

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, August 24, 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	Vacant	_____
	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 JUNE 22, 2022 AT TRA'S GENERAL OFFICE, BOARD ROOM, 5300 SOUTH COLLINS STREET, ARLINGTON, TARRANT COUNTY, TEXAS. Pg. 13
- 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>

(ITEMS A THROUGH C WERE PRESENTED TO THE ADMINISTRATION AND AUDIT COMMITTEE AT ITS MEETING ON AUGUST 17, 2022.)

- A. ANNUAL BUDGET FOR FISCAL YEAR 2023 (FY23) — SUBMISSION FOR REVIEW. Pg. 23

Memorandum dated August 1, 2022 from General Manager.

- (1) Explanation by J. Kevin Ward.
- (2) Recommendation: This item is presented for information only; no action is necessary.

B. CENTRAL REGIONAL WASTEWATER SYSTEM — EXTENDABLE COMMERCIAL PAPER PROGRAM — RESOLUTION NO. R-1599. Pg. 405

Memorandum dated July 15, 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 adopt Resolution No. R-1599 authorizing the issuance, sale, and delivery of Trinity River Authority of Texas Regional Wastewater System Revenue Bonds relating to the Extendable Commercial Paper Program and approving and authorizing instruments and procedures relating thereto.

C. INVESTMENT OFFICERS' REPORT — SECOND QUARTER — FY 2022. Pg. 431

Memorandum dated July 15, 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 Second Quarter of Fiscal Year 2022.

(ITEMS D AND E WERE PRESENTED TO THE RESOURCES DEVELOPMENT COMMITTEE AT ITS MEETING ON AUGUST 15, 2022.)

D. ENDANGERED SPECIES ACT — UNITED STATES FISH AND WILDLIFE SERVICE AND THE AUTHORITY — CANDIDATE CONSERVATION AGREEMENT WITH ASSURANCES. Pg. 460

Memorandum dated July 28, 2022 from Manager, Environmental Services.

- (1) Explanation by Amir A. Rupani and Glenn C. Clingenpeel.
- (2) Recommendation: The Resources Development Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute, upon approval from the United States Fish and Wildlife Service, the twenty-five-year Candidate Conservation Agreement with Assurances and all associated Certificates of Inclusion, in substantially the same form presented.

E. ANNUAL JOINT FUNDING AGREEMENTS — WATER RESOURCES INVESTIGATIONS — U.S. GEOLOGICAL SURVEY. Pg. 541

Memorandum dated July 22, 2022 from Executive Manager, TSBP.

- (1) Explanation by Amir A. Rupani and Glenn C. Clingenpeel.
- (2) Recommendation: The Resources Development Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Authorize the General Manager to execute the Joint Funding Agreement between the Trinity River Authority of Texas and the U.S. Geological Survey for water resources investigations in the upper Trinity Basin; and
- (b) Authorize the General Manager to execute the Joint Funding Agreement between the Trinity River Authority of Texas and the U.S. Geological Survey for water resources investigations in the lower Trinity River and Lake Livingston.

(ITEMS E THROUGH O WERE PRESENTED TO THE UTILITY SERVICES COMMITTEE AT ITS MEETING ON AUGUST 16, 2022.)

F. CENTRAL REGIONAL WASTEWATER SYSTEM — FUEL STORAGE AND UTILIZATION STUDY — ENGINEERING SERVICES AGREEMENT. Pg. 550

Memorandum dated August 1, 2022 from Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Jacobs Engineering Group, Inc., in the amount of \$340,781 for Basic Services and \$65,000 for Special Services for professional engineering services associated with the Fuel Storage and Utilization Study at the Central Regional Wastewater System treatment plant; and
- (b) Authorize the General Manager to execute amendments to the compensation provisions of the Engineering Services Agreement between the Trinity River Authority of Texas and Jacobs Engineering Group, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

G. CENTRAL REGIONAL WASTEWATER SYSTEM — ON-SITE STORAGE AND EQUALIZATION BASINS REHABILITATION — ENGINEERING SERVICES AGREEMENT. Pg. 572

Memorandum dated August 1, 2022 from Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) 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 \$924,990 for Basic Services and \$135,000 for Special Services for preliminary engineering services associated with the On-Site Storage and Equalization Basins Rehabilitation project at the Central Regional Wastewater System treatment plant; and
- (b) 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.

H. CENTRAL REGIONAL WASTEWATER SYSTEM — HEADWORKS A FINE SCREEN FACILITY — FIRST AMENDMENT — ENGINEERING SERVICES AGREEMENT. Pg. 601

Memorandum dated August 1, 2022 from Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (2) Recommendation: The Utility Services Committee 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 Services from \$1,716,870 to \$2,046,870 and Special Services from \$80,000 to \$120,000 for construction administration engineering services associated with the Headworks A Fine Screen Facility for the Central Regional Wastewater System treatment plant.

I. CENTRAL REGIONAL WASTEWATER SYSTEM — ELM FORK INTERCEPTOR EF-R3 REHABILITATION (EF-R3) — CHANGE ORDER NO. 02 — ACCEPTANCE OF CIPP LINER SEGMENT. Pg. 608

Memorandum dated August 1, 2022 from Manager, Construction Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manager to execute Change Order No. 02 between the Trinity River Authority of Texas and Inland Pipe Rehabilitation, South Central, associated with the Elm Fork Interceptor EF-R3 Rehabilitation to decrease the contract amount from \$11,983,998.48 to \$11,883,998.48 with no change to the contract term.

J. DENTON CREEK REGIONAL WASTEWATER SYSTEM — PEAK FLOW STORAGE AND REHABILITATION — ENGINEERING SERVICES AGREEMENT. Pg. 610

Memorandum dated August 1, 2022 from Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Ardurra Group, Inc., in the amount of \$3,248,685 for Basic Services and \$300,000 for Special Services for professional engineering services associated with the Peak Flow Storage and Rehabilitation at the Denton Creek Regional Wastewater System; and
- (b) Authorize the General Manager to execute amendments to the compensation provisions of the Engineering Services Agreement between the Trinity River Authority of Texas and Ardurra Group, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

K. DENTON CREEK REGIONAL WASTEWATER SYSTEM — ADDITIONAL CONTRACTING PARTY — EIGHTH SUPPLEMENTAL CONTRACT (CITY OF JUSTIN, TEXAS). Pg. 641

Memorandum dated August 10, 2022 from Deputy Executive Manager, Northern Region.

- (1) Explanation by Megan W. Deen and Matthew S. Jalbert.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors adopt Resolution No. R-1605 authorizing the General Manager to execute the Denton Creek Regional Wastewater System Eighth Supplemental Contract (City of Justin, Texas).

L. RED OAK CREEK REGIONAL WASTEWATER SYSTEM — RED OAK CREEK INTERCEPTOR REHABILITATION, SEGMENT 40RO-1, PHASE 2 — MATERIALS TESTING SERVICES AGREEMENT. Pg. 762

Memorandum dated August 1, 2022 from Manager, Construction Services, PDCA and Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors 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 \$120,000 for construction materials testing services associated with the Red Oak Creek Interceptor Rehabilitation, Segment 40RO-1, Phase 2 for the Red Oak Creek Regional Wastewater System.

M. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — CORROSION MANAGEMENT PLAN — PROGRAM MANAGEMENT — ENGINEERING SERVICES AGREEMENT AND INTERLOCAL AGREEMENT WITH UNIVERSITY OF TEXAS AT ARLINGTON. Pg. 778

Memorandum dated August 1, 2022 from Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and RJN Group, Inc., in the amount of \$349,576 for Basic Services and \$50,000 for Special Services for engineering services associated with the Corrosion Management Plan – Program Management for the Ten Mile Creek Interceptor System;
- (b) Authorize the General Manager to execute the Interlocal Agreement between the Trinity River Authority of Texas and the University of Texas at Arlington in the amount of \$937,992 for multiple sensor inspection field services associated with the Corrosion Management Plan – Program Management for the Ten Mile Creek Regional Wastewater System; and
- (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 RJN Group, Inc., as are deemed prudent in his judgment, provided the same do not increase the total approved cost.

N. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — EFFLUENT OUTFALL RELOCATION — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT AND MATERIALS TESTING SERVICES AGREEMENT. Pg. 840

Memorandum dated August 1, 2022 from Manager, Construction Services, PDCA and Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (2) Recommendation: The Utility Services Committee 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 Flow-Line Construction, Inc., in the amount of \$3,450,075 for the construction of the Effluent Outfall Relocation project for the Ten Mile Creek Regional Wastewater System;
- (b) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Halff Associates, Inc., in the amount of \$217,200 for Basic Services and \$25,000 for Special Services for construction administration engineering services associated with the Effluent Outfall Relocation project for the Ten Mile Creek Regional Wastewater System;
- (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 Halff 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 Team Consultants, Inc., in the amount of \$120,000 for construction materials testing services associated with the Effluent Outfall Relocation project for the Ten Mile Creek Regional Wastewater System.

