

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, December 6, 2023  
1:00 p.m.

1. CALL TO ORDER BY THE PRESIDENT, TOMMY G. FORDYCE.
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	Margaret S.C. Keliher	_____
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	Gregory S. Wassberg	_____
11	Trinity	D. Joe McCleskey	_____
12	Madison	David G. Ward	_____
13	Walker	Tommy G. Fordyce	_____
14	San Jacinto	Steven L. Roberts	_____

15	Polk	Benny L. Fogleman	_____
16	Liberty	David B. Leonard	_____
17	Chambers	John W. Jenkins	_____
18	Area-at-Large	Robert F. McFarlane	_____
	Area-at-Large	Frederick C. Tate	_____
	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 25, 2023 AT TRA'S GENERAL OFFICE, BOARD ROOM, 5300 SOUTH COLLINS STREET, ARLINGTON, TARRANT COUNTY, TEXAS. Pg. 10

9. 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.

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 AND B WERE PRESENTED TO THE RESOURCES DEVELOPMENT COMMITTEE AT ITS MEETING ON NOVEMBER 29, 2023.)

A. LIVINGSTON RECREATION FUND — WOLF CREEK PARK — AUTHORIZATION TO EXCHANGE REAL ESTATE. Pg. 22

Memorandum dated Nov 17, 2023 from General Manager.

(1) Explanation by Amir A. Rupani and J. Kevin Ward.

(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 exchange of 132 acres, more or less, being a part of the James Carter Survey A-760, the King Hadley Survey A-258 and the John Newland Survey A-462 in Trinity County, Texas, for 67 acres, more or less, being a part of the William Rankin Survey A-41 in San Jacinto County, Texas, and the payment of additional compensation not to exceed \$375,000, and upon the additional terms and conditions proposed by the General Manager, or such terms as he deems prudent and necessary to close said transaction; and
- (b) Authorize the transfer of funds necessary to close said transaction from the Water Sales Special Revenue Fund to the Livingston Recreational Facilities Fund.

B. LIVINGSTON RECREATION FUND — TRA LAKE LIVINGSTON REGIONAL PUBLIC GOLF COURSE — AMENDMENT TO FINAL DESIGN AND CONSTRUCTION ADMINISTRATION AGREEMENT PHASES I AND II. **Pg. 119**

Memorandum dated November 17, 2023 from Deputy General Counsel.

- (1) Explanation by Amir A. Rupani 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 Amendment to the Professional Services Agreement with Landscapes Unlimited, LLC for the final design of and construction administration associated with Phases I and II of the construction of the TRA Lake Livingston Regional Public Golf Course for an amended lump sum of \$879,580 in substantially the form presented.

(ITEMS C THROUGH G WERE PRESENTED TO THE UTILITY SERVICES COMMITTEE AT ITS MEETING ON NOVEMBER 28, 2023.)

C. CENTRAL REGIONAL WASTEWATER SYSTEM — HEADWORKS B FINE SCREEN IMPROVEMENTS — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT AND MATERIALS TESTING SERVICES AGREEMENT. **Pg. 132**

Memorandum dated November 1, 2023 from Manager, Construction Services, PDCA and Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen 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 Eagle Contracting, LLC, in the amount of \$36,370,598 for the construction of the Headworks B Fine Screen Improvements Project at 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 Jacobs Engineering Group, Inc., in the amount of \$1,150,596 for Basic Services and \$150,000 for Special Services for construction administration engineering services associated with the Headworks B Fine Screen Improvements Project at 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 Jacobs Engineering Group, 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 HVJ North Texas – Chelliah Consultants, Inc. dba/HVJ Associates, in the amount of \$320,000 for construction materials testing services associated with the Headworks B Fine Screen Improvements Project at the Central Regional Wastewater System treatment plant.

D. CENTRAL REGIONAL WASTEWATER SYSTEM — PHASE VII REHABILITATION — ENGINEERING SERVICES AGREEMENT. Pg. 170

Memorandum dated November 1, 2023 from Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen 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 Ardurra Group, Inc., in the amount of \$3,243,200 for Basic Services and \$400,000 for Special Services for final design engineering services associated with the Phase VII Rehabilitation Project 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 Ardurra Group, Inc., as are deemed prudent in his judgment provided the same do not increase the total approved cost.

E. DENTON CREEK REGIONAL WASTEWATER SYSTEM — PEAK FLOW STORAGE AND REHABILITATION — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT AND MATERIALS TESTING SERVICES AGREEMENT. **Pg. 198**

Memorandum dated November 1, 2023 from Manager, Construction Services, PDCA and Manager, Engineering Services, PDCA.

- (1) Explanation by Megan W. Deen 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 Eagle Contracting, LLC, in the amount of \$53,240,460 for the construction of the Peak Flow Storage and Rehabilitation Project at the Denton Creek Regional Wastewater System treatment plant;
- (b) Authorize the General Manager to execute the Engineering Services Agreement between the Trinity River Authority of Texas and Ardurra Group, Inc., in the amount of \$1,426,030 for Basic Services and \$150,000 for Special Services for construction administration engineering services associated with the Peak Flow Storage and Rehabilitation Project at the Denton Creek 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 Ardurra Group, 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 Geotex Engineering, LLC, in the amount of \$490,000 for construction materials testing services associated with the Peak Flow Storage and Rehabilitation Project at the Denton Creek Regional Wastewater System treatment plant.

F. DENTON CREEK REGIONAL WASTEWATER SYSTEM — ADDITIONAL CONTRACTING PARTY MEMORANDUM OF AGREEMENT — FURST RANCH MUNICIPAL UTILITY DISTRICT NO. 1. **Pg. 238**

Memorandum dated November 14, 2023 from Executive Manager, Northern Region.

- (1) Explanation by Megan W. Deen and Matthew S. Jalbert.
- (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 Denton Creek Regional Wastewater System Memorandum of Agreement between the Trinity River Authority of Texas and Hines Acquisitions, LLC.

G. NORTHERN REGION PROJECTS — ENERGY MANAGEMENT CONSULTING SERVICES AGREEMENT. Pg. 288

Memorandum dated November 3, 2023 from Purchasing Manager, Administrative Services.

- (1) Explanation by Megan W. Deen 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:

- (a) Authorize the General Manager to execute the Energy Management Consulting Services Agreement between the Trinity River Authority of Texas and L5E, LLC d/b/a 5 for energy management consulting services, effective January 1, 2024 through December 31, 2026 with an option for automatic contract extension from January 1, 2027 through December 31, 2028; and
- (b) Authorize the General Manager to consider all favorable options and execute a Retail Electric Power Supply Agreement with terms and provisions advantageous to the Trinity River Authority of Texas through the contract with L5E, LLC d/b/a 5.

(ITEMS H THROUGH P WERE NOT PRESENTED TO A COMMITTEE.)

H. RESOLUTION AUTHORIZING SIGNATURES FOR WITHDRAWAL OF FUNDS FROM AUTHORITY ACCOUNTS. Pg. 306

Memorandum dated November 6, 2023 from Manager, Cash and Capital Project Financing.

- (1) Explanation by Christine J. Epps.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors adopt Resolution No. R-1641 thereby authorizing signatures for withdrawal of funds from Authority accounts and further direct that the executed Resolution with executed Secretary's Certificate be forwarded to the respective banks.

I. WIRELESS SERVICES INCREASE. Pg. 310

Memorandum dated November 10, 2023 from Chief Information Officer.

- (1) Explanation by Douglas L. Short.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize an increase in expenditures for cellular services from \$234,720 to \$284,720 for Fiscal Year 2023.

J. LAND STEWARDSHIP AND CONSERVATION OPPORTUNITIES. **Pg. 311**

Memorandum dated November 21, 2023 from Executive Manager, Technical Services and Basin Planning.

- (1) Explanation by Glenn C. Clingenpeel.
- (2) Recommendation: This is an information item only. No management recommendations are made at this time.

K. BID TABULATION FOR PURCHASE OF FISCAL YEAR 2024 VEHICLES. **Pg. 317**

Memorandum dated November 3, 2023 from Purchasing Manager.

- (1) Explanation by Taylor L. Huynh.
- (2) Recommendation: Management 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 2024 Trinity River Authority vehicles.

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

L. SUMMARY REPORT OF TRINITY RIVER AUTHORITY DEBT — SUMMARY REPORT OF DECEMBER 2023 CAPITAL CONTRACTS. **Pg. 328**

Memorandum dated November 15, 2023 from Accounting Manager.

- (1) Explanation by Lewis H. McMahan and Christine J. Epps.
- (2) Recommendation: This item is presented as a status report only; no action is necessary.

M. SUMMARY REPORT OF GENERAL MANAGER-APPROVED AGREEMENTS. **Pg. 337**

Memorandum dated November 17, 2023 from General Manager.

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

N. SUMMARY REPORT — GENERAL MANAGER-APPROVED PIPELINE EMERGENCY REPAIRS — EMERGENCY PIPELINE REPAIR CONTRACT. Pg. 339

Memorandum dated November 17, 2023 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 Q AND P 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.]

O. CONDEMNATION STATUS REPORT. Pg. 343

Memorandum dated November 6, 2023 from General Counsel.

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

P. 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 30, 2023. Pg. 349

Memorandum dated November 20, 2023 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.

Q. BID AWARD.

BID FOR EQUIPMENT FOR CENTRAL REGIONAL WASTEWATER SYSTEM. Pg. 353

Memorandum dated November 3, 2023 from Purchasing Manager, Administrative Services.

- (1) Explanation by the President, Tommy G. Fordyce.
- (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 equipment for Central Regional Wastewater System:

BID ITEM

VENDOR

Liquid Chromatograph-Tandem Mass Spectrometers (LC-MS/MS)

Agilent Technologies, Inc.

11. OTHER BUSINESS:

12. ADJOURNMENT: