

(UPDATED AGENDA)

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, August 26, 2020
10:30 a.m.

NOTE: This meeting will be conducted via conference call pursuant to the authority of Texas Government Code Section 551.127. 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 JUNE 24, 2020 VIA WEBEX. Pg. 12
- 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 AUGUST 18, 2020.)

A. ANNUAL BUDGET FOR FISCAL YEAR 2021 — LETTER OF TRANSMITTAL. Pg. 19

Memorandum dated July 31, 2020 from General Manager.

- (1) Explanation by J. Kevin Ward.

- (2) Recommendation: This item is presented for information only; no action is necessary.

B. INVESTMENT OFFICERS' REPORT. Pg. 289

Memorandum dated July 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 Second Quarter of Fiscal Year 2020.

C. EXTENDABLE COMMERCIAL PAPER. Pg. 316

Memorandum dated July 29, 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-1552 authorizing the issuance, sale, and delivery of Trinity River Authority of Texas Regional Wastewater System Revenue Bonds relating to the acquisition, construction and improvement of the system and the Extendable Commercial Paper Program and approving and authorizing instruments and procedures relating thereto.

D. DEFINED CONTRIBUTION PENSION PLAN AND DEFERRED COMPENSATION PLAN. Pg. 341

Memorandum dated July 28, 2020 from Executive Manager, Administrative Services.

- (1) Explanation by Henry Borbolla III and Taylor L. Huynh.
- (2) Recommendation: This item is reported as a status report only; no action is necessary.

E. POLICY AMENDMENTS — PURCHASING AND PROCUREMENT AND CODE OF ETHICS. Pg. 348

Memorandum dated August 3, 2020 from Associate General Counsel.

- (1) Explanation by Henry Borbolla III and Howard S. Slobodin.
- (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 Resolution No. R-1551 approving the amended Purchasing and Procurement Policy as presented; and
- (b) Adopt the Authority's revised Code of Ethics Policy as presented.

(ITEMS F AND G WERE PRESENTED TO THE RESOURCES DEVELOPMENT COMMITTEE AT ITS MEETING ON AUGUST 20, 2020.)

F. ANNUAL JOINT FUNDING AGREEMENTS — WATER RESOURCES INVESTIGATIONS — U.S. GEOLOGICAL SURVEY. Pg. 379

Memorandum dated July 28, 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:

- (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.

G. MASTER PLAN ANNUAL REPORT. Pg. 389

Memorandum dated July 31, 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 the annual report on the status of the Master Plan.

(ITEMS H THROUGH N WERE PRESENTED TO THE UTILITY SERVICES COMMITTEE AT ITS MEETING ON AUGUST 19, 2020.)

H. CENTRAL REGIONAL WASTEWATER SYSTEM — ELM FORK INTERCEPTOR REHABILITATION AND REPLACEMENT CAC-7, 8A, AND 8B — ENGINEERING SERVICES AGREEMENT. Pg. 392

Memorandum dated August 4, 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 Lockwood, Andrews & Newnam, Inc., in the amount of \$2,765,910 for Basic Services and \$500,000 for Special Services for preliminary engineering services associated with the Elm Fork Interceptor Rehabilitation and Replacement CAC-7, 8A, and 8B 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 Lockwood, Andrews & Newnam, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

I. CENTRAL REGIONAL WASTEWATER SYSTEM — SOLIDS MANAGEMENT IMPROVEMENTS, PHASE III-B — SECOND AMENDMENT — ENGINEERING SERVICES AGREEMENT. Pg. 428

Memorandum dated August 4, 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 authorize the General Manager to execute the Second Amendment to the Engineering Services Agreement between the Trinity River Authority of Texas and CDM Smith Inc. increasing the amount of Basic Services from \$11,680,968 to \$13,485,396 for construction phase engineering services associated with the Solids Management Improvements, Phase III-B at the Central Regional Wastewater System.

J. CENTRAL REGIONAL WASTEWATER SYSTEM — HEADWORKS B IMPROVEMENTS PHASE II — CHANGE ORDER NO. 2 — ADDITIONAL COMPENSATION AND TIME FOR FLOOR DRAINS REPLACEMENT. **Pg. 438**

Memorandum dated August 4, 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 Texas Standard Construction, Ltd, associated with the Central Regional Wastewater System Headworks B Improvements Phase II to increase the contract amount from \$3,927,350 to \$4,151,265.92 and extend the contract duration by 180 calendar days.

K. TARRANT COUNTY WATER SUPPLY PROJECT — MURPHY DRIVE PUMP STATION GROUND STORAGE TANK NO. 4 REHABILITATION — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT, AND MATERIALS TESTING SERVICES AGREEMENT. **Pg. 442**

Memorandum dated August 4, 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 Corrosion Eliminators in the amount of \$1,995,585 for the construction of the Murphy Drive Pump Station Ground Storage Tank No. 4 Rehabilitation for the Tarrant County Water Supply Project;
- (b) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Jones & Carter, Inc., in the amount of \$223,216 for Basic Services and \$30,000 for Special Services for construction administration engineering services associated with the Murphy Drive Pump Station Ground Storage Tank No. 4 Rehabilitation for the Tarrant County Water Supply Project;
- (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 Jones & Carter, 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 Southwest Testing Laboratories dba STL Engineers in the amount of \$50,000 for construction materials testing services associated with the Murphy Drive Pump Station Ground Storage Tank No. 4 Rehabilitation for the Tarrant County Water Supply Project.