O. WALKER-CALLOWAY BRANCH OUTFALL TRUNK SEWER SYSTEM — WALKER-CALLOWAY PHASE 4 IMPROVEMENTS — ENGINEERING SERVICES AGREEMENT.  
**Pg. 886**

Memorandum dated August 1, 2022 from Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen and Gary N. Oradat.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors:

- (a) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Kennedy/Jenks Consultants, Inc., in the amount of \$657,200 for Basic Services and \$60,000 for Special Services for final design engineering services associated with the Walker Calloway Phase 4 Improvements for the Walker-Calloway Branch Outfall Trunk Sewer System; and
- (b) Authorize the General Manager to execute amendments to the compensation provisions of the Engineering Services Agreement between the Trinity River Authority of Texas and Kennedy/Jenks Consultants, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

[ITEMS P THROUGH W 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.]

P. CENTRAL REGIONAL WASTEWATER SYSTEM — METER STATION REHABILITATION GROUP 1 – MS3 0M — AUTHORIZATION FOR LAND ACQUISITION BY EMINENT DOMAIN. **Pg. 912**

Memorandum dated July 15, 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-1603, 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 south of East Main Street, west of Merrifield Road, north of Mountain Creek Lake and east of Idlewild Road, in the cities of Grand Prairie and Dallas, in Dallas County, and specifically located in the Radcliff Platt Survey, Abstract No. 1142; the Enoch Horton Survey, Abstract No. 613; and the Rynd Lander Survey, Abstract No. 816, in order to acquire all required interests in real property for the public purpose of constructing, operating and maintaining the necessary Central Regional Wastewater System, Meter Station Rehabilitation Group 1 – MS3\_0M Project.

Q. DENTON CREEK REGIONAL WASTEWATER SYSTEM — PRESSURE SYSTEM FORCE MAIN AND LIFT STATION IMPROVEMENTS — AUTHORIZATION FOR LAND ACQUISITION BY EMINENT DOMAIN. Pg. 918

Memorandum dated July 15, 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-1604, 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 State Highway 114, west of North White Chapel Boulevard, south of the Denton/Tarrant County line, north of West Dove Road, in the city of Southlake, Tarrant County, Texas, and specifically located in V. P. Martin Survey, Abstract No. 1015 and Reese D. Price Survey, Abstract No. 1207, in order to acquire all required interests in real property for the public purpose of constructing, operating and maintaining the necessary Denton Creek Regional Wastewater System, Denton Creek Pressure System, Force Main and Lift Station Improvements Project.

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

R. SUMMARY REPORT OF TRINITY RIVER AUTHORITY DEBT — SUMMARY REPORT OF AUGUST 2022 CAPITAL CONTRACTS. Pg. 924

Memorandum dated August 1, 2022 from Controller.

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

S. SUMMARY REPORT OF GENERAL MANAGER-APPROVED AGREEMENTS. **Pg. 932**

Memorandum dated August 12, 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.

T. SUMMARY REPORT OF CHANGE ORDERS. **Pg. 934**

Memorandum dated August 1, 2022 from Manager, Construction Services, PDCA.

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

U. SUMMARY REPORT OF GENERAL MANAGER-APPROVED EMERGENCY REPAIRS UNDER THE EMERGENCY PIPELINE REPAIR CONTRACT. **Pg. 936**

Memorandum dated August 8, 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.

V. CONDEMNATION STATUS REPORT. **Pg. 939**

Memorandum dated August 1, 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.

W. REPORT ON SELECTED MATTERS PENDING BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) AND THE PUBLIC UTILITY COMMISSION OF TEXAS (PUC) AND LITIGATION STATUS REPORT THROUGH JULY 24, 2022. **Pg. 954**

Memorandum dated July 25, 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.

X. BID AWARDS.

NORTHERN REGION PROJECTS — BIDS FOR EQUIPMENT, SUPPLIES, SPARE PARTS AND SERVICES. Pg. 958

Memorandum dated July 22, 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 the Northern Region Projects:

<u>BID ITEM</u>	<u>VENDOR</u>
<u>Central Regional Wastewater System</u>	
Analytical Testing	Eurofins Environment Testing South Central, LLC
Bar Screen Waste and Grit Removal	Republic Waste Services of Texas, LTD
<u>Collection Systems Group</u>	
Utility Terrain Vehicle Mounted Off Road Portal Sanitary Sewer Video Inspection System	Essential Equipment
<u>Northern Region Projects</u>	
Electrical Supplies	WESCO Distribution
Flygt Pump Parts and Repair Services	Xylem Water Solutions USA, Inc.
Generator/Automatic Transfer Switch Inspections	Altorex LLC
Hach Brand Miscellaneous Parts	Hach Company
Microbiological Testing Supplies	IDEXX Distribution, Inc.

11. OTHER BUSINESS:

12. ADJOURNMENT: