



MINUTES

UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS JUNE 3, 2021

REGULAR SESSION BOARD MEETING

1. Call to Order

The Board of Directors of the Upper Trinity Regional Water District (UTRWD) convened in Regular Session Board Meeting with President Brian Roberson presiding at 1:05 PM on Thursday, June 3, 2021.

2. Roll Call and confirm Quorum

The attendance of the Board of Directors was taken. A quorum was present for the meeting.

Board Members in Attendance:

Brian Roberson, President, Aubrey
Clay Riggs, Treasurer, Flower Mound
Troy Norton, Argyle
Corbett Howard, Celina
Gary Calmes, Denton County at Large
Kevin Mercer, DCFWSD #7
Orlando Sanchez, Irving
Devon Kennedy, Krum
Eric Ferris, Lewisville
Michael Anderson, Ponder

Bob Hart, Vice President, Corinth
Lyle Drescher, Secretary, Northlake
Del Knowler, Bartonville
Stephen Moore, Denton
Kristina Clark, DCFWSD #1A
Mark Pape, Copper Canyon
Greg Scott, Justin
Mike Fairfield, Lake Cities MUA
Allen McCracken, Pilot Point
Tracy LaPiene, Sanger

Absent:

Johnny Harris, Denton County*
Chris Boyd, Mustang SUD*
* Excuse Absent

Richard Lubke, Highland Village*
Frank Jaromin, Prosper*

Staff & Advisors in Attendance:

Larry N. Patterson, Executive Director
Nancy Tam, Assistant to Executive Director
Tom Snyder, Director of Eng & Constr
Jody Zabolio, Director of Op. & Water Res
Ronna Hart, Manager of Water Resources
Adam McKnight, Sr. Professional Engineer
Jan Morris, Assistant Director for Administration
Mark Skaggs, Manager of IT Services
Marcos Zepeda, IT Specialist

Matthew Butler, Boyle & Lowry LLP
Bill Greenleaf, Chief Financial Officer
Kurt Staller, Assistant Director, Eng & Const
Ed Motley, LRH Program Manager
Jason Pierce, Manager of Governmental Affairs
Todd Williams, Mgr of Budget & Financial
Ben Hodges, Assistant Director of Operations
Dustin Wright, Network System Administrator
Sean Simas, Superintendent, Lakeview Plant

Others in Attendance:

James Burnham, Former Board Member
Jerry Snead, HDR
John Lindner, Half Associates

Alan Tucker, Plummer
Randy Bush, CP&Y
Anthony Samarripas, Kimberly Horn

3. Remarks by President Lubke - - passing of the gavel to new President Roberson
No remarks by President Lubke; he was absent for the meeting.

4. Pledge of Allegiance and Invocation

Pledge of Allegiance was led by President Roberson. The Invocation was delivered by Bob Hart.

5. Oath of Office for newly appointed Board Members

President Roberson administered the Oath of Office for the following Members of the Board:

Troy Norton, Argyle
Bob Hart, Corinth
Greg Scott, Justin
Lyle Drescher, Northlake

Del Knowler, Bartonville
Stephen Moore, Denton
Devon Kennedy, Krum

Corbett Howard, Celina
Gary Calmes, DC At-Large
Eric Ferris, Lewisville

6. Opening Remarks:

- A. President's Remarks concerning current events, conduct of the meeting, posted agenda items, committee assignments, and related matters.

Roberson thanked the Board for the opportunity to serve as Board President. He pledged to do his best for the Board and the District. Regarding Committee assignments, he asked Board Members to let him or staff know if they had any suggestions for changes.

- B. Executive Director's Status Report about legislation and regulatory matters, about budgets, current projects and on-going programs of the District, including: the Regional Water System, Water Resource Development, Regional Water Reclamation Systems, Watershed Protection and Water Conservation.

The 87th Legislature Session recently ended on May 31st. Patterson noted three bills of interest were sent to the Governor for approval:

- SB 600 (Perry) relating to the inventory of dams by river authorities.
- SB 905 (Perry) relating to guidance on the regulations applicable to the potable reuse of wastewater.
- SB 997 (Nichols) relating to procedural requirements for the review of a contractual rate charged for the furnishing of raw or treated water or water or sewer service.

- C. Presentations about awards, recognitions, achievements, etc. of the District, Board Members, Member Entities and Staff.

- Patterson informed the Board that for the 12th consecutive year, the District's **Operating and Capital Budgets** had been awarded the Distinguished Budget Presentation Award by the Government Finance Officers Association. In addition, GFOA Reviewers designated a Special Capital Recognition due to the District's Budget documents exceeding the qualifications related to budgeted capital expenditures, nonrecurring capital expenditures and identification of current and future operating budget projections for the services that the District provides.



- Jody Zabolio, Director of Operations reported that all of District's Water Reclamation Plants received Platinum Peak Performance Awards from the **National Association of Clean Water Agencies**:
 - Doe Branch Plant – Platinum 5 years
 - Riverbend Plant – Platinum 13 years
 - Peninsula Plant – Platinum 17 years
 - Lakeview Plant – Platinum 22 years

7. Visitor Comments Concerning Agenda Topics.

None.

CONSENT AGENDA

Bob Hart made the motion to approve the Consent Agenda Items No. 8 - 14 as presented by staff. Seconded by Tracy LaPiene. The *Roll Call Vote* was 19 Yes, 0 No, 4 Absent (Harris, Lubke, Boyd and Jaromin); motion carried. The approved Consent Agenda items were:

8. Adopt minutes of May 6, 2021 Board Meeting.
9. Accept Monthly Management Report for the period ended April 30, 2021.
10. Consider appointment of Trustees for Places 2 and 4 on the Board of Trustees for the Upper Trinity Conservation Trust.
11. Authorize the Executive Director to enter into pricing agreements for the purchase of bulk chemicals for the Regional Treated Water System.
12. Authorize the Executive Director to enter into a 3-year pricing agreement with Cartégraph Systems LLC.
13. Authorize staff to forward preliminary estimates of fees and charges for next fiscal year (FY 21-22) to Members and Customers for budget planning purposes.
14. Receive report of construction change orders approved by staff.

ITEMS FOR INDIVIDUAL CONSIDERATION

15. Consider adoption of Resolution of Appreciation and Commendation for James Burnham and his service as a member of the Upper Trinity Regional Water District Board of Directors.

Corbett Howard made the motion to approve the Resolution of Appreciation and Commendation for Mr. James Burnham for his service as a Member of the Board of Directors. Seconded by Del Knowler. The *Roll Call Vote* was 19 Yes, 0 No, 4 Absent (Harris, Lubke, Boyd and Jaromin). Motion carried.

President Roberson presented a copy of the approved Resolution to Mr. Burnham and reiterated that the Board appreciated his contributions that have helped Upper Trinity maintain high standards for achievement and excellence.

16. Consider approval of Task Order No. 4 with HDR Engineering, Inc. for preliminary design and system hydraulic analysis related to proposed Southwest Pump Station in Canyon Falls subdivision. **(Weighted Capital Vote)**



In recent years, the population within District’s service area continues to increase and the water demand also increased. Currently the Southwest Booster Pump Station is reaching its capacity. It is time to begin design of the pump station and ground storage tank to meet future demands.

Recently, District staff solicited Requests for Proposals (RFPs) from five engineering firms to design the permanent Southwest Pump Station. Four of five firms submitted proposals and were interviewed. Based on their RFP and interview, HDR Engineering, Inc. was selected as the most qualified firm to perform the design.

Staff recommended approval of Task Order No. 4 with HDR Engineering, Inc. for professional services related to preliminary design and hydraulic analysis for the Southwest Pump Station for a not to exceed amount of \$799,822. Funding for this Project is included in the FY 2021 Regional Treated Water System Capital Budget. **Kristina Clark made the motion to approve Item No. 16 as recommended by staff. Seconded by Troy Norton.** The *Weighted Capital Vote* was 36 Yes, 0 No, 6 votes Absent (Lubke, Boyd and Jaromin); motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Howard	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Moore	2	2		
DC AT-LARGE - Calmes	1	1		
DCFWSO #1A – Clark	2	2		
DCFWSO #7 – Mercer	2	2		
DOUBLE OAK – (vacant 1 vote)				
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2			2
IRVING – Sanchez	2	2		
JUSTIN – Scott	1	1		
KRUM - Kennedy	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Ferris	2	2		
MUSTANG SUD – Boyd	3			3
NORTHLAKE – Dresher	1	1		
PILOT POINT – McCracken	1	1		
PONDER – Anderson	1	1		
PROSPER – Jaromin	1			1
SANGER – LaPiene	1	1		



TOTAL	42	36	0	6
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17. Lake Ralph Hall Agenda Items: **(Weighted Capital Vote)**

- A. Consider approval of Task Order No. 3 for the existing Lake Ralph Hall Roadway Relocation Progressive Design-Build Agreement with Flatiron Constructors, Inc. for additional early work activities.

Regarding work activities on the new State Highway 34 Bridge, Task Order 3 will include Earthwork for placement of Embankment on the South Abutment. It will include Structures installation of 54 Columns, 7 Tie Beams, 8 Pier Caps, 5 Spans (Girder Erection) and 2 Spans of Deck.

Staff recommends approval of Task Order No. 3 with Flatiron Constructors, Inc. in the not to exceed amount of \$4,063,139. This Task Order will be funded by the Texas Water Development Board through its SWIFT Board Participation Program.

- B. Consider approval of Task Order No. 3 to the existing contract with Freese and Nichols, Inc. for Engineering and Other Technical Support Relating to Permitting and Regulatory Compliance for Lake Ralph Hall.

Task Order No. 3 with Freese and Nichols, Inc. will provide 404 Permit Compliance and Support, including Cultural Resources Permitting and Compliance Assistance.

Staff recommended approval of the proposed Task Order #3 with Freese & Nichols, Inc. for a not to exceed amount of \$70,000. This Task Order will be funded by the Texas Water Development Board through its SWIFT Deferred Interest Program.

- C. Consider approval of a purchasing agreement with Aries Building Systems, LLC for the purchase of two construction trailers to support the Lake Ralph Hall Project.

Staff recommended to authorize the Executive Director to enter into a Purchasing Agreement with Aries Building Systems, LLC for the purchase of two construction trailers to support the Lake Ralph Hall Project. The trailers are being purchased through a contract available with the Buy Board Purchasing Cooperative in the amount of \$207,573.00. Sufficient funding is available in the Lake Ralph Hall Project Budget.

Kevin Mercer made the motion to approve Item No. 17 A, B and C as recommended by staff. Seconded by Kristina Clark. The *Weighted Capital Vote* was 36 Yes, 0 No, 6 votes Absent (Lubke, Boyd and Jaromin); motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Howard	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Moore	2	2		
DC AT-LARGE - Calmes	1	1		
DCFWS #1A – Clark	2	2		
DCFWS #7 – Mercer	2	2		



DOUBLE OAK – (vacant 1 vote)				
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2			2
IRVING – Sanchez	2	2		
JUSTIN – Scott	1	1		
KRUM - Kennedy	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Ferris	2	2		
MUSTANG SUD – Boyd	3			3
NORTHLAKE – Dresher	1	1		
PILOT POINT – McCracken	1	1		
PONDER – Anderson	1	1		
PROSPER – Jaromin	1			1
SANGER – LaPiene	1	1		
TOTAL	42	36	0	6

18. Consider Resolutions for Interim Financing of the Relocation / TxDOT U.S. Hwy. 380 Project (Doe Branch Plant):

- A. Resolution authorizing use of current funds via a loan from the Regional Treated Water System Non-Bond Capital Reserve to provide interim funding for the Relocation / TxDOT U.S. Hwy. 380 Project (Doe Branch Plant).
- B. Resolution to enable reimbursement of funds from reimbursements from TxDOT and/or future bond proceeds, including contribution sources from Doe Branch Plant Participants.

