



MINUTES

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UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS DECEMBER 1, 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 12:44 P.M. on Thursday, December 1, 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, Treasurer, Denton County At Large
Troy Norton, Argyle
Mark Pape, Copper Canyon
Stephen Moore, Denton
Dave Nelson, Double Oak
Orlando Sanchez, Irving
Mike Fairfield, Lake Cities MUA
Drew Corn, Northlake
Michael Anderson, Ponder

Clay Riggs, Vice President, Flower Mound
Greg Scott, Secretary, Justin
Del Knowler, Bartonville
George Marshall, Corinth
Kevin Mercer, DCFWSD #7
Richard Lubke, Highland Village
Nate Winchester, Krum
Eric Ferris, Lewisville
Allen McCracken, Pilot Point
Alina Ciocan, Sanger

Absent:

Howard Corbett, Celina *
Frank Jaromin, Prosper *

Chris Boyd, Mustang SUD *

* Excuse Absent

Vacant: Denton County

Staff & Advisors in Attendance:

Larry N. Patterson, Executive Director
Nancy Tam, Assistant to Executive Director
Bill Greenleaf, Chief Financial Officer
Tom Snyder, Director of Engineer & Construction
Kurt Staller, Deputy Director of Eng & Const
Adam McKnight, Chief Engineer
Ed Motley, LRH Program Manager
Jan Morris, Chief Administrative Officer

Matthew Boyle, General Counsel
Jason Pierce, Manager of Governmental Affairs
Todd Williams, Mgr of Budget & Financial
Marcos Zepeda, IT Specialist
Jody Zabolio, Director Op. & Water Resources
Doug Janeway, Manager of Property Services
Ronna Hartt, Manager of Water Resources
Mark Skaggs, Manager of IT Services

Others in Attendance:

Justin Reeves, Lockwood, Andrews & Newnam, Inc.
Paul Baischback, Garver
Andrew Sneed, American Spiralweld Pipe

Alan Tucker, Plummer Associates, Inc.
Andre Garces, Plummer Associates, Inc.
Tyler Bulen, American Spiralweld Pipe

3. Pledge of Allegiance and Invocation.

Pledge of Allegiance was led by Richard Lubke. Invocation was delivered by Dave Nelson.

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.

For this Holiday Seasons, President Roberson commented that we have a lot to be thankful for. It has been a productive year!

- 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 Water Demand was consistent for this time of the year. Recent rainfall has improved the District's water supply in Chapman and Lewisville Lakes. However, due to the recent drought, both Lakes levels are still down by three feet.
- The 88th Legislative is about to begin on January 10, 2023; the Boundary have changed. The following are Key Legislative Topics:
 - a. Sunset Advisory Commission Review & Legislation: Texas Water Development Board, Texas Commission on Environmental Quality, and Public Utility Commission of Texas.
 - b. Surface Water & Groundwater
 - c. Investment of Surplus State Revenue: Aging Infrastructure; Flood; SWIFT (New Water Projects)
 - d. Produced Water (by-product of Gas & Oil exploration)
 - e. Electric Utility Issues

Mike Anderson joined the meeting.

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

- Tom Snyder, Director of Engineering and Construction and his team were recognized for receiving the UTRWD - - Project Recognized with Engineering News-Record (ENR) Best Project Award, Water/Environmental Award for completion of the **Tom Taylor Parallel Pipeline Extension WTP 72 – inch**.
- Mark Skaggs, Manager of IT Services, retiring after 22 years of service with the District. Larry Patterson thanked him for his outstanding and dedicated service!



6. Visitor Comments Concerning Agenda Topics.

None.

CONSENT AGENDA

Richard Lubke made the motion to approve the Consent Agenda Item 7 - 9 as presented. Seconded by Dave Nelson. The Roll Call Vote was 20 Yes, 0 No, 3 Absent (Howard, Boyd and Jaromin). Motion carried. The approved Consent Agenda items were:

- 7. Adopt Minutes of November 3, 2022 Board Meeting.
- 8. Authorize advertisement for bids for Regional Treated Water System Hydraulic Improvements Project.
- 9. Consider approval of a Resolution to revise the FY 2023 Rates for Collection of Household Hazardous Waste.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 10. Authorize the Executive Director to enter into a purchasing agreement with:
 - A. Howden for the purchase of a replacement blower for the Lakeview Water Reclamation Plant. (Weighted Capital Vote)

Staff identified the need for an expanded inventory system to address the ongoing supply chain issues related to acquisition of crucial equipment. Staff recommendation was that the Board of Directors authorize the Executive Director to enter into a Purchasing Agreement for a replacement blower with an extended warranty for the Lakeview Water Reclamation Plant in an amount not to exceed \$113,086.40.

Alina Ciocan made the motion to approve Agenda Item 10A as presented. Seconded by Greg Scott. The *Weighted Capital Vote* was unanimous with 37 Yes, 0 No, 9 Absent (Howard, Boyd and Jaromin). Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSTAIN	ABSENT
ARGYLE – Norton	1	1			
AUBREY - Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Howard	3				3
CORINTH – Marshall	3	3			
DENTON (city) – Moore	2	2			
DC AT-LARGE Dresher	1	1			
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	5		5
NORTHLAKE – Corn	2	2	
PILOT POINT – McCracken	1	1	
PONDER – Anderson	1	1	
PROSPER – Jaromin	1		1
SANGER – Clocan	1	1	
TOTAL	46	37	9

- B. ABB, Inc. for the purchase of switchgear upgrade services for the Harpool Water Treatment Plant Generator.

Generator switchgear is intended to automatically transfer to generators to power the plant until normal power supply is restored. During a power outage, both generators are essential during periods when high service pumps are needed to transport water out to customers. Due to current issues with the switchgear, one of the Harpool Plant generators does not automatically transfer over.

The scheduled upgrade of one of the generators, makes it necessary to address the transfer issues with the switchgear. Staff recommended that the Board of Directors authorize the Executive Director to enter into a Purchasing Agreement with ABB, Inc. for the purchase of switchgear upgrade services for the Harpool Water Treatment Plant Generator for \$103,954.

- C. Smith Pump Company, Inc. for the purchase of pump repair services (Pump No. 3) at Stone Hill Pump Station.

In August 2022, Stone Hill Pump Station had two pumps (Pumps 3 and 4) shut down due to mechanical failure. Now that Pump No. 4 has been rebuilt, Pump No. 3 is ready for a full rebuild also as recommended by Smith Pump Company, Inc. Staff recommended that the Board of Directors authorize the Executive Director to enter into a Purchasing Agreement for the repair of Pump No. 3 at the Stone Hill Pump Station in the amount of \$79,370.

Lyle Dresher made the motion to approve Agenda Items 10 B & C as recommended. Seconded by Kevin Mercer. The *Roll Call Vote* was 20 Yes, 0 No, 3 Absent (Howard, Boyd and Jaromin). Motion carried.

11. Engineering Contracts and Task Orders: (Weighted Capital Vote)

- A. Consider approval of Professional Services Contract and Task Order No. 1 with Garver, LLC. for engineering services related to preliminary design of the Riverbend West Influent Lift Station and Improvements.



In May 2022, Black & Veatch Corp. performed onsite inspection of Lift Station, developed recommendations including coating all concrete surfaces, replacing pump #2 and replacing pump guide rails. However, with the continued rapid growth of the northwest service area, it was determined that the best path forward would be to construct a new lift station along Fish Trap Road to collect and pump flows to RWRP.

Staff recommended that the Board of Directors to approve Contract and Task Order No. 1 with Garver, LLC. for engineering services related to design of Riverbend West Influent Lift Station and Force Main Project for a not to exceed amount of \$487,170.50.

- B. Consider approval of Task Order No. 3 to an existing contract with HDR Engineering, Inc. for a feasibility study and conceptual design of a groundwater well, with aquifer storage and recovery (ASR) capabilities, to be located at or near the Tom Harpool Water Treatment Plant.

To provide additional flexibility and reliability to the treated water system, staff proposes to evaluate the feasibility of installing a groundwater well, with aquifer storage and recovery (ASR) capabilities, at or near the Tom Harpool Treatment Plant. If feasible, such a well would offer the ability to store water during low water demand periods and supplement supplies during high water demand and drought periods.

Staff recommended the approval of Task Order No. 3 with HDR Engineering, Inc. for a feasibility study and conceptual design of a groundwater well, with ASR capabilities at or near the Tom Harpool Water Treatment Plant.

Stephen Moore made the motion to approve Agenda Items 11 A & B as presented. Seconded by George Marshall. The *Weighted Capital Vote* was unanimous with 37 Yes, 0 No, 9 Absent (Howard, Boyd and Jaromin). Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSTAIN	ABSENT
ARGYLE – Norton	1	1			
AUBREY - Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Howard	3				3
CORINTH – Marshall	3	3			
DENTON (city) – Moore	2	2			
DC AT-LARGE Dresher	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 – Winchester	1	1			
LAKE CITIES MUA – Fairfield	2	2			



LEWISVILLE – Ferris	3	3		
MUSTANG SUD – Boyd	5			5
NORTHLAKE – Corn	2	2		
PILOT POINT – McCracken	1	1		
PONDER – Anderson	1	1		
PROSPER – Jaromin	1			1
SANGER – Ciocan	1	1		
TOTAL	46	37		9

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

- A. Consider approval of Task Order No. 4 to the existing contract with Lockwood Andrews & Newman, Inc. relating to the Lake Ralph Hall Conveyance System – General Engineering Consultant Project.

Proposed Task Order 4 provides final design support for Raw Water Pump Station, Pipeline, Balancing Reservoir and Lake Ralph Hall Delivery Point. Develop and coordinate CMAR bid packages and provide Bid Phase support. Develop operations guidance documents, including start-up and commissioning of conveyance system. Provides construction support including management and coordination of submittal and Request for Information review; pipeline construction inspection and field engineering support.

Staff recommended approval of Task Order No. 4 with Lockwood, Andrews & Newnam, Inc. in the amount not to exceed \$3,343,536.

- B. Consider approval of Task Order No. 8 to the existing contract with AR Consultants, Inc. for Cultural Resource Consulting Services for continued cultural resource studies required by the Section 404 Permit for the Lake Ralph Hall Project.

Proposed Task Order 8 with AR Consultants, Inc. includes continue Phase II test excavations; analyze artifacts and compiling data from Phase II test excavations, prepare reports for regulatory review; provide archaeological monitoring services to comply with USACE/THC requirements.

Staff recommended the Board to authorize proposed Task Order No. 8 with AR Consultants, Inc. for professional services related to Cultural Resource Surveys and Testing for Lake Ralph Hall Project for a fee not to exceed \$4,526,760.

- C. Consider approval of Amendment No. 1 to the existing Construction Manager at Risk Contract with Garney Companies, Inc. to establish a Progressive Guaranteed Maximum Price No. 1 for the Lake Ralph Hall Conveyance System.

In February 2022, Construction Manager at Risk (CMAR) Contract awarded to Garney Companies, Inc. for the Lake Ralph Hall, Balancing Reservoir and Delivery Point. Garney has recommended proceeding with early procurement of long lead items for: 66 and 72 inch steel pipe, large diameter in-line valves, flow control valves, combination air valves, small diameter gate valves, and aggregate.

Garney publicly solicited bids for this early procurement. Three bids were received for steel pipe; three bids were received from valve suppliers and one responsive bid received from an aggregate supplier. Garney and staff evaluated the bids and recommended:

- (1) Award all sections of the 66-inch and 72-inch steel pipe to American Spiralweld.

- (2) Award large diameter gate valves to J & S Valves.
- (3) Award large diameter butterfly valves, flow control valves, combination air valves, and small gate valves to Ferguson,
- (4) Do not award aggregate in Bid Package 01 (only one bidder, cost exceeded CMAR’s estimate).

Staff recommended approval of Amendment No. 1 to the Garney Companies, Inc. CMAR contract for Lake Ralph Hall Pipeline Conveyance - - Progressive GMP No. 1 in the amount of \$58,014,546.48.

- D. Consider approval of Amendment No. 2 to an existing Construction Manager at Risk Agreement with Archer Western Construction, LLC for Early Work Package No. 2 - Pump Station Excavation.

In November 2021, Construction Manager at Risk (CMAR) Contract awarded to Archer Western Construction, LLC (AW) for the Lake Ralph Hall – Raw Water Pump Station.

In October 2022, Early Package 1 was approved in Amendment No. 1 for site access work. However, because the construction of the pump station requires deep excavation. AW recommended to proceed the construction as soon as possible to avoid the risk of delay. AW will publicly solicit bids. Staff recommended the proposed CMAR Contract Amendment No. 2 to include construction of the Early Work. The estimated cost of work, including overhead and fees, in the amount of \$475,000.

Staff recommended approval of Amendment No. 2 to the Archer Western Construction, LLC. CMAR contract for Lake Ralph Hall Raw Water Pump Station - - Progressive GMP No. 1 in the not to exceed amount of \$475,000.00

- E. Consider approval of a Contract and Task Order No. 1 with Edgewater Resources, LLC for consulting services relating to Shoreline Development Assistance for Lake Ralph Hall.

Shoreline developments such as marinas are a potential recreational feature and future revenue stream to support operations of Lake Ralph Hall. District would benefit from a marina feasibility study for Lake Ralph Hall in order to better plan and implement shoreline developments.

Staff recommended the Board to authorize proposed Contract and Task Order No. 1 with Edgewater Resources, LLC for consulting services related to Shoreline Development Assistance for Lake Ralph Hall Project for a fee not to exceed \$112,500.

Drew Corn made the motion to approve Agenda Items 12 A, B, C, D & E as presented. Seconded by Troy Norton. The *Weighted Capital Vote* was unanimous, 37 Yes, 0 No, 9 Absent (Howard, Boyd and Jaromin). Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSTAIN	ABSENT
ARGYLE – Norton	1	1			
AUBREY - Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Howard	3				3
CORINTH – Marshall	3	3			
DENTON (city) – Moore	2	2			
DC AT-LARGE Dresher	1	1			



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	5			5
NORTHLAKE – Corn	2	2		
PILOT POINT – McCracken	1	1		
PONDER – Anderson	1	1		
PROSPER – Jaromin	1			1
SANGER – Ciocan	1	1		
TOTAL	46	37		9

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 1:57 P.M.
 The Board returned to open meeting at 2:12 P.M.

Mark Pape left the Meeting.

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)

The Board of Directors discussed acquisition of property necessary for the Lake Ralph Hall Project in Executive Session. Staff recommended to approve resolution deeming necessity and authorizing acquisition of real property, including exercising the power of eminent domain for the following parcel and



take the necessary steps to finalize and close the purchase of property necessary for construction of the Lake Ralph Hall Project.

- Resolution # 2022 – 70: John Michael Teeling and Joan C. Teeling

Kevin Mercer made the motion to approve Agenda Item 15 as presented. Seconded by Lyle Dresher. The *Weighted Capital Vote* was unanimous, 37 Yes, 0 No, 9 Absent (Howard, Boyd and Jaromin). Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSTAIN	ABSENT
ARGYLE – Norton	1	1			
AUBREY - Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Howard	3				3
CORINTH – Marshall	3	3			
DENTON (city) – Moore	2	2			
DC AT-LARGE Dresher	1	1			
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	5				5
NORTHLAKE – Corn	2	2			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Jaromin	1				1
SANGER – Clocan	1	1			
TOTAL	46	37			9

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

There is no Board meeting scheduled for the month of January.



17. Visitor Comments Concerning Non-Agenda Topics.

None.

18. Adjournment.

There being no further business, President Roberson adjourned the meeting at 2:12 P.M.

Recorded by:



Nancy T. Tam, Assistant Secretary, Board of Directors

Certified by:



Greg Scott, Secretary, Board of Directors

