

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, April 28, 2021
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 can hear open deliberations and 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 7673037#. The agenda packet for this meeting is available at <https://www.trinityra.org/default.asp@contentID=156.html>.

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 FEBRUARY 24, 2021 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 G WERE PRESENTED TO THE ADMINISTRATION AND AUDIT COMMITTEE AT ITS MEETING ON APRIL 19, 2021.)

A. APPROVAL AND FILING OF COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR 2020. Pg. 20

Memorandum dated March 25, 2021 from General Manager.

- (1) Explanation by Henry Borbolla III, 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 Comprehensive Annual Financial Report of the Trinity River Authority of Texas, including the Supplemental Reports and Opinion, for the Fiscal Year Ended November 30, 2020 and that the Annual Filing Affidavit be executed by the President.

B. INVESTMENT OFFICERS' REPORT. Pg. 235

Memorandum dated March 25, 2021 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 First Quarter of Fiscal Year 2021.

C. REGION 3 REGIONAL FLOOD PLANNING GROUP — RESOLUTION AUTHORIZING CREATION OF REGION 3 DISBURSING ACCOUNT — AUTHORIZING SIGNATURES FOR WITHDRAWAL OF FUNDS FROM ACCOUNT. Pg. 260

Memorandum dated April 8, 2021 from 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 adopt Resolution No. R-1569 authorizing creation of Region 3 Disbursing Account and authorizing signatures for withdrawal of funds from that account and further direct that the executed Resolution No. R-1569 with executed Secretary's Certificate be forwarded to Wells Fargo Bank.

D. SALARY ADMINISTRATION PLAN — REVISIONS TO MANAGEMENT STRUCTURE. Pg. 264

Memorandum dated April 7, 2021 from General Manager.

- (1) Explanation by Henry Borbolla III and J. Kevin Ward.
- (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 revisions to the Salary Administration Plan as reflected on Exhibit A to the memorandum.

E. BACKUP RECOVERY — CONTRACT AWARD. **Pg. 272**

Memorandum dated April 5, 2021 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 General Manager to execute the contract between the Trinity River Authority of Texas and Net Sync, for a 42-month contract at a total cost of \$222,264.72 for Backup and Recovery Services, as outlined in Exhibit A.

F. ULTIPRO HUMAN CAPITAL MANAGEMENT SYSTEM — CONTRACT RENEWAL.
Pg. 404

Memorandum dated April 5, 2021 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 General Manager to execute the amendment to the original agreement between the Authority and UKG to extend services for an additional three years.

G. FINANCIAL SYSTEM CONSULTING. **Pg. 407**

Memorandum dated April 1, 2021 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 General Manager to execute the contract between the Trinity River Authority of Texas and SoftResources LLC at a total cost of \$96,200.00 for Financial System Consulting, as outlined in Exhibit A.

(ITEM H WAS PRESENTED TO THE RESOURCES DEVELOPMENT COMMITTEE AT ITS MEETING ON APRIL 20, 2021.)

H. JOE POOL LAKE — RAW WATER SALES — RAW WATER SUPPLY CONTRACT BETWEEN THE TRINITY RIVER AUTHORITY AND MIDLOTHIAN, TEXAS. Pg. 421

Memorandum dated April 7, 2021 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 authorize the General Manager to execute the Raw Water Supply Contract between the Trinity River Authority of Texas and the City of Midlothian, Texas in substantially the form presented.

(ITEMS I THROUGH Q WERE PRESENTED TO THE UTILITY SERVICES COMMITTEE AT ITS MEETING ON APRIL 21, 2021.)

I. CENTRAL REGIONAL WASTEWATER SYSTEM — WEST POND MODIFICATIONS — CONTRACT AWARD AND MATERIALS TESTING SERVICES AGREEMENT. Pg. 439

Memorandum dated April 6, 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 contract between the Trinity River Authority of Texas and Lindamood in the amount of \$3,107,691 for the construction of the West Pond Modifications at the Central Regional Wastewater System treatment plant; and
- (b) Authorize the General Manager to execute the Materials Testing Services Agreement between the Trinity River Authority of Texas and Southwestern Testing Laboratories dba STL Engineers in the amount of \$70,000 for construction materials testing services associated with the West Pond Modifications at the Central Regional Wastewater System treatment plant.

J. CENTRAL REGIONAL WASTEWATER SYSTEM AND TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — EROSION SITE REHABILITATION, PHASE 1 — ENGINEERING SERVICES AGREEMENT. Pg. 458

Memorandum dated April 6, 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:

- (a) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Half Associates, Inc., in the amount of \$625,192 for Basic Services and \$60,000 for Special Services for preliminary design engineering services associated with the Erosion Site Rehabilitation, Phase 1 project for the Central Regional Wastewater System and 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 Half Associates, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

K. CENTRAL REGIONAL WASTEWATER SYSTEM — NUTRIENT IMPROVEMENTS — POST AEROBIC DIGESTION — ENGINEERING SERVICES AGREEMENT. Pg. 488

Memorandum dated April 6, 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:

- (a) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Black and Veatch Corporation in the amount of \$414,653 for Basic Services and \$75,000 for Special Services for preliminary design engineering services associated with the Nutrient Improvements – Post Aerobic Digestion 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 Black and Veatch Corporation as are deemed prudent in his judgment provided the same do not increase the total approved cost.

L. CENTRAL REGIONAL WASTEWATER SYSTEM — SOLIDS MANAGEMENT IMPROVEMENTS, PHASE III-B — SECOND AMENDMENT — OWNER'S REPRESENTATIVE SUPPORT SERVICES. Pg. 515

Memorandum dated April 6, 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 authorize the General Manager to execute the Second Amendment to the Engineering Services Agreement between the Trinity River Authority of Texas and Freese and Nichols, Inc., increasing the contract amount from \$2,978,500 to \$3,753,900 for Owner's Representative support services associated with the Solids Management Improvements, Phase III-B at the Central Regional Wastewater System treatment plant, and extending the contract term to September 29, 2023.

M. CENTRAL REGIONAL WASTEWATER SYSTEM — SOLIDS MANAGEMENT IMPROVEMENTS, PHASE III-B — THIRD AMENDMENT — ENGINEERING SERVICES AGREEMENT. Pg. 524

Memorandum dated April 6, 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 authorize the General Manager to execute the Third Amendment to the Engineering Services Agreement between the Trinity River Authority of Texas and CDM Smith Inc. increasing the amount of Basic Services from \$13,485,396 to \$14,735,396, and Special Services from \$750,000 to \$1,900,000, for construction phase engineering services associated with the Solids Management Improvements, Phase III-B at the Central Regional Wastewater System treatment plant and extending the contract term to September 29, 2023.

N. CENTRAL REGIONAL WASTEWATER SYSTEM — BEAR CREEK INTERCEPTOR SEGMENT 09BC-1 — THIRD AMENDMENT — ENGINEERING SERVICES AGREEMENT. Pg. 536

Memorandum dated April 6, 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 Third Amendment to the Engineering Services Agreement between the Trinity River Authority of Texas and Plummer Associates, Inc., increasing the amount of Basic Services from \$2,246,230 to \$2,317,937 and Special Services from \$175,000 to \$185,000 for final design engineering services associated with the Bear Creek Interceptor Segment 09BC-1 for the Central Regional Wastewater System.

O. DALLAS COUNTY UTILITY AND RECLAMATION DISTRICT — OUTFALL 002 IMPROVEMENTS — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT, MATERIALS TESTING SERVICES AGREEMENT AND INTERLOCAL AGREEMENT.
Pg. 548

Memorandum dated April 6, 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 contract between the Trinity River Authority of Texas and Thalle Construction Company in the amount of \$2,009,565 for the construction of the Outfall 002 Improvements 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 Plummer Associates, Inc., in the amount of \$272,256 for Basic Services and \$30,000 for Special Services for construction administration engineering services associated with the Outfall 002 Improvements 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 Plummer Associates, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost;
- (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 \$50,000 for construction materials testing services associated with the Outfall 002 Improvements for the Central Regional Wastewater System; and
- (e) Authorize the General Manager to execute the Interlocal Agreement between the Trinity River Authority of Texas and the Dallas County Utility and Reclamation District for the construction, construction administration, materials testing, inspection, and management of Outfall 002 Improvements for the Central Regional Wastewater System.

P. NORTHERN REGION — EMERGENCY REPAIR BIENNIAL CONTRACT — CONTRACT AWARD. Pg. 598

Memorandum dated April 6, 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 authorize the General Manager to execute the contract between the Trinity River Authority of Texas and Flow-Line Construction, Inc., in the amount of \$2,952,500 for the emergency repair biennial contract for the Northern Region Operating Systems.

Q. NORTHERN REGION — INTERCEPTOR FLOW STUDIES FISCAL YEAR 2021 AND 2022 — ENGINEERING SERVICES AGREEMENT. Pg. 600

Memorandum dated April 5, 2021 from Engineer, Collection System Metering, Collection System Group.

- (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 Black & Veatch Corporation in the amount of \$677,200 for Basic Services and \$80,000 for Special Services for engineering services associated with the Northern Region Interceptor Flow Studies Fiscal Year 2021 and 2022 for the Central Regional Wastewater System, Denton Creek Regional Wastewater System, Mountain Creek Regional Wastewater System, Red Oak Creek Regional Wastewater System and 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 Black & Veatch Corporation as are deemed prudent in his judgment provided the same do not increase the total approved cost.

(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 APRIL 2021 CAPITAL CONTRACTS. **Pg. 623**

Memorandum dated April 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.

S. SUMMARY REPORT OF GENERAL MANAGER-APPROVED AGREEMENTS. **Pg. 632**

Memorandum dated April 16, 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.

T. SUMMARY REPORT OF CHANGE ORDERS. **Pg. 634**

Memorandum dated April 13, 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. 638**

Memorandum dated April 13, 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.

[ITEMS V AND W 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 SEC. 551.071. ANY FINAL DECISION, ACTION OR VOTE MUST BE MADE IN OPEN SESSION.]

V. CONDEMNATION STATUS REPORT. **Pg. 640**

Memorandum dated April 5, 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 MARCH 29, 2021.
Pg. 643

Memorandum dated March 30, 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 AND SOUTHERN REGION PROJECTS — BIDS FOR EQUIPMENT, SUPPLIES, SPARE PARTS AND SERVICES. **Pg. 647**

Memorandum dated March 25, 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 Northern Region and Southern Region Projects:

<u>BID ITEM</u>	<u>VENDOR</u>
<u>Central Regional Wastewater System</u>	
Gas Feeders Parts	Hartwell Environmental Corporation
Inspection, Preventative Maintenance and Repairs of Rail System	Trac-Work, Inc.
Liquid Oxygen and Tank Rental	Matheson Tri-Gas, Inc.

Collection Systems Group

Manholes Rings and Lids

Core & Main LP

Northern Region Projects

Electrical Switchgear Services

Shermco Industries, Inc.

Inspection, Routine Maintenance and
New Installations of Security Systems
and Equipment

Secure Cam, Inc.

Laboratory Consumable Supplies

Midland Scientific, Inc.

Ten Mile Creek Regional Wastewater System

Miscellaneous Pump Parts (Fairbanks Morse)

DXP Enterprises

Southern Region Projects

Granular Activated Carbon
Replacement (HRWSS)

Cabot Norit Americas

11. OTHER BUSINESS:

12. ADJOURNMENT: