

**BOARD OF DIRECTORS  
SAN JACINTO RIVER AUTHORITY  
MINUTES OF REGULAR MEETING  
OCTOBER 29, 2015**

---

A regular meeting of the Board of Directors of the San Jacinto River Authority was held at 7:30 a.m., October 29, 2015, at the San Jacinto River Authority General and Administration Building, a notice of said meeting had been posted as required by law. President Lloyd Tisdale, Vice President Fred Koetting, Secretary Mary Rummell, and Board Members John Eckstrum, Mike Bleier, and Jim Alexander were present. Treasurer Joseph Stunja was absent. General Manager Jace Houston, Deputy General Manager Ron Kelling, Director of Financial and Administrative Services Tom Michel, Director of Raw Water Enterprise David Parkhill, Public Relations Manager Ronda Trow, Woodlands Division Manager SuEllen Staggs, GRP Division Manager Mark Smith, Administrative Services Manager Cynthia Bowman, General Counsel Mitchell Page, and Financial Advisor Jan Bartholomew were in attendance.

**1. CALL TO ORDER**

The meeting was called to order at 8:06 a.m.

**2. PLEDGE OF ALLEGIANCE**

The Pledges of Allegiance were led by Mr. Koetting

**3. PUBLIC COMMENTS**

There were no public comments.

**4. DIVISION UPDATES**

**a. G & A**

Mr. Houston spoke in regards to the GRP Surface Water Facility tours planned for the Board of Directors and the Texas Water Conservation Association Risk Management Fund in November. He then commented on the Texas Water Conservation Association's safety award presented to SJRA as well as SJRA hosting the Second Annual River Authorities Administrative Forum scheduled for November 12, 2015.

**b. G & A**

Ms. Trow reported that they are currently working with Lake Conroe staff to produce educational pieces for Homeowners Association (HOA) meetings, expos, and school tours. She stated that she and Lake Conroe Division Operations Manager, Jordan Austin, spoke to Houston Real Estate Radio – 740 AM, about Lake Conroe and the GRP Surface Water Facility. Ms. Trow summarized their continued progress with website updates as well as Patty Potty appearances. Finally, Ms. Trow acknowledged the article in the Houston Chronicle featuring Board Member Marisa Rummell.

**c. G & A**

Mr. Michel commented on the participation of several SJRA employees in the annual Dragon Boat races, a strenuous and physical team building competition, in which proceeds benefit the YMCA in The Woodlands area. He stated that SJRA won the overall competition and congratulated all participants.

**d. Woodlands**

Ms. Staggs had nothing to report as it related to the Woodlands Division.

**e. GRP**

Mr. Smith reported that the GRP Review Committee met on Monday, October 26, 2015, and recommended approval of all items on the agenda related to the GRP Division. He mentioned that because the GRP Program has reached completion, related to construction, that staff has produced the final GRP Monthly Progress Report. Mr. Smith then provided an overview of the program to date, stating that as of today, 128 million gallons of surface water has been delivered to customers. Currently, disinfection of Conroe transmission lines are taking place and will begin delivery when that process is completed. Dr. Robert Hill, SCADA Manager then presented an overview of the GRP Surface Water Treatment and Transmission System SCADA/I&C process, citing statistics for the GRP SCADA system devices utilized by SCADA staff.

**f. Raw Water**

Mr. Parkhill reported that Lake Conroe Aquatic Vegetation Advisory Committee met and provided a good report as related to the status of aquatic vegetation in Lake Conroe.

**5. CONSENT AGENDA**

Mr. Houston announced that the minutes should reflect a change related to item number 8 of the agenda. The change will reflect the actual items discussed in Executive Session rather than listing each of the provisions allowed to be discussed in Executive Session. Mr. Koetting made a motion to approve the Consent agenda with the change reflected above. The motion was seconded by Ms. Rummell and carried unanimously.

**a. Approval of Minutes** – Approve the minutes of the Regular Meeting of September 24, 2015.

**b. Unaudited Financials for the Month of September**

Approve the unaudited financials for the month of September, 2015.

**c. Woodlands - Supplemental Agreement with Montgomery County Municipal Utility District No. 60**

Authorize the General Manager to execute the Thirteenth Supplemental Agreement between the San Jacinto River Authority and Montgomery County Municipal Utility District No. 60.

**d. Raw Water Enterprise - Sale of Surplus Real Property**

Declare to be surplus and authorize the disposal by sale of a 0.852 acre tract of surplus real property located in Willis, Texas, in the amount of \$22,152, and authorize the General Manager to execute all necessary documents to complete the transaction.

## 6. REGULAR AGENDA

a. **G&A:** None

b. **WOODLANDS:**

### 1. **Construction Contract for Water Plant No. 3 Generator**

Ms. Staggs presented information related to Water Plant No. 3 Generator stating that this construction contract provides for the purchase and installation of a new emergency standby power generator for The Woodlands Water Plant No. 3. With no discussion, Mr. Alexander made a motion to authorize the General Manager to execute a construction contract with C.F. McDonald Electric, Inc., in the amount of \$209,469, for Water Plant No. 3 Generator in The Woodlands, and contract modifications up to \$50,000. The motion was seconded by Mr. Eckstrum and carried unanimously.

### 2. **Professional Services Agreement and Work Order No. 1 for Final Design and Procurement Phase Services for Wastewater Treatment Plant No. 1 Solids Processing and Sludge Dewatering Improvements**

Ms. Staggs presented information related to this work order stating that it provides for labor and expenses required to perform final design and procurement phase services for the replacement of the solids handling and sludge dewatering system at Wastewater Treatment Plant No. 1. She further stated that the project includes replacement of the existing building and belt press along with the addition of a second belt press. With no further discussion, Ms. Rummell made a motion to authorize the General Manager to execute a Professional Services Agreement and Work Order No. 1 with CDM Smith, Inc., in the amount of \$363,638.46, for final design and procurement phase services for Wastewater Treatment Plant No. 1 Solids Processing and Sludge Dewatering Improvements in The Woodlands. The motion was seconded by Mr. Bleier and carried unanimously.

c. **GRP:**

It was announced that items 6c1 and 6c2 would be considered together.

Mr. Smith provided a brief overview of Change Order No. 1, stating that it provides for additional services required to design an Excess Recirculation (XR) system by the Pall Corporation, install 234 additional membrane modules and associated appurtenances, provide system programming for the additional modules, installation of MRI weir plates at the pretreatment facility, and install process sample water pumps for the sample water system.

Mr. Smith continued to provide an overview of Work Order No. 3 for Construction Administration and Inspection services, stating that CDM Smith, Inc., shall work as an extension of SJRA staff and perform duties as construction professionals to execute the Construction Administration and Inspection services for the design of the Pall Corporation Membrane Excess Recirculation (XR) System, installation of 234 additional membrane modules, programming and startup assistance for N+2 operations, installation of MRI weir plates at the pretreatment facility, and installation of sample pumps to the sample water system for the GRP Program's Surface Water Facility. Mr. Bleier clarified that CDM Smith, Inc., is not involved in the design effort, only supervising the effort. Mr. Kelling offered clarification related to the breakdown of the total amount of Work Order No. 3.

Mr. Koetting stated that these items were presented to the Construction Committee on October 21, 2015, and the committee recommended approval. With no further discussion, Mr. Koetting moved approval of items 6c1 and 6c2. The motion was seconded by Ms. Rummell and carried unanimously.

**1. Change Order No. 1 to Construction Manager at Risk Contract for the Surface Water Facility**

Authorize the General Manager to execute Change Order No. 1 to contract with Construction Manager at Risk with McCarthy Building Companies, Inc., for an increase of \$1,871,028, and contract modifications up to \$75,000, for the Surface Water Facility for the GRP Program.

**2. Work Order No. 3 for Construction Administration and Inspection Services for the Surface Water Facility**

Authorize the General Manager to execute Work Order No. 3 with CDM Smith, Inc., in an amount not to exceed \$192,862.83, for Construction Administration and Inspection services for the Surface Water Facility for the GRP Program.

The remaining items were considered separately.

**3. Amendment No. 4 to Work Order No. 2 for Construction Management and Inspection Services of the Surface Water Transmission System**

Mr. Smith provided a brief summary stating that this work order provides professional construction management and inspection services through final construction completion, and close-out of the GRP Division's Surface Water Transmission System and water receiving facilities. Without further discussion, Mr. Koetting made a motion to authorize the General Manager to execute Amendment No. 4 to Work Order No. 2 with Kellogg Brown & Root Services, Inc., in an amount not to exceed \$122,675.29, for Construction Management and Inspection services of the Surface Water Transmission System for the GRP Program. The motion was seconded by Ms. Rummel with all present voting aye.

**4. Work Order No. 2 for Peer Review for the GRP Surface Water Facilities**

Mr. Smith provided a brief overview stating this work order provides for professional engineering services essential to support SJRA staff with peer review of process optimization recommendations at the GRP Surface Water Facilities. Mr. Bleier asked for clarification of "peer review." Mr. Kelling provided clarification stating that the term's meaning is related to additional third-party evaluations of recommendations of the engineer of record to ensure optimization of the facilities. Without further discussion, Mr. Eckstrum made a motion to authorize the General Manager to execute Work Order No. 2 with Carollo Engineering, Inc., in an amount not to exceed \$82,185.70, for peer review for the GRP Surface Water Facilities. The motion was seconded by Ms. Rummell and carried unanimously.

**5. Contract for Installation of Street Lighting Along GRP Access Road**

Mr. Smith presented information related to the GRP access road street lighting requirements provided by the City of Conroe. He explained that as the development of the access road progressed with Conroe Venture, Ltd., it was determined that street lights were required by the City of Conroe. He went on to explain that the street lights will be installed by Entergy, and that staff is currently working with representatives of Conroe Venture, Ltd., the City of Conroe, and Entergy regarding the scope, scheduling, and payment for the purchase and

installation of the street lighting. The scope of the street light installation includes approximately 25 steel poles with light fixtures along the access roadway that are fed by overhead powerlines. Mr. Smith stated that currently, several processes and details related to schedule and payment have not been completed, however staff is requesting the General Manager to execute the contract with Entergy upon its completion. After further discussion, Mr. Koetting made a motion to authorize the General Manager to execute a contract in the amount of \$200,000, with Entergy Corporation, for installation of street lights along the access road for the GRP Program. The motion was seconded by Ms. Rummell and carried unanimously.

## **6. New GRP Participants**

Mr. Smith stated that there were no new participants this month, however Mr. Page explained that East Montgomery County MUD No. 7 ("EMCMUD7") executed a GRP Contract with SJRA dated August 1, 2014. He stated that EMCMUD 7 was created to serve a development project that is also served by an adjacent water district, East Montgomery County MUD No. 5 ("EMCMUD 5"). Further, EMCMUD 7 has determined to transfer its water production facilities and permits to EMCMUD 5. In connection with this transfer, EMCMUD 7 has assigned its GRP contract to EMCMUD 5. The terms of the GRP contract require SJRA to consent to such assignment. Mr. Page stated that he has prepared the Acknowledgement and Consent to Assignment to be executed by the General Manager at this meeting. Because the item was not specifically included on the agenda, a specific agenda item to ratify this action will be included on the Board of Directors meeting in December. With no discussion, Mr. Eckstrum made a motion to authorize the General Manager to execute the Acknowledgement and Consent to the assignment of contract for Groundwater Reduction Planning, Alternate Water Supply, and Related Goods and Services, assigning the GRP contact from East Montgomery County MUD No. 7 to East Montgomery County MUD No. 5. The motion was seconded by Mr. Alexander and passed with all present voting aye.

### **d. RAW WATER ENTERPRISE:**

#### **1. Professional Services Agreement and Work Order No. 1 for Professional Engineering Final Design and Procurement Phase Services for the North Main Siphon Improvements Project**

Mr. Parkhill provided a brief overview stating that this work order includes engineering and final design and procurement phase services for the improvements to North Main siphon in the Highlands. He continued to explain that it also includes the development of final design and preparation of complete construction drawings and technical specifications for the construction of a new dual 48-inch siphon with control gates, abandonment of the existing 45-inch and 48-inch pipe crossing under North Main Street, and restoration of approximately 200 linear feet of the East Canal levee. With no discussion, Ms. Rummell made a motion, with a second from Mr. Alexander to authorize the General Manager to execute a Professional Services Agreement and Work Order No. 1 with Freese and Nichols, Inc., in an amount not to exceed \$160,017, for professional engineering final design and procurement phase services for the North Main Siphon Improvements Project in Highlands. The motion carried unanimously.

#### **2. Raw Water Supply System Pest Control Program**

Mr. Parkhill provided information related to the proposed Raw Water Supply System Pest Control Program, stating that the purpose is to establish rules and procedures whereby SJRA employees will be authorized to eradicate nutria and other nuisance fur-bearing animals

within the SJRA Raw Water Supply System. He stated that SJRA employees authorized to discharge firearms within the RWS System will obey all applicable federal, state, and local laws (including municipal ordinances) and regulations pertaining to the transportation, handling, operation, and discharge of firearms, and are responsible for compliance with all applicable game regulations of the Texas Parks and Wildlife Department. It was stated that this policy was reviewed by the Risk Management Fund without objection. After further discussion, Mr. Koetting made a motion to authorize the General Manager to execute the Raw Water Supply System Pest Control Program, attached hereto as "Exhibit A". The motion was seconded by Mr. Alexander and carried unanimously.

## **7. BRIEFINGS AND PRESENTATIONS**

### **a. Presentation regarding the Raw Water Supply Master Plan for the Raw Water Enterprise.**

This item was deferred.

## **8. EXECUTIVE SESSION**

The meeting was called into executive session at 9:09 a.m., under the provisions of Section 551, Texas Government Code, to discuss topics under the authority of Section 551.071, consultation with attorney.

## **9. RECONVENE IN OPEN SESSION FOR ACTION FOLLOWING EXECUTIVE SESSION**

The meeting was called into open session at 10:09 a.m. No action was taken regarding the items discussed in executive session.

## **10. ANNOUNCEMENTS / FUTURE AGENDA**

Mr. Tisdale announced that the next SJRA Board Meeting would be on December 10, 2015.

## **11. TOUR OF THE GRP SURFACE WATER FACILITY**

This tour did not take place due to a lack of a quorum.

## **12. ADJOURN**

Without objection, the meeting was adjourned at 10:11 a.m.

  
\_\_\_\_\_  
Mary L. Rummell, Secretary  
San Jacinto River Authority

# **Exhibit A**



# Raw Water Supply System Pest Control Program

October 2015  
Version 1.0

APPROVED:

  
Signature

10-29-2015  
Date

GENERAL MANAGER  
Title

## Table of Contents

1.0	GENERAL.....	3
2.0	FIREARM SAFETY .....	3
3.0	FIREARM USE AND HANDLING .....	4
4.0	FIREARM ACCIDENT REPORTING .....	5
5.0	CONSEQUENCES FOR VIOLATION OF PROGRAM PROCEDURES AND REQUIREMENTS ...	6
6.0	EMPLOYEE CONDUCT.....	6
7.0	COMPLIANCE WITH SJRA POLICIES AND PROCEDURES .....	6

## **SJRA RAW WATER SUPPLY PEST CONTROL PROGRAM**

### **1.0 GENERAL**

The purpose of this Raw Water Supply System Pest Control Program (the "Program") is to establish rules and procedures whereby San Jacinto River Authority ("SJRA") employees will be authorized to eradicate nutria and other nuisance fur-bearing animals within the SJRA Raw Water Supply System (the "RWS System"). Nuisance fur-bearing animals are defined by 31 Texas Administrative Code § 65.372(c) as a fur-bearing animal that is depredating or a threat to human health or safety. Nuisance fur-bearing animals may include badgers, beavers, fox, mink, muskrat, nutria, opossum, otter, raccoon, ring-tailed cat, skunk, and civet cat. Nutria and other nuisance fur-bearing animals can cause significant damage to the levees, dams, canals, and other structures that are critical to the RWS System. Feral hogs may also be harvested when significant numbers are present and their activity results in harm to portions of the RWS System. Consequently, as part of the required maintenance of the RWS System, this action is necessary to provide for the protection of the levees, dams, canals, and other structures that are critical to the RWS System.

Firearms used for pest control by SJRA employees shall be only those firearms owned by SJRA and specifically designated for use within the boundary of the RWS System by SJRA-authorized employees only. No SJRA employee will be allowed to hunt any game animal, other than the nuisance fur-bearing animals and feral hogs authorized by SJRA for eradication.

Only designated SJRA employees with written permission from the General Manager or General Manager's designated appointee are authorized to participate in this Program and eradicate nuisance fur-bearing animals or feral hogs within the RWS System. SJRA employees who are authorized to discharge firearms within the RWS System must obey all applicable federal, state, and local laws (including municipal ordinances) and regulations pertaining to the transportation, handling, operation, and discharge of firearms. Safe firearms handling procedures are to be maintained at all times in order to prevent accidents.

### **2.0 FIREARM SAFETY**

Firearm safety is of paramount importance. Therefore, authorized SJRA employees assigned to the RWS System under this Program must obey all laws, regulations, and manufacturer recommendations pertaining to the proper use and discharge of firearms while participating in the eradication of nuisance fur-bearing animals and feral hogs pursuant to this Program. An authorized employee may only participate in this Program after the employee has successfully completed:

- 1) Basic Rifle Shooter's Safety Course certified by the National Rifle Association (NRA); and
- 2) Texas Parks and Wildlife Department (TPWD) Hunter Safety Course.\*

\*Employees holding a valid Concealed Handgun License (CHL) from the Texas Department of Public Safety are not required to complete the TPWD Hunter Safety Course.

Each employee authorized to utilize firearms ("authorized employee") is required to maintain and have in possession a valid State of Texas hunting license, current Driver License, Texas Parks and Wildlife Hunter's Safety Course certification (or CHL), and a valid Basic Rifle Shooter's Safety Course certification at all times. It is a violation of this Program to use a SJRA firearm without providing valid copies of the above documents to the General Manager or General Manager's designated appointee.

Except for the training and licensing cost associated with a Texas CHL, SJRA will underwrite training costs and provide paid time to an authorized employee in order to complete the administrative and procedural steps required for obtaining or maintaining these required documents. An employee must immediately notify his or her supervisor if, for any reason, any of the above documents have become expired, invalidated, suspended, revoked, or cancelled. All authorized employees shall renew their rifle safety course every year and complete the necessary steps to assure that a valid rifle safety certificate is maintained. The General Manager or General Manager's designated appointee shall have the responsibility to assure each authorized employee maintains the required certifications.

### **3.0 FIREARM USE AND HANDLING**

SJRA firearms are provided and maintained for official work purposes at the RWS System only. SJRA firearms may not be handled or used by persons other than authorized employees. Authorized employees may discharge firearms solely within the boundaries of the RWS System and only for the purposes described in this Program. Detailed firearm instructions, record logs, and guidelines may be issued by the General Manager or General Manager's designated appointee and are to be obeyed at all times.

Firearms must be transported in unloaded condition to and from a designated storage location at the RWS System. When not in use, firearms and ammunition shall be stored in a secure gun safe provided for such use at a designated firearm storage area. Firearms and ammunition, except when stored in a secure gun safe or an approved locked storage container locked in an SJRA vehicle, shall never be left unattended under any circumstance. Firearms shall not be unlocked and loaded until the anticipated control area within the RWS System boundary is reached. In addition, the following specific procedures are to be observed:

- Each employee shall perform a preliminary rifle inspection prior to use and complete any required SJRA records or logs. Particular care should be paid to the safe operating condition of SJRA firearms prior to use. Each authorized employee shall monitor the condition of the firearm authorized for use and notify the supervisor if any mechanical problems occur. SJRA-issued firearm maintenance and cleaning procedures will be utilized to safely maintain all rifles.
- Each authorized employee is authorized to remove a firearm from operation if defects are encountered such that the continued safe operation of the firearm is jeopardized.
- All firearms shall be maintained to appropriate standards of cleanliness for safe operation during use.
- No SJRA firearm may be transported outside the boundaries of the RWS System, except for travel to and from portions of the RWS System, pre-approved employee firearm training, or maintenance service at a designated center, without the permission of the General Manager or General Manager's designated appointee.
- SJRA firearms are to be utilized for work-related purposes only; personal use is prohibited.
- SJRA firearms are to be stored in a designated RWS System secure gun safe located at a designated firearm storage area or an approved locked storage container in a locked SJRA vehicle during lunch breaks or any similar time period that would separate the employee from visual contact with the firearm.
- Engaging in horseplay with SJRA firearms is extremely dangerous and is prohibited.
- SJRA employees shall not discharge a firearm from a moving vehicle or from any public road.
- SJRA employees shall not discharge a firearm from entrance roads or other specifically designated areas. SJRA employees may discharge firearms from the levy and canal roads inside the boundaries of the RWS System.
- SJRA employees must verify the area beyond the target for safe firing procedures to prevent damage or injury to distant objects.
- Only commercial-quality ammunition provided by SJRA shall be utilized in Program firearms.

#### **4.0 FIREARM ACCIDENT REPORTING**

All firearm accidents are to be immediately reported to the General Manager or General Manager's designated appointee. Each accident shall be investigated in accordance with SJRA's Incident Reporting and Investigation Procedure. The SJRA HR/Safety Department must also be notified so that the insurance carrier is contacted in regard to the accident. The SJRA incident report form is to be completed and forwarded to the HR/Safety Department as soon as possible but no later than 24 hours after an accident occurs. If non-SJRA persons or property are involved, as a minimum, the person's name, address, and other pertinent information should be obtained.

Any firearm accident involving injuries to any person (whether SJRA or non-SJRA personnel) must be immediately reported to emergency response providers, law enforcement agencies, and the General Manager or General Manager's designated appointee. The General Manager will inform the Board of Directors of any firearm accidents resulting in injuries to any person.

Any firearm accident resulting in damage to property (whether SJRA or non-SJRA property) must also be reported within 24 hours to the General Manager or General Manager's designated appointee.

## **5.0 CONSEQUENCES FOR VIOLATION OF PROGRAM PROCEDURES AND REQUIREMENTS**

SJRA takes all of the requirements and procedures set forth in this Program very seriously. An employee's failure to comply with any of this Program's requirements and procedures may lead to disciplinary action up to and including termination from SJRA employment.

## **6.0 EMPLOYEE CONDUCT**

SJRA employees must be fit for work duty at all times regardless of job assignment. It is strictly prohibited to possess or discharge any firearm as part of this Program with any detectable amount of alcohol. It is similarly prohibited to possess or discharge a firearm while under the influence of drugs. The use of legally prescribed medication or drugs that may interfere with concentration or impair the ability to safely use a firearm shall be immediately reported to the supervisor. No employee may handle or discharge an SJRA firearm while under the influence of drugs or intoxicants that may interfere with concentration or impair the ability to safely use a firearm.

## **7.0 COMPLIANCE WITH SJRA POLICIES AND PROCEDURES**

SJRA authorized employees must also obey all other SJRA requirements and pertinent regulations including the following:

- SJRA Employee Handbook
- SJRA Safety Manual
- Division-specific work rules

The General Manager or General Manager's designated appointee may issue specific procedures, work tasks, and recordkeeping duties to be performed by each authorized employee.

Although specific game harvesting rules are imposed by federal and state regulations, nuisance fur-bearing animals such as nutria and feral hogs are generally exempt from such criteria pursuant to 31 Texas Administrative Code § 65.381, which provides that nuisance fur-bearing animals may be taken in any number, by any means, at any time.

Authorized employees are responsible for compliance with all applicable game regulations of the Texas Parks and Wildlife Department.