



San Jacinto River Authority

**Board of Directors Meeting
September 23, 2021**



San Jacinto River Authority

AGENDA

**SAN JACINTO RIVER AUTHORITY BOARD OF DIRECTORS
THURSDAY, SEPTEMBER 23, 2021 - 8:00 A.M.
GENERAL AND ADMINISTRATION BUILDING - BOARDROOM
1577 DAM SITE ROAD, CONROE, TEXAS**

Board meetings after September 1, 2021, will be held in person, including the public comment portion of the agenda. The meeting may be viewed via webinar:

Webinar Link: <https://attendee.gotowebinar.com/register/1111626464499625995>

Webinar ID: **357-495-763**

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

For listening only without video, the meeting may be accessed via conference call:

+1 (415) 655-0052 and the audio access code is **674-542-342**

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:** Matt Barrett, Flood Management Division Manager
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. **Quarterly Investment Report**

Consider approval of the Quarterly Investment Report for the Quarter Ended August 31, 2021.

b. Resolution - Affirming Investment Policy

Consider adoption of a resolution of the Board of Directors of the San Jacinto River Authority adopting an amended policy for investment of Authority funds and appointing an investment officer.

WOODLANDS

c. Construction Contract - Lift Station No. 8 Force Main Replacement

Consider authorizing the General Manager to execute a construction contract for Lift Station No. 8 Force Main Replacement in The Woodlands, subject to General Counsel approval as to contract form.

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

WOODLANDS

a. Professional Services Agreement and Work Order No. 1 - The Woodlands Wastewater System Consolidation Feasibility Study

Consider authorizing the General Manager to execute a professional services agreement and Work Order No. 1 for professional services associated with the Wastewater System Consolidation Feasibility Study in The Woodlands, subject to General Counsel approval as to contract form.

RAW WATER ENTERPRISE

b. Construction Contract - Lake Houston Pump Station Ventilation Improvements

Consider authorizing the General Manager to execute a construction contract for Lake Houston Pump Station Ventilation Improvements in Highlands, subject to General Counsel approval as to contract form.

c. Joint Funding Agreement - Water Resource Investigations

Consider authorizing the General Manager to execute a joint funding agreement for water resource investigations with the United States Geological Survey (USGS) for data collection and analysis activities for the period of October 1, 2021, to September 30, 2022.

d. Facilities Use Agreement - Texas State Guard

Consider authorizing the General Manager to execute a facilities use agreement with the Texas Military Department to allow the Texas State Guard to utilize certain Lake Conroe Division facilities for training and operations.

FLOOD MANAGEMENT

e. Professional Services Agreement and Work Order No. 1 - Spring Creek Watershed Flood Control Dams Conceptual Engineering Feasibility Study

Consider authorizing the General Manager to negotiate and execute a professional services agreement and Work Order No. 1 for engineering services for the Spring Creek Watershed Flood Control Dams Conceptual Engineering Feasibility Study, subject to General Counsel approval as to contract form.

7. BRIEFINGS AND PRESENTATIONS

a. Presentation regarding SJRA-Wide Construction Projects, Studies and Repairs Viewer.

8. 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; and
3. Pending litigation styled *Lake Conroe Assn., et. al. v. City of Houston and San Jacinto River Authority*, Cause No. 21-03-04382, in the 284th District Court, Montgomery County, Texas.

9. 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.

10. ANNOUNCEMENTS / FUTURE AGENDA

Next San Jacinto River Authority Regular Board Meeting - October 28, 2021.

11. ADJOURN

Persons with disabilities who plan to participate in the 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.



Item No.	Agenda Item	Date
5a	Consider approval of the Quarterly Investment Report for the Quarter Ended August 31, 2021.	09/23/2021

BACKGROUND INFORMATION

The Quarterly Investment Report presents the investment balances and activity for San Jacinto River Authority funds, including investment strategy for each fund, in compliance with the provisions of the San Jacinto River Authority Investment Policy and the Public Funds Investment Act (Chapter 2256, Government Code).

STRATEGIC GOAL: Goal 1: Engaged Board of Directors

FUNDING SOURCE: N/A

ATTACHMENTS: Quarterly Investment Report

RECOMMENDED ACTION

Approve the quarterly investment report for the quarter ended August 31, 2021.



San Jacinto River Authority

Board Communication

Item No.	Agenda Item	Date
5b	Consider adoption of a resolution of the Board of Directors of the San Jacinto River Authority adopting an amended policy for investment of Authority funds and appointing an investment officer.	09/23/2021

BACKGROUND INFORMATION

The Public Funds Investment Act and Section 49.199, Texas Water Code, require that the Board of Directors of the Authority adopt rules, regulations, and policies (an “Investment Policy”) governing the investment of Authority funds and designating one or more of its officers, employees, or authorized representatives to be responsible for the investment of such funds. The Authority’s Investment Policy must be reviewed no less often than annually and was last modified by the Board of Directors on January 23, 2020, and reaffirmed with no changes on February 25, 2021.

