



MINUTES

UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS MAY 5, 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 12:48 P.M. on Thursday, May 5, 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 Drescher, Secretary, Northlake
Del Knowler, Bartonville
Mark Pape, Copper Canyon
Kevin Mercer, DCFWSD#7
Richard Lubke, Highland Village
Greg Scott, Justin
Mike Fairfield, Lake Cities MUA
Chris Boyd, Mustang SUD
Frank Jaromin, Prosper

Clay Riggs, Treasurer, Flower Mound
Troy Norton, Argyle
Corbett Howard, Celina
Stephen Moore, Denton
Dave Nelson, Double Oak
Orlando Sanchez, Irving
Nate Winchester, Krum
Eric Ferris, Lewisville
Allen McCracken, Pilot Point
Alina Ciocan, Sanger

Absent: Michael Anderson, Ponder*

* Excuse Absent

Vacant:

Corinth
Denton County At-Large

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
Dustin Wright, Network System Administrator
Tom Snyder, Director of Eng & Constr
Adam McKnight, Sr., Professional Engineer
Doug Janeway, Manager of Property Services
Ed Motley, LRH Program Manager

Matthew Boyle, General Counsel
Jason Pierce, Manager/Governmental Affairs
Lester Harris, Controller
Mark Skaggs, Manager of IT Services
Marcos Zepeda, IT Specialist
Kurt Staller, Assistant Director, Eng & Const
Jody Zabolio, Director of Op. & Water Res
Jan Morris, Assist. Director for Administration

Others in Attendance: Alan Tucker, Plummer

3. Pledge of Allegiance and Invocation.

Pledge of Allegiance was led by Larry Patterson. Invocation was delivered by Rich Lubke.

4. Oath of Office.

None.

5. Opening Remarks:

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

We were deeply saddened for the untimely loss of Bob Hart. He was a great Member on this Board; he also had served as our Treasurer and Vice President. This is a great loss for ALL of us! Please keep his family in your thoughts and prayers.

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.

- TWDB – Sunset Advisory Public Hearing 4/27/2022 – staff attended the hearing and testified in support of Texas Water Development Board.
- Feeding Fannin. Earlier this week, Flatiron Constructors participated in the local food drive organized by local area Chamber of Commerce.
- There is a proposed Wind Mill Farm by Cielo Wind for Fannin County. It could stretch 15 miles from Dodd City to just south of Honey Grove. Local officials are concerned that the wind turbines could negatively impact property value.
- Water Demand indicates that growth is still strong for our communities. With the recent rains, lake levels are in good shape.
- Patterson recognized District's recently hired employees.

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

Jody Zabolio reported that his son's high school team recently attended an ***International Robotics World Championship Match*** in Houston, Texas. There are over 4,000 high school robotics teams representing 43 countries from around the world. Of those, 456 teams advanced to the World Finals. A final alliance, with teams from Irving, TX took first place overall to become world champions.

Jody was glad for the opportunity to attend the match and see first-hand so many young people including those from "around the world" implementing such cutting-edge robotic technologies!

6. Visitor Comments Concerning Agenda Topics.

None.



CONSENT AGENDA

Richard Lubke made the motion to approve the Consent Agenda as presented by staff. Seconded by Kevin Mercer. The *Roll Call Vote* was 19 Yes, 0 No, 1 Absent (Anderson). Motion carried. The approved Consent Agenda items were:

7. Adopt Minutes of April 14, 2022 Board Meeting.
8. Accept Monthly Management Report for the period ended March 31, 2022.
9. Accept Quarterly Investment Report for the period ended March 31, 2022.
10. Authorize the Executive Director to enter into Purchasing Agreements with:
 - A. Russell Madden, Inc. for the purchase and installation of a HVAC System for the Tom Harpool Water Treatment Plant.
 - B. Aqua-Aerobic Systems, Inc. for the purchase of rehabilitation services for filter #2 at the Riverbend Water Reclamation Plant.
 - C. Andritz Separation, Inc. for the purchase of centrifuge upgrade services at the Riverbend Water Reclamation Plant.
11. Receive report of construction change orders approved by staff.
12. Authorize advertisement for bids for Harpool Water Treatment Plant Diurnal Pond Project.

ITEMS FOR INDIVIDUAL CONSIDERATION

13. Consider approval of renewal contract with Denton County concerning appointment of the second Director and for participation in certain activities and services of the District.

The proposed new contract includes the following key provisions:

- Provides for a “County” Board member, in addition to the “At-Large” Board member, to be appointed by the Commissioners Court.
- Provides for Participation in Household Hazardous Waste Program.
- County will support and planning coordination in Joint Study to Evaluate Water Needs in Western Denton County.
- Includes an Automatic 10-year Renewal Term.

Greg Scott made the motion to approve proposed contract with Denton County as presented. Seconded by Troy Norton. The *Roll Call Vote* was 19 Yes, 0 No, 1 Absent (Anderson). Motion carried.

14. Consider adoption of Resolution of Appreciation and Commendation for Gary Calmes and his Distinguished Service as a Member of the Upper Trinity Regional Water District Board of Directors.

The District appreciates Gary Calmes’s dedication and faithful services to the Board and to the residents of Denton County. He has helped the District make progress in its fulfillment of



the regional water and wastewater mandate. **Kevin Mercer made the motion to approve Resolution of Appreciation as presented.** **Seconded by Dave Nelson.** The *Roll Call Vote* was 19 Yes, 0 No, 1 Absent (Anderson). Motion carried.

15. Consider award of construction contract for relocation of District force mains for the Texas Department of Transportation (TxDOT) US 380 Utility Relocations Project. **(Weighted Capital Vote)**

TxDOT is widening US 380. District needs to relocate approximately 1,450-foot force mains. The two force mains will be combined into one for the relocation segment. Project expects to complete in 180 days and anticipated to be approximately 82% reimbursement by TxDOT.

