



MINUTES

UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS MEETING

April 7, 2016

REGULAR SESSION BOARD MEETING

1. Call to Order

The Board of Directors of the Upper Trinity Regional Water District convened, with President Vanzant presiding, at 2:15 P.M. on Thursday April 7, 2016, at the UTRWD Board Meeting Room, 900 N. Kealy, 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:

Lance Vanzant, President, Celina
Gary Calmes, Treasurer, Krum
Troy Norton, Argyle
Del Knowler, Bartonville
Cody Collier, Corinth
Kevin Mercer, DCFWSD #7
Kenneth Parr, Flower Mound
Virginia Blevins, Justin
Scott Ingalls, Pilot Point
Frank Jaromin, Prosper

Chris Boyd, Vice President, Mustang SUD
Ramiro Lopez, Secretary, Irving
Brian Roberson, Aubrey
Janet Aune, Copper Canyon
Jean Campbell, Denton County At-Large
Dick Cook, Double Oak
Richard Lubke, Highland Village
Mike Fairfield, Lake Cities MUA
Richard Huckaby, Ponder
Mike Brice, Sanger

Absent:

Johnny Harris, Denton County *
Lathan Watts, Lewisville *

Timothy Fisher, Denton *

Vacant:

DCFWS #1A

Staff & Advisors in Attendance:

Thomas E. Taylor, Executive Director
Larry Patterson, Deputy Executive Director
Tom Snyder, Ass't Director / Eng & Const
Jody Zabolio, Ass't Director / Operations
Lester Harris, Accounting Manager

John F. Boyle, Jr., General Counsel
Bill Greenleaf, Director / Business Services
Nancy Tam, Assistant to Executive Director
Jason Pierce, Mgr/Watershed & Contrct Srvc
Jan Morris, Budget Manager

Mark Skaggs, IT Administrator
David Medanich, Financial Advisor

Dustin Wright, IT Specialist
Rob Collins, Bond Counsel

Others in Attendance:

Jerry Snead, JQ Infra Structure
Alan Tucker, APAI
Andrew Kyle, Providence
Johnny Dyer, DCFWSD #1A
Steven Teaff, Pro Star Energy

Steven Bacchus, Lewisville
Drew Corn, Northlake
Kristina Clark, DCFWSD#1A
Antonio Almeida, Halff

3. Pledge of Allegiance and Invocation

Pledge of Allegiance: Virginia Blevins

Invocation: Lance Vanzant

Richard Huckaby arrived at 1:20 PM.

4. Oath of Office

President Vanzant administered the Oath of Office for Brian Roberson, newly appointed Board Member for City of Aubrey. Mr. Roberson is the Town Manager for the Town of Providence Village, and will complete the term previously filled by Kenneth Faulkner.

5. Opening Remarks:

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

None.

- 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.

- Johnny Harris, Board Member (Denton County), is scheduled for a By-Pass surgery today. Please keep him in your prayers for a successful procedure.
- Blake English, Past President, and his wife visited last week. He is doing well, and extended his best wishes to all.
- Upper Trinity recently initiated a contract to use a Smart Ball to check for an elusive leak in the District's most critical water line, the main line from the Taylor Plant to Stonehill facility. The District, for some time, has suspected a leak, but because of the location and the depth, it could not be located. The contract cost \$81,000 for the analysis, but the leak was found, and savings from the repair will pay for the investigation in about 2-3 years.



- The Chapman Lake Pipeline (the NTMWD portion), is a very critical pipeline that is jointly owned by North Texas Municipal Water District and the City of Irving. This is an 84-inch pipeline that is in a very remote area and in urgent need of major maintenance. All parties at risk (NTMWD, City of Irving, UTRWD) will share the estimated cost of repairs (\$3.2 million). All involved are anxious to get the problem repaired as soon as possible.

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

Ben Hodges, Manager of NE Operations over the Harpool Plant and three water reclamation plants, is the recipient of the Hatfield Award, a national award for outstanding performance and professionalism as an Operator / Manager. The "Hatfield Award" will be presented to him at the Texas Water Conference. Ben has an excellent team, and he does an excellent job of keeping the District's NE system humming under some difficult conditions. Congratulations!

6. Visitor Comments Concerning Agenda Topics.

None.

CONSENT AGENDA

President Vanzant asked for a motion to approve the items in the Consent Agenda. **Rich Lubke made a motion to approve the Consent Agenda Items. Seconded by Dick Cook.** The votes were all Yes. Corinth Abstained. Motion carried. The approved items were:

7. Adopt minutes of March 3, 2016 Board Meeting.
8. Accept Monthly Management Report for the period ended February 29, 2016.
9. Consider adoption of resolution to approve Mid-Year Budget Amendments.
10. Consider amendments to agreements with EnerNOC, Inc. to manage the District's participation in the Energy Reliability Council of Texas (ERCOT) program for Emergency Interruptible Load Service (electricity for District facilities).
11. Authorize advertising for bids for odor control and other needed improvements at Lakeview Water Reclamation Plant.
12. Approval of resolution to authorize the update and renewal of the District's 401a Employee Retirement Plan (Adoption Agreement and associated Plan) administered by ICMA Retirement Corporation.
13. Authorize update of the District's Drought Contingency Plan to correlate with Plans of other wholesale providers in the region.
14. Consider approval of renewal, with certain updates, of existing Agreement with the City of Lewisville for purchase of treated wastewater effluent for the District's reuse program.



- 15. Receive Report of construction change orders approved by staff.
- 16. Consider renewal of agreement with Knight-Light Charities, Inc. concerning the Rich Lubke Community Organic Garden.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 17. Consider approval of the Parameters Resolutions for proposed sale of Revenue Bonds:
 (Weighted Capital Vote)
 - A. Approximately \$1,250,000 to provide funds for improvements to the Peninsula Water Reclamation Plant.
 - B. Approximately \$38,500,000 of Refunding Bonds for the Regional Treated Water System.

The agenda item would authorize the sale \$1.25 million in new bonds and \$38.5 million in refunding bonds. As in recent successful bond issues, the District’s Financial Advisor recommends a “parameter” authorization for the bonds. **Scott Ingalls made a motion to approve Item No. 17. A & B. Seconded by Ramiro Lopez.** The *Weighted Capital Vote* proceeded as follows: The votes were 34 Yes and 0 No. Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Vanzant	1	1		
CORINTH – Collier	3	3		
DENTON (CITY) – Fisher	2			2
DC AT-LARGE - Campbell	1	1		
DCFWSD #1A – vacant - 2				
DCFWSD #7 – Mercer	2	2		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Parr	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2	2		
JUSTIN – Blevins	1	1		
KRUM - Calmes	1	1		
LAKE CITIES MUA – Fairfield	2	2		



LEWISVILLE – Watts	2		2
MUSTANG SUD - Boyd	2	2	
PILOT POINT - Ingalls	1	1	
PONDER - Huckaby	1	1	
PROSPER - Jaromin	1	1	
SANGER – Brice	1	1	
TOTAL	38	34	4

18. Consider award of contract to Felix Construction Company for repairs to leaks and settlement, including needed replacement of sidewalk and pavement at Taylor Regional Water Treatment Plant. (Weighted Capital Vote)

Tom Snyder provided the briefing to the Board. The construction project consists of replacing sidewalks, repairing slab joints in the basins, repairing areas of subgrade erosion, replacing damaged areas of roadway paving. The project also includes installation of an internal all-weather roadway needed for this project and for long-term access to the north side of the sedimentation basins and to the east side of the backwash tank.

JQI (Consulting Engineer) and District staff have evaluated the bid, and checked the bidder’s qualifications and project experience. Award of the construction contract to Felix Construction Company in the amount of \$727,313.00 is recommended. Sufficient funds for this project are included within the approved capital budget.

Gary Calmes made a motion to approve Item No. 18 as recommended. Seconded by Richard Lubke. The *Weighted Capital Vote* proceeded as follows: The votes were 34 Yes and 0 No. Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Vanzant	1	1		
CORINTH – Collier	3	3		
DENTON (CITY) – Fisher	2			2
DC AT-LARGE - Campbell	1	1		
DCFWS #1A – vacant - 2				
DCFWS #7 – Mercer	2	2		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Parr	9	9		



HIGHLAND VILLAGE – Lubke	2	2	
IRVING – Lopez	2	2	
JUSTIN – Blevins	1	1	
KRUM - Calmes	1	1	
LAKE CITIES MUA – Fairfield	2	2	
LEWISVILLE – Watts	2		2
MUSTANG SUD - Boyd	2	2	
PILOT POINT - Ingalls	1	1	
PONDER - Huckaby	1	1	
PROSPER - Jaromin	1	1	
SANGER – Brice	1	1	
TOTAL	38	34	4

19. At request of the Highway 380 Municipal Management District No. 1 (MMD), consider action to modify the District’s participation in the project or to rescind the Agreement for non-potable water service dated April 20, 2015, for use of treated effluent for landscape irrigation in the Union Park Development. **(Weighted Capital Vote)**

MMD’s request is for the District to participate with additional funding or to rescind the Agreement for use of treated effluent for landscape irrigation in the Union Park Development due to higher bid than expected. Staff recommends approval of the enclosed resolution rescinding the April 20, 2015 Agreement with the MMD; and, authorizing Staff to execute the appropriate documents to abandon the easements previously dedicated to the District for the project.

Chris Boyd made a motion to rescind the Agreement as recommended by staff. Seconded by Virginia Blevins. The *Weighted Capital Vote* proceeded as follows: The votes were 34 Yes, 0 No. Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Vanzant	1	1		
CORINTH – Collier	3	3		
DENTON (CITY) – Fisher	2			2
DC AT-LARGE - Campbell	1	1		
DCFWSD #1A – vacant - 2				

DCFWS #7 – Mercer	2	2	
DOUBLE OAK – Cook	1	1	
FLOWER MOUND – Parr	9	9	
HIGHLAND VILLAGE – Lubke	2	2	
IRVING – Lopez	2	2	
JUSTIN – Blevins	1	1	
KRUM - Calmes	1	1	
LAKE CITIES MUA – Fairfield	2	2	
LEWISVILLE – Watts	2		2
MUSTANG SUD - Boyd	2	2	
PILOT POINT - Ingalls	1	1	
PONDER - Huckaby	1	1	
PROSPER - Jaromin	1	1	
SANGER – Brice	1	1	
TOTAL	38	34	4

20. Executive Session concerning granting or acquisition of easements, rights-of-way and other property for Water Resource Development or for Regional Treated Water System, or leasing of District property 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; 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 1:45 PM.
 The Board returned to open meeting at 2:15 PM.

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

None.

22. Consider approval of proposed Commercial Lease Contract for the second floor portion of District's office facility at 802 N. Kealy.

This item was discussed in Executive Session. **Kevin Mercer made a motion to approve the lease contract as discussed in Executive Session. Seconded by Frank Jaromin.** The vote was 17 Yes, 2 No (Denton County-at-Large, Krum). Motion carried.



23. Consider approval of agreement with Town of Northlake to oversize a planned Northlake water pipeline along Florence Road for temporary capacity to enable District to provide future interim service if needed to Town of Ponder and others, and authorize cost participation. (Weighted Capital Vote)

Key provisions of the proposed Agreement include: (1) District to pay oversize cost; (2) District has right to serve Ponder and others for up to 10 years; (3) Northlake obligated to repurchase District's capacity when no longer needed by District; (4) After 5 years of District use, Northlake may opt to repurchase.

After bids received, final decision by Board of Directors when actual oversize cost is known. Staff recommends that the Board approve Agreement with the Town of Northlake for Shared Capacity in proposed water pipeline (subject to any non-substantive changes as mutually agreed). **Richard Huckaby made a motion to approve Item No. 23. Seconded by Chris Boyd.** The *Weighted Capital Vote* proceeded as follows: The votes were 20 Yes, 14 No (Double Oak, Flower Mound, Highland Village, Krum, Prosper). Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Vanzant	1	1		
CORINTH – Collier	3	3		
DENTON (CITY) – Fisher	2			2
DC AT-LARGE - Campbell	1	1		
DCFWS #1A – vacant - 2				
DCFWS #7 – Mercer	2	2		
DOUBLE OAK – Cook	1		1	
FLOWER MOUND – Parr	9		9	
HIGHLAND VILLAGE – Lubke	2		2	
IRVING – Lopez	2	2		
JUSTIN – Blevins	1	1		
KRUM - Calmes	1		1	
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Watts	2			2
MUSTANG SUD - Boyd	2	2		
PILOT POINT - Ingalls	1	1		
PONDER - Huckaby	1	1		



PROSPER - Jaromin	1		1	
SANGER – Brice	1	1		
TOTAL	38	20	14	4

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

None.

25. Visitor Comments Concerning Non-Agenda Topics.

None.

26. Adjournment.

President Vanzant adjourned the meeting at 2:47 P.M.

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

Certified By: 
Ramiro Lopez, Secretary, Board of Directors

