



MINUTES

UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS

November 7, 2019

REGULAR SESSION BOARD MEETING

1. Call to Order

The Board of Directors of the Upper Trinity Regional Water District convened, with President Richard Lubke presiding at 12:55 P.M. on Thursday, November 7, 2019, at the UTRWD Board Meeting Room, 900 N. Kealy, Lewisville, TX 75057.

2. Roll Call and confirm Quorum

Board Members in Attendance:

Richard Lubke, President, Highland Village
Mike Fairfield, Treasurer, Lake Cities MUA
Del Knowler, Bartonville
Mark Pape, Copper Canyon
Frank Pugsley, Denton
Kristina Clark, DCFWSD #1A
Clay Riggs, Flower Mound
Eric Ferris, Lewisville
Allen McCracken, Pilot Point
Frank Jaromin, Prosper

Ramiro Lopez, Vice President, Irving
Brian Roberson, Secretary, Aubrey
James Burnham, Celina
Bob Hart, Corinth
Johnny Harris, Denton County
Kevin Mercer, DCFWSD #7
Devon Kennedy, Krum
Lyle Dresher, Northlake
Michael Anderson, Ponder
Tracy LaPiene, Sanger

Absent:

Troy Norton, Argyle *
Dick Cook, Double Oak*
Chris Boyd, Mustang SUD*

Gary Calmes, Denton County at Large*
Virginia Blevins, Justin*

*Excused Absence

Staff & Advisors in Attendance:

Larry N. Patterson, Executive Director
Thomas E. Taylor, Former Executive Director
Nancy Tam, Assistant to Executive Director
Mark Skaggs, Manager / IT Services
Kurt Staller, Asst. Dir, Const. & Eng.
Ronna Hartt, Water Resource Manager
Kim Probasco, Budget Manager

John F. Boyle, Jr., Boyle & Lowry
Bill Greenleaf, Chief Financial Officer
Ben Hodges, Assistant Director of Operations
Doug Janeway, Manager of Property Services
Adam McKnight, Sr. Professional Engineer
Ed Motley, LRH Program Manager

Others in Attendance:

Alan Tucker, Plummer
Chandler Peter, USACE
Justin Reeves, LAN

Brandon Mobley, USACE
Jim Gallovich, Carollo
Wayne Hunter, Grisham Smith

3. Pledge of Allegiance and Invocation

Pledge: Frank Pugsley

Invocation: Johnny Harris

4. Opening Remarks:

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

None.

- 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.

Patterson provided an update regarding water demand for our service area. The Water Demand Chart indicated that growth is here. The October water demand is higher than last year and running above the 5 year average.

We appreciate the Board's attendance today. Due to severe rain in the forecast, the scheduled field trip to visit the Ladonia and LRH Site was cancelled.

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

None.

5. Visitor Comments Concerning Agenda Topics.

None.

CONSENT AGENDA


President Lubke asked for a motion to approve items on Consent Agenda. **Kristina Clark made a motion to approve Consent Agenda Items 6 & 7. Seconded by Frank Jaromin.** The vote was all Yes. Motion Carried. Items approved were:

6. Adopt minutes of October 3, 2019 Board Meeting.
7. Receive report of construction change orders approved by staff (if needed).

ITEMS FOR INDIVIDUAL CONSIDERATION

8. Adopt proclamation in honor of ***Veterans Day*** on November 11, 2019.

Veterans Day is for those that are serving, have served, and those that made the ultimate sacrifice. Patterson read the Proclamation and recommended that the Proclamation be adopted. **Del Knowler made a motion to approve the Veterans Day Proclamation. Seconded by Frank Jaromin.** The vote was all Yes; motion Carried.



9. Consider award of contract to Archer Western Construction, LLC for construction of Tom Harpool RWTP Additional Membranes, Cleaning Waste Tank, Hypochlorite Tanks, and Electrical Systems Improvements Project. (Weighted Capital Vote)

In September 2019, the Board authorized advertisement for construction bids for installation of additional membranes, chemical storage tanks and associated electrical improvements at the Harpool Regional Water Treatment Plant. Three bids were received and opened on October 22nd. Adam McKnight briefed the Board and recommended to award contract of Tom Harpool RWTP Expansion and Improvements project to Archer Western Construction, LLC in the amount of \$9,508,272.00.

Tracy LaPiene made a motion to approve Agenda Item 9 as recommended. Seconded by Bob Hart. The vote was 36 Yes. 0 No. Motion carried. The *Weighted Capital Vote* proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1			1
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Pugsley	2	2		
DC AT-LARGE - Calmes	1			1
DCFWS #1A – Clark	2	2		
DCFWS #7 – Mercer	2	2		
DOUBLE OAK – Cook	1			1
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2	2		
JUSTIN – Blevins	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	43	36	0	7

10. Consider resolution authorizing acceptance of completed work, approval of final change order, final payment, release of retainage and budget amendment for construction contract awarded to Texas Standard Construction, Ltd. for construction of proposed water main relocations and modifications along FM 720 (Phase 2). **(Weighted Capital Vote)**

All work performed has been completed in accordance with the plans, specifications and change order.

Lyle Dresher made a motion for the approval of resolution authorizing acceptance of completed work, Change Order No. 1 and final payment including release of retainage to Texas Standard Construction, Ltd. pending completion of minor punch list items; and associated budget amendment. Seconded by Frank Pugsley. The vote was 36 Yes. 0 No. Motion carried. The Weighted Capital Vote proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1			1
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Pugsley	2	2		
DC AT-LARGE - Calmes	1			1
DCFWS #1A – Clark	2	2		
DCFWS #7 – Mercer	2	2		
DOUBLE OAK – Cook	1			1
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2	2		
JUSTIN – Blevins	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 – LaPlene	1	1		
TOTAL	43	36	0	7

11. Consider action items related to Parallel Pipeline from Taylor RWTP to Stone Hill Pump Station:
 (Weighted Capital Vote)

- A. Approval of Amendment No. 1 to Construction Manager at Risk Agreement with Archer Western Construction, LLC to establish guaranteed maximum price.

Kurt Staller provided the briefing to the Board. Staff recommends to authorize Amendment No. 1 to contract with Archer Western Construction, LLC for Construction Manager at Risk to establish the guaranteed maximum price, and to proceed with construction of Parallel Pipeline from Taylor WTP to Stone Hill Pump Station; and authorize Executive Director to execute all bid packages except for those packages stipulated to require Board approval. Guaranteed Maximum Price (GMP) in the amount of \$33,829,915.

Lyle Dresher made a motion to approve Item 11A as recommended by staff. Seconded by Kevin Mercer. The vote was 35 Yes. 1 No (Prosper). Motion carried. The *Weighted Capital Vote* proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1			1
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Pugsley	2	2		
DC AT-LARGE - Calmes	1			1
DCFWS #1A – Clark	2	2		
DCFWS #7 – Mercer	2	2		
DOUBLE OAK – Cook	1			1
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2	2		
JUSTIN – Blevins	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	43	35	1	7

- B. Authorize CMAR to award Bid Package No. 1 to Thompson Pipe Group - Pressure to purchase pipe for construction.

Staff recommended to authorize CMAR to award Bid Package No. 1 (purchase of steel water pipeline) to Thompson Pipe Group - Pressure in the amount of \$6,147,038.

Kevin Mercer made a motion to approve Item 11B as recommended. Seconded by Clay Riggs. The vote was 35 Yes, 1 No (Prosper). Motion carried. The *Weighted Capital Vote* proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1			1
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Pugsley	2	2		
DC AT-LARGE - Calmes	1			1
DCFWSD #1A – Clark	2	2		
DCFWSD #7 – Mercer	2	2		
DOUBLE OAK – Cook	1			1
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2	2		
JUSTIN – Blevins	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	43	35	1	7

12. Consider approval of Contract and Task Order No. 1 with Gresham Smith for professional services related to design and construction of Facility Improvements at Riverbend Water Reclamation Plant. **(Weighted Capital Vote)**

Adam McKnight provided the briefing to the Board and recommended approval of Contract and Task Order No. 1 with Gresham Smith in the not to exceed amount of \$158,527 for professional services related to facilities improvements at Riverbend Water Reclamation Plant.

Devon Kennedy made the motion to approve Item 12 as recommended. Seconded by Kristina Clark. The vote was 36 Yes. 0 No. Motion carried. The *Weighted Capital Vote* proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1			1
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Pugsley	2	2		
DC AT-LARGE - Calmes	1			1
DCFWSD #1A – Clark	2	2		
DCFWSD #7 – Mercer	2	2		
DOUBLE OAK – Cook	1			1
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2	2		
JUSTIN – Blevins	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	43	36	0	7

13. Authorize Funding Agreement with Sulphur River Basin Authority for joint water resources planning. (Weighted Capital Vote)

Since 2002, regarding joint planning for potential water supplies in the Sulphur River Basin, Dallas, Irving, NTMWD, TRWD, UTRWD are participating parties in this joint planning activity. The contract with SRBA and these Participating Parties has been renewed or extended from time to time. The continued water resource planning is needed. New one-year agreement with an annual extension option; cost to each participant is \$40,000 per year.

Bob Hart made a motion for the approval of the Funding Agreement with Sulphur River Basin Authority and the other Participating Parties as presented by staff. Seconded by Frank Jaromin.
 The vote was 36 Yes. 0 No. Motion carried. The *Weighted Capital Vote* proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1			1
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Pugsley	2	2		
DC AT-LARGE - Calmes	1			1
DCFWS #1A – Clark	2	2		
DCFWS #7 – Mercer	2	2		
DOUBLE OAK – Cook	1			1
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2	2		
JUSTIN – Blevins	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	43	36	0	7

14. Executive Session concerning granting or acquisition of easements, rights-of-way and other property 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, 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 1:43pm.
 The Board returned to open meeting at 1:54pm

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

The Board discussed the purchase of the following property items in Executive Session necessary for the following projects:

- A. Parallel Pipeline Project
- Parcel 21 & 22 Lewisville Development LP
 - Parcel 27 BT Cole Two, LLC
- B. Lake Ralph Hall Project
- Parcel P143-LRH (Yang Huan Living Trust)
 - Parcel P145-LRH (Michael and Linda Mann)

Lyle Dresher made a motion to approve the purchase of properties listed above. Seconded by Tracy LaPiene. The vote was 36 Yes. 0 No. Motion carried. The *Weighted Capital Vote* proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1			1
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Pugsley	2	2		
DC AT-LARGE - Calmes	1			1
DCFWSO #1A – Clark	2	2		
DCFWSO #7 – Mercer	2	2		
DOUBLE OAK – Cook	1			1
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2	2		
JUSTIN – Blevins	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	43	36	0	7

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

- Mike Fairfield requested a briefing regarding the usage of PVC pipes and how other cities use them.
- Tracy LaPiene requested a review of pipes made in U.S. vs. overseas.

17. Visitor Comments Concerning Non-Agenda Topics.

None.

18. Adjournment.

There being no further business, Richard Lubke adjourned the meeting at 1:57pm.

Recorded By: _____


 Nancy T. Tam, Assistant Secretary, Board of Directors

Certified By: _____


 Brian Roberson, Secretary, Board of Directors