The relocation project began advertising on April 4, 2022 and bids were opened on April 26, 2022. Staff recommending the Board to approve the enclosed resolution awarding a construction contract for relocation of District force mains for the TxDOT US 380 Utility Relocation Project in the amount of \$1,350,020.00 to Acadia Services, LLC. **Greg Scott made the motion to approve Agenda Item No. 15 as presented by staff.** **Seconded by Lyle Dresher.** The *Weighted Capital Vote* was unanimous with 37 Yes, 0 No, 1 Absent (Anderson). 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 – (vacant 3 votes)				
DENTON (city) – Moore	2	2		
DC AT-LARGE - (vacant 1 vote)				
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	3	3		
NORTHLAKE – Dresher	1	1		
PILOT POINT – McCracken	1	1		



PONDER – Anderson	1		1
PROSPER – Jaromin	1	1	
SANGER – Ciocan	1	1	
TOTAL	38	37	1

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

A. Construction Management Items:

- (1) Consider approval of Task Order No. 4 to the existing contract with Freese and Nichols, Inc. for Construction Management Services for twelve months in relation to the Lake Ralph Hall – Leon Hurse Dam.

Proposed Task Order No. 4 with Freese and Nichols, Inc. to continue Construction Management Services for the Leon Hurse Dam for a budget not-to-exceed \$3,455,911.

- (2) Consider approval of Task Order No. 2 to the existing contract with Lamb-Star Engineering, LLC for professional services relating to Construction Engineering and Inspection for Roadway Relocations associated with the Lake Ralph Hall Project.

Proposed Task Order No. 2 with Lamb-Star Engineering, LLC to continue Construction Engineering and Inspection services for the Lake Ralph Hall Roadway Relocations Project for a budget not-to-exceed amount of \$2,018,278.

- (3) Consider approval of Task Order No. 2 to the existing contract with Kleinfelder, Inc. for professional engineering services relating to Construction Quality Management and Assurance Team for the Lake Ralph Hall Project.

Proposed Task Order No. 2 with Kleinfelder, Inc. to continue Quality Management and Assurance Services for the Lake Ralph Hall Project for a budget not-to-exceed amount of \$1,441,220.

- B. Consider approval of Task Order No. 7 to the existing contract with AR Consultants, Inc. for Cultural Resources Consulting Services for continued cultural resource studies required by the Section 404 Permit for the Lake Ralph Hall Project.

Proposed Task Order No. 7 with AR Consultants, Inc. is necessary to provide additional funding to continue progress toward completing the District’s obligations under the Programmatic Agreement. Staff recommends the Board authorize proposed Task Order No. 7 with AR Consultants, Inc. for professional services related to Cultural Resource Surveys and Testing for the Lake Ralph Hall Project for a fee not-to-exceed \$2,506,657.

Corbett Howard made the motion to approve Agenda Item No. 16 A & B as presented. Seconded by Richard Lubke. The *Weighted Capital Vote* was unanimous with 37 Yes, 0 No, 1 Absent (Anderson). 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 – (vacant 3 votes)			
DENTON (city) – Moore	2	2	
DC AT-LARGE - (vacant 1 vote)			
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	3	3	
NORTHLAKE – Dresher	1	1	
PILOT POINT – McCracken	1	1	
PONDER – Anderson	1		1
PROSPER – Jaromin	1	1	
SANGER – Clocan	1	1	
TOTAL	38	37	1

17. 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 1:46 P.M.

The Board returned to open meeting at 3:00 P.M.



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

The Board of Directors discussed purchases of properties necessary for the construction of the Southwest Pump Station Project. Staff recommended to approve Resolution # 2022-14 to authorize the Executive Director to execute a purchase contract with CADG Avalon at Argyle, LLC based on the agreed terms as stated and take the necessary steps to finalize and close the purchase of property necessary for the Southwest Pump Station Project.

19. Approve Resolution(s) deeming necessity and authorizing acquisition of property 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 Resolutions 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 – 15: Parcel 570 -- Dinyar and Manijeh M. Kavouspour
- Resolution # 2022 – 16: Parcel 260 -- Carl and Sylvia McGee
- Resolution # 2022 –17: Parcels 50, 60, 80 -- Analisa Blaine, Suzanne Penace George and Lawrence T. Worley, III, Heirs of the James and Sue Reel Estates

Lyle Dresher made the motion to approve Agenda Items No. 18 & 19 as presented. Seconded by Clay Riggs. The Weighted Capital Vote was unanimous with 37 Yes, 0 No, 1 Absent (Anderson). 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 – (vacant 3 vote)				
DENTON (city) – Moore	2	2		
DC AT-LARGE - (vacant 1 vote)				
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	3	3	
NORTHLAKE – Dresher	1	1	
PILOT POINT – McCracken	1	1	
PONDER – Anderson	1		1
PROSPER – Jaromin	1	1	
SANGER – Clocan	1	1	
TOTAL	38	37	1

20. Receive report of Nominating Committee and conduct election of Officers for the year beginning June 1, 2022.

With the passing of Vice President Bob Hart, the election of Officers has been postponed until next Board meeting.

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

- Members Orientation Breakfast Meeting is scheduled for mid-July.
- Staff is planning for a Field Trip in November to visit Lake Ralph Hall construction site.

22. Visitor Comments Concerning Non-Agenda Topics.

None

23. Adjournment.

There being no further business, President Roberson adjourned the meeting at 2:25 P.M.

Recorded by:


 Nancy T. Tam, Assistant Secretary, Board of Directors

Certified by:


 Lyle Dresher, Secretary, Board of Directors

