



MINUTES

UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS

THURSDAY, FEBRUARY 4, 2021

REGULAR SESSION BOARD MEETING
(Via Teleconference)

1. Call to Order

The Board of Directors of the Upper Trinity Regional Water District (UTRWD) convened in Regular Session Board Meeting via teleconference, with President Richard Lubke presiding at 1:00 PM on Thursday, February 4, 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:

Richard Lubke, President, Highland Village
Bob Hart, Treasurer, Corinth
Troy Norton, Argyle
Mark Pape, Copper Canyon
Johnny Harris, Denton County
Kevin Mercer, DCFWSD #7
Greg Scott, Justin
Eric Ferris, Lewisville
Allen McCracken, Pilot Point
Frank Jaromin, Prosper

Brian Roberson, Vice President, Aubrey
Clay Riggs, Secretary, Flower Mound
Del Knowler, Bartonville
Stephen Moore, Denton
Gary Calmes, Denton County at Large
Orlando Sanchez, Irving
Mike Fairfield, Lake Cities MUA
Lyle Dresher, Northlake
Michael Anderson, Ponder
Tracy LaPiene, Sanger

Absent:

James Burnham, Celina*
Devon Kennedy, Krum*

Kristina Clark, DCFWSD #1A*
Chris Boyd, Mustang SUD*

* Excuse Absent

Staff & Advisors in Attendance:

Larry N. Patterson, Executive Director
Matthew Boyle, General Counsel
Nancy Tam, Assistant to Executive Director
Dustin Wright, Network System Administrator

Ed Motley, LRH Program Manager
Kurt Staller, Assistant Director, Eng. & Constr.
Jody Zabolio, Director of Op. & Water Res
Marcos Zepeda, IT Specialist

3. Pledge of Allegiance and Invocation

President Lubke announced that we would skip the Pledge of Allegiance due to meeting by teleconference. There were no Invocation delivered at the meeting.

4. Opening Remarks:

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

President Lubke commented that the annual audit by Deloitte and Touche is going well and almost complete for year 2020. President Lubke reported that he and Treasurer Bob Hart had met with the Auditors to review District's financial policies matters and noted that all were in good shape.

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.

- With the new 87th Legislature now in session, there may be proposed legislation that could impact the District. Staff is monitoring and participating in formal utility association reviews.
- Regarding Covid-19, AWWA offers a webinar on February 10 regarding Securing Vaccination for Group 1C Category (Essential Workers). Please let us know if you are available to attend.
- To assist with Covid-19 vaccinations, Denton County established a Hub at the Texas Motor Speedway to administer vaccinations. To date, 30,000 citizens have received vaccines. Both employees of Lewisville and Flower Mound are currently assisting with this important project.

C. 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

Del Knowler made the motion to approve the Consent Agenda Items No. 6 - 9 as presented by staff. Seconded by Kevin Mercer. The *Roll Call Vote* was 19 Yes, 0 No, 4 Absent (Burnham, Clark, Kennedy and Boyd). Motion carried. The approved Consent Agenda items were:

6. Adopt minutes of December 3, 2020 Board Meeting.
7. Accept Monthly Management Report for the period ended December 31, 2020.
8. Accept Quarterly Investment Report for the period ended December 31, 2020.
9. Received report of construction change orders approved by staff.

ITEMS FOR INDIVIDUAL CONSIDERATION

10. Authorize the Executive Director to enter into a purchasing agreement with Prime Controls, LLP for the upgrade of Programmable Logic Controllers at the Lakeview Regional Water Reclamation Plant. **(Weighted Capital Vote)**

The Programmable Logic Controllers at the Lakeview Plant have reached the end of their useful life and are no longer supported by the manufacturer. Therefore, the PLCs need to be replaced in order to ensure compatibility with the ongoing upgrade of the District's SCADA system and that treatment levels remain in compliance with the regulatory permit. **Bob Hart made the motion to approve Item No. 10 as recommended by staff in the amount of \$113,675.00. Seconded by Lyle Dresher.** The *Weighted Capital Vote* was 34 Yes, 0 No, 8 votes Absent (Burnham, Clark, Kennedy and Boyd); motion carried.

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 – (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	34	0	8

11. Consider approval of Contract and Task Order No. 1 with Carollo Engineers, Inc. for engineering services related to the preliminary design of Lakeview Water Reclamation Plant Expansion from 5.5 MGD and collection system improvements. **(Weighted Capital Vote)**

Current wastewater flows have surpassed 75% of the permitted flow, a 5.5 MGD at Lakeview Plant. Accordingly, to comply with Texas Commission of Environmental Quality (TCEQ) regulations, the District must begin planning/design activities for a plant expansion. The current permit provides for a 2.0 MGD expansion to 7.5 MGD. The proposed Contract and Task Order No. 1 with Carollo Engineers provides for preliminary design phase services related to the 2.0 MGD plant expansion for a fee not to exceed \$449,779.00. **Kevin Mercer made the motion to approve Item No. 11 as recommended by staff. Seconded by Greg Scott.** The *Weighted Capital Vote* was 34 Yes, 0 No, 8 votes Absent (Burnham, Clark, Kennedy and Boyd), motion carried.

12. Consider items related to development of Lake Ralph Hall: **(Weighted Capital Vote)**

- A. Contract and Task Order No. 1 with Freese & Nichols, Inc. for professional engineering services to design the Lake Ralph Hall Raw Water Pump Station.

One element of the Lake Ralph Hall project is a Raw Water Pump Station. This pump station will convey Lake Ralph Hall water into a pipeline system that will deliver the raw water to the District's Regional Treated Water System for treatment and distribution. Staff recommends approval of a Contract and Task Order No. 1 with Freese and Nichols, Inc. for professional engineering services relating to design of the Lake Ralph Hall Raw Water Pump Station in the not to exceed amount of \$999,903.00

- B. Authorize Staff to proceed with a Construction Management at Risk procurement method for the construction of the Lake Ralph Hall Raw Water Pump Station.

Regarding construction of the Lake Ralph Hall Raw Water Pump Station, staff recommended that the Board make a finding that the Construction Manager at Risk (CMAR) delivery model will achieve best value for the District, and that the Board authorize staff to proceed with the Construction Manager at Risk procurement process.

- C. Contract and Task Order No. 1 with Kleinfelder, Inc. for professional engineering services relating to construction Quality Management and Assurance Team for Lake Ralph Hall Project.

The Lake Ralph Hall construction program requires a Quality Management and Assurance Team (QMAT) to support the District's Lake Ralph Hall team by developing quality management plans and monitoring the construction to ensure and confirm that the work completed by the various contractors meets the contract requirements.

Kleinfelder, Inc. was selected by staff as the most qualified firm to complete the work of the Lake Ralph Hall QMAT. Kleinfelder is completing a similar assignment with North Texas Municipal Water District on the Bois d'Arc Lake Project. Staff recommended approval of a Contract and Task Order No. 1 includes a not to exceed amount of \$1,552,110 with Kleinfelder, Inc. for professional engineering services relating to the Lake Ralph Hall QMAT.

Bob Hart made the motion to approve Item No. 12A, B, C as recommended by staff. Seconded by Lyle Dresher. The *Weighted Capital Vote* was 34 Yes, 0 No, 8 votes Absent (Burnham, Clark, Kennedy and Boyd), motion carried.

13. Consider approval of proposed Work Program Guidelines for the calendar year 2021 as recommended by Officers and Staff.

Each year staff develops guidelines to focus the District's efforts for the coming year. The Officers have reviewed a draft copy of the proposed Guidelines and presented to the Board for consideration. **Clay Riggs made the motion to approve the proposed Work Program Guidelines for year 2021. Seconded by Allen McCracken.** The *Roll Call Vote* was 19 Yes, 0 No, 4 Absent (Burnham, Clark, Kennedy and Boyd); motion carried.

Mike Fairfield was left out of meeting at 1:40 P.M. due to a telephone communications issue.

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, concerning personnel matters related to compensation for Executive Director pursuant to Texas Government Code Section 551.074, 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 1:40 P.M.
The Board returned to open meeting at 1:50 P.M.

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

None.

16. Consider action on personnel matters including employment contract and compensation for the Executive Director as discussed in Executive Session.

The Officers reviewed and evaluated the performance of the Executive Director during year 2020 and shared their evaluation with the entire Board in Executive Session.

Clay Riggs made the motion to approve the contract term and compensation adjustment for the Executive Director consistent with the discussions in Executive Session. Greg Scott seconded the motion. Motion passed unanimously; motion carried.

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

None.

18. Visitor Comments Concerning Non-Agenda Topics.

None.

- 19 Adjournment.

There being no further business, President Lubke adjourned the meeting at 1:56 P.M.

Recorded by:



Nancy T. Tam, Assistant Secretary, Board of Directors

Certified by:



Clay Riggs, Secretary, Board of Directors

