

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, February 28, 2024
10:30 a.m.

1. CALL TO ORDER BY THE PRESIDENT, C. DWAYNE SOMERVILLE.
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 DECEMBER 6, 2023 AT TRA'S GENERAL OFFICE, BOARD ROOM, 5300 SOUTH COLLINS STREET, ARLINGTON, TARRANT COUNTY, TEXAS. Pg. 12
9. APPROVAL AND CONFIRMATION OF THE [REPORT OF ACTIONS](#) OF THE EXECUTIVE COMMITTEE SUBSEQUENT TO THE DECEMBER 6, 2023 BOARD OF DIRECTORS MEETING. Pg. 19
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 F WERE PRESENTED TO THE ADMINISTRATION AND AUDIT COMMITTEE AT ITS MEETING ON FEBRUARY 21, 2024.)

A. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — TARRANT COUNTY WATER SUPPLY PROJECT — HUNTSVILLE REGIONAL WATER SUPPLY SYSTEM — ISSUANCE OF REVENUE AND/OR REFUNDING REVENUE BONDS. Pg. 21

Memorandum dated January 23, 2024 from Manager, Cash and Capital Project Financing.

- (1) Explanation by Steven L. Roberts and Christine J. Epps.
- (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-1644 authorizing the issuance, sale, and delivery of Trinity River Authority of Texas Ten Mile Creek Regional Wastewater System Revenue and Refunding Bonds, and approving and authorizing instruments and procedures relating thereto;
- (b) Adopt Resolution No. R-1645 authorizing the issuance, sale, and delivery of Trinity River Authority of Texas (Tarrant County Water Project) Revenue Bonds, and approving and authorizing instruments and procedures relating thereto; and
- (c) Adopt Resolution No. R-1643 authorizing the issuance, sale, and delivery of Trinity River Authority of Texas Huntsville Regional Water Supply System Revenue Bonds, and approving and authorizing instruments and procedures relating thereto.

B. AGREEMENT FOR INVESTMENT ADVISORY SERVICES — DESIGNATION OF AUTHORIZED REPRESENTATIVES — DEEP BLUE INVESTMENT ADVISORS, LLC.
Pg. 123

Memorandum dated January 25, 2024 from Manager, Cash and Capital Project Financing.

- (1) Explanation by Steven L. Roberts and Christine J. Epps.
- (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-1646 authorizing the specified individuals to trade securities; and
- (b) Authorize the General Manager to execute the Agreement for Investment Advisory Services between the Trinity River Authority of Texas and Deep Blue Investment Advisors, LLC.

C. INVESTMENT OFFICERS' REPORT. **Pg. 159**

Memorandum dated January 17, 2024 from Manager, Cash and Capital Project Financing.

- (1) Explanation by Steven L. Roberts and Christine J. Epps.
- (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 Fourth Quarter of Fiscal Year 2023.

D. SEPARATION OF BOARD AND STAFF FUNCTIONS POLICY — AIRCRAFT UTILIZATION POLICY — ANNUAL REVIEW OF GENERAL MANAGER POLICY.
Pg. 189

Memorandum dated January 25, 2024 from Associate General Counsel.

- (1) Explanation by Steven L. Roberts 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 the Separation of Board and Staff Functions Policy as reflected on Exhibit A to the memorandum;
- (b) Adopt the Aircraft Utilization Policy as reflected on Exhibit B to this memorandum; and
- (c) Adopt the Annual Review of the General Manager Policy as reflected on Exhibit C to the memorandum.

E. PURCHASING AND PROCUREMENT POLICY — HAZARD MITIGATION PLAN DEVELOPMENT GRANT FUNDING FINANCIAL REQUIREMENTS — RESOLUTION NO. R-1647. **Pg. 197**

Memorandum dated February 5, 2024 from General Counsel.

- (1) Explanation by Steven L. Roberts 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-1647 incorporating the grant-related procurement requirements of the General Land Office and the United States Department of Housing and Urban Development into the Authority's Purchasing and Procurement Policy in substantially the form presented.

F. SALARY ADMINISTRATION PLAN — REVISIONS TO MANAGEMENT STRUCTURE.
Pg. 221

Memorandum dated February 8, 2024 from General Manager.

- (1) Explanation by Steven L. Roberts 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.

(ITEMS G THROUGH M WERE PRESENTED TO THE UTILITY SERVICES COMMITTEE AT ITS MEETING ON FEBRUARY 20, 2024.)

G. CENTRAL REGIONAL WASTEWATER SYSTEM — JUNCTION BOX 1020J REPLACEMENT AND IMPROVEMENTS — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT AND MATERIALS TESTING SERVICES AGREEMENT.
Pg. 228

Memorandum dated February 1, 2024 from Manager, Construction Services, PDCA and Manager, Engineering Services, PDCA.

- (1) Explanation by Lewis H. McMahan 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 S.J. Louis Construction of Texas, Ltd., in the amount of \$9,935,540 for the construction of the Junction Box 1020J Replacement and 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 Lockwood, Andrews & Newnam, Inc., in the amount of \$660,715 for Basic Services and \$200,000 for Special Services for construction administration engineering services associated with the Junction Box 1020J Replacement and 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 Lockwood, Andrews & Newnam, 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 ECS Southwest, LLP, in the amount of \$150,000 for construction materials testing services associated with the Junction Box 1020J Replacement and Improvements for the Central Regional Wastewater System.

H. CENTRAL REGIONAL WASTEWATER SYSTEM — NATURAL GAS LOOP — ENGINEERING SERVICES AGREEMENT. Pg. 265

Memorandum dated February 1, 2024 from Manager, Engineering Services, PDCA.

- (1) Explanation by Lewis H. McMahan 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 Jacobs Engineering Group, Inc., in the amount of \$231,460 for Basic Services and \$50,000 for Special Services for final design engineering services associated with the Natural Gas Loop 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 Jacobs Engineering Group, Inc. as are deemed prudent in his judgment provided the same do not increase the total approved cost.

I. CENTRAL REGIONAL WASTEWATER SYSTEM — LIFT STATION LS 7M IMPROVEMENTS — FIRST AMENDMENT — ENGINEERING SERVICES AGREEMENT. Pg. 287

Memorandum dated February 1, 2024 from Manager, Engineering Services, PDCA.

- (1) Explanation by Lewis H. McMahan 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 First Amendment to the Engineering Services Agreement between the Trinity River Authority of Texas and Kimley-Horn and Associates, Inc., increasing the amount of Basic Services from \$1,679,608 to \$2,127,515 and Special Services from \$100,000 to \$300,000 for preliminary and final design engineering services associated with the Lift Station LS_7M Improvements project for the Central Regional Wastewater System.

J. DENTON CREEK (JUSTIN/NORTHLAKE) INTERCEPTOR SYSTEM — DENTON CREEK INTERCEPTOR, PHASES II-A AND II-B — ENGINEERING SERVICES AGREEMENTS. Pg. 296

Memorandum dated February 1, 2024 from Manager, Engineering Services, PDCA.

- (1) Explanation by Lewis H. McMahan 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 Kennedy/Jenks Consultants, Inc., in the amount of \$1,096,183 for Basic Services and \$150,000 for Special Services for preliminary design engineering services associated with the Denton Creek Interceptor, Phase II-A project for the Denton Creek (Justin/Northlake) Interceptor System;
- (b) 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 \$699,357 for Basic Services and \$100,000 for Special Services for preliminary design engineering services associated with the Denton Creek Interceptor, Phase II-B project for the Denton Creek (Justin/Northlake) Interceptor System; and
- (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 Kennedy/Jenks Consultants, Inc., and 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.

K. NORTHERN REGION — SURCHARGE MODELING ANALYSIS AND DEVELOPMENT — FIRST AMENDMENT — ENGINEERING SERVICES AGREEMENT. Pg. 350

Memorandum dated January 26, 2024 from Assistant Manager, Northern Region Engineering.

- (1) Explanation by Lewis H. McMahan 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 First Amendment to the Engineering Services Agreement between the Trinity River Authority of Texas and Brown and Caldwell, increasing the amount of Basic Services from \$169,373 to \$221,373 for engineering services associated with the Northern Region Surcharge Modeling Analysis and Development project 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.

L. HUNTSVILLE REGIONAL WATER SUPPLY SYSTEM — FIRST AMENDMENT — SYSTEM CONTRACT — RESOLUTION NO. R-1642. Pg. 355

Memorandum dated February 5, 2024 from Executive Manager, Southern Region.

- (1) Explanation by Lewis H. McMahan and Douglas D. Haude.
- (2) Recommendation: The Utility Services Committee recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors adopt Resolution No. R-1642 empowering the General Manager to execute the First Amendment – Huntsville Regional Water Supply System Contract as presented.

M. HUNTSVILLE REGIONAL WATER SUPPLY SYSTEM — TENASKA CLARIFIED WATER PUMP STATION AND STORAGE TANK IMPROVEMENTS — ENGINEERING SERVICES AGREEMENT AND INTERLOCAL AGREEMENT. Pg. 376

Memorandum dated February 1, 2024 from Manager, Engineering Services, PDCA.

- (1) Explanation by Lewis H. McMahan 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 \$584,800 for Basic Services and \$75,000 for Special Services for preliminary and final design engineering services associated with the Tenaska Clarified Water Pump Station and Storage Tank Improvements Project for the Huntsville Regional Water Supply System at such time as funds are received from the City of Huntsville;
- (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; and

- (c) Authorize the General Manager to execute the Interlocal Agreement between the Trinity River Authority of Texas and the City of Huntsville for the agreement to fund the preliminary and final design of the Tenaska Clarified Water Pump Station and Storage Tank Improvement Project for the Huntsville Regional Water Supply System.

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

N. SUMMARY REPORT OF BUDGET AMENDMENTS. Pg. 408

Memorandum dated January 25, 2024 from Budget Manager.

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

O. CENTRAL REGIONAL WASTEWATER SYSTEM — CUSTOMER ADVISORY COMMITTEE APPOINTMENTS. Pg. 411

Memorandum dated January 23, 2024 from President, Board of Directors.

- (1) Explanation by C. Dwayne Somerville.
- (2) Recommendation: The President recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors confirm the appointment of Margaret S.C. Keliher and Frederick C. Tate to serve as representatives of the Board on the Central Regional Wastewater System Customer Advisory Committee.

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

P. SUMMARY REPORT OF TRINITY RIVER AUTHORITY DEBT — SUMMARY REPORT OF FEBRUARY 2024 CAPITAL CONTRACTS. Pg. 412

Memorandum dated February 1, 2024 from Accounting Manager.

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

Q. SUMMARY REPORT OF GENERAL MANAGER-APPROVED AGREEMENTS. Pg. 421

Memorandum dated February 15, 2024 from General Manager.

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

R. SUMMARY REPORT OF GENERAL MANAGER-APPROVED EMERGENCY REPAIRS UNDER THE EMERGENCY PIPELINE REPAIR CONTRACT. Pg. 423

Memorandum dated February 12, 2024 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 S AND T 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.]

S. CONDEMNATION STATUS REPORT. Pg. 426

Memorandum dated February 5, 2024 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. 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 JANUARY 31, 2024. Pg. 433

Memorandum dated January 29, 2024 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, SPARE PARTS AND SERVICES. Pg. 436

Memorandum dated January 18, 2024 from Purchasing Manager, Administrative Services.

- (1) Explanation by the President, C. Dwayne Somerville.
- (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>BID ITEM</u>	<u>VENDOR</u>
<u>Central Regional Wastewater System</u>	
Vacuum Induction Units	Environmental Improvements, Inc.
Vulcan Conveyor/Compactor Parts	Vulcan Industries, Inc.
<u>Collection Systems Group</u>	
Rehabilitation of Sanitary Sewer Manholes	Ace Pipe Cleaning, Inc.
<u>Northern Region Projects</u>	
Uniform Rental Services	Unifirst Corporation

12. OTHER BUSINESS:

13. ADJOURNMENT: