

**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  
Thursday, December 3, 2020  
1:00 p.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 OCTOBER 28, 2020 VIA CONFERENCE CALL. Pg. 13
- 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 C WERE PRESENTED TO THE RESOURCES DEVELOPMENT COMMITTEE AT ITS MEETING ON NOVEMBER 17, 2020.)

A. TRINITY REGIONAL FLOOD PLANNING GROUP — AUTHORIZATION FOR FIRST ROUND GRANT CONTRACTING — RESOLUTION NO. R-1557. Pg. 22

Memorandum dated November 6, 2020 from Executive Manager, TSBP.

- (1) Explanation by John W. Jenkins 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 adopt Resolution No. R-1557 authorizing the General Manager of the Trinity River Authority of Texas to apply for and execute a grant contract for first-round Trinity Region Flood Planning Group activities with the Texas Water Development Board, to contract with a consulting firm for assistance with the flood planning activities of the group, and further authorizing the General Manager to execute routine amendments thereto during fifth-round planning activities.

B. LIVINGSTON RECREATION FACILITIES — WOLF CREEK PARK — ESTABLISHMENT OF REVISED FEE SCHEDULE. Pg. 26

Memorandum dated November 4, 2020 from Assistant Manager, Operations, Lake Livingston Project.

- (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 adopt Resolution No. R-651-6, which establishes user and entrance fees at Wolf Creek Park to become effective January 1, 2021.

[ITEM C INVOLVES CONFIDENTIAL CONSULTATION WITH COUNSEL 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 SEC. 551.071. ANY FINAL DECISION, ACTION OR VOTE MUST BE MADE IN OPEN SESSION.]

C. JOE POOL LAKE — TREATED EFFLUENT SUPPLY — ADOPTION OF RESOLUTION NO. R-1558. Pg. 34

Memorandum dated November 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-1558 establishing rates, charges and fees for the purchase of treated effluent from the Mountain Creek Regional Wastewater System treatment plant.

(ITEMS D THROUGH L WERE PRESENTED TO THE UTILITY SERVICES COMMITTEE AT ITS MEETING ON NOVEMBER 18, 2020.)

D. CENTRAL REGIONAL WASTEWATER SYSTEM — METER STATION REHABILITATION GROUP 1, METER STATION MS10\_0B — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT AND MATERIALS TESTING SERVICES AGREEMENT. Pg. 39

Memorandum dated November 6, 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 Schofield Civil Construction, LLC, in the amount of \$655,615 for the construction of the Meter Station Rehabilitation Group 1, Meter Station MS10\_0B for the Central Regional Wastewater System;
- (b) 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 \$141,677 for Basic Services and \$15,000 for Special Services for construction administration engineering services associated with the Meter Station Rehabilitation Group 1, Meter Station MS10\_0B for the Central 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 Kimley-Horn and 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 Gorrondona & Associates, Inc., in the amount of \$25,000 for construction materials testing services associated with the Meter Station Rehabilitation Group 1, Meter Station MS10\_0B for the Central Regional Wastewater System.

E. CENTRAL REGIONAL WASTEWATER SYSTEM — BEAR CREEK RELIEF INTERCEPTOR SEGMENT 09BC-1, PHASE 2 — INTERLOCAL AGREEMENT WITH THE CITY OF GRAPEVINE. Pg. 81

Memorandum dated November 6, 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 authorize the General Manager to execute the Interlocal Agreement between the Trinity River Authority of Texas and the City of Grapevine in the amount of \$854,824.63 for the design and construction associated with the Bear Creek Relief Interceptor Segment 09BC-1, Phase 2 for the Central Regional Wastewater System.

F. DENTON CREEK REGIONAL WASTEWATER SYSTEM — MASTER PLAN TREATMENT PLANT UPDATE — ENGINEERING SERVICES AGREEMENT. Pg. 198

Memorandum dated November 6, 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 Plummer Associates, Inc., in the amount of \$1,102,489 for Basic Services and \$110,000 for Special Services for planning engineering services associated with the Master Plan Treatment Plant Update 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 Plummer Associates, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

G. DENTON CREEK REGIONAL WASTEWATER SYSTEM — ODOR CONTROL IMPROVEMENTS, PHASE 3 — ENGINEERING SERVICES AGREEMENT. Pg. 227

Memorandum dated November 6, 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 Plummer Associates, Inc., in the amount of \$329,005 for Basic Services and \$50,000 for Special Services for preliminary and final design engineering services associated with the Odor Control Improvements, Phase 3 at the Denton Creek 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 Plummer Associates, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

H. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — TEN MILE CREEK RELIEF INTERCEPTOR, SEGMENT 11-40TM-2 PHASE 1 — ENGINEERING SERVICES AGREEMENT. Pg. 254

Memorandum dated November 6, 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 Teague Nall and Perkins, Inc., in the amount of \$1,214,361 for Basic Services and \$120,000 for Special Services for final design engineering services associated with the Ten Mile Creek Relief Interceptor, Segment 11-40TM-2 Phase 1 for the Ten Mile 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 Teague Nall and Perkins, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

I. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — METER STATION REHABILITATION — ENGINEERING SERVICES AGREEMENT. Pg. 291

Memorandum dated November 6, 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 BGE, Inc., in the amount of \$478,101 for Basic Services and \$50,000 for Special Services for final design engineering services associated with the Meter Station Rehabilitation for the Ten Mile 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 BGE, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

J. CENTRAL REGIONAL WASTEWATER SYSTEM — TARRANT COUNTY WATER SUPPLY PROJECT — TRIENNIAL EVALUATION — ENGINEERING SERVICES AGREEMENTS. **Pg. 320**

Memorandum dated November 5, 2020 from Engineering Manager, CRWS and Plant Engineer, TCWSP.

- (1) Explanation by C. Dwayne Somerville and Patricia M. Cleveland.
- (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 \$283,322 for Basic Services and \$50,000 for Special Services for engineering services associated with the Triennial Evaluation for the Central Regional Wastewater System; and
- (b) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Arcadis, US, Inc., in the amount of \$213,111 for Basic Services and \$50,000 for Special Services for engineering services associated with the Triennial Evaluation for the Tarrant County Water Supply Project; and
- (c) Authorize the General Manager to execute amendments to the compensation provisions of the Engineering Services Agreements between the Trinity River Authority of Texas, Garver, LLC, and Arcadis, U.S., Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

K. TRINITY COUNTY REGIONAL WATER SUPPLY SYSTEM — EXPIRATION OF RAW WATER AND SERVICE CONTRACTS — DISCONTINUATION OF OPERATIONS. **Pg. 362**

Memorandum dated November 2, 2020 from Executive Manager, Southern Region.

- (1) Explanation by C. Dwayne Somerville and Jim R. Sims.
- (2) Recommendation: This item is presented as a status report only; no further action is necessary at this time.

L. NORTHERN REGION PROJECTS AND THE GENERAL OFFICE — ENERGY MANAGEMENT CONSULTING — SERVICES SUPPORT AGREEMENT. **Pg. 364**

Memorandum dated November 6, 2020 from Purchasing Manager, Administrative Services.

- (1) Explanation by C. Dwayne Somerville and Taylor L. Huynh.
- (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 extend the contract term an additional 36 months beginning January 1, 2021 and ending December 31, 2023 between the Trinity River Authority of Texas and L5E, LLC d/b/a 5 for energy management consulting services support agreement.

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

M. SUMMARY REPORT OF TRINITY RIVER AUTHORITY DEBT — SUMMARY REPORT OF DECEMBER 2020 CAPITAL CONTRACTS. **Pg. 366**

Memorandum dated November 15, 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.

N. SUMMARY REPORT OF BUDGET AMENDMENTS. **Pg. 375**

Memorandum dated November 5, 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.



O. SUMMARY REPORT OF CHANGE ORDERS. **Pg. 376**

Memorandum dated November 6, 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.

P. SUMMARY REPORT OF QUANTITY OVERRUNS. **Pg. 378**

Memorandum dated November 6, 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.

Q. SUMMARY REPORT — GENERAL MANAGER – APPROVED PIPELINE EMERGENCY REPAIRS – EMERGENCY PIPELINE REPAIR CONTRACT. **Pg. 380**

Memorandum dated November 6, 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 R THROUGH V 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.]

R. RED OAK CREEK REGIONAL WASTEWATER SYSTEM — RED OAK CREEK RELIEF INTERCEPTOR, SEGMENT RO-3 — AUTHORIZATION FOR LAND ACQUISITION BY EMINENT DOMAIN. **Pg. 383**

Memorandum dated November 6, 2020 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-1555, authorizing the General Manager, or his designated representative, and his staff, consultants, agents 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 along the south side of Red Oak Creek from Westmoreland Road to node MH 6100R just north of Bryson Lane, in the city of Ovilla, Ellis County, Texas, and specifically located in the James McNamara Survey, Abstract No. 693 and the John R. Billingsley Survey, Abstract No. 80, in order to acquire all necessary interests in real property for the public purpose of constructing, operating and maintaining the necessary Red Oak Creek Regional Wastewater System, Red Oak Creek Relief Interceptor, Segment RO-3 Project.

S. MOUNTAIN CREEK REGIONAL WASTEWATER SYSTEM — SOAP CREEK INTERCEPTOR EXTENSION — AUTHORIZATION FOR LAND ACQUISITION BY EMINENT DOMAIN. **Pg. 389**

Memorandum dated November 5, 2020 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-1556, 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 from the existing Railport Lift Station at U.S. Highway 67, along Soap Creek to the Soap Creek Interceptor at U.S. Highway 287, in the city of Midlothian and surrounding vicinity, Ellis County, Texas, and specifically located in the Leeman Kelsey Survey, Abstract No. 593; the R.M. Wyatt Survey, Abstract No. 1280; the B. Canfield Survey, Abstract No. 197; the Cuadrilla Irrigation Co. Survey, Abstract No. 262; and the J. Stewart Survey, Abstract No. 961, in order to acquire all necessary interests in real property for the public purpose of constructing, operating and maintaining the necessary Mountain Creek Regional Wastewater System, Soap Creek Interceptor Extension Project.

T. WALKER-CALLOWAY BRANCH OUTFALL TRUNK SEWER SYSTEM, PHASE 2 & PHASE 3 — AUTHORIZATION FOR LAND ACQUISITION BY EMINENT DOMAIN. **Pg. 395**

Memorandum dated November 5, 2020 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-1527-1, 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 West Redbud Drive, north of Trinity Boulevard, east of Northeast Loop 820, and west of Precinct Line Road; in the cities of Fort Worth and Hurst, Tarrant County, Texas, and specifically located in the Allen S. Trimble Survey, Abstract No. 1528, and the William W. Wallace Survey, Abstract No. 1705, in order to acquire all necessary interests in real property for the public purpose of constructing, operating and maintaining the necessary Walker-Calloway Branch Outfall Trunk Sewer, Phase 2 & Phase 3 Project.

U. CONDEMNATION STATUS REPORT. Pg. 400

Memorandum dated November 2, 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 NOVEMBER 2, 2020. Pg. 404

Memorandum dated November 2, 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. TARRANT COUNTY WATER SUPPLY PROJECT — BID FOR GROUNDS MAINTENANCE. Pg. 408

Memorandum dated November 6, 2020 from Purchasing Manager, Administrative Services.

- (1) Explanation by 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 vendor for services for the Tarrant County Water Supply Project:

BID ITEM

VENDOR

Grounds Maintenance

Whitmore and Sons, Inc.

X. SOUTHERN REGION PROJECTS — BIDS FOR PROJECT VEHICLES. Pg. 412

Memorandum dated November 13, 2020 from Purchasing Manager.

- (1) Explanation by Henry Borbolla III and Taylor L. Huynh.
- (2) Recommendation: This item is presented for information purposes only; no action is necessary.

11. OTHER BUSINESS:

12. ADJOURNMENT: