

**THIS MEETING WILL BE CONDUCTED VIA CONFERENCE CALL.**

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, October 28, 2020  
10:30 a.m.

**NOTE:** This meeting will be conducted via conference call pursuant to the authority of Texas Government Code Section 551.125. This meeting will not take place at the foregoing address. Members of the public may interact with the Board of Directors during the period designated for public comment by dialing the toll free number (800) 717-4201. The conference ID number to enter when prompted is 767-3037 followed by #. The agenda packet for this meeting is available at <http://www.trinityra.org/default.asp?contentID=156>.

1. CALL TO ORDER BY THE PRESIDENT, KEVIN MAXWELL.
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	Edward C. Williams III	_____
3	Kaufman	Victoria K. Lucas	_____
4	Henderson	Jess A. Laird	_____
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	Manny Rachal	_____
16	Liberty	David B. Leonard	_____
17	Chambers	John W. Jenkins	_____
18	Area-at-Large	Robert F. McFarlane	_____
	Area-at-Large	Whitney D. Beckworth	_____
	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 AUGUST 26, 2020 VIA CONFERENCE CALL. Pg. 14

9. PUBLIC COMMENT.

Any person wishing to make public comment to the Board of Directors on any matter under the Authority's jurisdiction may do so during the period allotted for public comment. 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 E WERE PRESENTED TO THE ADMINISTRATION AND AUDIT COMMITTEE AT ITS MEETING ON OCTOBER 20, 2020.)

A. ANNUAL BUDGET FOR FISCAL YEAR 2021. Pg. 25

Memorandum dated October 1, 2020 from General Manager.

(1) Explanation by J. Kevin Ward and Alison A. Mackey.

(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 Budget for Fiscal Year 2021 and authorize and direct the President to transmit a copy thereof, in printed form, for inclusion with the Minutes of the Board Meeting.

**B. INVESTMENT OFFICERS' REPORT. Pg. 293**

Memorandum dated September 23, 2020 from Manager, Cash and Capital Projects.

- (1) Explanation by Henry Borbolla III and Alison A. Mackey.
- (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 Third Quarter of Fiscal Year 2020.

**C. INVESTMENT POLICY AND STRATEGY. Pg. 317**

Memorandum dated October 5, 2020 from Manager, Cash and Capital Projects.

- (1) Explanation by Henry Borbolla III and Alison A. Mackey.
- (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-1553, thereby approving the Investment Policy as presented.

**D. AUTHORITY-WIDE PRINTER CONSOLIDATION. Pg. 335**

Memorandum dated September 30, 2020 from Chief Information Officer.

- (1) Explanation by Henry Borbolla III 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 consolidation of printers Authority-wide under a single master contract as presented in Exhibit A.

E. INFORMATION TECHNOLOGY SUPPORT SERVICES — ANNUAL PURCHASES OVER \$75,000. Pg. 344

Memorandum dated September 30, 2020 from Chief Information Officer.

- (1) Explanation by Henry Borbolla III 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 purchases as presented.

F. AUTHORITY PROJECTS — BIDS FOR PROJECT VEHICLES. Pg. 347

Memorandum dated September 30, 2020 from Purchasing Manager.

- (1) Explanation by Henry Borbolla III 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 accept the list of recommended bids for the purchase of Fiscal Year 2021 Trinity River Authority vehicles.

(ITEMS G THROUGH I WERE PRESENTED TO THE RESOURCES DEVELOPMENT COMMITTEE AT ITS MEETING ON OCTOBER 19, 2020.)

G. LIVINGSTON RECREATION FACILITIES — WOLF CREEK PARK MANAGER'S RESIDENCE CONSTRUCTION — CONTRACT AWARD. Pg. 358

Memorandum dated October 5, 2020 from Manager, Construction Services, PDCA.

- (1) Explanation by John W. Jenkins and Jim R. Sims.
- (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 the contract between the Trinity River Authority of Texas and Legacy Builders in the amount of \$272,560 for the Wolf Creek Park Manager's Residence Construction.

H. MIDDLE TRINITY BASIN FLOOD MITIGATION — AUTHORIZATION FOR FUNDING APPLICATION AND CONTRACT EXECUTION — RESOLUTION NO. R-1554 AND FORM TWDB-0201A. Pg. 361

Memorandum dated October 11, 2020 from General Counsel.

- (1) Explanation by John W. Jenkins and Howard S. Slobodin.
- (2) Recommendation: The Resources Development Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors adopt Resolution No. R-1554 authorizing the General Manager of the Trinity River Authority of Texas to execute and submit a Flood Infrastructure Fund final application and execute a grant contract for funding with the Texas Water Development Board, further authorizing the General Manager to execute routine amendments thereto during the grant term, and also authorize the President of the Board of Directors to execute TWDB Form TWDB-0201A.

[ITEM I INVOLVES CONFIDENTIAL CONSULTATION WITH COUNSEL AND ACQUISITION OF REAL PROPERTY AND IS 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 ITEM SUBJECT TO THE REQUIREMENTS OF THE TEXAS GOVERNMENT CODE CHAPTER 551, SUBCHAPTER E, AND PURSUANT TO TEX. GOV'T CODE § 551.071 AND § 551.072. ANY FINAL DECISION, ACTION OR VOTE MUST BE MADE IN OPEN SESSION.]

I. WATER RIGHTS ACQUISITION — LUMINANT, A SUBSIDIARY OF VISTRA ENERGY — MODIFIED PURCHASE AUTHORIZATION. Pg. 366

Memorandum dated October 11, 2020 from General Counsel.

- (1) Explanation by John W. Jenkins and Howard S. Slobodin.
- (2) Recommendation: The Resources Development Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors approve the acquisition by the Trinity River Authority of Texas of Certificate of Adjudication No. 08-2388 from Luminant, a subsidiary of Vistra Energy, at a value of \$850 per acre-foot, and that upon payment of \$2,100,000 by Luminant, a subsidiary of Vistra Energy, authorize the General Manager to terminate the Raw Water Supply Agreement between the Trinity River Authority of Texas and TXU Electric Company, and authorize the General Manager to execute such documents as he deems necessary and prudent to accomplish the intended transaction.

(ITEMS J THROUGH P WERE PRESENTED TO THE UTILITY SERVICES COMMITTEE AT ITS MEETING ON OCTOBER 21, 2020.)

J. CENTRAL REGIONAL WASTEWATER SYSTEM — EFFLUENT FILTERS PHASE IIIB IMPROVEMENTS — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT, AND MATERIALS TESTING SERVICES AGREEMENT. Pg. 375

Memorandum dated October 5, 2020 from Manager, Construction Services, PDCA and Manager, Engineering Services, PDCA.

- (1) Explanation by C. Dwayne Somerville 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 Thalle Construction Company in the amount of \$15,502,276 for the construction of the Effluent Filters Phase IIIB Improvements for the Central 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 \$492,223 for Basic Services and \$70,000 for Special Services for construction administration engineering services associated with the Effluent Filters Phase IIIB Improvements for the Central 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 \$60,000 for construction materials testing services associated with the Effluent Filters Phase IIIB Improvements for the Central Regional Wastewater System treatment plant.

K. CENTRAL REGIONAL WASTEWATER SYSTEM — LIFT STATION LS 7M IMPROVEMENTS — ENGINEERING SERVICES AGREEMENT. Pg. 416

Memorandum dated October 5, 2020 from Manager, Engineering Services, PDCA.

- (1) Explanation by C. Dwayne Somerville 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 Kimley-Horn and Associates, Inc., in the amount of \$135,925 for Basic Services and \$15,000 for Special Services for field assessment engineering services associated with the Lift Station LS\_7M Improvements for the Central 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 Kimley-Horn and Associates, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

L. CENTRAL REGIONAL WASTEWATER SYSTEM — METER STATION REHABILITATION GROUP 2 — ENGINEERING SERVICES AGREEMENT. **Pg. 438**

Memorandum dated October 5, 2020 from Manager, Engineering Services, PDCA.

- (1) Explanation by C. Dwayne Somerville 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 \$834,058 for Basic Services and \$125,000 for Special Services for preliminary and final design engineering services associated with the Meter Station Rehabilitation Group 2 for the Central 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 AECOM Technical Services, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

M. CENTRAL REGIONAL WASTEWATER SYSTEM — PHASE II SOLIDS MANAGEMENT IMPROVEMENTS — RETAINAGE REDUCTION. **Pg. 477**

Memorandum dated October 5, 2020 from Manager, Construction Services, PDCA.

- (1) Explanation by C. Dwayne Somerville 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, in his discretion, to reduce retainage on the Phase II Solids Management Improvements project at the Central Regional Wastewater System to one percent, finding that satisfactory progress is being made by Eagle Contracting, L.P., pursuant to Texas Water Code Section 49.276(d).

N. DENTON CREEK REGIONAL WASTEWATER SYSTEM — INFLUENT COARSE SCREEN IMPROVEMENTS — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT, AND MATERIALS TESTING SERVICES AGREEMENT. Pg. 479

Memorandum dated October 5, 2020 from Manager, Construction Services, PDCA and Manager, Engineering Services, PDCA.

- (1) Explanation by C. Dwayne Somerville 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 Felix Construction in the amount of \$1,386,268 for the construction of the Influent Coarse Screen Improvements at the Denton Creek Regional Wastewater System;
- (b) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Freese and Nichols, Inc., in the amount of \$354,976 for Basic Services and \$35,000 for Special Services for construction administration engineering services associated with the Influent Coarse Screen Improvements at the Denton 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 Freese and Nichols, 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 Gorrondona and Associates, Inc., in the amount of \$65,000 for construction materials testing services associated with the Influent Coarse Screen Improvements at the Denton Creek Regional Wastewater System.



O. DENTON CREEK REGIONAL WASTEWATER SYSTEM — DENTON CREEK PRESSURE SYSTEM FORCE MAIN AND LIFT STATION IMPROVEMENTS — ENGINEERING SERVICES AGREEMENT. Pg. 523

Memorandum dated October 5, 2020 from Manager, Engineering Services, PDCA.

- (1) Explanation by C. Dwayne Somerville 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 Garver, LLC, in the amount of \$903,413 for Basic Services and \$80,000 for Special Services 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; 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 Garver, LLC, as are deemed prudent in his judgment provided the same do not increase the total approved cost.

P. RED OAK CREEK REGIONAL WASTEWATER SYSTEM — BEAR CREEK LIFT STATION AND FORCE MAIN — CHANGE ORDER NO. 06 – UTILITY TRANSFORMER SERVICE VOLTAGE RATING INCREASE. Pg. 554

Memorandum dated October 5, 2020 from Manager, Construction Services, PDCA.

- (1) Explanation by C. Dwayne Somerville 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 Change Order between the Trinity River Authority of Texas and Red River Construction Co. associated with the Bear Creek Lift Station and Force Main for the Red Oak Creek Regional Wastewater System treatment plant to increase the contract amount from \$11,505,474.57 to \$11,564,879.98 to account for the cost of the increased voltage rating of the primary distribution equipment.

(ITEMS Q THROUGH V 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 OCTOBER 2020 CAPITAL CONTRACTS. **Pg. 557**

Memorandum dated October 1, 2020 from Controller.

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

R. SUMMARY REPORT OF CHANGE ORDERS. **Pg. 567**

Memorandum dated October 5, 2020 from Manager, Construction Services, PDCA.

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

S. SUMMARY REPORT OF QUANTITY OVERRUNS. **Pg. 571**

Memorandum dated October 5, 2020 from Manager, Construction Services, PDCA.

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

T. SUMMARY REPORT OF GENERAL MANAGER-APPROVED EMERGENCY REPAIRS UNDER THE EMERGENCY PIPELINE REPAIR CONTRACT. **Pg. 573**

Memorandum dated October 5, 2020 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 U AND V INVOLVE LITIGATION, POTENTIAL LITIGATION, 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 § 551.071. ANY FINAL DECISION, ACTION OR VOTE MUST BE MADE IN OPEN SESSION.]

U. CONDEMNATION STATUS REPORT. Pg. 576

Memorandum dated October 5, 2020 from General Counsel.

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

V. 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 OCTOBER 5, 2020. Pg. 580

Memorandum dated October 6, 2020 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.

W. BID AWARDS.

(1) NORTHERN REGION PROJECTS — BIDS FOR SUPPLIES, SPARE PARTS AND SERVICES. Pg. 585

Memorandum dated September 30, 2020 from Purchasing Manager, Administrative Services.

- (1) Explanation by the President, Kevin Maxwell.
- (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 Supplies, Spare Parts, and Services for the Northern Region Projects:

<u>BID ITEM</u>	<u>VENDOR</u>
<u>Central Regional Wastewater System</u>	
Vacuum Induction Units	Macaulay Controls Company
<u>Collection Systems Group</u>	
Open Channel Flow Control Meters	Hach Company
Rehabilitation of Sanitary Sewer Manholes	Ace Pipe Cleaning, Inc.

Northern Region Projects

Fuels

Suncoast Resources, Inc.

**(2) AUTHORITY PROJECTS — BIDS FOR PROCESS CHEMICALS. Pg.**

Memorandum dated September 29, 2020 from Purchasing Manager, Administrative Services.

- (1) Explanation by the President, Kevin Maxwell.
- (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 Process Chemicals for the Authority Projects:

<u>BID ITEM</u>	<u>VENDOR</u>
Anhydrous Ammonia	Gasochem International LLC
Copper Sulfate Solution (TCWSP/HRWSS) Ferric Chloride (Rail/Truck)	Chemtrade Chemicals US LLC Kemira Water Solutions, Inc.
Hydrofluosilic Acid (TCWSP/LRWSS) (TCRWSS)	Pencco, Inc. Shannon Chemical Corporation
Hydrogen Peroxide 50%	USP Technologies
Lime	Texas Lime
Liquid Aluminum Sulfate (TCWSP/DCRWS) (LRWSS)	Chameleon Industries, Inc. Brenntag Southwest, Inc.
Liquid Chlorine (CRWS/TMCRWS/TCWSP/HRWSS/ LRWSS)	Brenntag Southwest, Inc.
Liquid Oxygen	Airgas USA, LLC
Liquid Sodium Hypochlorite (CRWS/TCWSP) (ROCRWS/MCRWS/TCRWSS)	FSTI, Inc. Anomtech Services, LLC.
Liquid Sulfur Dioxide (CRWS/TMCRWS)	INEOS Calabrian

Magnesium Hydroxide Solution	Premier Magnesia, LLC
Polyaluminum Chloride	GEO Specialty Chemicals, Inc.
Polymers	Polydyne, Inc.
Purate to Generate Chlorine Dioxide Azure Water Services, LLC	Water Solutions, A Division of
Sodium Chlorite (HRWSS/LRWSS)	Evoqua Water Technologies, LLC
Sodium Hydroxide Solution (TCWSP 25%) (TCWSP 50%) (HRWSS/LRWSS)	Brenntag Southwest, Inc. TDC, L.L.C. Brenntag Southwest, Inc.
Sulfuric Acid to Generate Chlorine Dioxide	Shrieve Chemical Company, LLC

11. OTHER BUSINESS:

12. ADJOURNMENT: