

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 25, 2021
 10:30 a.m.

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	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	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 23, 2021 AT TRA'S GENERAL OFFICE, BOARD ROOM, 5300 SOUTH COLLINS STREET, ARLINGTON, TARRANT COUNTY, TEXAS. **Pg. 13**
9. APPROVAL AND CONFIRMATION OF THE [REPORT OF ACTIONS](#) OF THE EXECUTIVE COMMITTEE MEETINGS HELD ON JUNE 29, 2021 AND ON AUGUST 13, 2021. **Pg. 24**
10. 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.

11. 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 17, 2021.)

A. ANNUAL BUDGET FOR FISCAL YEAR 2022 — SUBMISSION FOR REVIEW. **Pg. 28**

Memorandum dated August 2, 2021 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. 402**

Memorandum dated July 8, 2021 from Manager, Cash and Capital Project Financing.

- (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 2021.

C. CENTRAL REGIONAL WASTEWATER SYSTEM — EXTENDABLE COMMERCIAL PAPER AND LONG-TERM BOND PROGRAM — RESOLUTION NO. R-1576 AND RESOLUTION NO. R-1579. **Pg. 426**

Memorandum dated July 27, 2021 from Manager, Cash and Capital Project Financing.

- (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:

- (a) Adopt Resolution No. R-1576 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;
- (b) Adopt Resolution No. R-1579 authorizing the issuance, sale, and delivery of Trinity River Authority of Texas Regional Wastewater System Revenue Bonds, and approving and authorizing instruments and procedures relating thereto.

D. WATER SALES SPECIAL REVENUE FUND — COMMITTED FUND BALANCES — RESOLUTION NO. R-1578. **Pg. 475**

Memorandum dated August 1, 2021 from Controller.

- (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 rescind Resolution No. R-1545 and adopt Resolution No. R-1578 committing water sales revenues accounted for in the Water Sales Special Revenue Fund in the fashion therein stated, consistent with the requirements of Statement No. 54 of the Governmental Accounting

Standards Board.

E. POLICY AMENDMENTS — VEHICLES POLICY. **Pg. 480**

Memorandum dated August 6, 2021 from Intern, Legal Services.

- (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 approve the amended Vehicles Policy as presented.

(ITEMS E THROUGH M WERE PRESENTED TO THE UTILITY SERVICES COMMITTEE AT ITS MEETING ON AUGUST 18, 2021.)

F. CENTRAL REGIONAL WASTEWATER SYSTEM — SOLIDS MANAGEMENT IMPROVEMENTS, PHASE III-B — ENGINEERING SERVICES AGREEMENT — COMMISSIONING ADVISOR. **Pg. 489**

Memorandum dated August 3, 2021 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 Engineering Services Agreement between the Trinity River Authority of Texas and CDM Smith, Inc., in the amount of \$2,552,500 for Basic Services and \$100,000 for Special Services for commissioning advisory engineering services associated with the Solids Management Improvements, Phase III-B 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 CDM Smith, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

G. CENTRAL REGIONAL WASTEWATER SYSTEM — SOLIDS MANAGEMENT IMPROVEMENTS, PHASE III-B — CHANGE ORDER NO. 146 — COMMISSIONING MANAGER. Pg. 512

Memorandum dated August 3, 2021 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 approve Change Order No. 146 in the amount of \$6,278,843 for those services associated with Commissioning Manager of the Solids Management Improvements, Phase III-B at the Central Regional Wastewater System treatment plant.

H. CENTRAL REGIONAL WASTEWATER SYSTEM — SOLIDS MANAGEMENT IMPROVEMENTS PHASE III-B — CHANGE ORDER NO. 145 — COMPROMISE AND SETTLEMENT AGREEMENT. Pg. 547

Memorandum dated August 3, 2021 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 ratify the General Manager's execution of the Compromise and Settlement Agreement and authorize the General Manager's execution of Change Order No. 145 between the Trinity River Authority of Texas and MWH Constructors, Inc., in the amount of \$950,000, increasing the contract value from \$202,246,647.92 to \$203,196,647.92 and the addition of 171 calendar days to the contract completion date extending the date for completion of Operational Readiness Testing to November 26, 2021, for the Solids Management Improvements Phase III-B project at the Central Regional Wastewater System.

I. CENTRAL REGIONAL WASTEWATER SYSTEM — BEAR CREEK INTERCEPTOR RELIEF, PHASE 1 — SECOND AMENDMENT — ENGINEERING SERVICES AGREEMENT. Pg. 554

Memorandum dated August 3, 2021 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 Second Amendment to the Engineering Services Agreement between the Trinity River Authority of Texas and Lockwood, Andrews & Newnam, Inc., increasing the amount of Basic Services from \$2,555,247 to \$2,745,933 and Special Services from \$250,000 to \$270,000 for final design engineering services associated with the Bear Creek Interceptor Relief, Phase 1 project for the Central Regional Wastewater System.

J. CENTRAL REGIONAL WASTEWATER SYSTEM — PHASE VI REHABILITATION — CHANGE ORDER NO. 06 — HEADWORKS B IMPROVEMENTS PHASE II REMAINING WORK AND FIRST AMENDMENT — ENGINEERING SERVICES AGREEMENT. Pg. 562

Memorandum dated August 3, 2021 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 Change Order No. 06 between the Trinity River Authority of Texas and Facility Solutions Group associated with the Central Regional Wastewater System Phase VI Rehabilitation to increase the contract amount from \$14,326,675.71 to \$14,927,146.71, and extend the contract duration by 144 calendar days; and
- (b) Authorize the General Manager to execute the First Amendment to the Engineering Services Agreement between the Trinity River Authority of Texas and Freese and Nichols, Inc., increasing the amount of Basic Services from \$680,181 to \$780,474 and Special Services from \$68,000 to \$88,000, for construction administration engineering services associated with the Phase VI Rehabilitation at the Central Regional Wastewater System treatment plant.

K. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — TM-1 RELIEF INTERCEPTOR, PHASE 1A — SECOND AMENDMENT — ENGINEERING SERVICES AGREEMENT. Pg. 574

Memorandum dated August 3, 2021 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 Second Amendment to the Engineering Services Agreement between the Trinity River Authority of Texas and HDR Engineering, Inc., increasing the amount of Basic Services from \$2,113,550 to \$2,229,550, and Special Services from \$200,000 to \$285,000 for final design engineering services associated with the TM-1 Relief Interceptor, Phase 1A for the Ten Mile Creek Regional Wastewater System.

L. TARRANT COUNTY WATER SUPPLY PROJECT — MURPHY DRIVE PUMP STATION GROUND STORAGE TANK NO. 4 REHABILITATION — CHANGE ORDER NO. 02 — CREDIT FOR ELIMINATION OF ELECTRICAL AND INSTRUMENTATION SCOPE. Pg. 588

Memorandum dated August 3, 2021 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 Change Order No. 02 between the Trinity River Authority of Texas and Corrosion Eliminators, LLC, associated with the Murphy Drive Pump Station Ground Storage Tank No. 4 Rehabilitation to decrease the contract amount from \$2,035,585 to \$1,962,085 with no change to the contract time.

M. NORTHERN REGION — PROCESS CONTROL SYSTEM MAINTENANCE — CONTRACT AWARD. Pg. 592

Memorandum dated August 1, 2021 from Chief Information Officer.

- (1) Explanation by C. Dwayne Somerville and Douglas L. Short.
- (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 authorize the service contract between the Trinity River Authority of Texas and Prime Controls, for a 3-year contract at a total cost not to exceed \$590,100 for Process Control System and Industrial Controls System Maintenance Services.

(ITEMS N THROUGH R WERE NOT PRESENTED TO A COMMITTEE.)

N. APPOINTMENT OF NOMINATING COMMITTEE TO RECOMMEND ELECTIVE OFFICERS AND EXECUTIVE COMMITTEE MEMBERS. Pg. 594

Memorandum dated August 4, 2021 from President, Board of Directors.

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

O. UPPER TRINITY BASIN WATER QUALITY COMPACT. Pg. 595

Memorandum dated August 9, 2021 from Executive Manager, TSBP.

- (1) Explanation by John W. Jenkins and Glenn C. Clingenpeel.
- (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 Agreement between the Trinity River Authority of Texas, the North Texas Municipal Water District, and the cities of Fort Worth and Dallas, in substantially the form presented, to continue the Upper Trinity Basin Water Quality Compact.

