Director
Water Quality Division
Oklahoma Department of Environmental Quality

Enclosure: As stated

707 NORTH ROBINSON, P.O. BOX 1677, OKLAHOMA CITY, OKLAHOMA 73101-1677

printed on recycled paper with soy ink



**OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY
WATER QUALITY DIVISION**

**IN THE MATTER OF:
GLENPOOL UTILITY SERVICES
AUTHORITY,**

RESPONDENT,

CASE NO. 19-289

FACILITY NO. S-20430

PERMIT NO. OK0027138

**PROBLEM(S): Permit Violation(s); 5-day
Biochemical Oxygen Demand
Exceeded Permit Limits**

CONSENT ORDER

The parties to this case, the Oklahoma Department of Environmental Quality ("DEQ") and Glenpool Utility Services Authority ("Respondent") agree to this Consent Order in order to resolve certain environmental compliance issues.

This Consent Order supersedes and closes Notice of Violation No. S-20430-16-1.

FINDINGS OF FACT

1. Respondent owns and operates a publicly owned treatment works ("POTW"), which serves the residents of the City of Glenpool in Tulsa County, Oklahoma. The POTW consists of wastewater collection lines, appurtenances, and an aerated discharging lagoon wastewater treatment facility ("WWTF") located in the SW ¼, NW ¼, Section 11, Township 17 North, Range 12 East of the Indian Meridian, Tulsa County, Oklahoma. The WWTF discharges treated effluent to the Arkansas River pursuant to Oklahoma Pollution Discharge Elimination System (OPDES) Permit No. OK0027138 ("Permit") that DEQ issued to Respondent, and which became effective February 1, 2017.

2. Respondent is required to submit Discharge Monitoring Reports ("DMRs") monthly. Since December 2015, Respondent has reported the following Permit limit violations in its DMRs:

Month	Parameter (Units)	Reported Results	Permit Limits
Dec. 2015	BOD ₅ conc, mo avg (mg/L)	42.4	30
Dec. 2015	BOD ₅ conc, wk avg (mg/L)	50	45

Month	Parameter (Units)	Reported Results	Permit Limits
Dec. 2015	BOD ₅ loading, mo avg (lb/d)	559.83	360
Jan. 2016	BOD ₅ conc, wk avg (mg/L)	53	45
Feb. 2016	BOD ₅ conc, mo avg (mg/L)	36.75	30
Feb. 2016	BOD ₅ conc, wk avg (mg/L)	55	45
Apr. 2016	BOD ₅ conc, wk avg (mg/L)	68	45
Aug. 2016	BOD ₅ conc, mo avg (mg/L)	49	30
Aug. 2016	BOD ₅ conc, wk avg (mg/L)	52	45
Apr. 2017	BOD ₅ conc, mo avg (mg/L)	33.75	30
Apr. 2017	BOD ₅ conc, wk avg (mg/L)	72	45
Dec. 2017	BOD ₅ conc, mo avg (mg/L)	56.25	30
Dec. 2017	BOD ₅ conc, wk avg (mg/L)	82	45
Feb. 2018	BOD ₅ conc, mo avg (mg/L)	70.25	30
Feb. 2018	BOD ₅ conc, wk avg (mg/L)	85	45
Feb. 2018	BOD ₅ loading, mo avg (lb/d)	498.55	360
Mar. 2018	BOD ₅ conc, mo avg (mg/L)	48.75	30
Mar. 2018	BOD ₅ conc, wk avg (mg/L)	78	45
Feb. 2019	BOD ₅ conc, mo avg (mg/L)	48.25	30
Feb. 2019	BOD ₅ conc, wk avg (mg/L)	77	45
Mar. 2019	BOD ₅ conc, mo avg (mg/L)	64.5	30
Mar. 2019	BOD ₅ conc, wk avg (mg/L)	89	45
Mar. 2019	BOD ₅ loading, mo avg (lb/d)	484.79	360
Apr. 2019	BOD ₅ conc, mo avg (mg/L)	33.8	30
Apr. 2019	BOD ₅ conc, wk avg (mg/L)	111	45
Nov. 2019	BOD ₅ conc, mo avg (mg/L)	31.95	30
Nov. 2019	BOD ₅ conc, wk avg (mg/L)	62	45

3. On October 18, 2016, DEQ issued Respondent Notice of Violation (“NOV”) No. S-20430-16-1 for 5-day biochemical oxygen demand (“BOD₅”) Permit limit violations during the December 2015, January 2016, February 2016, April 2016, and August 2016 monitoring periods as reported on monthly Discharge Monitoring Reports (“DMRs”). On October 31, 2016, DEQ received a response to the NOV from Respondent that stated that the violations had occurred as a result of excessive rainfall and equipment failures at the WWTF that had since been corrected.

4. On February 24, 2017, DEQ issued Respondent a letter that stated that the efficacy of Respondent’s corrective actions would be monitored through submittal of the September 2017 DMR. As noted in Paragraph 2 above, Respondent has continued to report Permit limit violations.

5. On January 30, 2018, DEQ issued a letter to Respondent requesting a schedule for performing corrective actions to bring the WWTF into compliance with the Permit. On April 13, 2018, DEQ received a response to the schedule request from Respondent. The response stated that

Respondent believed the violations occurred due to nitrification of samples during the testing process, and proposed that Respondent be allowed to modify its Permit to test for carbonaceous 5-day biochemical oxygen demand (“CBOD₅”) to prevent sample nitrification, following a twelve month study comparing the results of BOD₅ and CBOD₅ analyses on WWTF effluent samples.

6. On August 2, 2019, Toby Harden, E.I., District Representative, Municipal Wastewater Enforcement Section, Water Quality Division, DEQ, spoke with Wes Richter, Public Works Director for Respondent. During this conversation, Mr. Richter stated that CBOD₅ and ammonia samples had been collected and analyzed for approximately one year in conjunction with the Permit-required BOD₅ samples. Preliminary results from Respondent indicate high effluent ammonia concentrations, which may prohibit Respondent from pursuing the Permit modification.

7. On December 16, 2019, Rob Werley, Public Works Director for Respondent, contacted Mr. Harden by email. In the email, Mr. Werley stated that Respondent had begun a recirculation study, and that Respondent had also begun bio-augmentation of the WWTP influent to assist in treatment during winter months.

8. On February 10, 2020, DEQ offered Respondent Consent Order 19-289 (“Order”) that established a schedule for Respondent to submit an approvable engineering report for eliminating the Permit violations outlined above and assessed a penalty. On April 1, 2020, representatives for Respondent and DEQ held a settlement conference call to discuss the assessed penalty and the violations cited in the Order. Respondent was represented by David Tillotson, City Manager; Robert Werley, Public Works Director; Lynn Burrow, P.E., City Engineer/Community Development Director; Lowell Peterson, City Attorney; Josh Paz, P.E., Tetra Tech; and Srin Sundaramoorthy, P.E., S2E. Representing DEQ on the call was Travis Couch, Staff Attorney; Karen Steele, P.E., Engineering Manager, Wastewater Group, Water Quality Division (“WQD”); and Elizabeth Denning, E.I., District Representative, Municipal Wastewater Enforcement Section, WQD. During the conference call, Respondent provided the history and corrective actions that had been taken so far. DEQ agreed to revise the task schedule in Paragraph 17 to extend the due date for Task A. Additionally, DEQ agreed to consider the completion of a Supplemental Environmental Project (“SEP”) to off-set a corresponding portion of the assessed penalty if Respondent submitted an approvable SEP.

9. On April 23, 2020, Ms. Denning received an e-mail from Mr. Paz on behalf of Respondent proposing a SEP consisting of site drainage improvements to minimize standing water and improve overall stormwater conveyance within Kendalwood North Park and Morris Park. The

improvements are estimated to cost ninety-three thousand eight hundred forty dollars (\$93,840.00). Respondent anticipates completing the improvements by July 1, 2021. DEQ has accepted this SEP proposal, and has incorporated it into Paragraph 18, subparagraph (a).

10. Failure to comply with the State statutes and/or rules cited above may result in harm to the environment or health and well-being of the affected public. Discharge permits are designed to protect the water quality of the State, as well as public health and the environment. By exceeding permit limits, Respondent cannot guarantee compliance with Oklahoma's Water Quality Standards. Those parameters and limitations established in Respondent's OPDES Permit were set to ensure that the public and environment are protected from exposure to certain pollutants. Improperly or partially treated sewage can result in oxygen depletion and subsequent injury and/or death of aquatic organisms. Improperly or partially treated sewage can contain pathogens, or disease causing organisms, such as bacteria, viruses, and protozoa. Some of the common diseases that can be transmitted by sewage include bacterial diseases (*E. coli* poisoning, salmonellosis, shigellosis, typhoid, and bacterial dysentery); viral diseases (polio and hepatitis); and protozoal diseases (amoebic dysentery, cryptosporidiosis, and giardiasis).

11. Respondent and DEQ agree that it is beneficial to resolve this matter promptly and by agreement.

12. Respondent and DEQ waive the filing of a petition or other pleading, and Respondent waives the right to a hearing.

CONCLUSIONS OF LAW

13. DEQ has regulatory jurisdiction and authority in this matter, and Respondent is subject to the jurisdiction and authority of DEQ under 27A O.S. § 1-3-101(B), 27A O.S. §§ 2-6-201 through 2-6-206, and 27A O.S. §§ 2-6-401 through 2-6-403.

14. Respondent and DEQ are authorized by 75 O.S. § 309(E) and 27A O.S. § 2-3-506(B) to resolve this matter by agreement.

15. By failing to comply with OPDES Permit limits, Respondent violated **OAC 252:606-3-6**, which states, "Applicants must comply with the terms of the permits that are issued. Permits may contain provisions more stringent than these rules in order to meet Oklahoma Water Quality Standards (OAC 785:45), the Implementation of Oklahoma's Water Quality Standards (OAC 785:46), DEQ Water Quality Standards Implementation Plan (OAC 252:690), and the Water Quality Management Plan."

16. By exceeding Permit limits, Respondent violated **OPDES Permit OK0027138**,

Part I(A), which specifies specific concentrations and loadings of pollutants permissible in effluent from Respondent's WWTP.

ORDER

17. Based on the above paragraphs, Respondent and DEQ agree, and it is ordered by the Executive Director as follows:

Task	Due Date
A. Submit an approvable engineering report ("ER") to DEQ for eliminating Permit limit violations at the WWTF including a schedule for its implementation. If outside funding will be required to implement the report's recommendations, the report shall also comply with the guidelines approved by the Funding Agency Coordinating Team (FACT), which can be obtained on the internet at: https://www.owrb.ok.gov/financing/pdf_fin/fact/engrrpt_swr.pdf	December 1, 2020

18. The Oklahoma Pollutant Discharge Elimination System Act, 27A O.S. §§ 2-6-201 through 2-6-206, authorizes DEQ to seek penalties of up to ten thousand dollars (\$10,000.00) per day of violation, for each day during which a violation of the Act, Permit, associated rules or order continues. Based on the facts and circumstances of this case, DEQ assesses a total penalty of forty-six thousand five hundred dollars (\$46,500.00).

- a. The Parties agree that, in lieu of paying the cash penalty, Respondent will complete the SEP described in Paragraph 9 of this Order. Respondent agrees to complete the construction on the improvements outlined in Paragraph 9 by October 1, 2021. If Respondent fails to complete the SEP by the specified time, forty-six thousand five hundred dollars (\$46,500.00) will become immediately due and payable to DEQ.

All penalty payments shall be by check or money order payable to the Oklahoma Department of Environmental Quality (or ODEQ), showing the Case Number of this Consent Order, and delivered to:

Accounts Receivable
Financial & Human Resources Management
Department of Environmental Quality
P.O. Box 2036
Oklahoma City, OK 73101-2036

19. Respondent agrees that if Respondent fails to complete any of the task(s) by the specified due dates set forth in Paragraph 17 in this Consent Order, DEQ may assess stipulated penalties as follows:

TASK
A.

PENALTY PER DAY
\$140.00

Stipulated penalties begin to accrue on the day performance is due, with the total amount of stipulated penalties not to exceed seventy-five thousand dollars (\$75,000.00). If DEQ notifies Respondent that Respondent is not in compliance with this Consent Order and that stipulated penalties are being assessed, Respondent may request a hearing to contest the finding of noncompliance.

20. If Respondent fails to pay any penalty, DEQ may bring a separate action for collection of the penalty in District Court. An action by DEQ for the collection of a penalty does not affect Respondent's duty to complete the tasks required by this Consent Order.

GENERAL PROVISIONS

21. DEQ has received delegation from the United States Environmental Protection Agency to implement and enforce the Federal NPDES program. A portion of the implementation and enforcement program is to issue timely enforcement actions and impose appropriate penalties. The federal program calls for a significant increase in monetary penalties should this Consent Order be violated or future violations occur.

22. As used in this Consent Order, an "approvable" submission to DEQ is to be considered a final submission. That is, all preliminary discussions between DEQ and Respondent regarding the requirements of a submission must be concluded prior to the date the submission is due so that the submission will be approvable as submitted. If the submission is not submitted in an approvable form by its due date, the submission will be considered late and Respondent will be subject to the stipulated penalties described in this Consent Order.

23. Respondent agrees to perform the requirements of this Consent Order within the time frames specified unless performance is prevented or delayed by events which are a "force majeure." For purposes of this Consent Order, a force majeure event is defined as any event arising from causes beyond the reasonable control of Respondent or Respondent's contractors, subcontractors, or laboratories that delays or prevents the performance of any obligation under this Consent Order. Examples are vandalism, fire, flood, labor disputes or strikes, weather conditions which prevent or seriously impair construction activities, civil disorder or unrest, and "acts of God." Force majeure events do *not* include increased costs of performance of the tasks agreed to in this Consent Order or changed economic circumstances. Respondent must notify DEQ in writing within fifteen (15) days after Respondent knows or should have known of a force majeure event that is expected to cause a delay in achieving compliance with any requirement of this Consent Order. Failure to submit

notification within fifteen (15) days waives the right to claim a force majeure.

24. Respondent and DEQ may amend this Consent Order by mutual consent. Such amendments must be in writing and the effective date of the amendments will be the date on which they are filed by DEQ. Any amendment to this Consent Order may require the payment of an administrative penalty.

25. Upon their approval by DEQ, any final reports, plans, specifications, schedules, and attachments required under this Consent Order are incorporated into it and enforceable under it. Failure to respond within a reasonable time to any errors, deficiencies, or other regulatory requirements identified by DEQ is a violation of this Consent Order.

26. No informal advice, guidance, suggestions, or comments by employees of DEQ regarding reports, plans, specifications, schedules, and other writings affect Respondent's obligation to obtain written approval by DEQ, when required by this Consent Order.

27. Respondent agrees to allow agents of DEQ entry onto Respondent's property, at reasonable times and without advance notice, for the purposes of inspecting, sampling, testing, reviewing records, and other authorized activities to assess compliance with Oklahoma statutes and rules and this Consent Order. If Respondent is required to sample or test, Respondent agrees to give DEQ reasonable notice of the sampling or testing date and time, and allow DEQ to observe and/or split-sample.

28. Unless otherwise specified, any report, notice, or other communication required under this Consent Order must be in writing and must be sent to:

For DEQ:

Elizabeth Denning, E.I., District Representative
Municipal Wastewater Enforcement Section
Water Quality Division
Department of Environmental Quality
P.O. Box 1677
Oklahoma City, Oklahoma 73101-1677

For Respondent:

Timothy Fox, Chairman
Glenpool Utility Services Authority
P.O. Box 70
Glenpool, Oklahoma 74033-0070

29. This Consent Order is enforceable as a final order of the Executive Director of DEQ. DEQ retains jurisdiction of this matter for the purposes of interpreting, implementing, and enforcing the terms and conditions of this Consent Order and for the purpose of resolving disputes.

30. Nothing in this Consent Order limits DEQ's right to take enforcement action for violations discovered or occurring after the effective date of this Consent Order.

31. Nothing in this Consent Order excuses Respondent from its obligation to comply with all applicable federal, state and local statutes, rules, and ordinances. Respondent and DEQ agree that the provisions of this Consent Order are considered severable, and if a court of competent jurisdiction finds any provisions to be unenforceable because they are inconsistent with state or federal law, the remaining provisions will remain in full effect.

32. The provisions of this Consent Order apply to and bind Respondent and DEQ and their officers, officials, directors, employees, agents, successors, and assigns. No change in the ownership or corporate status of Respondent will affect Respondent's responsibilities under this Consent Order.

33. Compliance with the terms and conditions of this Consent Order fully satisfies Respondent's liability to DEQ for all items of noncompliance in this Consent Order. If Respondent satisfies the requirements of this Consent Order, DEQ will not pursue any other remedy, sanction, or relief that might otherwise be available to address the issues of noncompliance in this Consent Order. Nothing in this Consent Order shall be deemed to satisfy Respondent's liability, if any, for actions or remedies not within the scope of authority of DEQ.

34. This Consent Order is for the purpose of settlement. Neither the fact that Respondent and DEQ have agreed to this Consent Order, nor the Findings of Fact and Conclusions of Law in it, shall be used for any purpose in any proceeding except the enforcement by Respondent and DEQ of this Consent Order and, if applicable, a future determination by DEQ of eligibility for licensing or permitting. As to others who are not parties to this Consent Order, nothing contained in this Consent Order is an admission by Respondent of the Findings of Fact or Conclusions of Law, and this Consent Order is not an admission by Respondent of liability for conditions at or near the facility and is not a waiver of any right, cause of action, or defense Respondent otherwise has.

35. Respondent and DEQ agree that the venue of any action in district court for the purposes of interpreting, implementing, and enforcing this Consent Order will be Oklahoma County, Oklahoma.

36. The requirements of this Consent Order will be considered satisfied and this Consent Order terminated when Respondent receives written notice from DEQ that Respondent has demonstrated that all the terms of the Consent Order have been completed to the satisfaction of DEQ, and that any assessed penalty has been paid.

37. The individuals signing this Consent Order certify that they are authorized to sign it and to legally bind the parties they represent.

38. This Consent Order becomes effective on the date of the later of the two signatures below.

**FOR GLENPOOL UTILITY SERVICES
AUTHORITY:**



**TIMOTHY FOX
CHAIRMAN**

6-15-2020
DATE

**FOR OKLAHOMA DEPARTMENT
OF ENVIRONMENTAL QUALITY:**

SCOTT A. THOMPSON
EXECUTIVE DIRECTOR

DATE





MEMORANDUM

TO: CHAIRMAN AND BOARD OF TRUSTEES
GLENPOOL UTILITY SERVICES AUTHORITY

FROM: LYNN BURROW, PE
COMMUNITY DEVELOPMENT DIRECTOR

RE: REVIEW AND APPROVAL: FIRE HYDRANT REPAIR SERVICES

DATE: OCTOBER 5, 2020

BACKGROUND

This item is for Board review and approval regarding a proposal solicited and received from Bret Barnhart Excavating Company in the total amount of \$27,250.00. As specified, the proposal covers the various equipment and parts necessary for the replacement of three existing gate valves, one fire hydrant assembly, and miscellaneous parts and restoration materials located in Kendalwood Addition as illustrated on the attached area mapping. The three valves and fire hydrant involved with this replacement were originally installed in the early 1980's and therefore have been in service approximately thirty-five (35) years. It should be noted that all of the existing hydrants within the Kendalwood Additions were originally installed without mainline or branch line valving that is necessary to isolate defective hydrants without shutting off service to a significant number of residences in the vicinity of any particular hydrant. As noted in the proposal, the major cost involved with this replacement is due to the need for a specialty type valve to be spliced into the existing mainline servicing this particular hydrant. It should be noted that the installation of this type of mainline valve is now the current standard method being used on all new waterline installations within the City.

Staff Recommendation:

Staff has reviewed the attached proposal from Barnhart Excavating and recommends Board approval for the purchase and installation of replacement equipment as specified for the total cost not to exceed \$27,250.00. Staff also recommends authorization be given the City Manager to execute the proposal on behalf of the GUSA Board and to authorize funding from the approved FY 2020/2021 Annual Budget under Item No. 02-6-16-6273: Repair and Maintenance.

Attachments:

- A. Proposal from Barnhart Excavating Company
- B. Project Vicinity Map



PROPOSAL

Proposal For:
City of Glenpool

Date:
09/29/2020

JOB	ESTIMATE NUMBER	ESTIMATOR
CITY OF GLENPOOL KENDALWOOD REPAIRS	20-145	

BIDITEM CODE	DESCRIPTION	QUAN	UNIT	UNIT PRICE	EXT PRICE
10	EQUIPMENT AND LABOR	1.000	LS	\$11,500.00	\$11,500.00
	MATERIALS				
	• 6" EZ VALVE				
	• 3 – 6" Gate Valves				
	• 1 Fire Hydrant				
20	• Valve boxes	1.000	LS	\$15,750.00	\$15,750.00
	• 3 – Solid Sleeves				
	• 1 – Tee				
	• Sod for damaged areas				
	• Concrete for kickers and sidewalk replacement				
TOTAL:					\$27,250.00

GENERAL NOTES:

1. No Permits, Deposits, Bonds, Fees of any kind (Bond Rate determined per job).
2. No De-Watering of any kind.
3. No Construction Staking, Compaction Testing or Field Layout of any kind.
4. Contractor shall notify Subcontractor in writing within 5 (five) working days of a move in and commence of his work for each phase.
5. Any delays due to mistakes in plans or Engineer's staking will be charged to the Owner.
6. Payment shall be made in a timely manner. Progress Billing will be submitted to the Owner by the 25th of the month and must be paid by the 15th day following.
All late payments will be subject to interest charges at the rate of 18% per annual compounded monthly.
7. If excessive rock is found and additional equipment is needed, there will be an hourly charge for any and all equipment, operators, and material needed to remove rock. Any and all added cost associated with the removal of the rock will be charged to the Customer. Customer will be notified before any additional costs are charged.

EXCLUSIONS:

1. Layout of building corners (survey).
2. Establishment of bench-mark for reference purpose.
3. Time delays caused by inclement weather.
4. Soil compaction test.
5. Sod or seeding.
6. Saw cutting street or street repairs.

FUEL CONTINGENCY:

Due to the rising cost of fuel, prices listed
are only good for one week after bid date.
Prices may vary according to current fuel prices.



Legend

- FH
- GV
- TANK
- Water Lines
- Subdivisions
- Parcels
- Highways
- Streets



1 inch = 149 feet

