

Lloyd B. Tisdale, President
Ronnie Anderson, Vice-President
Mark Micheletti, Treasurer
Kaaren Cambio, Secretary

Ed Boulware, Assistant Secretary
Jim Alexander, Board Member
Brenda Cooper, Board Member



San Jacinto River Authority

Board of Directors Meeting October 22, 2020



San Jacinto River Authority

AGENDA

**SAN JACINTO RIVER AUTHORITY BOARD OF DIRECTORS
NOTICE OF PUBLIC MEETING
THURSDAY, OCTOBER 22, 2020 - 8:00 A.M.
PUBLICLY ACCESSIBLE WEBINAR/TELEPHONE CONFERENCE**

Notice is hereby given to all interested members of the public that the Board of Directors of the San Jacinto River Authority will hold a regular publicly accessible meeting **via webinar / telephone conference call** pursuant to Texas Government Code, Section 551.125, as amended, and as modified by the temporary suspension of various provisions thereof effective March 16, 2020, by the Governor of Texas in accordance with the Texas Disaster Act of 1975, all as related to the Governor's proclamation on March 13, 2020, and subsequent proclamation dated June 11, 2020, certifying that the COVID-19 pandemic poses an imminent threat of disaster and declaring a state of disaster for all counties in Texas.

If you choose to participate via the webinar link below, you WILL have the opportunity to provide comments during the designated portion of the meeting.

Webinar Link: <https://attendee.gotowebinar.com/register/4113696721618883852>

After registering, you will receive a confirmation email containing information about joining the webinar.

If you choose to participate via the [GoToWebinar App](#), you WILL have the opportunity to provide comments during the designated portion of the meeting.

Please use Webinar ID: [949-014-011](#)

If you choose to participate in the meeting via the conference call number below, you will NOT have the opportunity to provide comments during the designated portion of the meeting. The conference call phone number is provided for LISTENING PURPOSES ONLY.

Telephone conference call phone number:

[415-655-0060](#) and the audio access code is [501-411-667](#)

All members of the public may participate in the meeting via webinar, Webinar App, or telephone conference call (listen only option).

- 1. CALL TO ORDER**
- 2. PLEDGES OF ALLEGIANCE**
- 3. PUBLIC COMMENTS (3 minutes per speaker)**

4. **DIVISION UPDATES** - Receive updates from Operational Divisions and General & Administration Division related to ongoing projects, staff reports, or items on the consent agenda.
 - a. **G & A:** Jace Houston, General Manager
 - b. **G & A:** Heather Ramsey Cook, Director of Communications and Public Affairs
 - c. **G & A:** Tom Michel, Director of Finance and Administration
 - d. **Woodlands:** Chris Meeks, Utility Enterprise O&M Manager
 - e. **GRP:** Chris Meeks, Utility Enterprise O&M Manager
 - f. **Lake Conroe:** Bret Raley, Lake Conroe Division Manager
 - g. **Highlands:** Jay Smith, Highlands Division Manager
 - h. **Flood Management:** Chuck Gilman, Director of Water Resources and Flood Management
5. **CONSENT AGENDA** - This agenda consists of ministerial or "housekeeping" items required by law, such as routine bids, contracts, purchases, resolutions, and orders; items previously approved by Board action, such as adoption of items that are part of an approved budget or capital improvement projects, interlocal agreements, or action which is required by law or delegated to the General Manager; and items of a non-controversial nature. These items will be considered by a single motion unless removed and placed on the Regular Agenda for individual consideration at the request of any Director.

G&A

- a. **Approval of Minutes** - Regular Meeting of September 24, 2020.

- b. **Unaudited Financials**

Consider approval of the unaudited financials for the month of September, 2020.

- c. **Interlocal Agreement with Harris County Department of Education**

Consider authorizing the General Manager to execute an Interlocal Agreement with Harris County Department of Education for the purpose of utilizing their competitively bid contracts.

- d. **Master Intergovernmental Agreement with OMNIA Partners**

Consider authorizing the General Manager to execute a Master Intergovernmental Cooperative Purchasing Agreement with OMNIA Partners for the purpose of utilizing their competitively bid contracts.

WOODLANDS

- e. **Construction Contract for Wastewater Treatment Facility No. 2 Digester Nos. 1, 2, and 3 Rehabilitation**

Consider authorizing the General Manager to execute a construction contract for Wastewater Treatment Facility No. 2 Digester Nos. 1, 2 and 3 Rehabilitation in The Woodlands.

f. Construction Phase Services for Wastewater Treatment Facility No. 2 Digester Nos. 1, 2, and 3 Rehabilitation

Consider authorizing the General Manager to execute Work Order No. 2 for construction phase services for Wastewater Treatment Facility No. 2 Digester Nos. 1, 2 and 3 Rehabilitation in The Woodlands.

RAW WATER ENTERPRISE

g. Sale of Real Property

Declare to be surplus and authorize the disposal by sale of a 0.657 acre tract of real property located in the Owen Shannon Survey, A-36, near Montgomery, Texas, and authorize the General Manager to execute all necessary documents to complete the transaction.

6. REGULAR AGENDA - This agenda consists of items requiring individual consideration by the Board of Directors.

G&A

a. Stand-By Services Agreement for Emergency and Non-Emergency Response

Consider authorizing the General Manager to execute a Stand-By Services Agreement for emergency response for hazardous incident handling and non-emergency cleanup of hazardous and/or non-hazardous waste and related items for all San Jacinto River Authority divisions.

RAW WATER ENTERPRISE

b. Master Services Agreement and Service Order for Dark Fiber Services

Consider authorizing the General Manager to execute a Master Services Agreement and Service Order for dark fiber services to assets in the Highlands Division.

7. EXECUTIVE SESSION - If necessary, the Board of Directors will adjourn to Closed Session at this point in the meeting to consider the following items; however, the Board of Directors reserves the right to adjourn to Closed Session at any time during the course of this meeting as allowed by law.

a. Discussion regarding items identified elsewhere on the agenda pursuant to Texas Government Code Sections 551.071 (Consultation with Attorney), 551.072 (Real Property), 551.073 (Prospective Gifts), 551.074 (Personnel Matters), or 551.076 (Security Devices), as applicable.

b. Consultations with attorney, pursuant to Texas Government Code, Section 551.071 regarding:
1. Litigation related to Hurricane Harvey, including additional legal services to be provided by Hunton Andrews Kurth, LLP; and
2. Expedited Declaratory Judgement Act litigation and other litigation related to GRP.

8. RECONVENE IN OPEN SESSION - The Board of Directors will reconvene in Open Session at this point in the meeting and, if necessary, take action on any agenda item discussed in Closed Session and/or identified below.

9. ANNOUNCEMENTS / FUTURE AGENDA

Next San Jacinto River Authority Board Meeting - December 3, 2020

10. ADJOURN

Persons with disabilities who plan to attend this meeting and would like to request auxiliary aids or services are requested to contact Cynthia Bowman at (936) 588-3111 at least three business days prior to the meeting so that appropriate arrangements can be made.



San Jacinto River Authority

Board Communication

Item No.	Agenda Item	Date
5a	Consider approval of minutes from the Board of Directors meeting of September 24, 2020.	10/22/2020

BACKGROUND INFORMATION

STRATEGIC GOAL: Goal 1: Engaged Board of Directors

FUNDING SOURCE: N/A

ATTACHMENTS: Minutes

RECOMMENDED ACTION

Approve the minutes of the September 24, 2020, Board of Directors meeting.



Item No.	Agenda Item	Date
5b	Consider approval of the unaudited financials for the month of September, 2020.	10/22/2020

BACKGROUND INFORMATION

The monthly unaudited financial statements are intended to keep the Board of Directors apprised of the ongoing financial condition of the Authority.

The monthly statements include Financial Highlights, Schedules of Revenues and Expenses (Actual and Budget), Unaudited Balance Sheet, Unaudited Statement of Revenues and Expenses (Summary), and Schedule of Investments.

STRATEGIC GOAL: Goal 1: Engaged Board of Directors

FUNDING SOURCE: N/A

ATTACHMENTS: Unaudited Financials will be provided to the Board during the meeting

RECOMMENDED ACTION

Approve the unaudited financial statements for the month of September, 2020.



Item No.	Agenda Item	Date
5c	Consider authorizing the General Manager to execute an Interlocal Agreement with Harris County Department of Education for the purpose of utilizing their competitively bid contracts.	10/22/2020

BACKGROUND INFORMATION

The Interlocal Agreement will allow the Authority to utilize contracts that have already been competitively bid and awarded, in accordance with all state and federal competitive bidding requirements. Procuring goods and services from the Harris County Department of Education (Choice Partners Purchasing Cooperative) will streamline purchasing processes, and save time and financial resources necessary to fulfill bid requirements. Additionally, the Authority will gain the Cooperative's aggregate purchasing power, resulting in substantial discounts on products and services, which far exceeds the Authority's individual purchasing power. The Authority is not obligated to use the Choice Partners Purchasing Cooperative contracts and will only do so when in the Authority's best interest. The use of the Choice Partners contracts complies with the Interlocal Cooperation Act, Chapter 791.025 of the Texas Government Code and Chapter 271, Subchapter F, of the Texas Local Government Code.

STRATEGIC GOAL: Goal 6: High Performance Administration

FUNDING SOURCE: N/A

ATTACHMENTS: Interlocal Agreement between Harris County Department of Education and the San Jacinto River Authority

RECOMMENDED ACTION

Authorize the General Manager to execute an Interlocal Agreement with Harris County Department of Education to utilize the Choice Partners Purchasing Cooperative.



Item No.	Agenda Item	Date
5d	Consider authorizing the General Manager to execute a Master Intergovernmental Cooperative Purchasing Agreement with OMNIA Partners for the purpose of utilizing their competitively bid contracts.	10/22/2020

BACKGROUND INFORMATION

The Intergovernmental Agreement will allow the Authority to utilize contracts that have already been competitively bid and awarded, in accordance with all state and federal competitive bidding requirements. Procuring goods and services from the OMNIA Partners Purchasing Cooperative will streamline purchasing processes and save time and financial resources necessary to fulfill bid requirements. Additionally, the Authority will gain the Cooperative's aggregate purchasing power, resulting in substantial discounts on products and services, which far exceeds the Authority's individual purchasing power. The Authority is not obligated to use the Purchasing Cooperative contracts and will only do so when it is in the Authority's best interest. The use of the OMNIA Partners contracts complies with the Interlocal Cooperation Act, Chapter 791.025 of the Texas Government Code and Chapter 271, Subchapter F, of the Texas Local Government Code.

STRATEGIC GOAL: Goal 6: High Performance Administration

FUNDING SOURCE: N/A

ATTACHMENTS: Master Intergovernmental Cooperative Purchasing Agreement

RECOMMENDED ACTION

Authorize the General Manager to execute a Master Intergovernmental Cooperative Purchasing Agreement with OMNIA Partners for the purpose of utilizing their competitively bid contracts.



Item No.	Agenda Item	Date
5e	Consider authorizing the General Manager to execute a construction contract for Wastewater Treatment Facility No. 2 Digester Nos. 1, 2 and 3 Rehabilitation in The Woodlands.	10/22/2020

BACKGROUND INFORMATION

Firm Name:	Wharton-Smith, Inc.
Project:	Wastewater Treatment Facility No. 2 Digester Nos. 1, 2 and 3 Rehabilitation
Type of Services:	Construction Contract
Type of Agreement:	Standard Construction Agreement (Contract No. 20-0075)
Project Description:	<p>The digester complex at Wastewater Treatment Facility No. 2 (WWTF No. 2) has a total of four digesters and was originally constructed in 2002. Digester No. 4 was converted from a mechanical aerator to a coarse aeration system in 2010. The aeration systems in Digesters 1, 2 and 3 have structural and mechanical deterioration causing safety concerns related to the walkways based on exposure to the corrosive environment.</p> <p>This construction contract includes all labor, materials, and equipment required to perform the proposed rehabilitation of Digester Nos. 1, 2 and 3, which includes replacement of the existing draft tube aerators to coarse bubble air diffuser systems, replacement of the existing belt filter press feed pumps, and miscellaneous improvements to the complex including access improvements to the feed pump vault area, decant and drainage system improvements, and the addition of electrical gate actuators to existing slide gates.</p> <p>Construction management and inspection will be provided by SJRA.</p> <p>No. Proposals Received/Proposal Receipt Date: Three (3) / September 17, 2020</p> <p>Highest Ranked Offeror / Proposed Cost: Wharton-Smith, Inc. / \$1,775,050.00 (94.00 Pts.) Second Ranked Offeror / Proposed Cost: Industrial TX Corp. / \$1,956,400.00 (92.40 Pts.) Third Ranked Offeror / Proposed Cost: C3 Constructors / \$1,923,000.00 (91.20 Pts.)</p> <p>Engineer: Garver, LLC</p> <p>Proposal Amount: \$1,775,050.00</p> <p>Engineer's Estimate: \$1,725,000.00</p> <p>Contract Days: 365 Calendar Days</p>

STRATEGIC GOAL: Goal 2: Operational Excellence

FUNDING SOURCE: R&R Fund

ATTACHMENTS: Map, Summary, Proposal Form, Agreement

RECOMMENDED ACTION

Authorize the General Manager to execute a construction contract in the amount of \$1,775,050.00 with Wharton-Smith, Inc. for Wastewater Treatment Facility No. 2 Digester Nos. 1, 2 and 3 Rehabilitation in The Woodlands, and contract modifications up to \$50,000.00.



Item No.	Agenda Item	Date
5f	Consider authorizing the General Manager to execute Work Order no. 2 for construction phase services for Wastewater Treatment Facility No. 2 Digester Nos. 1, 2 and 3 Rehabilitation in The Woodlands.	10/22/2020

BACKGROUND INFORMATION

Firm Name:	Garver, LLC
Project:	Wastewater Treatment Facility No. 2 Digester Nos. 1, 2 and 3 Rehabilitation
Type of Services:	Professional Engineering Services (Qualifications-based selection, Ref. RFQ 18-0059)
Type of Agreement:	Professional Services Work Order Agreement (Contract No. 18-0059-09)

Project Description:

The digester complex at Wastewater Treatment Facility No. 2 (WWTF No. 2) has a total of four digesters constructed in 2002. Digester No. 4 was converted from mechanical aeration to a coarse aeration system in 2010. Digester Nos. 1, 2 and 3, which have a draft tube style aeration system and are exhibiting significant structural corrosion, will be retrofitted with a coarse aeration system. Garver, LLC, the Engineer of Record, previously provided design for this project including drawings and specifications for replacement of the aeration system, associated structural supports, piping, and belt filter press feed pumps. Work Order No. 2 provides for all labor and materials required to perform professional engineering construction phase services (CPS) for the construction of WWTF No. 2 Digester Nos. 1, 2 and 3 rehabilitation. Work Order No. 2 generally includes the review and documentation of contractor and SJRA requests for information (RFIs), shop drawings review, claim review, submittal review, attendance at scheduled and unscheduled meetings, site visits, Substantial Completion walk-through, development of the punch list, Final Completion walk-through, and preparation of record drawings. Construction management and inspection will be provided by SJRA. Garver, LLC was selected based on qualifications from RFQ 18-0059.

Key Deliverable(s):	Due Date(s):
Response to Submittals	14 Calendar Days After Receipt
Response to RFIs	3 Calendar Days After Receipt
Record Drawings	30 Calendar Days After Approval of As-Builts
Type of Compensation/Amount:	Cost Plus Multiplier with Not-to-Exceed/\$95,103.00
*Previously Authorized Work Order No. 1	\$ 199,620.00
Work Order No. 2:	<u>\$ 95,103.00</u>
Total Amount:	\$294,723.00

Construction Cost:	\$1,775,050.00
Anticipated Completion Date:	January 3, 2022

*See attached Exhibit 1 for additional information on prior work orders.

STRATEGIC GOAL: Goal 2: Operational Excellence

FUNDING SOURCE: R&R Funds

ATTACHMENTS: Exhibit, Map, Work Order No. 2, Scope, Level of Effort, Schedule

RECOMMENDED ACTION

Authorize the General Manager to execute Work Order No. 2 in an amount not to exceed \$95,103.00 with Garver, LLC, for construction phase services for Wastewater Treatment Facility No. 2 Digester Nos. 1, 2 and 3 in The Woodlands.



Item No.	Agenda Item	Date
5g	Declare to be surplus and authorize the disposal by sale of a 0.657 acre tract of real property located in the Owen Shannon Survey, A-36, near Montgomery, Texas, and authorize the General Manager to execute all necessary documents to complete the transaction.	10/22/2020

BACKGROUND INFORMATION

The San Jacinto River Authority (“SJRA”) has received a request from a landowner along the shores of Lake Conroe to purchase a small tract of SJRA property that is adjacent to the landowner’s tract. Staff has processed the request in accordance with the Board-approved guidance memo and recommends that the Board declare the tract surplus and dispose of it via sale to the adjacent landowner as outlined below.

Buyer: Howard M. Hester Jr.

Description: A 0.657 acre parcel in the Owen Shannon Survey, A-36

Location: 19492 Bolin Road Montgomery, TX 77356

MCAD Land Value: \$362,170.00 / 116,000 sq. ft. = \$3.12/sq. ft.

SJRA Tract Value: (\$3.12 sq. ft. x 28,618.92 sq. ft.) / (0.8 factor) = \$111,613.79

Attorney Closing Cost: \$2,000.00

Disposal Sale Price: \$113,613.79

STRATEGIC GOAL: Goal 6: High Performance Administration

FUNDING SOURCE: N/A

ATTACHMENTS: Map of Property, MCAD Data Sheet, Survey, and Metes and Bounds

RECOMMENDED ACTION

Declare to be surplus and authorize the disposal by sale of 0.657 acre tract of real property located in the Owen Shannon Survey, A-36, near Montgomery, Texas, at a price of \$113,613.79, and authorize the General Manager to execute all necessary documents to complete the transaction.



Item No.	Agenda Item	Date
6a	Consider authorizing the General Manager to execute a Stand-By Services Agreement for emergency response for hazardous incident handling and non-emergency cleanup of hazardous and/or non-hazardous waste and related items for all San Jacinto River Authority divisions.	10/22/2020

BACKGROUND INFORMATION

Firm Name:	US Ecology Houston, Inc.
Type of Services:	Stand-By Services agreement for emergency response for hazardous incident handling and non-emergency cleanup of hazardous and/or non-hazardous waste and related items
Type of Agreement:	Stand-by Services Agreement (Contract No. 20-0093)
Description:	<p>The San Jacinto River Authority solicited proposals for Stand-By Services for emergency response for hazardous incident handling and non-emergency cleanup of hazardous and/or non-hazardous waste and related items for all SJRA divisions. US Ecology Houston, Inc., provided the most comprehensive and thorough response package with a broad range of qualifications and experience in environmental, industrial, and emergency response services. They provide services 24 hours a day, 7 days a week, including holidays.</p> <p>Number of Proposals Received/Proposal Receipt Date: Three (3) / September 25, 2020</p> <p>Highest Ranked Offeror: US Ecology Houston, Inc. (89 Pts.) Second Ranked Offeror: Clean Harbor (70 pts.) Third Ranked Offeror: Masters ARS (44 pts.)</p>

STRATEGIC GOAL: Goal 6: High Performance Administration

FUNDING SOURCE: Division Operations and Maintenance Budget as needed.

ATTACHMENTS: Stand-By Services Agreement

RECOMMENDED ACTION

Authorize the General Manager to execute a Stand-By Services agreement with US Ecology Houston, Inc., for emergency response for hazardous incident handling and non-emergency cleanup of hazardous and/or non-hazardous waste and related items for all SJRA divisions.



Item No.	Agenda Item	Date
6b	Consider authorizing the General Manager to execute a Master Services Agreement and Service Order for dark fiber services to assets in the Highlands Division.	10/22/2020

BACKGROUND INFORMATION

Currently, the communications method for the Highlands Division SCADA system consists of cellular communications from the remote siphons and pump stations back to the Emergency Operations Center (EOC). The Highlands Division Project Plan contains multiple projects associated with the construction of communications towers in the approximate amount of \$770,000 in Fiscal Year 2021 and approximately an additional \$541,000 to be spent in subsequent years. In lieu of constructing the proposed communication towers, this contract provides that PS Lightwave, Inc., construct a Dark Fiber communication line and SJRA will reimburse a share of the construction cost and lease some of the fiber.

Not only will fiber option be less expensive to implement, but the on-going cost will be less than the communication towers, as the maintenance of the fiber will reside with PS Lightwave, Inc. To maintain towers and the equipment on them would require training of staff to climb towers in excess of 150 feet tall or outsourcing the work. Fiber is also a better option both in terms of speed and cybersecurity than the originally planned towers and the currently existing cellular communications. All equipment on the ends of the fiber will be owned, operated, and maintained by SJRA.

SJRA's share of the non-recurring construction costs will be \$86,853.00. The monthly recurring lease and maintenance costs will be \$5,160.00. The monthly recurring costs will come out of the Highlands Division operating budget. All costs are based on the GSA Federal Supply Contract GS-35F-169DA. SJRA is eligible to use this GSA Federal Supply Contract and it satisfies any requirement for competitive solicitation.

STRATEGIC GOAL: Goal 2: Operational Excellence

FUNDING SOURCE: R&R Funds

ATTACHMENTS: Master Services Agreement; Service Order; Site Map

RECOMMENDED ACTION

Authorize the General Manager to execute a Master Services Agreement and Service Order with PS Lightwave, Inc., in the amount of \$86,853.00, for dark fiber services.