P. ANNUAL JOINT FUNDING AGREEMENTS — WATER RESOURCES INVESTIGATIONS — U.S. GEOLOGICAL SURVEY. Pg. 604

Memorandum dated July 13, 2021 from Executive Manager, TSBP.

- (1) Explanation by John W. Jenkins and Glenn C. Clingenpeel.
- (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 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 Q 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.]

Q. CENTRAL REGIONAL WASTEWATER SYSTEM — BEAR CREEK INTERCEPTOR RELIEF, PHASE 1 AND WF-G INTERCEPTOR RELOCATION — AUTHORIZATION FOR LAND ACQUISITION BY EMINENT DOMAIN. Pg. 612

Memorandum dated July 15, 2021 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-1573, 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 north of Interstate Highway 30, south of Running Bear Park, east of Beltline Road and west of MacArthur Blvd. in the cities of Grand Prairie and Irving, Dallas County, Texas, and specifically located in the Joseph Mangram Survey, Abstract No. 861, the Israel Jennings Survey, Abstract No. 679, the Benjamin Reed Survey, Abstract No. 1225, the Perry Linney Survey, Abstract No. 778, the John C. Read Survey, Abstract No. 1184, the Milton H. Graham Survey, Abstract No. 507, the Michael Farrans Survey, Abstract No. 469, the Richard Wilson Survey, Abstract No. 1548 and the Joseph Graham Survey, Abstract No. 506, 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, Bear Creek Interceptor Relief, Phase 1 and WF-G Interceptor Relocation Project.

R. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — TM-1 RELIEF INTERCEPTOR, PHASE 1A PROJECT — AUTHORIZATION FOR LAND ACQUISITION BY EMINENT DOMAIN. Pg. 618

Memorandum dated July 27, 2021 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-1577, 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 Belt Line Road, north of Bear Creek Road, east of South Houston School Road and west of SH 342 in the city of Lancaster, Dallas County, Texas, and specifically located in the Arthur Eldridge Survey, Abstract No. 449, the James Hunter Survey, Abstract No. 557,

the M.L. Swing Survey, Abstract No. 1633, the Robert Crawford Survey, Abstract No. 355, the John M. Rawlins Survey, Abstract No. 1209 and the BBB & C Railroad Co. Survey, Abstract No. 201, 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, TM-1 Relief Interceptor, Phase 1A Project.

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

S. SUMMARY REPORT OF TRINITY RIVER AUTHORITY DEBT — SUMMARY REPORT OF AUGUST 2021 CAPITAL CONTRACTS. **Pg. 623**

Memorandum dated August 1, 2021 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.

T. SUMMARY REPORT OF CHANGE ORDERS. **Pg. 631**

Memorandum dated August 3, 2021 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.

U. SUMMARY REPORT — GENERAL MANAGER - APPROVED PIPELINE EMERGENCY REPAIRS — EMERGENCY PIPELINE REPAIR CONTRACT. **Pg. 634**

Memorandum dated August 3, 2021 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. 637**

Memorandum dated July 28, 2021 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 26, 2021. Pg. 640

Memorandum dated July 26, 2021 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. 644

Memorandum dated July 23, 2021 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 Northern Region Projects:

<u>BID ITEM</u>	<u>VENDOR</u>
<u>Central Regional Wastewater System</u>	
Abel Pump Parts	Abel Pumps L.P.
Analytical Testing	Eastex Environmental Laboratory, Inc.
Annual HVAC Services (CRWS)	Alpha Mechanical Contractors LLC
Bar Screen Waste and Grit Removal	Republic Waste Services of Texas, LTD
Electrical Supplies	WESCO Distribution, Inc.
Grounds Maintenance	Good Earth Corporation

Northern Region Projects

Flygt Pump Parts and Repair Services Xylem Water Solutions USA, Inc.

Hach Brand Miscellaneous Parts Hach Company

Loading, Transportation and Disposal
of Dried Biosolids Cyclone Services LLC

Microbiological Testing Supplies IDEXX Distribution, Inc.

12. OTHER BUSINESS:

13. ADJOURNMENT: