

AGENDA
OF THE
TRINITY RIVER AUTHORITY OF TEXAS
REGULAR MEETING OF THE BOARD OF DIRECTORS

Trinity River Authority of Texas
Board Room
5300 South Collins Street
Arlington, Tarrant County, Texas
Wednesday, April 27, 2022
10:30 a.m.

1. CALL TO ORDER BY THE PRESIDENT, TOMMY G. FORDYCE.
2. INVOCATION.
3. PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.
4. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG.
5. ROLL CALL BY THE SECRETARY, HOWARD S. SLOBODIN.

<u>Area No.</u>	<u>County</u>	<u>Board Member</u>	
1	Tarrant	Megan W. Deen	_____
	Tarrant	Henry Borbolla III	_____
	Tarrant	William O. Rodgers	_____
2	Dallas	Lisa A. Hembry	_____
	Dallas	Amir A. Rupani	_____
	Dallas	Lewis H. McMahan	_____
	Dallas	Margaret S.C. Keliher	_____
3	Kaufman	Victoria K. Lucas	_____
4	Henderson	Kathryn L. Sanders	_____
5	Ellis	Cathy Altman	_____
6	Navarro	Frank H. Steed, Jr.	_____
7	Anderson	Brenda K. Walker	_____
8	Freestone	C. Dwayne Somerville	_____
9	Leon	Jerry F. House	_____
10	Houston	Kevin Maxwell	_____
11	Trinity	D. Joe McCleskey	_____
12	Madison	David G. Ward	_____
13	Walker	Tommy G. Fordyce	_____
14	San Jacinto	Steven L. Roberts	_____
15	Polk	Benny L. Fogleman	_____
16	Liberty	David B. Leonard	_____
17	Chambers	John W. Jenkins	_____
18	Area-at-Large	Robert F. McFarlane	_____
	Area-at-Large	Roger P. Nober	_____
	Area-at-Large	C. Cole Camp	_____

- 6. CERTIFICATION OF A QUORUM BY THE SECRETARY.
- 7. CERTIFICATION BY THE SECRETARY OF COMPLIANCE WITH THE OPEN MEETING REQUIREMENTS OF THE GOVERNMENT CODE. TEX. GOV'T CODE § 551.001 *et seq.*
- 8. APPROVAL OF THE [MINUTES](#) OF THE REGULAR MEETING OF THE BOARD OF DIRECTORS OF THE TRINITY RIVER AUTHORITY OF TEXAS HELD FEBRUARY 23, 2022 AT TRA'S GENERAL OFFICE, BOARD ROOM, 5300 SOUTH COLLINS STREET, ARLINGTON, TARRANT COUNTY, TEXAS. Pg. 12
- 9. PUBLIC COMMENT.

Any person wishing to make a public presentation to the Board of Directors on any matter under the Authority's jurisdiction must complete a registration form that indicates the agenda item or other topic on which they wish to comment, along with the speaker's name, address and other relevant information. Speakers who have not completed a registration form will not be recognized by the presiding officer. The presiding officer shall limit the length of time for each speaker to three minutes. Speakers may not trade or donate time to other speakers. Speakers and members of the public must avoid disruptive conduct that interferes with the orderly conduct of a public meeting.

10. NEW BUSINESS:



To access the story map link use any QR Code Reader Apps on the phone or tablet to scan the image or click on this hyperlink: <https://arcg.is/1KC5jW>

- A. HONORING PATRICIA M. CLEVELAND — RESOLUTION NO. R-1593. Pg. 21
- B. HONORING ALISON A. MACKEY — RESOLUTION NO. R-1597. Pg. 22

(ITEMS C THROUGH I WERE PRESENTED TO THE ADMINISTRATION AND AUDIT COMMITTEE AT ITS MEETING ON APRIL 19, 2022.)

C. APPROVAL AND FILING OF ANNUAL COMPREHENSIVE FINANCIAL REPORT FOR FISCAL YEAR 2021. Pg. 23

Memorandum dated March 22, 2022 from General Manager.

- (1) Explanation by J. Kevin Ward.
- (2) Recommendation: The Administration and Audit Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors approve the Annual Comprehensive Financial Report of the Trinity River Authority of Texas, including the Supplemental Reports and Opinion, for the Fiscal Year Ended November 30, 2021 and that the Annual Filing Affidavit be executed by the President.

D. INVESTMENT OFFICERS' REPORT — FIRST QUARTER — FY 2022. **Pg. 240**

Memorandum dated March 28, 2022 from Manager, Cash and Capital Project Financing.

- (1) Explanation by Lewis H. McMahan and Christine J. Epps.
- (2) Recommendation: The Administration and Audit Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors approve the Investment Officers' Report of the Trinity River Authority of Texas for the First Quarter of Fiscal Year 2022.

E. APPOINTMENT OF TREASURER, BOARD OF DIRECTORS. **Pg. 264**

Memorandum dated March 31, 2022 from Manager, Cash and Capital Project Financing.

- (1) Explanation by J. Kevin Ward.
- (2) Recommendation: The Administration and Audit Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors approve the appointment of Christine J. Epps as Treasurer, Board of Directors, of the Trinity River Authority of Texas, effective June 4, 2022.

F. SALARY ADMINISTRATION PLAN — REVISIONS TO MANAGEMENT STRUCTURE.
Pg. 265

Memorandum dated April 4, 2022 from General Manager.

- (1) Explanation by J. Kevin Ward.
- (2) Recommendation: The Administration and Audit Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors approve the revisions to the Salary Administration Plan as reflected on Exhibit A to the memorandum.

G. STAYWELL HEALTH PROGRAM — PROPOSED FUNDING FOR RETIREE HEALTH BENEFITS. Pg. 272

Memorandum dated April 4, 2022 from Executive Manager, Human Resources, Administrative Services Staff.

- (1) Explanation by Lewis H. McMahan and Taylor L. Huynh.
- (2) Recommendation: The Administration and Audit Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Authorize the General Manger to implement revisions under the Authority's Staywell Health Program to include retiree health benefits; and
- (b) Authorize the General Manager to execute appropriate funding under the Trinity River Authority of Texas Staywell Health Fund for premium contributions of retiree health benefits effective December 1, 2021.

H. REVISIONS AND UPDATES OF POLICIES. Pg. 291

Memorandum dated April 1, 2022 from Manager, Human Resources, Administrative Services Staff.

- (1) Explanation by Lewis H. McMahan and Taylor L. Huynh.
- (2) Recommendation: The Administration and Audit Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Adopt the revised Eligibility Group Health and Life Personnel Policy as shown in Exhibit A; and
- (b) Adopt the revised Leaves Personnel Policy as shown in Exhibit B.

I. CORNERSTONE LEARNING MANAGEMENT SYSTEM — CONTRACT RENEWAL. Pg. 313

Memorandum dated April 5, 2022 from Chief Information Officer.

- (1) Explanation by Lewis H. McMahan and Douglas L. Short.
- (2) Recommendation: The Administration and Audit Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the amendment to the original agreement between the Trinity River Authority of Texas and Cornerstone to extend services for an additional three years.

(ITEMS J THROUGH P WERE NOT PRESENTED TO A COMMITTEE.)

J. DENTON CREEK REGIONAL WASTEWATER SYSTEM — ODOR CONTROL IMPROVEMENTS, PHASE 3 — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT AND MATERIALS TESTING SERVICES AGREEMENT. Pg. 317

Memorandum dated April 5, 2022 from Manager, Construction Services, PDCA and Deputy Executive Manager, PDCA.

- (1) Explanation by D. Joe McCleskey and Gary N. Oradat.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Authorize the General Manager to execute the contract between the Trinity River Authority of Texas and Schofield Civil Construction, LLC, in the amount of \$2,668,400 for the construction of the Odor Control Improvements, Phase 3 at the Denton Creek Regional Wastewater System treatment plant;
- (b) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Plummer Associates, Inc., in the amount of \$333,770 for Basic Services and \$30,000 for Special Services for construction administration engineering services associated with the Odor Control Improvements, Phase 3 at the Denton Creek Regional Wastewater System treatment plant;
- (c) Authorize the General Manager to execute amendments to the compensation provisions of the Engineering Services Agreement between the Trinity River Authority of Texas and Plummer Associates, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost; and
- (d) Authorize the General Manager to execute the Materials Testing Services Agreement between the Trinity River Authority of Texas and Alliance Geotechnical Group, Inc., in the amount of \$50,000 for construction materials testing services associated with the Odor Control Improvements, Phase 3 at the Denton Creek Regional Wastewater System treatment plant.

K. DENTON CREEK REGIONAL WASTEWATER SYSTEM — DENTON CREEK PRESSURE SYSTEM FORCE MAIN AND LIFT STATION IMPROVEMENTS — FIRST AMENDMENT — ENGINEERING SERVICES AGREEMENT. Pg. 358

Memorandum dated April 5, 2022 from Deputy Executive Manager, PDCA.

- (1) Explanation by D. Joe McCleskey and Gary N. Oradat.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the First Amendment to the Engineering Services Agreement between the Trinity River Authority of Texas and Garver, LLC, increasing the amount of Basic Engineering Services from \$903,413 to \$1,492,313.65 and Special Services from \$80,000 to \$130,000 for final design engineering services associated with the Denton Creek Pressure System Force Main and Lift Station Improvements for the Denton Creek Regional Wastewater System.

L. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — PLANT REHABILITATION A — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT AND MATERIALS TESTING SERVICES AGREEMENT. Pg. 393

Memorandum dated April 5, 2022 from Manager, Construction Services, PDCA and Deputy Executive Manager, PDCA.

- (1) Explanation by D. Joe McCleskey and Gary N. Oradat.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Authorize the General Manager to execute the contract between the Trinity River Authority of Texas and Heritage Constructors, Inc., in the amount of \$9,281,428 for the construction of the Plant Rehabilitation A at the Ten Mile Creek Regional Wastewater System treatment plant;
- (b) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and AECOM Technical Services, Inc., in the amount of \$553,743 for Basic Services and \$60,000 for Special Services for construction administration engineering services associated with the Plant Rehabilitation A at the Ten Mile Creek Regional Wastewater System treatment plant;
- (c) Authorize the General Manager to execute amendments to the compensation provisions of the Engineering Services Agreement between the Trinity River Authority of Texas and AECOM Technical Services, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost; and
- (d) Authorize the General Manager to execute the Materials Testing Services Agreement between the Trinity River Authority of Texas and Team Consultants, Inc., in the amount of \$75,000 for construction materials testing services associated with the Plant Rehabilitation A at the Ten Mile Creek Regional Wastewater System treatment plant.

M. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — TM-1 RELIEF INTERCEPTOR, PHASE 1A — ATMOS ENERGY CORPORATION — RELOCATION AGREEMENT. Pg. 441

Memorandum dated April 5, 2022 from Deputy Executive Manager, PDCA.

- (1) Explanation by D. Joe McCleskey and Gary N. Oradat.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the Relocation Agreement between the Trinity River Authority of Texas and Atmos Energy Corporation in the amount of \$298,758 to relocate a two-inch gas distribution line associated with the TM-1 Relief Interceptor, Phase 1A project for the Ten Mile Creek Regional Wastewater System.

N. SECURITY GUARD AND PEACE OFFICER SERVICES AND CONSULTATION AGREEMENT — SECURITAS SECURITY SERVICES USA, INC. Pg. 448

Memorandum dated March 30, 2022 from Manager, Risk and Safety, Administrative Services.

- (1) Explanation by D. Joe McCleskey and Taylor L. Huynh.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute the Security Guard and Peace Officer Services and Consultation Agreement between the Trinity River Authority of Texas and Securitas Security Services USA, Inc., in the amount of \$4,427,880.68 for a two-year term with the option to renew for an additional two-year term available, subject to the Parties' approval, with a 5 percent escalation in the hourly proposal fees allowed for the additional two-year term.

O. RESOLUTION AUTHORIZING SIGNATURES FOR WITHDRAWAL OF FUNDS FROM AUTHORITY ACCOUNTS. Pg. 470

Memorandum dated March 31, 2022 from Treasurer.

- (1) Explanation by Lewis H. McMahan and Christine J. Epps.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors adopt Resolution No. R-1596 thereby authorizing signatures for withdrawal of funds from Authority accounts and further direct that the executed Resolution with executed Secretary's Certificate be forwarded to the respective banks.

P. APPOINTMENT TO EXECUTIVE COMMITTEE. **Pg. 475**

Memorandum from the President to be distributed separately.

- (1) Explanation by Tommy G. Fordyce
- (2) Recommendation: The President will make a recommendation at the meeting of the Board of Directors.

(ITEMS Q THROUGH U WERE NOT PRESENTED TO A COMMITTEE AND ARE STANDING REPORTS AND MAY BE APPROVED IN ONE ACTION.)

Q. SUMMARY REPORT OF TRINITY RIVER AUTHORITY DEBT — SUMMARY REPORT OF APRIL 2022 CAPITAL CONTRACTS. **Pg. 476**

Memorandum dated April 1, 2022 from Acting Chief Financial Officer.

- (1) Explanation by Lewis H. McMahan and Alison A. Mackey.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

R. SUMMARY REPORT OF GENERAL MANAGER-APPROVED AGREEMENTS. **Pg. 484**

Memorandum dated April 19, 2022 from General Manager.

- (1) Explanation by J. Kevin Ward.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

S. SUMMARY REPORT OF CHANGE ORDERS. **Pg. 486**

Memorandum dated April 5, 2022 from Manager, Construction Services, PDCA.

- (1) Explanation by D. Joe McCleskey and Gary N. Oradat.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

T. SUMMARY REPORT OF QUANTITY OVERRUNS. **Pg. 489**

Memorandum dated April 5, 2022 from Manager, Construction Services, PDCA.

- (1) Explanation by D. Joe McCleskey and Gary N. Oradat.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

U. SUMMARY REPORT — GENERAL MANAGER - APPROVED PIPELINE EMERGENCY REPAIRS — EMERGENCY PIPELINE REPAIR CONTRACT. Pg. 491

Memorandum dated April 5, 2022 from General Manager.

- (1) Explanation by J. Kevin Ward.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

[ITEMS V THROUGH X INVOLVE LITIGATION, POTENTIAL LITIGATION, AND/OR ACQUISITION OF REAL PROPERTY, OR NECESSITATE CONFIDENTIAL CONSULTATION WITH COUNSEL AND ARE EXEMPT FROM THE OPEN MEETING REQUIREMENTS CONTAINED IN CHAPTER 551 OF THE TEXAS GOVERNMENT CODE. THE TRINITY RIVER AUTHORITY OF TEXAS RESERVES THE RIGHT TO CONVOKE AN EXECUTIVE, OR CLOSED, SESSION ON THE FOREGOING ITEMS SUBJECT TO THE REQUIREMENTS OF THE TEXAS GOVERNMENT CODE CHAPTER 551, SUBCHAPTER E, AND PURSUANT TO TEX. GOV'T CODE SEC. 551.071 AND SEC. 551.072. ANY FINAL DECISION, ACTION OR VOTE MUST BE MADE IN OPEN SESSION.]

V. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — TEN MILE CREEK RELIEF INTERCEPTOR, SEGMENT 11-40TM-2, PHASE 1 — AUTHORIZATION FOR LAND ACQUISITION BY EMINENT DOMAIN. Pg. 493

Memorandum dated March 14, 2022 from General Counsel.

- (1) Explanation by Howard S. Slobodin.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors adopt Resolution No. R-1594, authorizing the General Manager, or his designated representative, and his staff, consultants and attorneys, to do all such acts as may be necessary to invoke eminent domain proceedings as described by Texas law against the owners of the required parcels of land generally located east of Nokomis Road, west of Interstate 45, south of Beltline Road, along Ten Mile Creek, in the city of Lancaster and surrounding unincorporated area, Dallas County, Texas, and specifically located in F. Brigance Survey, Abstract No. 103; H. Brigance Survey, Abstract No. 104; J. Cochran Survey, Abstract No. 354; D. Garner Survey, Abstract No. 530; E.L. Patton Survey, Abstract No. 1116; E.D. Little Survey, Abstract No. 787; B.L. Moore Survey, Abstract No. 865; and R. Brotherton Survey, Abstract No. 102, in order to acquire all required interests in real property for the public purpose of constructing, operating and maintaining the necessary Ten Mile Creek Regional Wastewater System, Ten Mile Creek Relief Interceptor, Segment 11-40TM-2, Phase 1 Project..

W. CONDEMNATION STATUS REPORT. **Pg. 499**

Memorandum dated April 4, 2022 from General Counsel.

- (1) Explanation by Howard S. Slobodin.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

X. SELECTED MATTERS PENDING BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY — STATUS REPORT. **Pg. 506**

Memorandum dated March 28, 2022 from General Counsel.

- (1) Explanation by J. Kevin Ward, Howard S. Slobodin and Michael J. Booth.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

Y. BID AWARDS.

AUTHORITY PROJECTS — BIDS FOR EQUIPMENT, SUPPLIES, SPARE PARTS AND SERVICES. **Pg. 510**

Memorandum dated March 30, 2022 from Purchasing Manager, Administrative Services.

- (1) Explanation by the President, Tommy G. Fordyce.
- (2) Recommendation: The President recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors accept the following vendors for Equipment, Supplies, Spare Parts and Services for Authority Projects:

<u>BID ITEM</u>	<u>VENDOR</u>
<u>Central Regional Wastewater System</u>	
Filter Press Belts	National Filter Media
Gas Feeders Parts	Hartwell Environmental Corporation
Inspection, Preventative Maintenance and Repairs of Rail System	Coastline Rail Engineering
Replacement Cree Brand LED Light Fixtures	Elliott Electric Supply
Vactor Sewer Truck Repair	Kinloch Equipment & Supply, Inc.
Vertical Turbine Pumps Repair	Allen's Electric Motor Service, Inc.

Collection Systems Group

Manholes Rings and Lids

Core & Main LP

Northern Region Projects

Inspection, Routine Maintenance and
New Installations of Security Systems
and Equipment

Secure Cam, Inc.

Laboratory Consumable Supplies

Midland Scientific, Inc.

Ten Mile Creek Regional Wastewater System

Miscellaneous Pump Parts
(Fairbanks Morse)

DXP Enterprises

Southern Region Projects

Granular Activated Carbon
Replacement (HRWSS)

Calgon Carbon Corporation

Sludge Removal and Disposal (HRWSS)

Sandyland Environmental Services

Sludge Removal and Disposal (LRWSS)
dba Mobile Solids Solutions

Romesberg Trucking, Inc.

11. OTHER BUSINESS:

12. ADJOURNMENT: