



MINUTES

UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS AUGUST 4, 2022

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 1:17 P.M. on Thursday, August 4, 2022.

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
Lyle Dresher, Treasurer, Denton County At Large
Troy Norton, Argyle
Corbett Howard, Celina
Mark Pape, Copper Canyon
Kevin Mercer, DCFWSD #7
Richard Lubke, Highland Village
Mike Fairfield, Lake Cities MUA
Drew Corn, Northlake
Michael Anderson, Ponder
Alina Ciocan, Sanger

Clay Riggs, Vice President, Flower Mound
Greg Scott, Secretary, Justin
Del Knowler, Bartonville
George Marshall, Corinth
Stephen Moore, Denton
Dave Nelson, Double Oak
Nate Winchester, Krum
Eric Ferris, Lewisville
Allen McCracken, Pilot Point
Frank Jaromin, Prosper

Absent:

Orlando Sanchez, Irving *

Chris Boyd, Mustang SUD *

* Excuse Absent

Vacant: Denton County

Staff & Advisors in Attendance:

Larry N. Patterson, Executive Director
Nancy Tam, Assistant to Executive Director
Bill Greenleaf, Chief Financial Officer
Todd Williams, Mgr of Budget & Financial
Marcos Zepeda, IT Specialist
Kurt Staller, Assistant Director, Eng & Const
Elizabeth Boddicker, LRH Project Engineer
Ben Hodges, Assistant Director of Operations
Ronna Hart, Manager of Water Resources

Matthew Boyle, General Counsel
Jason Pierce, Manager of Governmental Affairs
Lester Harris, Controller
Dustin Wright, Network System Administrator
Nick Bulaich, Financial Advisor
Adam McKnight, Sr. Professional Engineer
Jody Zabolio, Director of Op. & Water Resources
Ed Motley, LRH Program Manager
Jan Morris, Assistant Director for Administration

Others in Attendance:

Heather Harward, Heather Harward Consulting

Jerry Snead, HDR

3. Pledge of Allegiance and Invocation.

The Pledge of Allegiance was led by Greg Scott; Invocation was delivered by Jason Pierce.

4. Oath of Office

The Town of Northlake appointed Drew Corn, Town Manager to serve as their representative. President Roberson administered the Oath of Office and welcomed him to the Board.

5. Opening Remarks:

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

This region has been experiencing extreme hot and dry weather for a while. With no rain insight, water conservation is in everyone's mind.

President Roberson commented that it is great to see a lot of proactive water conservation information out there on social media, billboards and signs to encourage all to conserve water.

- 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.

Mr. Patterson presented a history of the Drought Conditions in Texas from 2011 to 2022. According to the statistic, for the last seven years, the State of Texas has been in good shape. However, now in 2022, the majority of the State is experiencing Extreme or Exceptional drought conditions.

On June 28th, the District has implemented **Stage 1 Water Watch (2 days per week/outdoor watering)**. Nevertheless, despite all the messaging, all the encouragement and news media, the District is seeing no meaningful reduction in the treated water demand. The current average demand for water is above 70 MGD per day.

Patterson commented that if substantial rainfall did not occur in the near future, the District may be forced to consider **Stage 2 Water Warning (1 day per week / outdoor watering)**.

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


None.

6. Visitor Comments Concerning Agenda Topics.

None

CONSENT AGENDA

Richard Lubke made the motion to approve the Consent Agenda Items No. 7 - 11 as presented. Seconded by Frank Jaromin. The Roll Call Vote was 20 Yes, 0 No, 2 Absent (Sanchez & Boyd). Motion carried. The approved Consent Agenda items were:



7. Adopt Minutes of June 2, 2022 Board Meeting.
8. Accept Monthly Management Report for the period ended June 30, 2022.
9. Accept Quarterly Investment Report for the period ended June 30, 2022.
10. Authorize the Executive Director to enter into pricing agreements with:
 - A. CTJ Maintenance Inc. for Janitorial Services for the District’s Administrative offices.
 - B. Hach Company for annual service plans for Hach process control instrumentation and laboratory equipment at each District Plant.
 - C. TGW Land Services (Blake Goode Welding and Construction) for Dirt and Debris Removal Services for Lake Ralph Hall.
11. Receive report of construction change orders approved by staff.

