



# MINUTES

## UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS

February 1, 2024

### 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 Clay M. Riggs presiding at 12:57 P.M. on Thursday, February 1, 2024, at 900 N. Kealy Ave., Lewisville, TX 75057.

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:**

Clay M. Riggs, President | Flower Mound  
Allen L. McCracken, II, Secretary | Pilot Point  
Brian Roberson | Aubrey  
Kimberly Brawner | Celina  
Mark Pape | Copper Canyon  
Dave Nelson | Double Oak  
Orlando Sanchez | Irving  
Mike Fairfield | Lake Cities MUA  
Chris Boyd | Mustang SUD  
Michael Anderson | Ponder  
Alina Ciocan | Sanger

Greg Scott, Treasurer | Justin  
Troy Norton | Argyle  
Del Knowler | Bartonville  
Glenn Barker | Corinth  
Kevin Mercer | DCFWSD #7  
Rich Lubke | Highland Village  
Nate Winchester | Krum  
Kelly Rouse | Lewisville  
Drew Corn | Northlake  
Frank Jaromin | Prosper

**Absent:**

Stephen Gay | Denton

Lyle Drescher, VP | Denton County At Large

**Staff and Advisors in Attendance:**

Larry N. Patterson, Executive Director  
Nancy Tam, Assistant to Executive Director  
Lester Harris, Chief Financial Officer  
Elisa Moreno, Staff Accountant II  
Marcos Zepeda, IT Specialist  
Kurt Staller, Director of Eng and Construction  
Jody Zabolio, Director of Operations  
James Rogers, Maintenance Superintendent  
Doug Janeway, Mgr of Property Services  
Jeremy Sander, Procurement/Risk Mgr

Matthew Boyle, General Counsel  
Jason Pierce, Mgr of Gov Affairs & Comm  
Mary Dockery, Controller  
Dustin Wright, Mgr of IT Services  
Tom Snyder, Director of Special Projects  
Adam McKnight, Deputy Director Eng. & Const.  
Ben Hodges, Deputy Director of Operations  
Ed Motley, LRH Program Mgr  
Jan Morris, Chief Administrative Officer  
Mandie Hussel, Purchasing Specialist

**Others in Attendance:**

Andre Garces, Plummer  
Chad Simmons, Freese & Nichols  
Alan Tucker, Plummer

Sam Barraco, Carollo  
Anthony Samarripas, Kimley-Horn

3. Pledge of Allegiance and Invocation

Pledge of Allegiance was led by Allen McCracken. The invocation was delivered by Rich Lubke.

4. Oath of Office

None.

5. Opening Remarks:

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

None.

- B. Executive Director's Status Report about legislation and regulatory matters, 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 Executive Director discussed the following topics:

- The District's water supplies is in good shape currently with composite storage of 96.6%.
- Staff will be hosting TWDB Financial Assistance Workshop on July 30, 2024.
- CDL Training Program is now available. Members/Customers may begin the enrollment process for their employees.
- HB 3437 relating to Construction Change Orders was recently approved; District's Executive Director approval authorization on Change Order Limit will increase to \$150,000 accordingly.
- Patterson recognized Flower Mound's welcome flyer to their New Homeowners – a great reminder to new homeowners to check their irrigation system and learn how to conserve water.
- Presented a video on Lake Ralph Hall Construction Update – Winter 2024.

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

None.

6. Visitor Comments Concerning Agenda Topics

None.



### CONSENT AGENDA

**Rich Lubke made the motion to approve the Consent Agenda Items 7-12 as presented by staff. Seconded by Greg Scott.** The *Roll Call Vote* was 20 Yes, 0 No, 2 Absent. Motion carried. The approved Consent Agenda Items were:

7. Adopt Minutes of December 7, 2023 Board Meeting.
8. Accept Monthly Management Report for the period ended December 31, 2023.
9. Accept Quarterly Investment Report for the period ended December 31, 2023.
10. Consider approving a Resolution adopting the District's updated Water Conservation and Drought Contingency Plans.
11. Consider raising the check signatory authority of the Executive Director from \$100,000 to \$200,000.
12. Receive report of construction change orders approved by staff.

### ITEMS FOR INDIVIDUAL CONSIDERATION

13. Consider member contract matters related to Project for expansion of Doe Branch Water Reclamation Plant. **(Weighted Capital Vote)**

Growth and development within the District's northeast service area continue at a steady pace. The current wastewater flow into the Doe Branch Plant is reaching the plant's treatment capacity and additional capacity is needed in order to meet anticipated flows in the future. The next Plant expansion is being planned in phases up to 12 MGD. Project costs will be shared proportionally based on subscribed capacity in the plant. Celina and Prosper expect to directly fund their respective portion of the expansion cost. District plans to issue bonds for the parallel trunk main portion of the project; Celina and Prosper to pay Annual Debt Service based on Subscribed Capacity.

- A. Amendment to Contract with City of Celina to increase its subscribed capacity.

Celina's share of increased subscribed capacity in the Doe Branch Plant is 2.125 MGD. Kimberly Brawner, City of Celina, commented that this project is a large financial commitment for Celina at this time. Discussions with the District are ongoing on how best to fund this Project. **Del Knowler made the motion to approve Agenda Item 13A as presented, subject to any non-substantive changes as mutually agreed. Seconded by Allen McCracken.** The *Weighted Capital Vote* was unanimous with 44 Yes, 0 No, 3 Absent. Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Norton	1	1			
AUBREY – Roberson	1	1			



BARTONVILLE – Knowler	1	1			
CELINA – Brawner	3	3			
CORINTH – Barker	3	3			
DC AT-LARGE – Dresher	1				1
DCFWSD #7 – Mercer	2	2			
DENTON (city) – Gay	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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Jaromin	1	1			
SANGER – Ciocan	1	1			
<b>TOTAL:</b>	<b>47</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>3</b>

B. Amendment to Contract with Town of Prosper to increase its subscribed capacity.

Prosper's share of increased subscribed capacity in the Doe Branch Plant is 2.125 MGD. **Frank Jaromin made the motion to approve Agenda Item 13B as presented, subject to any non-substantive changes as mutually agreed. Seconded by Dave Nelson.** The *Weighted Capital Vote* was unanimous with 44 Yes, 0 No, 3 Absent. Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Norton	1	1			
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	3	3			
CORINTH – Barker	3	3			
DC AT-LARGE – Dresher	1				1
DCFWSD #7 – Mercer	2	2			
DENTON (city) – Gay	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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			

NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Jaromin	1	1			
SANGER – Ciocan	1	1			
<b>TOTAL:</b>	<b>47</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>3</b>

14. Authorize the Executive Director to enter into a contract with J.T. Vaughn Construction, LLC for the 802 N. Kealy Annex Building Improvements, Phase 2. (Weighted Capital Vote)

The center section of the Annex Building was left unfinished until determination of its best use. As the District continues to grow, there is a need for an area that can accommodate a larger number of employees for meetings such as training events, including various formal District ceremonies. **Rich Lubke made the motion to approve Agenda Item 14 as presented by staff. Seconded by Kevin Mercer.** The *Weighted Capital Vote* was unanimous with 44 Yes, 0 No, 3 Absent. Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Norton	1	1			
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	3	3			
CORINTH – Barker	3	3			
DC AT-LARGE – Dresher	1				1
DCFWSO #7 – Mercer	2	2			
DENTON (city) – Gay	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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Jaromin	1	1			
SANGER – Ciocan	1	1			
<b>TOTAL:</b>	<b>47</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>3</b>

15. Ratify Emergency Purchase Order with Smith Pump Co., Inc. for the repair of: (Weighted Capital Vote)

- A. Raw Water Intake Pump No. 5 at Lewisville Lake in the amount of \$224,325.
- B. Harpool Emergency Storage Pond Pump No. 2 in the amount of \$74,350.

According to Jody Zabolio, Director of Operations, District had two older pumps that needed major upgrades and repairs. Rebuilding the pumps versus replacing them is most cost-effective and the work can be completed before the summer. **Greg Scott made the motion to approve Agenda Items 15A and 15B as presented by staff. Seconded by Drew Corn.** The *Weighted Capital* Vote was unanimous with 44 Yes, 0 No, 3 Absent. Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Norton	1	1			
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	3	3			
CORINTH – Barker	3	3			
DC AT-LARGE – Dresher	1				1
DCFWSO #7 – Mercer	2	2			
DENTON (city) – Gay	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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Jaromin	1	1			
SANGER – Ciocan	1	1			
<b>TOTAL:</b>	<b>47</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>3</b>

16. Consider approval of proposed Work Program Guidelines for Calendar Year 2024 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 them to the Board for consideration. **Drew Corn made the motion to approve Agenda Item 16 as presented by staff. Seconded by Kimberly Brawner.** The *Roll Call* Vote was 20 Yes, 0 No, 2 Absent. Motion carried.

17. 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, and, concerning personnel matters related to compensation for Executive Director, pursuant to Texas Government Code, Section 551.074, and, 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 including but not limited to construction contracts and projects related to Lake Ralph Hall, and Lease Agreements.

The Board of Directors went into Executive Session at 1:51 P.M.  
The Board returned to open meeting at 2:41 P.M.

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

None.

19. Approve Resolution(s) deeming necessity and authorizing acquisition of property including exercising the Power of Eminent Domain for the NE Pipeline Phase 2 Project. (Weighted Capital Vote)

The Board of Directors discussed acquisition of properties necessary for the NE Pipeline Phase 2 Project in Executive Session. Staff recommended to approve individual Resolutions deeming necessity and authorizing acquisition of property, including exercising the power of eminent domain for the following parcels and take the necessary steps to finalize and close the purchase of property necessary for construction of the NE Pipeline Phase 2 Project, which Project is part of the regional treated water system:

- Sangani Properties, Ltd / Collin County Investments, Ltd.
- 10,000 Celina Road, LLC
- Legacy North 78 LP

**Rich Lubke made the motion to approve Agenda Item 19 as presented. Seconded by Frank Jaromin.** The *Weighted Capital Vote* was unanimous with 44 Yes, 0 No, 3 Absent. Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Norton	1	1			
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	3	3			
CORINTH – Barker	3	3			
DC AT-LARGE – Dresher	1				1
DCFWSO #7 – Mercer	2	2			
DENTON (city) – Gay	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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Jaromin	1	1			
SANGER – Ciocan	1	1			
<b>TOTAL:</b>	<b>47</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>3</b>

20. Consider action on Lake Ralph Hall construction change orders, some of which may have been discussed in Executive Session. (Weighted Capital Vote)

None.

21. Consider action on Master Equity Lease and Maintenance Agreements, some of which may have been discussed in Executive Session. (Weighted Capital Vote)

**Drew Corn made the motion to authorize the Executive Director to proceed with the resolution the Agreements consistent with discussions in Executive Session and authorize the Executive Director to take all other necessary action. Seconded by Troy Norton.** The *Weighted Capital Vote* was unanimous with 44 Yes, 0 No, 3 Absent. Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Norton	1	1			
AUBREY – Roberson	1	1			
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	3	3			
CORINTH – Barker	3	3			
DC AT-LARGE – Dresher	1				1
DCFWSO #7 – Mercer	2	2			
DENTON (city) – Gay	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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Jaromin	1	1			
SANGER – Ciocan	1	1			
<b>TOTAL:</b>	<b>47</b>	<b>44</b>	<b>0</b>	<b>0</b>	<b>3</b>



22. Consider action on personnel and compensation matters for the Executive Director as discussed in Executive Session.

The Officers reviewed and evaluated the performance of the Executive Director for the year 2023 and shared their evaluation with the entire Board in Executive Session. In open session, **Alina Ciocan made the motion to approve the compensation adjustments for the Executive Director consistent with discussions in Executive Session and authorize the Board President to take all necessary action. Seconded by Allen McCracken.** The *Roll Call Vote* was 20 Yes, 0 No, 2 Absent. Motion carried.

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

Frank Jaromin announced his retirement as Board Member representing the Town of Prosper, effective February 2, 2024. President Riggs thanked Mr. Jaromin for his service.

24. Visitor Comments Concerning Non-Agenda Topics.

None.

25. Adjournment.

There being no further business, President Riggs adjourned the meeting at 2:45 P.M.

Recorded by:

  
\_\_\_\_\_  
Nancy T. Tam, Assistant Secretary, Board of Directors

Certified by:

  
\_\_\_\_\_  
Allen L. McCracken, II, Secretary, Board of Directors