Regarding the Doe Branch Plant, it has been determined that the TxDOT Widening Project will require the relocation of certain existing wastewater force mains. District staff is requesting an interim loan from the Regional Treated Water Systems' Non-Bond Capital Reserve funds in the amount of \$3,000,000 to be used as a revolving interim financing tool. The funds will be repaid after completion of the project and after all TxDOT reimbursements have been received. Interest shall be paid to the Regional Treated Water System at a minimum authorized rate of 1.5%, with the potential to adjust on a quarterly basis depending on TexPool's investment rate, and subject to Board authorization.

Staff recommended for the Board to adopt a Resolution providing for an interim use of funds of \$3.0 Million from the RTWS and adopt a separate Resolution authorizing reimbursement from future bond proceeds. **Devon Kennedy made the motion to approve Item No. 18 A and B as recommended by staff. Seconded by Kristina Clark.** The *Weighted Capital Vote* was 36 Yes, 0 No, 6 votes Absent (Lubke, Boyd and Jaromin); motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		

CELINA – Howard	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Moore	2	2		
DC AT-LARGE - Calmes	1	1		
DCFWSD #1A – Clark	2	2		
DCFWSD #7 – Mercer	2	2		
DOUBLE OAK – (vacant 1 vote)				
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2			2
IRVING – Sanchez	2	2		
JUSTIN – Scott	1	1		
KRUM - Kennedy	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Ferris	2	2		
MUSTANG SUD – Boyd	3			3
NORTHLAKE – Dresher	1	1		
PILOT POINT – McCracken	1	1		
PONDER – Anderson	1	1		
PROSPER – Jaromin	1			1
SANGER – LaPiene	1	1		
TOTAL	42	36	0	6

19. Executive Session concerning granting or acquisition of easements, rights-of-way and other property including leases for Water Resource Development or for Regional Treated Water System, pursuant to Texas Government Code, Section 551.072, according to location maps of the projects available in the District Office; and regarding water rights and related permits; for discussion of security matters pursuant to Texas Government Code, Section 551.076, and, regarding General Counsel and Executive Director's review of legal implications for the relocation of a District water pipeline; and, regarding potential lawsuit related to construction projects; and, meeting with legal counsel pursuant to Texas Government Code, Section 551.071, relative to a matter in which the attorney is required under the Texas Disciplinary Rules of Professional Conduct to convey advice in Executive Session.

The Board of Directors went into Executive Session at 1:50 P.M.
 The Board returned to open meeting at 2:05 P.M.

20. Consider action on property matters, some of which may have been discussed in Executive Session.
(Weighted Capital Vote)

The Board of Directors discussed the purchase of property necessary for Lake Ralph Hall in Executive Session. Staff recommended to approve Resolution to declare certain property surplus to District needs and authorize the Executive Director to execute a contract to exchange the surplus property for Parcel 219-LRH (Raiden) necessary for the Lake Ralph Hall Project upon final agreement of terms and take the necessary steps to finalize and close the exchange of property.

Bob Hart made the motion to approve Item No. 20 as recommended by staff. Seconded by Gary Calmes. The *Weighted Capital Vote* was 36 Yes, 0 No, 6 votes Absent (Lubke, Boyd and Jaromin); motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Howard	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Moore	2	2		
DC AT-LARGE - Calmes	1	1		
DCFWS #1A – Clark	2	2		
DCFWS #7 – Mercer	2	2		
DOUBLE OAK – (vacant 1 vote)				
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2			2
IRVING – Sanchez	2	2		
JUSTIN – Scott	1	1		
KRUM - Kennedy	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Ferris	2	2		
MUSTANG SUD – Boyd	3			3
NORTHLAKE – Dresher	1	1		
PILOT POINT – McCracken	1	1		
PONDER – Anderson	1	1		
PROSPER – Jaromin	1			1
SANGER – LaPiene	1	1		
TOTAL	42	36	0	6

21. Review potential agenda items, activities and announcements for future Board meetings.

- July 1, 2021 Board Meeting has been canceled.
- Gary Calmes requested a briefing regarding Conservation Trust activities.

22. Visitor Comments Concerning Non-Agenda Topics.

None.



23. Adjournment.

There being no further business, President Roberson adjourned the meeting at 2:08 P.M.

Recorded by: 
Nancy T. Tam, Assistant Secretary, Board of Directors

Certified by: 
Lyle Drescher, Secretary, Board of Directors

