

MINUTES



UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS DECEMBER 2, 2021

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 1:00 P.M. on Thursday, December 2, 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:

Brian Roberson, President, Aubrey
Clay Riggs, Treasurer, Flower Mound
Troy Norton, Argyle
Corbett Howard, Celina
Johnny Harris, Denton County
Kevin Mercer, DCFWSD #7
Richard Lubke, Highland Village
Mike Fairfield, Lake Cities MUA
Allen McCracken, Pilot Point
Frank Jaromin, Prosper

Bob Hart, Vice President, Corinth
Lyle Drescher, Secretary, Northlake
Del Knowler, Bartonville
Mark Pape, Copper Canyon
Gary Calmes, Denton County at Large
Dave Nelson, Double Oak
Greg Scott, Justin
Chris Boyd, Mustang SUD
Michael Anderson, Ponder
Tracy LaPiene, Sanger

Absent:

Stephen Moore, Denton *

Eric Ferris, Lewisville *

Orlando Sanchez, Irving *

* Excuse Absent

Staff & Advisors in Attendance:

Larry N. Patterson, Executive Director
Nancy Tam, Assistant to Executive Director
Bill Greenleaf, Chief Financial Officer
Marcos Zepeda, IT Specialist
Adam McKnight, Sr. Professional Engineer
Jody Zabolio, Director of Op. & Water Res
Ronna Hart, Manager of Water Resources
Jeremy Sander, Procurement Supervisor

Matthew Boyle, General Counsel
Jason Pierce, Manager of Governmental Affairs
Todd Williams, Mgr of Budget & Financial
Kurt Staller, Assistant Director, Eng & Const
Jalal Saleh, Professional Engineer
Ed Motley, LRH Program Manager
Doug Janeway, Manager of Property Services

Others in Attendance:

Alan Tucker, Plummer

Kristina Clark, Citizen

Vacant: Krum

3. Pledge of Allegiance and Invocation.

Pledge of Allegiance was led by Tracy LaPiene. The Invocation was delivered by Bob Hart.

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.

President Roberson commented that this Holiday Seasons, we have a lot to be thankful for. With Upper Trinity, Lake Ralph Hall, the water for the future is here!

- 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.

- The construction of Lake Ralph Hall is going well. New SH-34 Bridge is making good progress; Leon Hurse Dam site is being cleared in preparation for construction.
- With 2020 Census Data to be released soon, it may affect District's Water & WW Planning in the future.
- The Daily Treated Water Demand has been trending higher this month compared to November 2020. District's water supplies are good: Chapman Lake (UTRWD) is at 76.7%; Lewisville Lake is at 93.2%, and Lake Ray Roberts is at 97.9%

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

None.

6. Visitor Comments Concerning Agenda Topics

None.

President Roberson requested Item 9 be moved up for consideration.

9. Consider adoption of Resolution of Appreciation and Commendation for Kristina Clark and her service as a Member of the Upper Trinity Regional Water District Board of Directors.

Richard Lubke read the proposed Resolution of Appreciation. Ms. Clark is an avid supporter of regional cooperation in fulfilling the Upper Trinity mission. Her vision and leadership will be greatly missed. **Lubke made the motion and a second by Kevin Mercer.** The *Roll Call Vote* was unanimous, 19 Yes, 0 No, motion carried. On behalf of the Board, Roberson presented a special plaque to Ms. Clark as a token of appreciation.

CONSENT AGENDA

Frank Jaromin made the motion to approve the Consent Agenda Items No. 7 & 8 as presented by staff. Seconded by Tracy LaPiene. The *Roll Call Vote* was unanimous, 19 Yes, 0 No; motion carried. The approved Consent Agenda items were:

7. Adopt Minutes of November 4, 2021 Board Meeting.
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8. Authorize the Executive Director to enter into pricing agreements with the following vendors for the construction and installation of fencing necessary to fully implement the configuration of Lake Ralph Hall:

<i>TGW Land Services</i>	<i>Green Dream International</i>
<i>Mills Custom Services</i>	<i>Llano River Fence LLC</i>
<i>Outlaw Land Clearing and Fencing LLC</i>	<i>Skipper Enterprises LLC</i>
<i>Jugany Group</i>	

ITEMS FOR INDIVIDUAL CONSIDERATION

10. Receive status update of Texas Department of Transportation (TxDOT) roadway projects and authorize Executive Director to take necessary actions to protect District facilities.

Continued growth in Denton County has resulted in the need for several Texas Department of Transportation (TxDOT) roadway widening projects within District’s service area. Over the last couple of years, District has been engaged in significant coordination efforts with TxDOT to protect in place or relocate certain water and wastewater facilities when necessary.

Jalal Saleh, Professional Engineer provided various updates on: Reimbursement Status (by TxDOT), Current TxDOT Projects, and Future TxDOT Projects. Staff recommended that the Board to receive TxDOT projects update and authorize the Executive Director to take necessary actions to protect District facilities and easements and to pursue maximum reimbursements in a timely manner. **Greg Scott made the motion and a second by Lyle Dresher.** The *Roll Call Vote* was unanimous, 19 Yes, 0 No; motion carried.

11. Resolution authorizing acceptance of completed work, approval of final change order, final payment and release of retainage for construction contract awarded 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)

The proposed Final Change Order No. 12 is a decrease in the final contract amount of \$50,500 for membrane repairs that were not required during the Project. Staff recommended that the Board approve the Resolution authorizing acceptance of completed work, final Change Order No. 12, and final payment including release of retainage to Archer Western Construction, LLC pending completion of minor punch list items for the Tom Harpool RWTP Improvements Project.

Corbett Howard made the motion and a second by Richard Lubke. The *Weighted Capital Vote* was unanimous with 34 Yes, 0 No, 6 votes Absent (Moore, Sanchez and Ferris); 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 – Hart	3	3		
DENTON (CITY) – Moore	2			2
DC AT-LARGE - Calmes	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 – (vacant 1 vote)			
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	40	34	6

12. Consider approval of Task Order No. 3 to the existing contract with Lockwood, Andrews & Newnam, Inc. relating to the Lake Ralph Hall Conveyance System - General Engineering Consultant Project. (Weighted Capital Vote)

Proposed Task Order No. 3 includes the following:

- Refinement of the Hydraulic and Transient Model;
- Support District and Design Teams to finalize criteria, specifications and standard details for the Raw Water Pipeline;
- Provide technical assistance to support design of the Raw Water Pump Station, Pipeline, Balancing Reservoir and Lake Ralph Hall Delivery Point;
- Prepare and review additional easement instruments to support property acquisition efforts;
- Review final design scopes of work for the Balancing Reservoir and Lake Ralph Hall Delivery Point.

Staff recommends approval of Task Order No. 3 with Lockwood, Andrews & Newnam, Inc. in the amount not to exceed \$991,500. This Task Order will be funded by the Texas Water Development Board SWIFT Deferred Interest Program. Gary Calmes made the motion to approve as presented by staff and a second by Del Knowler. The *Weighted Capital Vote* was 34 Yes, 0 No, 6 votes Absent (Moore, Sanchez and Ferris); 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 – Hart	3	3		

DENTON (CITY) – Moore	2		2
DC AT-LARGE - Calmes	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 – (vacant 1 vote)			
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	40	34	6

13. 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 2:00 P.M.

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

None.

15. 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)

None.



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

There will not be a Board meeting scheduled for January 2022.
Next Board Meeting is scheduled for February 3, 2022.


17. Visitor Comments Concerning Non-Agenda Topics.

None

18. Adjournment.

There being no further business, President Roberson adjourned the meeting at 2:03 P.M.

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

Certified by: 
Lyle Dresher, Secretary, Board of Directors