L. TARRANT COUNTY WATER SUPPLY PROJECT — MURPHY DRIVE PUMP STATION PUMPING AND ELECTRICAL IMPROVEMENTS — ENGINEERING SERVICES AGREEMENT. Pg. 482

Memorandum dated August 4, 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 Freese and Nichols, Inc., in the amount of \$915,146 for Basic Services and \$150,000 for Special Services for assessment and preliminary design engineering services associated with the Murphy Drive Pump Station Pumping and Electrical Improvements for the Tarrant County Water Supply Project; 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 Freese and Nichols, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

M. TARRANT COUNTY WATER SUPPLY PROJECT — 27-INCH WATER LINE NON-DESTRUCTIVE TESTING — CHEEK-SPARGER CONNECTION TO 36-INCH EULESS NORTH/GRAPEVINE EAST — ENGINEERING SERVICES AGREEMENT. Pg. 509

Memorandum dated August 4, 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 RJN Group, Inc., in the amount of \$761,000 for Basic Services and \$75,000 for Special Services for field assessment engineering services associated with the 27-Inch Water Line Non-Destructive Testing – Cheek-Sparger Connection to 36-Inch Euless North/Grapevine East for the Tarrant County Water Supply Project; 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 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 — EROSION SITE REHABILITATION AT TEN MILE CREEK — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT, AND MATERIALS TESTING SERVICES AGREEMENT.
Pg. 543

Memorandum dated August 4, 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 Lindamood Demolition, Inc., in the amount of \$2,078,780.94 for the construction of the Erosion Site Rehabilitation at Ten Mile Creek 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 \$102,000 for Basic Services and \$15,000 for Special Services for construction administration engineering services associated with the Erosion Site Rehabilitation at Ten Mile Creek 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 Professional Services Industries, Inc., in the amount of \$90,000 for construction materials testing services associated with the Erosion Site Rehabilitation at Ten Mile Creek for the Ten Mile Creek Regional Wastewater System.

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

O. SUMMARY REPORT OF TRINITY RIVER AUTHORITY DEBT — SUMMARY REPORT OF AUGUST 2020 CAPITAL CONTRACTS. **Pg. 585**

Memorandum dated August 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.

P. SUMMARY REPORT OF CHANGE ORDERS. **Pg. 595**

Memorandum dated August 4, 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. 599**

Memorandum dated August 4, 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 I 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. DENTON CREEK REGIONAL WASTEWATER SYSTEM — DENTON CREEK PRESSURE SYSTEM — AIR RELEASE VALVE REPLACEMENT, PHASE 1 AUTHORIZATION FOR LAND ACQUISITION BY EMINENT DOMAIN. **Pg. 602**

Memorandum dated July 29, 2020 from Associate 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-1541-1, 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 east of State Highway 114, west of North White Chapel Boulevard, north of West Dove Road and south of Kirkwood Branch, in the Rees D. Price Survey, Abstract No. 1207, in the city of Southlake, in Tarrant County, Texas, 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 – Air Release Valve Replacement, Phase 1.

S. CONDEMNATION STATUS REPORT. **Pg. 609**

Memorandum dated August 3, 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.

T. SELECTED MATTERS PENDING BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY — STATUS REPORT. **Pg. 612**

Memorandum dated July 28, 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.

U. BID AWARDS.

AUTHORITY PROJECTS — BIDS FOR EQUIPMENT, SUPPLIES, SPARE PARTS, AND SERVICES. **Pg. 615**

Memorandum dated July 28, 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 Equipment, Supplies, Spare Parts, and Services for the Authority Projects:

<u>VENDOR</u>	<u>BID ITEM</u>
<u>Central Regional Wastewater System</u>	
Abel Pump Parts	Abel Pumps, LP
Analytical Testing	Pace Analytical Services, LLC
Annual HVAC Services	Denali Construction Services
Bar Screen Waste and Grit Removal	Republic Waste Services of Texas, LTD
Heavy Equipment Repair (CASE)	Asco Equipment
<u>Collection Systems Group</u>	
Air Relief Valves and Replacement Parts	Ferguson Waterworks
<u>Northern Region Projects</u>	
Flygt Pump Parts and Repair Services	Xylem Water Solutions USA, Inc.
Generators/Automatic Transfer Switch Inspections	Altorex LLC
Hach Brand Miscellaneous Parts	Hach Company
Microbiological Testing Supplies	IDEXX Laboratories, Inc.
<u>Southern Region Projects</u>	
Sludge Pond Cleanout	Denali Water Solutions LLC

11. OTHER BUSINESS:

12. ADJOURNMENT: