

# MINUTES



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## UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS

THURSDAY, MAY 7, 2020

### REGULAR SESSION BOARD MEETING (BY TELECONFERENCE)

#### 1. Call to Order

The Board of Directors of the Upper Trinity Regional Water District (UTRWD) convened in Regular Session Board Meeting by teleconference, with President Richard Lubke presiding at 1:00 PM on Thursday, May 7, 2020.

In accordance with the COVID-19 public health threat and the related March 16, 2020, action by the Office of the Governor, temporarily suspending certain provisions of the Texas Open Meeting Act, UTRWD will hold its meeting by teleconference call.

In lieu of physical attendance at the meeting, the public may teleconference in to the May 7, 2020, Board meeting by calling (877) 568-4106 and entering the following access code: 887-523-509. Members of the public wishing to make public comment during the meeting were instructed to registration on-line no later than 5:00 pm on Wednesday, May 6. This meeting will be recorded and the audio recording will be placed on the UTRWD website after the meeting for public access.

Executive Director Larry Patterson served as moderator for the teleconference and provided instructions to Board Members, staff and the public for conducting the meeting by teleconference. Instructions included:

- Remember to **unmute** your phone when you acknowledge your presence, provide comments, make a motion/second, and vote. Please then return to **mute** to minimize any background noise.
- Please announce your name when speaking.
- If for some reason you drop off the call, simply follow the instructions to redial into teleconference.
- If you **must** leave the meeting, then later come back to the meeting, please announce your name.
- Audio for this meeting will be recorded and made available on the website in accordance with the current modified requirements. It was noted that some members of the public had called to listen to the teleconference.
- Secretary Brian Roberson oversaw the voting process and confirmed the vote of each Director.

#### 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  
Brian Roberson, Secretary, Aubrey  
Del Knowler, Bartonville  
Bob Hart, Corinth  
Frank Pugsley, Denton  
Gary Calmes, Denton County at Large  
Kevin Mercer, DCFWSD #7  
Clay Riggs, Flower Mound  
Devon Kennedy, Krum  
Chris Boyd, Mustang SUD  
Allen McCracken, Pilot Point  
Frank Jaromin, Prosper

Mike Fairfield, Treasurer, Lake Cities MUA  
Troy Norton, Argyle  
James Burnham, Celina  
Mark Pape, Copper Canyon  
Johnny Harris, Denton County  
Kristina Clark, DCFWSD #1A  
Dick Cook, Double Oak  
Virginia Blevins, Justin  
Eric Ferris, Lewisville  
Lyle Dresher, Northlake  
Michael Anderson, Ponder  
Tracy LaPiene, Sanger

(Vacant), Irving

Staff & Advisors in Attendance:

Larry N. Patterson, Executive Director  
Nancy Tam, Assistant to Executive Director  
Tom Snyder, Director Const. & Eng.  
Jody Zabolio, Director of Op. & Water Res.  
Mark Skaggs, Manager / IT Services

Matthew Boyle, General Counsel  
Bill Greenleaf, Chief Financial Officer  
Jason Pierce, Mgr/Gov Affairs & Comm  
Jan Morris, Asst Director for Administration  
Kurt Staller, Asst. Dir, Const. & Eng.

3. Pledge of Allegiance and Invocation

President Lubke announced that we are to skip the Pledge of Allegiance to our Flags due to meeting by teleconference. Johnny Harris offered the invocation.

4. Opening Remarks:

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

President Lubke expressed his appreciation to Staff and Contractors for a super job during this challenging COVID-19 time.

- 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.

Upper Trinity Operations remain stable in continuing to serve the District members and operate our six water and wastewater treatment facilities.

Water usage is up, due to weather and being home more. Fortunately, our water supply lakes are full and treatment and pumping systems are in full operation - - we are meeting system demands.

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

None.



5. Public Comments Concerning Agenda Topics. (Members of the Public who desire to address the Board should email to: [speaker-request@utrwd.com](mailto:speaker-request@utrwd.com) by 5:00 pm on Wednesday, May 6. Please include your name and address, along with your comment pertaining to an item on the agenda, in the body of the email. Each speaker will be limited to three (3) minutes per agenda topic. To enable the conduct of business and to allow all topics to be covered, the President may limit the number of speakers per agenda item.)

None.

**CONSENT AGENDA**

Regarding Item 8.C., Frank Pugsley commented that he would not recommend UV Doctor Lamps, LLC based on negative experience by the City of Denton in the past. However, Jody Zabolio confirmed that District had purchased and used a certain type of bulbs from this company and had not experienced any issues.

**Kristina Clark made a motion to approve Consent Agenda Items 6 – 11. Seconded by Del Knowler.**  
 The vote was unanimously yes. Motion Carried. The *Roll Call 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	1	1		
CORINTH – Hart	1	1		
DENTON (CITY) – Pugsley	1	1		
DENTON COUNTY – Harris	1	1		
DC AT-LARGE - Calmes	1	1		
DCFWS #1A – Clark	1	1		
DCFWS #7 – Mercer	1	1		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Riggs	1	1		
HIGHLAND VILLAGE – Lubke	1	1		
IRVING – (vacant, 1 vote)				
JUSTIN – Blevins	1	1		
KRUM - Kennedy	1	1		
LAKE CITIES MUA – Fairfield	1	1		
LEWISVILLE – Ferris	1	1		
MUSTANG SUD - Boyd	1	1		
NORTHLAKE - Dresher	1	1		
PILOT POINT - McCracken	1	1		
PONDER - Anderson	1	1		
PROSPER - Jaromin	1	1		

SANGER – LaPlene	1	1	
TOTAL	23	23	0

The Consent Agenda items approved were:

6. Adopt minutes of March 5, 2020 Board Meeting.
7. Accept Monthly Management Report for the period ended March 31, 2020.
8. Authorize the Executive Director to enter into purchasing agreements with:
  - A. Cyclone Services, LLC as the primary vendor and Badger Daylighting Corp. and US Ecology Houston, Inc. as alternate vendors for the purchase of Wet Well Cleaning Services.
  - B. Cyclone Services, LLC as the primary vendor and Trans Environmental Services, Inc. and Action Environmental LLC as alternate vendors for the purchase of Liquid Sludge Hauling Services.
  - C. Newman Regency Corp., UV Doctor Lamps, LLC and Xylem Water Solutions USA for the purchase of Wastewater UV System Parts.
  - D. Gexpro Automation Systems for the purchase of PLC Upgrade Services.
9. Accept and approve proposed Mid-Year Budget Amendment Resolution.
10. Approve a Proclamation designating May 3 through May 9, 2020, as "Drinking Water Week" within Upper Trinity Regional Water District.
11. Receive report of construction change orders approved by staff.

**ITEMS FOR INDIVIDUAL CONSIDERATION**

12. Consider adoption of resolution authorizing Staff to file an application with Texas Water Development Board for financial assistance in support of proposed Lake Ralph Hall.

Regarding the proposed Lake Ralph Hall Project, Staff submitted an abridged (preliminary) application to TWDB on January 27, 2020 seeking \$15 million in Deferred Interest Loans and \$398 million in Board Participation funding to complete the Project.

On April 9<sup>th</sup>, the TWDB notified the District that the proposed funding sources for the Lake Ralph Hall Project had met all qualifications and was ranked highest among the entities included on the "invitation" list posted to the Agency's website. The deadline for the formal application is May 11<sup>th</sup>. Accordingly, Staff has continued to gather the additional information needed to complete the formal application and is prepared to meet the 30-day deadline.

Considering the importance and priority of this long-term water supply project for the District's Regional Water System, staff recommends that the attached Resolution be approved.

**Kevin Mercer made a motion to approve the attached Resolution authorizing staff to file an application for multi-year funding commitment with TWDB for financial assistance in the amount not to exceed \$413,000,000 in support of proposed Lake Ralph Hall. Seconded by Kristina Clark. The vote was 23 Yes. 0 No. Motion Carried. The Roll Call 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	1	1		
CORINTH – Hart	1	1		
DENTON (CITY) – Pugsley	1	1		
DENTON COUNTY - Harris	1	1		
DC AT-LARGE - Calmes	1	1		
DCFWS #1A – Clark	1	1		
DCFWS #7 – Mercer	1	1		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Riggs	1	1		
HIGHLAND VILLAGE – Lubke	1	1		
IRVING – (vacant, 2 votes)				
JUSTIN – Blevins	1	1		
KRUM - Kennedy	1	1		
LAKE CITIES MUA – Fairfield	1	1		
LEWISVILLE – Ferris	1	1		
MUSTANG SUD - Boyd	1	1		
NORTHLAKE - Dresher	1	1		
PILOT POINT - McCracken	1	1		
PONDER - Anderson	1	1		
PROSPER - Jaromin	1	1		
SANGER – LaPiene	1	1		
TOTAL	23	23	0	

- Consider authorizing the Executive Director to file applications with the Red River Groundwater Conservation District for Groundwater Production Permits for two wells in Fannin County, Texas to provide construction water for the proposed Lake Ralph Hall. **(Weighted Capital Vote)**

As the District moves forward to construct the proposed Lake Ralph Hall Project in the most efficient and cost effective manner, additional temporary construction water is needed.

Therefore, in pursuit of providing a temporary groundwater supply for construction water, the District is proposing to file applications with the Red River Groundwater Conservation District to register two new wells and seek a Groundwater Production Permit for each of these wells. Once the well permits are

approved and design services completed, a construction contract will be advertised and bids brought to the Board of Directors for consideration and formal action.

**Kristina Clark made a motion authorizing the Executive Director to file applications with the Red River Groundwater Conservation District for Groundwater Production Permits for two wells in Fannin County, Texas to provide construction water for the proposed Lake Ralph Hall. Seconded by Troy Norton.** The vote was 41 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 – (vacant, 2 votes)				
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 - Jaromln	1	1		
SANGER – LaPiene	1	1		
TOTAL	41	41	0	



14. Engineering and Construction Contracts: **(Weighted Capital Vote)**

- A. Consider approval of Contract and Task Order No. 1 with HDR Engineering, Inc. for engineering services related to treated water pipeline cathodic protection analysis and development of construction standard details.

Regarding District’s treated water pipeline system, this Task Order provides for testing the existing protection systems that are in place, performing soil resistivity testing along District’s larger diameter pipelines and then using the collected data to determine a plan to enhance cathodic protection to avoid or minimize future failures caused by corrosion.

Also included in the task order is the development of construction standard details for District’s water and wastewater pipelines. These new common standards will be used for all of the District’s future water and wastewater pipelines and will be provided to District consultants to incorporate into future design projects.

Staff recommends approval of a Contract and Task Order No. 1 with HDR Engineering, Inc.

- B. Consider Resolution authorizing acceptance of completed work, final payment and release of retainage for construction contract awarded to Acadia Services, LLC for Regional Treated Water System improvements consisting of Stone Hill Pump Station tank cleaning, valve and meter replacement and certain pipeline improvements at Teasley Lane.

All work has been completed in accordance with the plans, specifications and change orders. Some minor punch list items remain. District’s consultant, Garver, LLC and staff recommends approval of Resolution authorizing acceptance of completed work, final payment and release of retainage for construction contract awarded to Acadia Services, LLC for Regional Treated Water System improvements consisting of Stone Hill Pump Station tank cleaning, valve and meter replacement and certain pipeline improvements at Teasley Lane.

**Lyle Drescher made a motion to approve Agenda Items 14A and 14B. Seconded by Gary Calmes.**  
 The vote was 41 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 –	(vacant, 2 votes)			
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		41	41	0

15. Authorize the Executive Director to enter into purchasing agreements exceeding \$50,000 with the following vendors: **(Weighted Capital Vote)**

A. Wunderlich-Malec Engineering for the completion of Part 2 of the District’s SCADA upgrade.

The District monitors the status and controls the operation of its various water treatment, transmission and wastewater collection equipment using a software application known as Supervisory Control and Data Acquisition (SCADA). Under the current configuration, each of the District’s six treatment plants has its own (separate) on site SCADA license and network server that must be maintained. The proposed upgrade will convert all of these licenses to a single centralized application for all the District’s facilities.

Staff recommendation is to authorize the Executive Director to enter into a purchasing agreement with Wunderlich-Malec Engineering in the amount of \$266,880.00 for services to complete Part 2 of the District’s SCADA upgrade.

B. Ergo Tech Controls (Industrial Networking Solutions) for the purchase of a computer server.

Currently District has eight servers that are essential to day-to-day administrative and business processes. District IT staff has evaluated the option for utilizing a single server with certain expanded capabilities that can perform the work of the existing eight servers, thereby reducing operating cost while improving reliability. This server is fully integrated with a continuously available platform that provides redundant components in a single system configuration, ensuring continuous availability, even when underlying hardware components fail. Staff recommendation is to authorize the Executive Director to enter into a purchasing agreement with Ergo Tech Controls (Industrial Networking Solutions) in the amount of \$55,182.74 for the purchase of a computer server.

**Kristina Clark made a motion to approve Agenda Items 15A and 15B as recommended by staff. Seconded by Troy Norton.** The vote was 41 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 – (vacant, 2 votes)				
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	41	41	0	

Chris Boyd left the meeting.

16. Receive report of Nominating Committee and conduct election of Officers for the year beginning June 1, 2020 and take appropriate action.

President Lubke appointed the following Board Members to serve on the Nominating Committee: Johnny Harris (Denton County), Chair; Eric Ferris (Lewisville); Kristina Clark (DCFWSD #1A).

At the request of Mike Fairfield, his name has been removed from the Officers advancement list.

Harris thanked the Members of the committee. After extensive discussion among Committee Members, the Nominating Committee recommended the following Board Members be elected as Officers; each nominee has agreed to serve if elected.

President – Richard Lubke, Highland Village  
 Treasurer – Bob Hart, Corinth

Vice President -- Brian Roberson, Aubrey  
 Secretary – Clay Riggs, Flower Mound

**Virginia Blevins made a motion to elect the Officers as recommended by the Nominating Committee beginning June 1, 2020. Seconded by Mike Fairfield.** The vote was 21 Yes. 2 No, 1 Absent. Motion Carried. The Roll Call 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	1	1		
COPPER CANYON – Pape	1	1		
CORINTH – Hart	1	1		
DENTON (CITY) – Pugsley	1	1		
DENTON COUNTY – Harris	1	1		
DC AT-LARGE - Calmes			1	
DCFWSD #1A – Clark	1	1		
DCFWSD #7 – Mercer	1	1		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Riggs	1	1		
HIGHLAND VILLAGE – Lubke	1	1		
IRVING – (vacant, 1 vote)				
JUSTIN – Blevins	1	1		
KRUM - Kennedy	1	1		
LAKE CITIES MUA – Fairfield	1	1		
LEWISVILLE – Ferris	1	1		
MUSTANG SUD - Boyd	1			1
NORTHLAKE - Dresher	1	1		
PILOT POINT - McCracken	1	1		
PONDER - Anderson	1	1		
PROSPER - Jaromin	1		1	
SANGER – LaPiene	1	1		
TOTAL	24	21	2	1

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

None.

18. Public Comments Concerning Non-Agenda Topics. (Members of the Public who desire to address the Board should email to: [speaker-request@utrwd.com](mailto:speaker-request@utrwd.com) by 5:00 pm on Wednesday, May 6. Please include your name and address, along with your comment in the body of the email. Each speaker will be limited to three (3) minutes. To provide all members of public an opportunity to speak, the President may request speakers to avoid repetitious remarks. In accordance with the Texas Open Meetings Act, Members of the Board are not authorized to discuss items not on the posted agenda.)

None.

19. Adjournment.

There being no further business, President Lubke adjourned the meeting at 1:48 P.M.

Recorded By:



Nancy Tam, Assistant Secretary, Board of Directors

Certified By:



Brian Roberson, Secretary, Board of Directors

