

NOTICE: On Thursday, February 15, 2024, at or before 4:59 p.m., agenda was posted at the front doors of City Hall, on the bulletin board in the lobby of City Hall, and on the City of Bethany website: cityofbethany.org. The City of Bethany encourages participation from all its citizens. If participation at any public meeting is not possible due to a disability, notification to the City Clerk at least 48 hours prior to the scheduled meeting is encouraged to make the necessary accommodations. The City may waive the 48-hour rule if signing is not the necessary accommodation.

**BETHANY CITY COUNCIL MEETING**

**BETHANY CITY HALL**

**TUESDAY, FEBRUARY 20, 2024**

**6:30 P.M.**

<b>MEMBERS PRESENT:</b>	Nikki Lloyd	Mayor
	Jeff Knapp	Vice- Mayor
	Chris Powell	Council Member
	Brian Magirowsky	Council Member
	Marilyn McPhail	Council Member
	Kathy Larsen	Council Member
	Ken Smart	Council Member
	Peter Plank	Council Member
	Steve Palmer	Council Member

**MEMBERS ABSENT:** None

<b>OTHERS PRESENT:</b>	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Sean Cowan	Cowan Engineering
	Jon Wolff	Municipal Finance
	Michael Taylor	Cowan Engineering
	Larry Schuyver	Purple Heart State Commander
	Mitch Reed	Purple Heart Senior Vice-Commander
	(See Roster)	

**ITEM NO. 1** on the agenda Mayor **CALL TO ORDER.**

Mayor Lloyd called the Bethany City Council meeting to order at 6:30 P.M.

**ITEM NO. 2** on the agenda was **INVOCATION AND FLAG SALUTE.**

The Invocation was given by Council Member Plank.

The Flag Salute was conducted by Council Member Plank.

**ITEM NO. 3** on the agenda was **CONSENT DOCKET:**

- A. APPROVAL OF MINUTES FROM FEBRUARY 6, 2024, REGULAR MEETING.**
- B. APPROVAL OF CLAIMS: THESE CLAIMS HAVE BEEN FOUND TO BE IN ORDER BY STAFF AND PROPER AS TO FORM AND PROCEDURE AND ARE RECOMMENDED FOR PAYMENT. A COPY OF THE CLAIMS.**
- C. APPROVAL OF BUDGET AMENDMENT 24-12.**

Council Member McPhail had questions concerning revenues and vendors.

Motion was made by Council Member Magirowsky, seconded by Council Member Plank to approve the consent docket. Yes votes: Plank, Lloyd, Larsen, Magirowsky, Smart, Powell, Knapp, Palmer, McPhail. No votes: None. Motion approved.

**ITEM NO. 4** on the agenda was **MAYORAL PROCLAMATION DECLARING THE CITY OF BETHANY A PURPLE HEART CITY.**

Mitch Reed, Senior Vice- Commander, Master Chief Larry Van Schuyver, State Commander, of the Military Order of the Purple Heart, joined by Bill Rocke accepted the Proclamation declaring the City of Bethany a Purple Heart City.

Mr. Reed presented the Military Order of Purple Heart Special Recognition Award to The City of Bethany for their dedication and support honoring America's combat wounded veterans becoming a Purple Heart City. This was presented on behalf of the Patriot Members of the Department of Oklahoma, Military Order of the Purple Heart USA.

**ITEM NO. 5** on the agenda was **PUBLIC COMMENT - ANY PERSON WISHING TO ADDRESS THE COUNCIL DURING PUBLIC COMMENT SHALL GIVE THEIR NAME, ADDRESS, AND CITY OF RESIDENCE TO THE CITY CLERK FOR THE RECORDS PRIOR TO THE START OF THE MEETING. (PER CHAPTER 30 OF THE BETHANY CODE OF ORDINANCES, THERE IS A FIVE-MINUTE LIMIT, AND NO ACTION OR DISCUSSION SHALL TAKE PLACE. ALL REMARKS SHALL BE ADDRESSED TO THE COUNCIL AS A BODY, AND NOT TO ANY MEMBER THEREOF.**

Michele Stivers- 8308 NW 25<sup>th</sup> St. – Thanks to council.  
Stacy Gholson- 3810 N. Redmond Ave.- Thanks to council.

**ITEM NO. 6** on the agenda was **PROPOSED EXECUTIVE SESSION: CONSIDERATION, FOR CONFIDENTIAL COMMUNICATIONS BETWEEN CITY COUNCIL, CITY ATTORNEY AND MATT SILL PURSUANT TO 25 O.S. § 307 (B) (4) CONCERNING THE MATTER PENDING IN DISCUSSION AND POSSIBLE ACTION TO ENTER INTO EXECUTIVE SESSION THE UNITED STATES DISTRICT COURT OF SOUTH CAROLINA, CASE MDL NO. 2873, FOR DISCUSSION OF LITIGATION ON BEHALF OF THE CITY OF BETHANY AGAINST MANUFACTURERS OF AQUEOUS FILM-FORMING FOAM AND OTHER “FOREVER” CHEMICALS FOR CONTAMINATION OF WATER AND DISCUSSION OF DUPONT AND 3M SETTLEMENTS UNDER ADVICE OF CITY ATTORNEY THAT DISCLOSURE WILL SERIOUSLY IMPAIR THE ABILITY OF THE CITY COUNCIL TO CONDUCT LITIGATION IN THE PUBLIC INTEREST. (RAY JONES, CITY ATTORNEY)**

**ITEM NO. 7** on the agenda was **PROPOSED EXECUTIVE SESSION: CONSIDERATION, DISCUSSION AND POSSIBLE ACTION TO ENTER INTO EXECUTIVE SESSION FOR CONFIDENTIAL COMMUNICATIONS BETWEEN CITY COUNCIL AND CITY ATTORNEY PURSUANT TO 25 O.S. § 307 (B) (4) CONCERNING THE MATTER PENDING IN THE DISTRICT COURT OF OKLAHOMA COUNTY, STATE OF OKLAHOMA, CASE NO. CJ- 2023-2817 COAST-TO-COAST MOTORS V. CITY OF BETHANY FOR DISCUSSION OF LITIGATION ON BEHALF OF THE CITY OF BETHANY UNDER ADVICE OF CITY ATTORNEY THAT DISCLOSURE WILL SERIOUSLY IMPAIR THE ABILITY OF THE CITY COUNCIL TO CONDUCT LITIGATION IN THE PUBLIC INTEREST. (RAY JONES, CITY ATTORNEY)**

**ITEM NO. 8** on the agenda was **PROPOSED EXECUTIVE SESSION: CONSIDERATION, DISCUSSION AND POSSIBLE ACTION TO ENTER INTO EXECUTIVE SESSION FOR CONFIDENTIAL COMMUNICATIONS BETWEEN CITY COUNCIL AND CITY ATTORNEY PURSUANT TO 25 O.S. § 307 (B) (4) CONCERNING THE MEDIATION OF CITY OF BETHANY V. LEVEL UP FOUNDATION REPAIR, LLC, CJ-2021-4487 CONSOLIDATED WITH HANNAY V. CITY OF BETHANY CJ-2021-4950, WITH THE ADVICE OF ITS ATTORNEY, DETERMINES THAT DISCLOSURE WILL SERIOUSLY IMPAIR THE ABILITY OF THE PUBLIC BODY TO PROCESS THE CLAIM OR CONDUCT A PENDING INVESTIGATION, LITIGATION, OR PROCEEDING IN THE PUBLIC INTEREST. (RAY JONES, CITY ATTORNEY)**

**A. ENTER EXECUTIVE SESSION ON ITEMS 6-8**

Motion was made by Council Member Magirowsky, seconded by Council Member Knapp to enter executive session at 6:46 p.m. Yes votes: Smart, Lloyd, Powell, McPhail, Magirowsky, Palmer, Plank, Knapp, Larsen. No votes: None. Motion approved.

**B. EXIT EXECUTIVE SESSION ON ITEMS 6-8.**

Motion was made by Council Member Magirowsky, seconded by Council Member Plank to exit executive session at 7:52 p.m. Yes votes: Powell, Plank, Magirowsky, Smart, Palmer, McPhail, Lloyd, Larsen, Knapp. No votes: None. Motion approved.

**C. CONSIDERATION AND POSSIBLE ACTION ON JOINING DUPONT AND 3M SETTLEMENTS, WHICH WERE DISCUSSED IN EXECUTIVE SESSION REGARDING AQUEOUS FILM-FORMING FOAM LITIGATION.**

Attorney Jones has a proposed Resolution to withdraw the request for exclusion from the aqueous film forming foam product liability litigation, NDL, 2873. After being advised by council of the terms and conditions of the 3M and Dupont nationwide class action settlements, the City of Bethany agrees to participate in the settlement and be bound by the terms and conditions and request that the city's attorneys withdraw the previously submitted request for exclusion. A motion was made by Council Member Palmer, seconded by Council Member Larsen to approve the Resolution. Yes votes: Knapp, Lloyd, Palmer, Larsen, Plank, Powell, Smart, McPhail, Magirowsky. No votes: None. Motion approved.

**D. CONSIDERATION AND POSSIBLE ACTION ON THE SETTLEMENT AGREEMENT IN THE HANNAY/LEVEL UP FOUNDATION, REPAIR LITIGATION.**

Motion was made by Council Member Palmer, seconded by Council Member Larsen to approve the settlement agreement in the Hannay/Level Up Foundation, Repair litigation. Yes votes: Plank, Larsen, Palmer, Lloyd, Knapp, Magirowsky, McPhail, Smart, Powell. No votes: None. Motion approved.

**ITEM NO. 9** on the agenda was **CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE NO. 2054, AN ORDINANCE ADDING SECTION 158.045 TO THE BETHANY CODE OF ORDINANCES PROVIDING FOR THE REGULATION OF SHORT-TERM RENTAL PROPERTIES IN THE CITY OF BETHANY PROVIDING FOR DEFINITIONS, PERMITTING PROCESS, AND OPERATIONAL REQUIREMENTS.**

- A. PRESENTATION BY STAFF AND/OR INTERESTED PARTY.**
- B. CONSIDERATION AND POSSIBLE APPROVAL OF ORDINANCE NO. 2054, ON READING BY TITLE ONLY.**
- C. MOTION TO APPROVAL SECTIONS 1-2 OF ORDINANCE NO. 2054.**

A motion was made by Council Member Palmer, seconded by Council Member Smart to approve Ordinance 2054, on reading by Title Only and

Sections 1-2 (B and C). Yes votes: Knapp, Larsen, Magirowsky, McPhail, Lloyd, Plank, Powell, Smart, Palmer. No votes: None. Motion approved.

**ITEM NO. 10** on the agenda was **DISCUSSION AND POSSIBLE ACTION TO DIRECT THE PREPARATION OF AN ORDINANCE TO PERMIT THE SUBMISSION OF A PETITION FOR CANDIDACY FOR MUNICIPAL ELECTIVE OFFICE IN LIEU OF SUBMITTING A FILING FEE. (CHRIS POWELL, COUNCIL MEMBER)**

Council Member Powell stated this creates the option of a petition in lieu of a filing fee. This models after the state form. The county election board would verify the form and the number of signatures. The petition requires at least 50 signatures.

Council Member Palmer asked about the cost to verify the validity of the signatures on the petition and if it would cost more than the \$50.00 filing fee. Council Member Powell stated another candidate would have to challenge the validity of signatures. The county election board does not validate the signatures.

Council Member Palmer made a motion to approve. Attorney Jones called point of order advising council that our ordinances states that ordinances and resolutions should be presented to council by the attorney.

Motion was made by Council Member Palmer, seconded by Council Member Plank to direct the city attorney to prepare an ordinance for presentation at the next meeting. Yes votes: Smart, McPhail, Lloyd, Palmer, Plank, Powell, Knapp, Magirowsky. No votes: Larsen. Motion approved.

**ITEM NO. 11** on the agenda was **BLUFF CREEK WASTEWATER TREATMENT PLANT ENGINEERING REPORT BY COWAN GROUP ENGINEERING. (ELIZABETH GRAY, CITY MANAGER)**

**A. PRESENTATION OF REPORT.**

Sean Fairbairn with Cowan Engineering presented the report. There were 3 alternatives presented along with the cost for each one. Cowan Engineering's recommendation is to move forward with Alternate 1, which provides for the improvements to meet the ODEQ standards. These improvements have an estimated useful life of 29 years, and it is the most feasible option that stays within the project budget of 30 million. The 30 million is for phase 1. This report is included as Exhibit "A".

**B. POSSIBLE DISCUSSION.**

A motion was made by Council Member Palmer, seconded by Council Member McPhail to suspend the rules for discussion. Yes votes: McPhail,

Palmer, Powell. No votes: Magirowsky, Larsen, Smart, Plank, Knapp, Lloyd.  
Motion failed.

Confirmation was given that the loan would be to the Bethany- Warr Acres Public Works Authority and not to the City of Bethany. The plant is presently not in compliance with ODEQ. The 5,000,000.00 loan will bring us into compliance with the discharge not in compliance as far as certain structures. Engineer Fairbairn reported that the plant hopes to be in discharge compliance by mid-April. Engineer Fairbairn reported that the plant could not stay in compliance with the updates from the 5,000,000.00 loan. Improvements need to be made to the headworks with the new bar screen and grit removal. Without these improvements we risk losing blowers, pumps, valves, and all of the investment that has been made could be lost. The most critical that is being worked on presently is the SBR's and next are the filters.

Cowan Engineering reported that the City of Bethany on a dry day runs approximately 3.5 to 4 million gallons of water through the sewer treatment plant. Two thirds are roughly Bethany and one third is Warr Acres flowing into the plant to be processed.

Mr. Fairbairn informed the council that Alternate 2 (a completely new plant) has a life span of approximately 30 to 35 years.

The engineering report is due to ODEQ by January 1, 2025.

**ITEM NO. 12 on the agenda was CONSIDERATION, DISCUSSION, AND POSSIBLE ADOPTION OF RESOLUTION NO. 1688, A RESOLUTION OF THE CITY OF BETHANY, OKLAHOMA (THE "CITY") APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE BETHANY-WARR ACRES PUBLIC WORKS AUTHORITY THE "AUTHORITY") AUTHORIZING ISSUANCE, SALE AND DELIVERY OF A PROMISSORY NOTE OF THE AUTHORITY TO THE OKLAHOMA WATER RESOURCES BOARD: APPROVING AND AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY AN AGREEMENT WITH THE AUTHORITY, AND APPROVING ACTION TAKEN BY THE BETHANY PUBLIC WORKS AUTHORITY APPROVING SUCH AGREEMENT, WHICH AGREEMENT WILL SERVE AS PART OF THE SECURITY FOR A LOAN FROM THE OKLAHOMA WATER RESOURCES BOARD FOR THE PURPOSE OF FINANCING CERTAIN WASTEWATER SYSTEM IMPROVEMENTS; AND CONTAINING OTHER PROVISIONS RELATED THERETO. (ELIZABETH GRAY, CITY MANAGER)**

There was much discussion with the most concern being that the city attorney has not fully reviewed the documents.

Council Member Smart offered an amendment to the motion to have our city attorney look at this contract and come back with a recommendation for the council.

Council Member Larsen stated, “our motion stands”.

A motion was made by Council Member Larsen, seconded by Council Member Magirowsky to approve Resolution No. 1688. Yes votes: Lloyd, Magirowsky, Knapp, Larsen. No votes: Plank, Powell, McPhail, Palmer, Smart. Motion failed.

**ITEM NO. 13 on the agenda was DISCUSSION AND POSSIBLE ACTION ON POLICY FOR ESTIMATING WATER METER USAGE AND BILLING SCHEDULE FOR UTILITY CUSTOMERS. (MARILYN MCPHAIL, COUNCIL MEMBER)**

Council Member McPhail pointed out that bills have been estimated and there is nothing in the ordinances that says that we can be estimating water meter usage. She also stated that Houston and Dallas have ordinances that states they can estimate water meter usage for 30, 60, 90 days, or whatever period of time. Constituents are upset that their bill is not their real bill. Council Member McPhail suggests that the citizens read their own meters on a certain day every month and turn that reading in online so that they don't have estimated bills, or something put in place so that people aren't getting estimated bills. If the citizen is not reading correctly then the next month this can be corrected with the right meter number and a correct bill issued.

City Attorney Jones said there is a provision that permits estimation in certain situations. Attorney Jones did state that it would be a good idea to have a policy or maybe build into an ordinance to set forth perimeters for estimating water meter usage.

Attorney Jones stated that he does not think it is a good idea to have customers reading meters and reporting their usage to the city. There can be problems with misreading and overall, not a good administrative way to approach the issue.

City Manager Gray informed the council that there is an informal policy of not estimating the bills for more than 2 months. On the bill there is an “e” beside the usage that shows that your bill has been estimated. City Manager Gray informed the council that we have trouble retaining meter readers due to the weather elements and its physical requirements.

Council Palmer brings up the issue of the length of time that it is taking customers to receive their bills. He also would like the customers to have more notice when the bills are being estimated. He states, “we need an ordinance that staff would have to comply with”.

Finance Director Michael Vaughn informed council that the bill would have an “e” beside the meter reading if the software automatically generated your estimated reading. We only estimate meters if they are obscured or if we have a staff shortage. The meter reader or readers will read as many as possible in the week which would be approximately 1700 meters for that zone and the remainder of those not read would be estimated. We had a period of 2 months where we had one meter reader who had to take a lot of time off

and the second reader was not trained so we could not get all the meters read. The extreme readings are usually due to a leak. We have payment contracts and leak adjustments to help in the cases.

A motion was made by Council Member Palmer, seconded by Council Member McPhail to have the city attorney prepare a policy regarding estimating water meter usage and billing schedules for utility customers. Yes votes: Palmer. No votes: Larsen, Smart, Knapp, Lloyd, Magirowsky, Plank, Powell, McPhail. Motion failed.

**ITEM NO. 14** on the agenda was **NEW BUSINESS (AS DEFINED BY THE OKLAHOMA OPEN MEETING ACT § 311 (A) (9) AS “MATTERS NOT KNOWN ABOUT OR WHICH COULD NOT HAVE REASONABLY BEEN FORESEEN PRIOR TO THE TIME OF POSTING THE AGENDA”)**.

Council Member Larsen petitioned to reopen discussion on Item 12 on the agenda. She states this is very serious. We do not know if interest rates will stay where they are. We have been cited by ODEQ and we do not have an option not to move forward. We have to provide this service for our citizens. It is costing us daily with fines and expenses. We must make right what has gone wrong. Can we hear the repercussions of not taking action tonight and if you would reconsider as a council?

A motion was made by Council Member Larsen, seconded by Council Member Magirowsky to reconsider Item 12 on the agenda.

Council Member Magirowsky began to speak, and Council Member Palmer called for a point of order stating that comments not be made after the motion was made.

A motion was made by Council Member Larsen, seconded by Council Member Magirowsky to reconsider Item 12 on the agenda. Yes votes: Larsen, Plank, Lloyd, Magirowsky, Knapp. No votes: Palmer, McPhail, Smart, Powell. Motion approved.

Council Member Plank reminded the council that there was an amendment offered to amend the motion that was on the floor to have Ray Jones, our city attorney, review the contract, add the language in the contract concerning alternate one, phase one. The contract would have verbiage in it specifically defining what was to be approved. The municipal agreement that was motioned and seconded had no dollar amount nor had it been reviewed by the city attorney.

Mr. Wolff with Municipal Finance stated that the next best thing is to come back at the next meeting to address with blanks filled in, simplify this and then address it at that point and time to bring back for consideration.

A motion was made by Council Member Palmer seconded by Council Member Smart to deny Item 12 and to put it as an agenda item on the council meeting with an amendment that it will be discussed and provided on the next March 5, 2024, council

meeting. Specific instructions to our city attorney to review the contract and make a recommendation at that time. Yes votes: Smart, McPhail, Lloyd, Palmer, Plank, Powell, Knapp, Magirowsky. No votes: Larsen. Motion approved.

**ITEM NO. 15** on the agenda was the **CITY ATTORNEY'S REPORT.**

City Attorney Jones gave an overview of the projects he has been working on these past two weeks.

**ITEM NO. 16** on the agenda was the **CITY MANAGER'S REPORT.**

Michael Vaughn presented the financial report.

Bulk waste pickup is April 8th and will begin on the north side.

April 11<sup>th</sup> will be the Budget Fair.

April 13<sup>th</sup> - Pets at the Park

May 18<sup>th</sup> - Kite Festival

July 4<sup>th</sup> - Bethany Boom

**ITEM NO. 17** on the agenda was **COUNCIL MEMBERS' ANNOUNCEMENTS, COMMENTS, AND PROPOSALS.**

Each Council Member was given the opportunity to comment.

**ITEM NO. 18** on the agenda was **ADJOURN UNTIL MARCH 5, 2024.**

Mayor Lloyd adjourned the Bethany City Council meeting at 10:06 P.M.

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MAYOR

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CITY CLERK



# BETHANY - WARR ACRES PUBLIC WORKS AUTHORITY *BLUFF CREEK WASTEWATER TREATMENT PLANT*

## WWTP EVALUATION & ENGINEERING REPORT

FEBRUARY 20, 2024

# Presentation Overview

- ✓ Scope of Services
- ✓ Existing Facility & Project Need
- ✓ Alternative Evaluation
- ✓ Opinion of Probable Costs
- ✓ WWTP Current Status
- ✓ Recommendation
- ✓ Plan of Action
- ✓ Q & A





# Scope of Services

- ✓ Planning & Data Gathering
- ✓ Condition Assessment
- ✓ Hydraulic Review
- ✓ Alternative Evaluation
- ✓ Engineering Report
  - ✓ Recommendations
  - ✓ Opinion of Probable Construction Costs





# Existing Facility & Project Need

- ✓ Original Plant in 1979
- ✓ Current Plant in 1993
  - ✓ Sequence Batch Reactors – Treatment Process
  - ✓ New headworks & pump station facility
  - ✓ Grit handling building
  - ✓ Filters
  - ✓ Chlorine contact & post aeration basins
  - ✓ Flow measurement & cascade aerator at discharge point
  - ✓ Sludge holding basin & sludge processing building
  - ✓ Converted existing aeration system to aerobic digesters
  - ✓ Excess flow and emergency holding basin
- ✓ Additional Sludge Storage in 2004



# Existing Facility & Project Need





# Existing Facility & Project Need

- ✓ Notice of Violations (NOV)
- ✓ Consent Orders (CO)
- ✓ Administrative Compliance Orders (ACO)
- ✓ Compliance Evaluation Inspection (CEI) reports
  - ✓ Violations / Deficiencies
- ✓ Neglect of Regular Operation & Maintenance
- ✓ Failure of Response / Communication with ODEQ
- ✓ Unpermitted Discharges due to WWTP failures
- ✓ BWA PWA Order to Comply with CO 23-296



# Existing Facility & Project Need

- ✓ **Growth Capacity & Wastewater Flows**
  - ✓ Minimal projected population growth
  - ✓ Permitted WWTP Capacity (4.55 MGD)
  - ✓ No Capacity Expansion Required
  
- ✓ **Evaluation of Treatment Processes:**
  - ✓ **Primary Treatment System**
    - ✓ Headworks – Bar Screens, Grit Removal, Pump Station
    - ✓ Flow Equalization Basins

# Existing Facility & Project Need

- ✓ **Evaluation of Treatment Processes:**
  - ✓ **Secondary Treatment System**
    - ✓ Sequence Batch Reactors
      - ✓ Aeration, Motive Pumps, Decanters
    - ✓ Filters
  - ✓ **Effluent Disinfection System**
    - ✓ Chlorination / Dechlorination
    - ✓ Post Aeration Basin
  - ✓ **Solids Processing and Handling System**
    - ✓ Solids Holding Basins
    - ✓ Solids Drying Beds
    - ✓ Belt Thickener
    - ✓ Belt Filter Press
    - ✓ Aerobic Digestors





# Alternative Evaluation

## 1. Alternative 1 - Rehabilitate Existing SBR WWTP

✓ Existing Treatment Process

## 2. Alternative 2 – Rehabilitate Existing WWTP

✓ New Treatment Process - Conversion to Extended Aeration

## 3. Alternative 3 - Decommission Existing WWTP & Flow to OKC for treatment



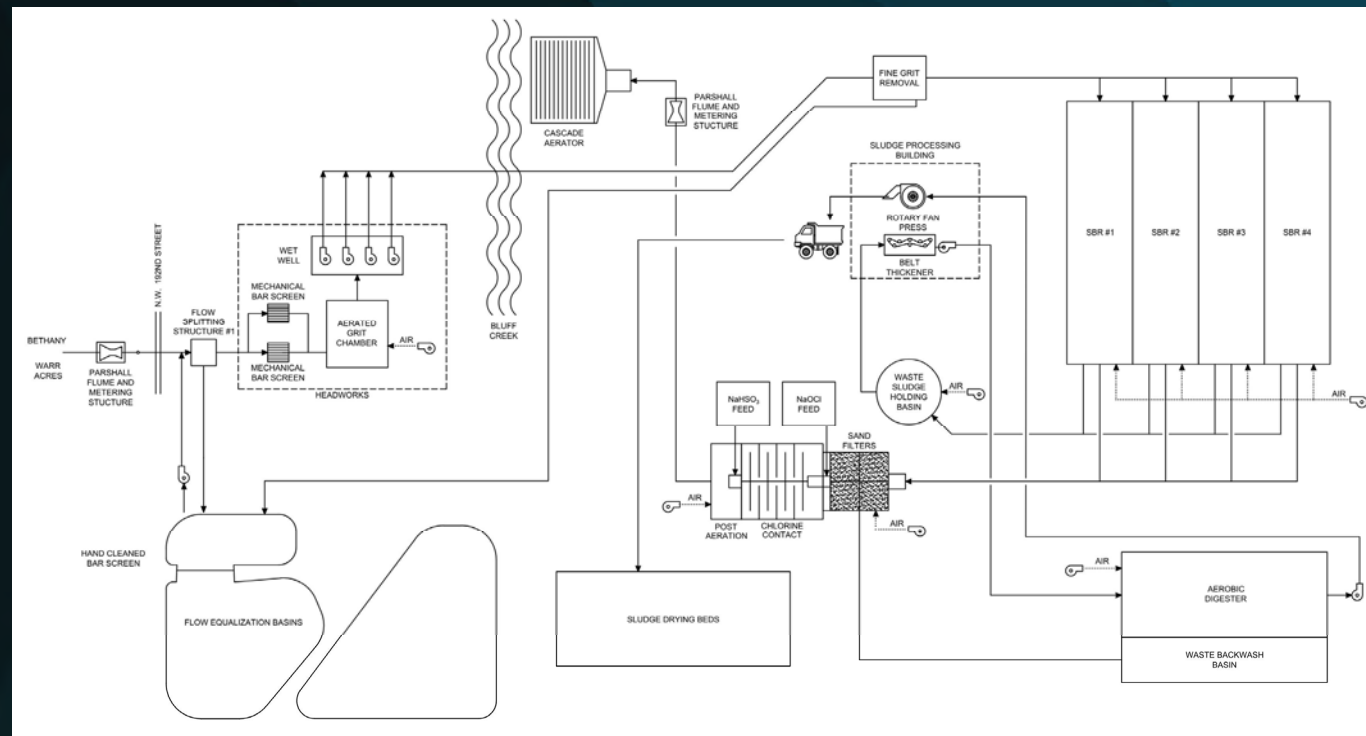
# Alternative Evaluation

## Alternative Design Criteria

- ✓ Site Constraints
- ✓ Present & Future Treatment Needs
- ✓ Compatibility Existing WWTP
- ✓ Compatibility Existing Equipment
- ✓ Operation of Treatment Process
- ✓ Capital Costs
- ✓ Operation & Maintenance Costs

# Alternative 1 – Rehabilitate WWTP

- ✓ Utilize Same Treatment Process
- ✓ Replace Inoperable and Degrading Equipment
- ✓ Upgrade Processes for Efficiency & Effectiveness







# Alternative 1 – Rehabilitate WWTP

## Major Changes & Improvements:

- ✓ Upgrade Solids Processing Polymer Systems\*
- ✓ Upgrade Sludge Drying Beds\*
- ✓ Replace Power Distribution System\*
- ✓ Replace Instrumentation & Control System\*
- ✓ Sludge Processing Rehabilitation\*
- ✓ Site Restoration\*
- ✓ Yard Piping\*

*\* Considered for Phase 1 project*



# Alternative 1 – Rehabilitate WWTP

## Major Changes & Improvements:

- ✓ New Thickeners & Feed Pumps <sup>△</sup>
- ✓ Upgrade Aerobic Digestors <sup>△</sup>
- ✓ New Fan Press Dewatering & Feed Pumps <sup>△</sup>
- ✓ New Chlorination / Dechlorination Facilities <sup>△</sup>
- ✓ Pavement Replacement <sup>△</sup>
- ✓ Existing Structure Demolition <sup>△</sup>

<sup>△</sup> Considered for Phase 1 Add Alternative or Phase 2 project

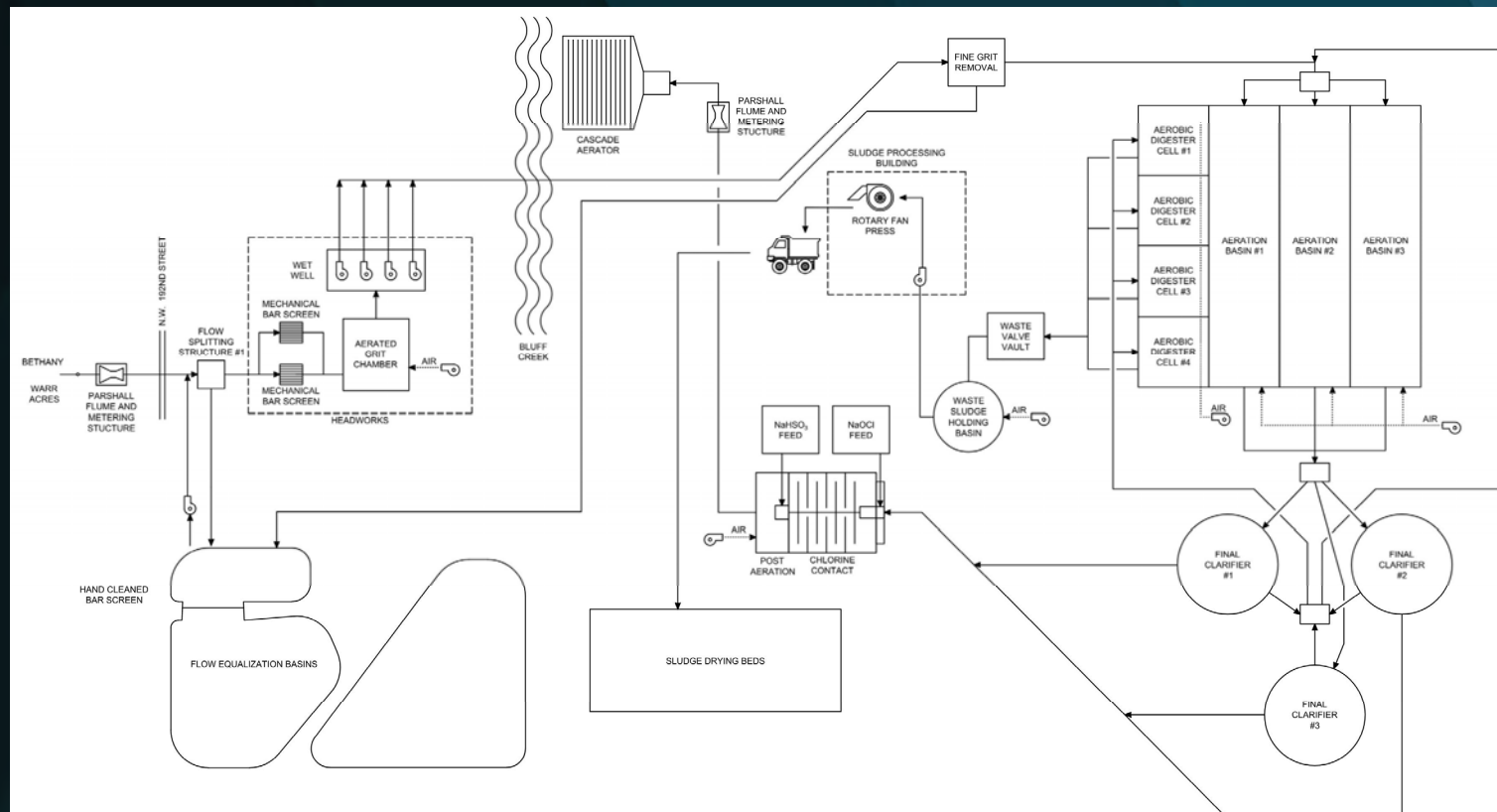


# Alternative 1 – Rehabilitate WWTP

Alternate 1 Opinion of Probable Costs	
Item	Total Cost
<b>Phase 1 Capital Improvements</b>	\$19,555,000
5% Mobilization	\$977,750
1% Bonds and Insurance	\$195,550
Engineering, Bidding, Construction Administration, & Inspection (Phase 1 & 2)	\$5,211,900
20% Contingency	\$3,911,000
<b>Alternate 1 Phase 1 Cost</b>	<b>\$29,851,200</b>
<b>Phase 2 Capital Improvements</b>	\$9,400,000
5% Mobilization	\$470,000
1% Bonds and Insurance	\$94,000
Bidding, Construction Administration, & Inspection (Phase 2)	\$792,000
20% Contingency	\$1,880,000
<b>Alternate 1 Phase 2 Cost</b>	<b>\$12,636,000</b>
<b>Total Alternate 1 Cost</b>	<b>\$42,487,200</b>

# Alternative 2 – New Treatment Process

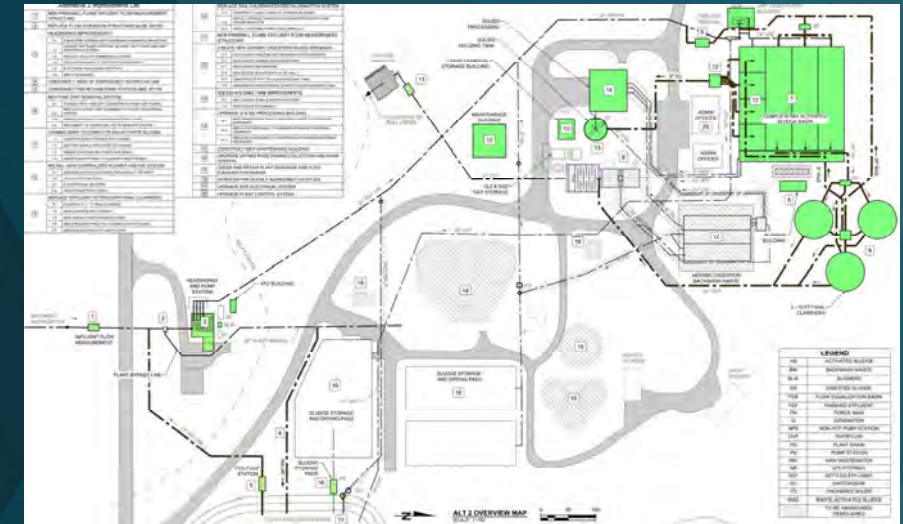
- ✓ Utilize Existing Infrastructure
- ✓ Similar Improvements to Alternative 1
- ✓ Convert Treatment Process to Extended Aeration



# Alternative 2 – New Treatment Process

## Major Changes & Improvements:

- ✓ Upgrade Headworks
- ✓ Holding Pond Improvements
- ✓ New Fine Grit Removal System
- ✓ New Fine Bubble Aeration System
- ✓ New Centralized Blower System
- ✓ **New Final Clarifiers (3)**
- ✓ New Chlorination / Dechlorination Facilities
- ✓ **New Aerobic Digestors**



*Additional changes and improvements from Alternative 1*

## Alternative 2 – New Treatment Process

### Major Changes & Improvements:

- ✓ Upgrade Sludge Drying Beds
- ✓ New Fan Press Dewatering & Feed Pumps
- ✓ Upgrade Solids Processing Polymer Systems
- ✓ Replace Power Distribution System
- ✓ Replace Instrumentation & Control System
- ✓ Pavement Replacement
- ✓ Site Restoration
- ✓ Yard Piping
- ✓ Existing Structure Demolition



# Alternative 2 – New Treatment Process

Alternate 2 Opinion of Probable Costs	
Item	Total Cost
<b>Capital Improvements</b>	\$37,450,000
5% Mobilization	\$1,872,500
1% Bonds and Insurance	\$374,500
Engineering, Bidding, Construction Administration, & Inspection	\$6,741,000
20% Contingency	\$7,490,000
<b>Total Alternate 2 Cost</b>	<b>\$53,928,000</b>

## Alternative 3 – Decommission WWTP

- ✓ Agreement with OCWUT for Wastewater Treatment
- ✓ Construct 36-inch Interceptor to Deer Creek WWTP
- ✓ Decommission Existing WWTP & Restore Site
- ✓ BWA PWA responsible for O&M of interceptor
- ✓ Multi-Phase Transition & Conversion Project





# Alternative 3 – Decommission WWTP

## ✓ Phase 1 – Short Term

- ✓ Rehabilitate WWTP to operate until 2030
- ✓ Cost of Service Study for OCWUT treatment of BWAPWA flows
- ✓ BWAPWA develop plan to minimize inflow and infiltration
- ✓ Additional 5 MGD expansion to Deer Creek WWTP
- ✓ Agreement with OCWUT

## ✓ Phase 2 – Long Term

- ✓ New 36-inch Interceptor to Deer Creek WWTP
- ✓ Connect to Deer Creek WWTP Headworks
- ✓ New FEB pump station for equalization basins
- ✓ Abandon WWTP & Demolish old facilities

# Alternative 3 – Decommission WWTP

Alternate 3 Opinion of Probable Costs	
Item	Total Cost
<b>Phase 1 Construction Cost</b>	\$10,000,000
5% Mobilization	\$500,000
1% Bonds and Insurance	\$100,000
Engineering, Bidding, Construction Administration, & Inspection	\$1,800,000
20% Contingency	\$2,000,000
<b>Alternate 3 Phase 1 Cost</b>	<b>\$14,400,000</b>
<b>Phase 2 Construction Cost</b>	\$139,628,660
5% Mobilization	\$6,981,433
1% Bonds and Insurance	\$1,396,287
Engineering, Bidding, Construction Administration, & Inspection	\$25,133,159
20% Contingency	\$27,925,732
<b>Alternate 3 Phase 2 Cost</b>	<b>\$201,065,271</b>
<b>Total Alternate 3 Cost</b>	<b>\$215,465,271</b>



# Opinion of Probable Costs

## ✓ Alternative 1 – Rehabilitate WWTP

✓ Phase 1 Cost – \$29.9M

✓ Phase 2 Cost – \$12.6M

✓ Total Cost – \$42.5M

## ✓ Alternative 2 – New Treatment Process

✓ Total Cost – \$53.9M

## ✓ Alternative 3 – Decommission WWTP & Flow to OKC

✓ Phase 1 Cost – \$14.4M

✓ Phase 2 Cost – 201.1M

✓ Total Cost – \$215.5M

# WWTP Current Status

## ✓ Plant Operation Status

- ✓ Three (3) working SBRs by end February
- ✓ Estimated Filter Operation by mid to late April

## ✓ Status of Current Improvement Loan

- ✓ Reimbursable Improvements Expended \$1,182,200
- ✓ Estimated Improvements in FY2024 \$1,818,052
- ✓ Estimated Improvements in FY2025 (as needed) \$ 777,000
- \$3,777,252
- ✓ CGE expects 95%-100% being incorporated into ER Project
- ✓ CGE is Tracking & Approving Improvement Expenditures in coordination with ER Project Recommendation



# Recommendation

## ✓ Alternative 1 – Rehabilitate WWTP

- ✓ Provides Required Improvements to meet ODEQ Standards
- ✓ Estimated Useful Life of 29 years for Improvements
- ✓ Feasible Capital Cost for BWAPWA & Beneficiaries
- ✓ Project Budget – \$30M

## ✓ Alternative 1 Implementation

- ✓ CGE Design Phase 1 & Phase 2 Improvements
- ✓ Bid with Phase 1 as Base Bid and Phase 2 as Add Alternates
- ✓ BWAPWA & Beneficiaries determine acceptance of any Phase 2 improvements within budget

# Plan of Action

- |                                       |                   |
|---------------------------------------|-------------------|
| ✓ Approval of ER & Recommendation     | February 20, 2024 |
| ✓ Approval of Loan as presented       | February 20, 2024 |
| ✓ Submit ER to ODEQ per CO 23-296     | March 5, 2024     |
| ✓ Submit Phase 1 & 2 Plans to ODEQ    | March 4, 2025     |
| ✓ Obtain ODEQ Permit for Construction | June 4, 2025      |
| ✓ Start Construction of Phase 1       | September 4, 2025 |
| ✓ Complete Construction of Phase 1    | September 4, 2027 |
| ✓ Obtain Compliance with ODEQ         | February 5, 2028  |
| ✓ Start Construction of Phase 2       | TBD               |
| ✓ Complete Construction of Phase 2    | TBD               |



# QUESTIONS?

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**BETHANY PUBLIC WORKS AUTHORITY MEETING**

**BETHANY CITY HALL**

**TUESDAY, FEBRUARY 20, 2024**

**6:30 P.M.**

MEMBERS PRESENT:	Nikki Lloyd	Chairman
	Jeff Knapp	Vice-Chairman
	Steve Palmer	Trustee
	Brian Magirowsky	Trustee
	Chris Powell	Trustee
	Marilyn McPhail	Trustee
	Kathy Larsen	Trustee
	Ken Smart	Trustee
	Peter Plank	Trustee
MEMBERS ABSENT:	None	
OTHERS PRESENT:	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Sean Cowan	Cowan Engineering
	Jon Wolff	Municipal Finance
	Michael Taylor	Cowan Engineering
	(See Roster)	

Mayor Lloyd called the Bethany City Council meeting to order at 10:06 P.M.

**ITEM NO. 1** on the agenda was **CONSENT DOCKET:**

- A. APPROVAL OF MINUTES FROM FEBRUARY 6, 2024, REGULAR MEETING.**
- B. APPROVAL OF CLAIMS: THESE CLAIMS HAVE BEEN FOUND TO BE IN ORDER BY STAFF AND PROPER AS TO FORM AND PROCEDURE AND ARE RECOMMENDED FOR PAYMENT. A COPY OF THE CLAIMS.**

Council Member McPhail asked about items purchased from Busby Pump.

A motion was made by Trustee Magirowsky, seconded by Trustee Knapp to approve the Consent Docket. Yes Votes: Larsen, Magirowsky, Palmer, Lloyd, Powell, Smart, Plank, McPhail, Knapp. No Votes: None. Motion passed.

**ITEM NO. 2** on the agenda was **CONSIDERATION, DIISCUSSION, AND POSSIBLE ADOPTION OF RESOLUTION NO 1688, A RESOLUTION OF THE CITY OF BETHANY, OKLAHOMA (THE "CITY") APPROVING THE INCURRENCE OF INDEBTEDNESS BY THE BETHANY-WARR ACRES PUBLIC WORKS AUTHORITY (THE "AUTHORITY") AUTHORIZING ISSUANCE, SALE AND DELIVERY OF A PROMISSORY NOTE OF THE AUTHORITY TO THE OKLAHOMA WATER RESOURCES BORAD: APPROVING AND AUTHORIZING THE MAYOR TO SIGN ON BEHALF OF THE CITY AN AGREEMENT WITH THE AUTHORITY, AND APPROVING ACTION TAKEN BY THE BETHANY PUBLIC WORKS AUTHORITY APPROVING SUCH AGREEMENT, WHICH AGREEMENT WILL SERVE AS PART OF THE SECURITY FOR A LOAN FROM THE OKLAHOMA WATER RESOURCES BOARD FOR THE PURPOSE OF FINANCING CERTAIN WASTEWATER SYSTEM IMPROVEMENTS; AND CONTAINING OTHER PROVISIONS RELATED THERETO. (ELIZABETH GRAY, CITY MANAGER)**

A motion was made by Trustee Palmer, seconded by Trustee Smart to table this item to the March 5<sup>th</sup> meeting. Yes Votes: Palmer, Lloyd, Larsen, Magirowsky, Powell, Smart, Plank, McPhail, Knapp. No Votes: None. Motion passed.

**ITEM NO. 3** on the agenda was **NEW BUSINESS (AS DEFINED BY THE OKLAHOMA OPEN MEETING ACT § 311 (A) (9) AS "MATTERS NOT KNOWN ABOUT OR WHICH COULD NOT HAVE REASONABLY BEEN FORESEEN PRIOR TO THE TIME OF POSTING THE AGENDA")**.

None

**ITEM NO. 4** on the agenda was **ADJOURN UNTIL MARCH 5, 2024.**

Mayor Lloyd adjourned the Bethany Public Works meeting at 10:09 P.M. until March 5, 2024.

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CHAIRMAN

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SECRETARY

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**BETHANY HOSPITAL TRUST MEETING**

**BETHANY CITY HALL**

**TUESDAY, FEBRUARY 20, 2024**

**6:30 P.M.**

Nikki Lloyd	Chairman	Nikki Lloyd
	Jeff Knapp	Vice-Chairman
	Steve Palmer	Trustee
	Brian Magirowsky	Trustee
	Chris Powell	Trustee
	Marilyn McPhail	Trustee
	Kathy Larsen	Trustee
	Ken Smart	Trustee
	Peter Plank	Trustee
MEMBERS ABSENT:	None	
OTHERS PRESENT:	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Sean Cowan	Cowan Engineering
	Jon Wolff	Municipal Finance
	Michael Taylor	Cowan Engineering
	(See Roster)	

Chairman Lloyd called the Bethany Hospital Trust meeting to order at 10:09 P.M.

**ITEM NO. 1** on the agenda was **CONSENT DOCKET:**

**A. APPROVAL OF MINUTES FROM FEBRUARY 6, 2024, REGULAR MEETING.**

**B. APPROVAL OF CLAIMS: THESE CLAIMS HAVE BEEN FOUND TO BE IN ORDER BY STAFF AND PROPER AS TO FORM AND PROCEDURE AND ARE RECOMMENDED FOR PAYMENT. A COPY OF THE CLAIMS.**

A motion was made by Trustee Magirowsky, seconded by Trustee Smart to approve the Consent Docket. Yes Votes: Magirowsky, Larsen, Palmer, Powell, Smart, Plank, McPhail, Lloyd, Knapp. No Votes: None. Motion passed.

**ITEM NO. 2** on the agenda was **NEW BUSINESS (AS DEFINED BY THE OKLAHOMA OPEN MEETING ACT § 311 (A) (9) AS "MATTERS NOT KNOWN ABOUT OR WHICH COULD NOT HAVE REASONABLY BEEN FORESEEN PRIOR TO THE TIME OF POSTING THE AGENDA")**.

None

**ITEM NO. 3** on the agenda was **ADJOURN UNTIL MARCH 5, 2024**

Mayor Lloyd adjourned the Bethany Hospital Trust meeting at 10:09 P.M. until March 5, 2024.

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CHAIRMAN

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SECRETARY

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**BETHANY DEVELOPMENT AUTHORITY**

**BETHANY CITY HALL**

**TUESDAY, FEBRUARY 20, 2024**

**6:30 P.M.**

Nikki Lloyd	Chairman	Nikki Lloyd
	Jeff Knapp	Vice-Chairman
	Brian Magirowsky	Trustee
	Steve Palmer	Trustee
	Chris Powell	Trustee
	Marilyn McPhail	Trustee
	Kathy Larsen	Trustee
	Ken Smart	Trustee
	Peter Plank	Trustee
MEMBERS ABSENT:	None	
OTHERS PRESENT:	Elizabeth Gray	City Manager
	Ray Jones	City Attorney
	Michael Vaughn	City Clerk/Treasurer
	Lesa LaMar	Deputy City Clerk
	Sean Cowan	Cowan Engineering
	Jon Wolff	Municipal Finance
	Michael Taylor	Cowan Engineering
	(See Roster)	

Chairman Lloyd called the Bethany Development Authority meeting to order at 10:09 P.M.

**ITEM NO. 1** on the agenda was **CONSENT DOCKET:**

**A. APPROVAL OF MINUTES FROM FEBRUARY 6, 2024, REGULAR MEETING.**

**B. APPROVAL OF CLAIMS: THESE CLAIMS HAVE BEEN FOUND TO BE IN ORDER BY STAFF AND PROPER AS TO FORM AND PROCEDURE AND ARE RECOMMENDED FOR PAYMENT. A COPY OF THE CLAIMS.**

Motion was made by Trustee Magirowsky, seconded by Trustee Plank to approve the Consent Docket. Yes votes: Larsen, Plank, Magirowsky, Smart, Lloyd, McPhail, Powell, Palmer, Knapp. No votes: None. Motion passed.

**ITEM NO. 2** on the agenda was **NEW BUSINESS (AS DEFINED BY THE OKLAHOMA OPEN MEETING ACT § 311 (A) (9) AS “MATTERS NOT KNOWN ABOUT OR WHICH COULD NOT HAVE REASONABLY BEEN FORESEEN PRIOR TO THE TIME OF POSTING THE AGENDA”)**.

None

**ITEM NO. 3** on the agenda was **ADJOURN UNTIL MARCH 5, 2024.**

Mayor Lloyd adjourned the Bethany Development Authority meeting at 10:10 P.M. until March 5, 2024.

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CHAIRMAN

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SECRETARY