ITEMS FOR INDIVIDUAL CONSIDERATION

12. Consider approval of Task Order No. 3 with Kimley-Horn Associates, Inc. for engineering services related to finalizing pipeline alignment, preliminary engineering and financing application assistance for the Harpool Water Treatment Plant Northeast Transmission Pipeline Phase 3. **(Weighted Capital Vote)**

City of Aubrey has been a Participating Member since 1999. Recently Aubrey has requested a permanent connect to the District’s System by January 2028 to meet its growing water needs. Proposed Task Order No. 3 with Kimley-Horn Associates, Inc. provides for engineering services related to preliminary engineering for the Northeast Pipeline - Phase 3, identifying key hydraulic parameters, recommending pipeline alignment, and assisting with a funding application to Texas Water Development Board (TWDB).

Corbett Howard made the motion to approve the proposed Task Order No. 3 with Kimley-Horn Associates, Inc. for a not to exceed amount of \$290,130 as recommended by staff. Seconded by Lyle Dresher. The *Weighted Capital Vote* was unanimous with 39 Yes, 0 No, 7 votes Absent (Sanchez and Boyd). Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSTAIN	ABSENT
ARGYLE – Norton	1	1			
AUBREY - Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Howard	3	3			
CORINTH – Marshall	3	3			
DENTON (city) – Moore	2	2			
DC AT-LARGE Dresher	1	1			
DCFWSO #7 – Mercer	2	2			
DOUBLE OAK – Nelson	1	1			



FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Sanchez	2			2
JUSTIN – Scott	1	1		
KRUM – Winchester	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Ferris	3	3		
MUSTANG SUD – Boyd	5			5
NORTHLAKE – Corn	2	2		
PILOT POINT – McCracken	1	1		
PONDER – Anderson	1	1		
PROSPER – Jaromin	1	1		
SANGER – Ciocan	1	1		
TOTAL	46	39		7

13. Construction Contracts. (Weighted Capital Vote)

- A. Consider award of construction contract to Engineered Fluids, Inc. (EFI-Solutions) for installation of additional pumps, drives, motors and associated appurtenances for the Southwest Booster Pump Station Project.

Currently the Southwest Booster Pump Station operates using 3 pumps. These pumps have reached their initial planned capacity. Pump station has two empty slots for future expansion. HDR Engineering, Inc. evaluated the current Booster Pump Station operations and determined that pumps should be added, and that those pumps would allow the project to continue on a less aggressive schedule thereby providing cost savings to the District.

Staff recommended that the Board approve the construction contract in the amount of \$440,000.00 to Engineered Fluids, Inc. (EFI – Solutions) for Southwest Booster Pump Station. **Drew Corn made the motion to approve Agenda Item 13A as recommended by staff. Seconded by Lyle Dresher.** The *Weighted Capital Vote* was unanimous with 39 Yes, 0 No, 7 votes Absent (Sanchez and Boyd). Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSTAIN	ABSENT
ARGYLE – Norton	1	1			
AUBREY - Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Howard	3	3			
CORINTH – Marshall	3	3			
DENTON (city) – Moore	2	2			

DC AT-LARGE Dresher	1	1	
DCFWSO #7 – Mercer	2	2	
DOUBLE OAK – Nelson	1	1	
FLOWER MOUND – Riggs	9	9	
HIGHLAND VILLAGE – Lubke	2	2	
IRVING – Sanchez	2		2
JUSTIN – Scott	1	1	
KRUM – Winchester	1	1	
LAKE CITIES MUA – Fairfield	2	2	
LEWISVILLE – Ferris	3	3	
MUSTANG SUD – Boyd	5		5
NORTHLAKE – Corn	2	2	
PILOT POINT – McCracken	1	1	
PONDER – Anderson	1	1	
PROSPER – Jaromin	1	1	
SANGER – Ciocan	1	1	
TOTAL	46	39	7

- B. Consider Resolution authorizing acceptance of completed work, approval of final change order, final payment and release of retainage for construction contract awarded to Eagle Contracting, L.P. for construction of Phase 2 Expansion at Doe Branch Water Reclamation Plant.

The District's engineer (Freese and Nichols, Inc.) and staff recommended the Board to approve final change order, and final payment of \$533,511.93, including release of retainage to Eagle Contracting, LP, pending completion of minor punch list items.

- C. Consider approval of Change Order No. 4 to the Peninsula Water Reclamation Plant Expansion, Phase 3 Project.

As part of the construction, the Contractor was required to obtain the necessary permits for construction from Denton County. During the permit process, it was determined that due to recent changes to the flood plain regulations, additional earth work would be required because construction of the expansion necessitated fill within the 100-year flood plain.

Proposed Change Order No. 4 includes the labor and material costs to perform required earth work to meet the County's flood plain regulations. This Change Order is a proposed cost increase to the contract in the amount of \$85,644.07; it will not add any additional days to the contract time.

Staff recommended for Board approve Change Order No. 4 to the Peninsula WRP Expansion, Phase 3 Project for additional cut and fill within the 100-year floodplain for \$85,644.07.



Richard Lubke made the motion to approve Agenda Item 13 B and C as recommended by staff. Seconded by Kevin Mercer. The Weighted Capital Vote was unanimous with 39 Yes, 0 No, 7 votes Absent (Sanchez and Boyd). Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSTAIN	ABSENT
ARGYLE – Norton	1	1			
AUBREY - Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Howard	3	3			
CORINTH – Marshall	3	3			
DENTON (city) – Moore	2	2			
DC AT-LARGE Dresher	1	1			
DCFWS #7 – Mercer	2	2			
DOUBLE OAK – Nelson	1	1			
FLOWER MOUND – Riggs	9	9			
HIGHLAND VILLAGE – Lubke	2	2			
IRVING – Sanchez	2				2
JUSTIN – Scott	1	1			
KRUM – Winchester	1	1			
LAKE CITIES MUA – Fairfield	2	2			
LEWISVILLE – Ferris	3	3			
MUSTANG SUD – Boyd	5				5
NORTHLAKE – Corn	2	2			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Jaromin	1	1			
SANGER – Ciocan	1	1			
TOTAL	46	39			7

14. Receive update on an emergency repair at the Stone Hill Pump Station and ratify emergency purchase for a pipeline repair.

Adam McKnight provided a report to the Board regarding the recent Emergency Pipeline Repair at Stone Hill Pump Station:

- July 2, 2022 at 8:30 P.M. – District’s 16-inch pipe failure reported.
- Staff immediately mobilized for repair.
- Temporary repair attempts failed.



- Western Construction, LLC was engaged to assist with emergency repairs.
- Acadia Services, LLC provided key repair parts.
- July 3, Stone Hill P.S. taken off-line for pipeline repairs – at approximately 5:00 P.M.
- July 3, late evening repairs were completed and Pump Station service restored.

Total cost for the repair was \$ 39,649.63. Funding is included in the FY 2022 Regional Treated Water System Operating Budget. The repair cost is within the Executive Director’s signature authorization. No action by the Board is required.

15. Lake Ralph Hall Agenda Items: **(Weighted Capital Vote)**

- A. Consider approval of Task Order No. 4 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.

Freese & Nichols, Inc. (FNI) has unique expertise in permitting and regulatory matters relating to large reservoirs in Texas. FNI has been providing technical assistance to the District on Lake Ralph Hall permitting activities for more than ten years.

FNI has completed its obligations under Task Order 1, 2 and 3. Their expertise is needed for Task Order No. 4 to continue supporting the District in Cultural Resource Permitting/Compliance Coordination and Section 404 Permit Compliance Reporting.

Task Order No. 4 is anticipated to be funded by the Texas Water Development Board through its SWIFT Deferred Interest Program. Staff recommended for Board approval of Task Order No. 4 with Freese & Nichols, Inc. for a not to exceed amount of \$70,000.

- B. Consider approval of Task Order No. 2 to the existing contract with Jacobs Engineering Group, Inc. for Lake Ralph Hall Delivery Point and Balancing Reservoir final design.

To maintain the Lake Ralph Hall Program Schedule, it is necessary to move forward with the final design of the Lake Ralph Hall Balancing Reservoir and Delivery Point. Scope of Services include Final Design of:

- Two-cell Balancing Reservoir
- LRH Delivery Point – valve vault and flow control system
- Instrumentation and controls system

Staff recommended that the Board to approve Task Order No. 2 with Jacobs Engineering Group, Inc. for a not to exceed amount of \$945,853. Task Order No. 2 is anticipated to be funded by the Texas Water Development Board through its SWIFT Deferred Interest Program.

Howard Corbett made the motion to approve Agenda Item No. 15 A & B as presented by staff. Seconded by Drew Corn. The *Weighted Capital Vote* was unanimous with 39 Yes, 0 No, 7 Absent (Sanchez and Boyd). Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSTAIN	ABSENT
ARGYLE – Norton	1	1			
AUBREY – Roberson	1	1			



BARTONVILLE – Knowler	1	1	
CELINA – Howard	3	3	
CORINTH – Marshall	3	3	
DENTON (city) – Moore	2	2	
DC AT-LARGE Dresher	1	1	
DCFWSO #7 – Mercer	2	2	
DOUBLE OAK – Nelson	1	1	
FLOWER MOUND – Riggs	9	9	
HIGHLAND VILLAGE – Lubke	2	2	
IRVING – Sanchez	2		2
JUSTIN – Scott	1	1	
KRUM – Winchester	1	1	
LAKE CITIES MUA – Fairfield	2	2	
LEWISVILLE – Ferris	3	3	
MUSTANG SUD – Boyd	5		5
NORTHLAKE – Corn	2	2	
PILOT POINT – McCracken	1	1	
PONDER – Anderson	1	1	
PROSPER – Jaromin	1	1	
SANGER – Ciocan	1	1	
TOTAL	46	39	7

Alina Ciocan left the Meeting
 President called for a 5 minute break.

- 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 2:30 p.m.
 The Board returned to open meeting at 2:52 p.m.



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

The Board of Directors discussed purchase of the following properties for the NE Pipeline Project:

- Deccan Ranch LLC (Parcel 13B)
- Aubrey Farms LLC (Parcel 14B)

Dave Nelson made the motion to approve the Agenda No. 17 as presented. Seconded by Allen McCracken. The *Weighted Capital Vote* was unanimous with 39 Yes, 0 No, 8 Absent (Sanchez, Boyd and Ciocan). Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSTAIN	ABSENT
ARGYLE – Norton	1	1			
AUBREY - Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Howard	3	3			
CORINTH – Marshall	3	3			
DENTON (city) – Moore	2	2			
DC AT-LARGE Dresher	1	1			
DCFWS #7 – Mercer	2	2			
DOUBLE OAK – Nelson	1	1			
FLOWER MOUND – Riggs	9	9			
HIGHLAND VILLAGE – Lubke	2	2			
IRVING – Sanchez	2				2
JUSTIN – Scott	1	1			
KRUM – Winchester	1	1			
LAKE CITIES MUA – Fairfield	2	2			
LEWISVILLE – Ferris	3	3			
MUSTANG SUD – Boyd	5				5
NORTHLAKE – Corn	2	2			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Jaromin	1	1			
SANGER – Ciocan	1				1
TOTAL	46	38			8



18. Approve Resolution(s) deeming necessity and authorizing acquisition of property including exercising the Power of Eminent Domain for the Lake Ralph Hall Project. (Weighted Capital Vote)

The Board of Directors discussed purchases of properties necessary for the Lake Ralph Hall Project in Executive Session. Staff recommended to approve individual Resolution deeming necessity and authorizing acquisition of real property, including exercising the power of eminent domain for the following parcels and take the necessary steps to finalize and close the purchase of property necessary for the Lake Ralph Hall Project:

- Resolution # 2022-27: Parcel 1070 – Kristina Gustafson
- Resolution # 2022-28: Parcel 1090/1100 -- Timothy D. Hornback and wife Lori L. Hornback
- Resolution # 2022-29: Parcel 260 – Carl and Sylvia McGee
- Resolution # 2022-30: Parcel 150 – Paula Elaine Nelson
- Resolution # 2022-31: Parcel 590 – Cheryl D. Parker, Bessie M. Parker, Revocable Living Trust
- Resolution # 2022-32: Parcels 50, 60, 80 -- Analisa Blaine, Suzanne Penace George and Lawrence T. Worley, III, Heirs of the James and Sue Reel Estates
- Resolution # 2022-33: Parcel 20 -- Angela Scott
- Resolution # 2022-34: Parcel 650 -- Wolfe City Farm, LLC

Richard Lubke made the motion to approve Agenda No. 18 as presented. Seconded by Greg Scott. The *Weighted Capital Vote* was unanimous with 38 Yes, 0 No, 8 Absent (Sanchez, Boyd and Ciocan). Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSTAIN	ABSENT
ARGYLE – Norton	1	1			
AUBREY - Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Howard	3	3			
CORINTH – Marshall	3	3			
DENTON (city) – Moore	2	2			
DC AT-LARGE Dresher	1	1			
DCFWS #7 – Mercer	2	2			
DOUBLE OAK – Nelson	1	1			
FLOWER MOUND – Riggs	9	9			
HIGHLAND VILLAGE – Lubke	2	2			
IRVING – Sanchez	2				2
JUSTIN – Scott	1	1			



KRUM – Winchester	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Ferris	3	3		
MUSTANG SUD – Boyd	5			5
NORTHLAKE – Corn	2	2		
PILOT POINT – McCracken	1	1		
PONDER – Anderson	1	1		
PROSPER – Jaromin	1	1		
SANGER – Clocan	1			1
TOTAL	46	38		8

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

District’s Employee Family Event -- Sunday, August 21, 2022, 12:00- 4:00 PM.


20. Visitor Comments Concerning Non-Agenda Topics.

None

21. Adjournment.

There being no further business, President Roberson adjourned the meeting at 2:56 p.m.

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

Certified by: 
 Greg Scott, Secretary, Board of Directors

