



## MEMORANDUM

**To:** Mayor and City Council

**From:** Mike Garza, P.E., Director of Public Works

**Date:** February 27, 2024

**Reference:** Consider approval to enter into a Professional Services contract with Freese and Nichols Inc.; for the development of a lead and copper inventory program; in the amount of \$89,791.00; funded from the Water/Sewer fund; and authorizing the City Manager to sign any necessary documents.

**2040:** Sustainable Government

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### Introduction:

The purpose of this agenda item is to request approval to enter into a Professional Services contract with Freese and Nichols Inc (FNI), for the development of a lead and copper inventory program as required by The U.S. Environmental Protection Agency (EPA).

### Background:

The U.S. Environmental Protection Agency (EPA) released the long-awaited Lead and Copper Rule Revisions (LCRR) on January 15, 2021, setting new standards to remove harmful levels of lead and copper from drinking water. More recently, the EPA delayed the LCRR's effective date to December 16, 2021, and the compliance date to October 16, 2024. This revision will require cities and other water utilities to take significant action to protect customers from the health risks associated with lead and copper and comply with the LCRR.

On November 30, 2023, the EPA announced the proposed Lead and Copper Rule Improvements (LCRI). The proposed LCRI maintains the requirement to submit an initial Service Line Material (SLM) inventory and begin related annual public communications in October 2024, as well as performing public communications related to compliance monitoring results when the 90th Percentile exceeds the Action Level. Freese and Nichols, Inc. has included the scope for these items and proposes to leave the remaining post-October 2024 compliance items to a future phase of work after the EPA and TCEQ develop the LCRI templates and guidance. There are significant, new requirements proposed by LCRI, most notably to eliminate all unknowns, perform randomized potholing to inspect inventory entries, and replace all lead and Galvanized Requiring Replacement (GRR) lines to the customer building inlet by 2037.

Based on our preliminary data, we believe we do not have very many, if any, lead service lines in our community. Lead was banned in the early 1980's.

**Benefit to the Community:**

This project will help identify any service lines that need to be replaced based on the federal guidelines to ensure safe drinking water.

**Legal Review:**

The City Attorney has reviewed the contract.

**Fiscal Impact:**

The fiscal impact of this item is \$89,791.00, funded from the Water and Sewer fund.

**Recommendation:**

The Public Works Department recommends approval of this contract.