General Counsel and staff recommend the changes highlighted within the attached Memorandum of Changes, which reflect very minor changes to address legislative requirements or changes and cleanup of recent personnel changes.

STRATEGIC GOAL: Goal 6: High Performance Administration

FUNDING SOURCE: N/A

ATTACHMENTS: Resolution, Proposed Policy, and Memorandum of Changes from General Counsel

RECOMMENDED ACTION

Adopt a resolution adopting an amended policy for the investment of Authority funds and appointing an investment officer.



Item No.	Agenda Item	Date
5c	Consider authorizing the General Manager to execute a construction contract for Lift Station No. 8 Force Main Replacement in The Woodlands, subject to General Counsel approval as to contract form.	09/23/2021

BACKGROUND INFORMATION

Firm Name: Alcott Inc. DBA TCH Directional Drilling
 Project: Lift Station No. 8 Force Main Replacement
 Type of Services: Construction Services
 Type of Agreement: Standard Construction Agreement
 (Contract No. 21-0047)
 Project Description:

Lift Station No. 8 is located in the southeast area of The Woodlands along Sawmill Road. The existing 4” diameter force main has reached the end of its useful life and requires replacement. This project will generally consist of installing approximately 600 linear feet of a new upsized 6” diameter force main. The new line will run from Lift Station No. 8 crossing underneath Sawmill Road, then parallel along Sawmill Road within the road right-of-way to the termination manhole. The project will also include, but not necessarily limited to, cutting and plugging of existing force main, all required connections associated with new force main line, coating of the termination manhole, and site restoration.

At the time of preparation of the document package for this agenda item, Authority contracting forms were in the process of being revised in order to comply with state law changes that became effective September 1, 2021. As such, the Board is requested to approve execution of the contract by the General Manager, subject to General Counsel’s approval of the final contract form for compliance with amended state laws.

No. Proposals Received/Proposal Receipt Date: Six (6) / August 12, 2021

Highest Ranked Offeror / Proposed Cost: Alcott Inc DBA TCH Directional Drilling / \$105,341.50
 Second Ranked Offeror / Proposed Cost: T. Gray Utility and Rehab Co. LLC / \$235,751.30
 Third Ranked Offeror / Proposed Cost: Main Lane Industries LTD / \$290,742.30

Engineer: ARKK Engineers, LLC

Base Items Amount: \$105,341.50
 Extra Unit Price Items Amount: \$6,550.00
 Cash Allowance: \$5,000.00
 Total Proposal Amount: \$116,891.50

Engineer’s Estimate: \$279,815.00 (Base Items Only)

Contract Days: 150 Calendar Days

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 \$116,891.50 with Alcott Inc. DBA TCH Directional Drilling, for Lift Station No. 8 Force Main Replacement in The Woodlands and contract modifications up to the amount approved per the Purchasing Policy, subject to General Counsel approval as to contract form.



Item No.	Agenda Item	Date
6a	Consider authorizing the General Manager to execute a professional services agreement and Work Order No. 1 for professional services associated with the Wastewater System Consolidation Feasibility Study in The Woodlands, subject to General Counsel approval as to contract form.	09/23/2021

BACKGROUND INFORMATION

Firm Name: Freese and Nichols, Inc.

Project: Woodlands Wastewater Consolidation Feasibility Study

Type of Services: Professional Engineering Services

Type of Agreement: Professional Services Work Order Agreement
(Contract No. 21-0026)

Project Description:

Currently, SJRA owns and operates three (3) wastewater treatment facilities in The Woodlands. Multiple components of these facilities are nearing the end of their useful life and will need to be renewed/replaced in the near future. This high-level feasibility study will evaluate alternative(s) for consolidating the existing wastewater collection and treatment system and compare the alternative(s) to a baseline scenario of replacing the existing infrastructure based on its service life. The feasibility study will evaluate alternative(s) in order to present information and data to The Woodlands MUD Boards to make an informed decision regarding the path forward for aging infrastructure renewal.

At the time of preparation of the document package for this agenda item, Authority contracting forms were in the process of being revised in order to comply with state law changes that became effective September 1, 2021. As such, the Board is requested to approve execution of the contract by the General Manager, subject to General Counsel’s approval of the final contract form for compliance with amended state laws.

Key Deliverable(s):	Due Date(s):
Technical Memorandum – Planning Criteria	January 28, 2022
Technical Memorandum – Infrastructure	May 6, 2022
Condition Assessment	
Draft Technical Report	October 24, 2022
Final Technical Report	January 30, 2023
Type of Compensation/Amount:	Lump sum/\$987,331.00
Type of Compensation/Amount:	<u>Cost Plus Multiplier/\$300,000.00</u>
Total Compensation Amount:	\$1,287,331.00
Anticipated Completion Date:	January 30, 2023

STRATEGIC PLAN: Goal 2: Operational Excellence

FUNDING SOURCE: TWDB Bond Funds

ATTACHMENTS: Map, Work Order No. 1, Scope, Level of Effort, Schedule

RECOMMENDED ACTION

Authorize the General Manager to execute a professional services agreement and Work Order No. 1 in the amount of \$1,287,331.00 with Freese and Nichols, Inc., for professional services associated with the Wastewater System Consolidation Feasibility Study in The Woodlands, subject to General Counsel approval as to contract form.



Item No.	Agenda Item	Date
6b	Consider authorizing the General Manager to execute a construction contract for Lake Houston Pump Station Ventilation Improvements in the Highlands, subject to General Counsel approval as to contract form.	09/23/2021

BACKGROUND INFORMATION

Firm Name: Jamail & Smith Construction, LP

Project: Lake Houston Pump Station Ventilation Improvements

Type of Services: Construction Services

Type of Agreement: Major Construction Services Agreement
(Contract No. 21-0037)

Project Description:

The Lake Houston Pump Station (LHPS) is a critical component of the Highlands Division’s raw water system. The pump station is operated 24/7, 365 days/year, in order to provide raw water to industrial, municipal, and irrigation customers in East Harris County. SJRA is transitioning to remote operation of the pump station which requires various rehabilitation and improvements to the existing facilities. Numerous aspects of the pump station are original to 1950s construction including the windows. This project generally includes removal and in-filling of existing windows, abandonment of existing roof mounted exhaust fan, installation of new louvers, exhaust fans, storm shutters, and all associated appurtenances. These improvements collectively will provide for adequate ventilation/airflow to the pump station building and also improve security as SJRA transitions to remote operation of the pump station.

At the time of preparation of the document package for this agenda item, Authority contracting forms were in the process of being revised in order to comply with state law changes that became effective September 1, 2021. As such, the Board is requested to approve execution of the contract by the General Manager, subject to General Counsel’s approval of the final contract form for compliance with amended state laws.

No. Proposals Received/Proposal Receipt Date: One (1) / August 17, 2021

Proposed Cost: Jamail & Smith Construction, LP. / \$444,249.74

Engineer: HDR Engineering, LLC

Engineer’s Estimate: \$375,639.00

Contract Days: 210 Calendar Days

STRATEGIC GOAL: Goal 2: Operational Excellence

FUNDING SOURCE: R&R Fund

ATTACHMENTS: Map, Proposal Form, Agreement

RECOMMENDED ACTION

Authorize the General Manager to execute a construction contract in the amount of \$444,249.74 with Jamail & Smith Construction, LP, for Lake Houston Pump Station Ventilation Improvements in the Highlands, and contract modifications up to the amount approved per the Purchasing Policy, subject to General Counsel approval as to contract form.



Item No.	Agenda Item	Date
6c	Consider authorizing the General Manager to execute a joint funding agreement for water resource investigations with the United States Geological Survey (USGS) for data collection and analysis activities for the period of October 1, 2021, to September 30, 2022.	09/23/2021

BACKGROUND INFORMATION

For many years, the San Jacinto River Authority has maintained an annual joint funding agreement with the United States Geological Survey (USGS), whereby the USGS provides certain water quantity and quality data collection activities that are beneficial to SJRA.

The services provided under the agreement include:

- Surface water data collection and analysis for Lake Conroe and specified upstream and downstream locations; and
- Water quality data collection and analysis at Lake Conroe, various locations in The Woodlands, and on the SJRA canal near the Lake Houston Pump Station.

The total cost of the program is shared between SJRA and the USGS as outlined in the agreement, and services are provided by the USGS.

USGS and SJRA's contribution for 2022 is \$49,950.00 and \$284,650.00, respectively, bringing the overall total for this project to \$334,600.00.

STRATEGIC GOAL: Goal 2: Operational Excellence

FUNDING SOURCE: Lake Conroe Division - \$198,750.00; Woodlands Division - \$69,600.00; and Highlands Division - \$16,300.00

ATTACHMENTS: USGS Joint Funding Agreement

RECOMMENDED ACTION

Authorize the General Manager to execute a joint funding agreement for water resource investigations with the U.S. Geological Survey (USGS) for data collection and analysis activities for the period October 1, 2021, to September 30, 2022, in an amount of \$284,650.00 (SJRA's portion).



Item No.	Agenda Item	Date
6d	Consider authorizing the General Manager to execute a facilities use agreement with the Texas Military Department to allow the Texas State Guard to utilize certain Lake Conroe Division facilities for training and operations	09/23/2021

BACKGROUND INFORMATION

SJRA was recently approached by representatives of the Texas Military Department (TMD) who were seeking a suitable location to serve as a base of operations and training facility for one of their battalions, specifically a battalion that conducts water-based operations such as search and rescue.

SJRA staff had several meetings with TMD representatives to confirm the suitability of SJRA's facilities at Lake Conroe. TMD representatives felt strongly that SJRA's geographic location, lake access, boat ramp, land area, and buildings made it an ideal location for its operations.

SJRA staff were also satisfied that TMD's operations would not interfere with any of SJRA's operational commitments.

Members of the Texas State Guard, which is a branch of the TMD, would utilize Lake Conroe Division facilities one weekend per month. They would also store boats and other equipment onsite and would work with Lake Conroe Division staff to find suitable locations.

STRATEGIC GOAL: Goal 3: Water Resource Leadership

FUNDING SOURCE: No SJRA funding required

ATTACHMENTS: Facilities Use Agreement

RECOMMENDED ACTION

Authorize the General Manager to execute a facilities use agreement with the Texas Military Department to allow the Texas State Guard to utilize certain Lake Conroe Division facilities for training and a base of operations



Item No.	Agenda Item	Date
6e	Consider authorizing the General Manager to negotiate and execute a professional services agreement and Work Order No. 1 for engineering services for the Spring Creek Watershed Flood Control Dams Conceptual Engineering Feasibility Study, subject to General Counsel approval as to contract form.	09/23/2021

BACKGROUND INFORMATION

Firm Name:	Halff Associates, Inc.
Project:	Spring Creek Watershed Flood Control Dams Conceptual Engineering Feasibility Study
Type of Services:	Professional Engineering Services
Type of Agreement:	Professional Services Work Order Agreement (Contract No. 21-0016)
Project Description:	<p>Texas Water Development Board (TWDB) has awarded grant funding from the Flood Infrastructure Fund (FIF) to SJRA for a continuation of the Spring Creek Siting Study, a sub-task of the San Jacinto Regional Watershed Master Drainage Plan project (SJDMP). This project will include a conceptual-level design for the two dams recommended in the Spring Creek Siting Study, as well as definition of benefits and costs for each dam and a combination of the two dams. The outcome of this study will allow project sponsors to determine the most feasible and economic alternative(s) for design and construction. This professional services agreement and Work Order No. 1 will provide for the labor and materials required to perform the study. The project is anticipated to be funded 50% by TWDB grant funds and 50% by a combination of funding partner contributions and SJRA in-kind services (in kind services estimated at up to \$103,407), with some minor additional expenses related to the project anticipated to be funded by the SJRA Flood Management Division budget. Work Order No. 1 will be for up to the full TWDB approved project budget amount of \$1,000,000 to account for the possibility that SJRA is unable to provide all anticipated in-kind services and will include a mechanism allowing SJRA to authorize the Consultant to perform additional efforts or incur additional expenses as necessary in place of SJRA in-kind efforts, up to the full \$1,000,000 amount. At the time of preparation of the document package for this agenda item, Authority contracting forms were in the process of being revised in order to comply with state law changes that became effective September 1, 2021. As such, the Board is requested to approve execution of the contract by the General Manager, subject to General Counsel’s approval of the final contract form for compliance with amended state laws.</p>
Key Deliverable(s):	Due Date(s):
Draft Conceptual Design Report	February 28, 2023 (TWDB Due Date)
Final Conceptual Design Report	April 30, 2023 (TWDB Due Date)
Type of Compensation/Amount:	Cost Plus Multiplier with Not-to-Exceed/\$1,000,000.00
Anticipated Completion Date:	April 30, 2023

STRATEGIC PLAN: Goal 3: Water Resource Leadership

FUNDING SOURCE: Grant Funds, Partner Funds, In-Kind

ATTACHMENTS: Map, Draft PSA, Draft Work Order No. 1, Draft Scope, Draft Level of Effort, Draft Schedule

RECOMMENDED ACTION

Authorize the General Manager to negotiate and execute a professional services agreement and Work Order No. 1 in an amount not to exceed \$1,000,000.00 with Halff Associates, Inc., for engineering services for the Spring Creek Watershed Flood Control Dams Conceptual Engineering Feasibility Study, subject to General Counsel approval as to contract form.