

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
 Tuesday, December 3, 2019
 1:00 p.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	Vacant	_____
	Dallas	Ana Laura Saucedo	_____
	Dallas	James W. Neale	_____
	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	Dudley K. Skyrme	_____
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	Amir A. Rupani	_____

- 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 23, 2019 AT TRA'S GENERAL OFFICE, BOARD ROOM, 5300 SOUTH COLLINS STREET, ARLINGTON, TARRANT COUNTY, TEXAS. Pg. 8
- 9. PUBLIC COMMENT.

Any person wishing to make an oral 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.

(ITEMS A THROUGH F WERE PRESENTED TO THE UTILITY SERVICES COMMITTEE AT ITS MEETING ON NOVEMBER 20, 2019.)

A. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — FILTER NO. 8 IMPROVEMENTS — CONTRACT AWARD, ENGINEERING SERVICES AGREEMENT, AND MATERIALS TESTING SERVICES AGREEMENT. Pg. 19

Memorandum dated November 5, 2019 from Assistant Manager, Engineering Services, Support, PDCA and Assistant Manager, Engineering Services, Facilities, 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 Gracon Construction, Inc., in the amount of \$4,190,480 for the construction of the Filter No. 8 Improvements at the Ten Mile 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 Plummer Associates, Inc., in the amount of \$306,319 for Basic Services and \$35,000 for Special Services for construction administration engineering services associated with the Filter No. 8 Improvements at the Ten Mile 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 Plummer 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 TSIT Engineering & Consulting, LLC in the amount of \$50,000 for construction materials testing services associated with the Filter No. 8 Improvements at the Ten Mile Creek Regional Wastewater System treatment plant.

B. TEN MILE CREEK REGIONAL WASTEWATER SYSTEM — INFILTRATION AND INFLOW ASSESSMENT, PHASE III — ENGINEERING SERVICES AGREEMENT.
Pg. 60

Memorandum dated November 5, 2019 from Engineer, Capital Improvement Program, 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 \$1,000,000 for Basic Services and \$100,000 for Special Services for engineering services associated with the Infiltration and Inflow Assessment, Phase III for 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 Freese and Nichols, Inc. as are deemed prudent in his judgment provided the same do not increase the total approved cost.

C. WALKER-CALLOWAY BRANCH OUTFALL TRUNK SEWER SYSTEM — PHASE 1 — FIRST AMENDMENT ENGINEERING SERVICES AGREEMENT. Pg. 89

Memorandum dated November 5, 2019 from Assistant Manager, Engineering Services, Pipeline, 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 First Amendment to the Engineering Services Agreement between the Trinity River Authority of Texas and RJN Group, Inc. increasing the amount of Basic Services from \$231,000 to \$290,553 for the construction administration engineering services associated with the Walker-Calloway Branch Outfall Trunk Sewer System Phase 1 for the Walker-Calloway Branch Outfall Trunk Sewer System.

D. CENTRAL REGIONAL WASTEWATER SYSTEM — HEADWORKS B IMPROVEMENTS PHASE II — CHANGE ORDER NO. 1 EFFLUENT BAFFLES DEDUCT. Pg. 96

Memorandum dated November 4, 2019 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 Change Order between the Trinity River Authority of Texas and Texas Standard Construction, associated with the Central Regional Wastewater System Headworks B Phase II Improvements to decrease the contract amount from \$4,130,400 to \$3,927,350, and no extension to the contract duration.

E. HUNTSVILLE REGIONAL WATER SUPPLY SYSTEM — RAW WATER SUPPLY CONTRACT. Pg. 102

Memorandum dated November 4, 2019 from Manager, Southern Region Support Services.

- (1) Explanation by C. Dwayne Somerville and Jim R. Sims.
- (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 new Raw Water Supply Contract between the Trinity River Authority of Texas and the City of Huntsville.

F. LIVINGSTON REGIONAL WATER SUPPLY SYSTEM — RAW WATER SUPPLY CONTRACT. **Pg. 113**

Memorandum dated November 4, 2019 from Manager, Southern Region Support Services.

- (1) Explanation by C. Dwayne Somerville and Jim R. Sims.
- (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 new Raw Water Supply Contract between the Trinity River Authority of Texas and the City of Livingston in substantially the form presented.

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

G. RESOLUTION AUTHORIZING SIGNATURES FOR WITHDRAWAL OF FUNDS FROM AUTHORITY ACCOUNTS. **Pg. 124**

Memorandum dated November 5, 2019 from Manager, Cash and Capital Projects.

- (1) Explanation by Tommy G. Fordyce and Alison A. Mackey.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors adopt Resolution No. R-1533 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.

H. STAYWELL HEALTH PROGRAM THIRD-PARTY ADMINISTRATION. **Pg. 128**

Memorandum dated November 18, 2019 from Executive Manager, Administrative Services.

- (1) Explanation by Tommy G. Fordyce and Taylor L. Huynh.
- (2) Recommendation: Management recommends that the Board of Directors approve the following motion:

Motion that the Board of Directors authorize the General Manger to execute the Administrative Services Agreement between the Trinity River Authority of Texas and UMR Inc. for third-party administration of the Authority's Staywell health program effective December 1, 2019 as presented.

(ITEMS I THROUGH M WERE NOT PRESENTED TO A COMMITTEE AND ARE ROUTINE REPORTS. THE ITEMS MAY BE CONSIDERED TOGETHER.)

I. SUMMARY REPORT OF TRINITY RIVER AUTHORITY DEBT — SUMMARY REPORT OF DECEMBER 2019 CAPITAL CONTRACTS. **Pg. 171**

Memorandum dated November 15, 2019 from Controller.

- (1) Explanation by Tommy G. Fordyce and Alison A. Mackey.
- (2) Recommendation: This item is presented as a status report only; no action is necessary

J. SUMMARY REPORT OF GENERAL MANAGER-APPROVED AGREEMENTS. **Pg. 181**

Memorandum dated November 18, 2019 from General Manager.

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

K. SUMMARY REPORT OF CHANGE ORDERS. **Pg. 183**

Memorandum dated November 5, 2019 from Assistant Manager, Engineering Services, Support, 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.

L. SUMMARY REPORT OF QUANTITY OVERRUNS. **Pg. 189**

Memorandum dated November 5, 2019 from Assistant Manager, Engineering Services, Support, 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.

M. SUMMARY REPORT — GENERAL MANAGER-APPROVED PIPELINE EMERGENCY REPAIRS — EMERGENCY PIPELINE REPAIR CONTRACT. **Pg. 191**

Memorandum dated November 5, 2019 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 N THROUGH P INVOLVE LITIGATION OR POTENTIAL LITIGATION 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.]

N. CENTRAL REGIONAL WASTEWATER SYSTEM — ELM FORK INTERCEPTOR, SEGMENT EF-2B — ENGAGEMENT OF CANTEY HANGER LLP. **Pg. 193**

Memorandum dated November 14, 2019 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 authorize the General Manager to execute the engagement agreement between the Trinity River Authority of Texas and Cantey Hanger LLP (Exhibit D), in reference to the claims of 7777 Carpenter Partners Ltd.

O. CONDEMNATION STATUS REPORT. **Pg. 202**

Memorandum dated November 12, 2019 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. SELECTED MATTERS PENDING BEFORE THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY — STATUS REPORT. **Pg. 205**

Memorandum dated November 12, 2019 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.

11. OTHER BUSINESS:

12. ADJOURNMENT: