



MINUTES

UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS MEETING

July 2, 2015

REGULAR SESSION BOARD MEETING

1. Call to Order

The Board of Directors of the Upper Trinity Regional Water District convened, with President Todd Madison presiding, at 1:32 P.M. on Thursday, July 2, 2015, at the UTRWD Board Meeting Room, 900 N. Kealy, Lewisville, TX 75057.

2. Roll Call

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
Todd Madison, Past President, Lincoln Park
Kenneth Faulkner, Aubrey
Janet Aune, Copper Canyon
Jean Campbell, Denton County At-Large
Jerry Benetato, DCFWSD #1A
Dick Cook, Double Oak
Virginia Blevins, Justin
Lathan Watts, Lewisville
Scott Ingalls, Pilot Point
Frank Jaromin, Prosper

Chris Boyd, Vice President, Mustang SUD
Ramiro Lopez, Secretary, Irving
Troy Norton, Argyle
Del Knowler, Bartonville
Timothy Fisher, Denton
Johnny Harris, Denton County
Kevin Mercer, DCFWSD #7
Kenneth Parr, Flower Mound
Mike Fairfield, Lake Cities MUA
Leslie Maynard, Oak Point
Richard Huckaby, Ponder
Mike Brice, Sanger

Board Members Absent:

Richard Lubke, Highland Village *

* Excused Absence

Vacant: Corinth

Staff & Advisors in Attendance:

Thomas E. Taylor, Executive Director
Larry Patterson, Deputy Executive Director
Tom Snyder, Ass't Director / Eng & Const
Jason Pierce, Mgr/Watershed & Contract Srvc
Mark Skaggs, IT Administrator

John F. Boyle, Jr., General Counsel
Bill Greenleaf, Director / Business Services
Nancy Tam, Assistant to Executive Director
Jan Morris, Budget Manager

Others in Attendance:

Jeff Caffey, APAI

Richard Hayes, Hayes Berry White & Vanzant, LLP

3. Pledge of Allegiance and Invocation

Pledge of Allegiance: Kenneth Faulkner

Invocation: Johnny Harris

4. Remarks by President Madison and passing the Gavel to new President

President Madison commented on his time as a Board Member of Upper Trinity since 2000. During this time, he witnessed much growth and many changes in the region. He said it had been an honor to not only serve as a Member of the Board, but also the President. After ten years of intensive planning, he is especially proud that Upper Trinity has acquired the Lake Ralph Hall Water Rights Permit.

5. Installation of newly elected Officers

President Madison recognized the newly elected Officers and asked them to take their appropriate seats at the head table:

Lance Vanzant, President
Gary Calmes, Treasurer

Chris Boyd, Vice President
Ramiro Lopez, Secretary

6. Oath of Office for "A" Term Board Members

President Madison gave a brief history of the District. He reminded all that there is a mandate for Upper Trinity; it is to plan for the regional water needs in the Denton County area; if we fail, there is no Plan B. He also indicated the important duties of a Board Member, not only for the entity they represent but for all other members of the District; and that some thirty cities and utilities will be counting on you to do the right thing.

President Vanzant administered the Oath of Office to the following "A" Term Members:

Kenneth Faulkner, City of Aubrey
Jerry Benetato, DCFWSD No. 1A
Kenneth Parr, Town of Flower Mound
Mike Fairfield, Lake Cities MUA
Scott Ingalls, City of Pilot Point
Mike Brice, City of Sanger

Johnny Harris, Denton County
Kevin Mercer, DCFWSD No. 7
Richard Lubke, City of Highland Village
Chris Boyd, Mustang SUD
Frank Jaromin, Town of Prosper

7. Opening Remarks:

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

President Vanzant indicated that he is working on Committee Assignments. He asked Board Members to notify him or Nancy Tam for any suggestions or changes.



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.

- **Regarding the recent rains & floods.** The Region and the District, in particular the Wastewater Program, has been impacted by record rains and flooding since the last Board Meeting. Larry Patterson provided an update on the "stress test" for District facilities and personnel.
- **High Flow I & I Conditions.** We plan to audit wastewater bills for last 3 months and to ensure that the billing is fair.
- **Water Conservation Program.** Jason Pierce provided an update. The District has launched the "Water My Yard" program to encourage residents to reduce and optimize lawn watering, a key goal of the Water Conservation Plan. This Program is developed and managed by the Texas A&M AgriLife Extension Service. A website provides weekly emails with lawn watering recommendations to residents who sign up. In order to launch the program in our area, Upper Trinity recently purchased and installed two weather stations, along with irrigation systems specifications, to recommend to residents how long to water.

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

None.

8. Visitor Comments Concerning Agenda Topics.

None.

CONSENT AGENDA

President Vanzant moved to the Consent Agenda indicating unless there was an objection, he would entertain a motion to approve the Consent Agenda. **Richard Huckaby made a motion to approve the Consent Agenda. Seconded by Johnny Harris.** The votes were all yes. Motion carried. The approved items were:

9. Adopt minutes of May 7, 2015 Board Meeting.
10. Accept Monthly Management Report for the period ended May 31, 2015.
11. Receive report of construction change orders approved by Staff.
12. Authorize Agreement with the Denton County Fresh Water Supply District No. 1A (Castle Hills) for participation in program for collection of Household Hazardous Waste.



13. Authorize revised amount of requested funding in the application to the Texas Water Development Board for financial assistance, to provide for planned expansion and improvements to the Riverbend Water Reclamation Plant (Northeast Water Reclamation System).
14. Authorize the Executive Director to enter into an agreement with TD Industries for the purchase and installation of a new Air Conditioning and Heating System to replace the currently failed system at the Taylor Plant, and approve related budget amendment.

ITEMS FOR INDIVIDUAL CONSIDERATION

Regarding funding for improvements for the Peninsula and Lakeview Water Reclamation Plants, **Item 15 (Peninsula Plant)** and **Item 16 (Lakeview Plant)** were voted together as one vote. **Frank Jaromin made a motion to approve 15 A & B and 16 A & B as recommended by staff. Seconded by Leslie Maynard.** The votes were all yes. Motion carried. The approved items were:

15. Funding for Improvements for the Peninsula Water Reclamation Plant.
 - A. Consider approval of Resolution approving the appointment of a financing team; authorizing the Financial Advisor and Co-Bond Counsel to prepare for the sale of system bonds, including any necessary disclosure documents and appropriate documents for presentations to rating agencies; and providing for an effective date.
 - B. Consider adoption of Resolution to enable future reimbursement of funds.
16. Funding for Improvements for the Lakeview Regional Water Reclamation System.
 - A. Consider approval of Resolution approving the appointment of a financing team; authorizing the Financial Advisor and Co-Bond Counsel to prepare for the sale of system bonds, including any necessary disclosure documents and appropriate documents for presentations to rating agencies; and providing for an effective date.
 - B. Consider adoption of Resolution to enable future reimbursement of funds.
17. Consider Contract and Task Order No. 1 with Alan Plummer Associates for professional services related to interim improvements and expansion of Peninsula Plant. **(Weighted Capital Vote)**

The UV System at the Peninsula Water Reclamation Plant has been in service since 1998. It was first installed at the Lakeview Plant and later it was reused at the Peninsula Plant since 2003. The system is about 16 years old and is no longer supported by the manufacturer, and the repair parts are increasingly harder to procure.

The contract and Task Order No. 1 with Alan Plummer is for professional services related to evaluating currently available UV systems, designing and providing construction services for a new UV system at the Peninsula Plant. A technical memorandum for evaluation of the peak flow is also included in the proposed task order. Staff recommends approval of the proposed Contract and Task Order No. 1 in the amount of \$134,500 together with the budget amendment.



Todd Madison made a motion to approve Item No. 17 as recommended by staff. Seconded by Troy Norton. The votes were 36 Yes with 0 No; motion carried. The *Weighted Capital Vote* proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Faulkner	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Vanzant	1	1		
CORINTH vacant - 3				
DENTON (CITY) – Fisher	2	2		
DC AT-LARGE - Campbell	1	1		
DCFWS #1A – Benetato	2	2		
DCFWS #7 – Mercer	1	1		
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		
LINCOLN PARK – Madison	1	1		
MUSTANG SUD - Boyd	2	2		
OAK POINT - Maynard	1	1		
PILOT POINT - Ingalls	1	1		
PONDER - Huckaby	1	1		
PROSPER - Jaromin	1	1		
SANGER – Brice	1	1		
TOTAL	38	36		2

- Executive Session concerning granting or acquisition of easements, rights-of-way and other property for Water Resource Development, for Northeast Regional Water Reclamation System 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; 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 2:15 P.M.

The Board returned to open meeting at 2:35 P.M.

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

As discussed in Executive Session, **Mike Fairfield made a motion to approve the purchase of Lake Ralph Project property: Mann Property (P65-LRH). Seconded by Leslie Maynard.** The *Weighted Capital Vote* proceeded as follows with votes being 27 Yes, 9 No (Flower Mound). Motion passed.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Faulkner	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Vanzant	1	1		
CORINTH vacant - 3				
DENTON (CITY) – Fisher	2	2		
DC AT-LARGE - Campbell	1	1		
DCFWSO #1A – Benetato	2	2		
DCFWSO #7 – Mercer	1	1		
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		
LINCOLN PARK – Madison	1	1		
MUSTANG SUD - Boyd	2	2		
OAK POINT - Maynard	1	1		
PILOT POINT - Ingalls	1	1		



PONDER - Huckaby	1	1		
PROSPER - Jaromin	1	1		
SANGER - Brice	1	1		
TOTAL	38	27	9	2

20. Consider appointment of Trustees for (Places 2 and 4) on the Board of Trustees for the Upper Trinity Conservation Trust.

Three Trustees are appointed for three years, with terms expiring May 31, 2015. Of the three, appointment of Place 2 (Dr. Janet Aune) and Place 4 (Mr. Doug Franklin) are to be made by the UTRWD Board.

Both Aune and Franklin have served with distinction as Trustees of UTCT. Staff recommends reappointment of both to another three-year term to expire on May 31, 2018. They are both willing to serve another term at this time. **Virginia Blevins made a motion to reappoint Dr. Aune and Mr. Franklin to another three-year term on the Conservation Trust Board. Seconded by Tim Fisher.** The votes were all yes. Motion carried.

21. Consider action to consent to requested assignment of Participating Member contracts to Mustang SUD:

- A. Resolution and Consent Agreement regarding water and wastewater contracts with Town of Lincoln Park.

Mustang Special Utility District, also a Participating Member, has entered into contracts for both water and wastewater service with the District. Mustang recently entered into an agreement with Little Elm to acquire Lincoln Park's utility system and to serve that portion of Lincoln Park previously annexed into Little Elm. As a result, Mustang desires to take assignment of the Lincoln Park water and wastewater contracts - - and has asked for consent by Upper Trinity.

- B. Resolution and Consent Agreement regarding wastewater contract with City of Oak Point.

Mustang Special Utility District, also a Participating Member, entered into a similar contract for participation in the District's Peninsula Plant. Mustang recently entered into an agreement with Oak Point to transfer the City's CCN and provide retail wastewater service within the City. As a result, both Mustang and Oak Point have requested the Oak Point wastewater contracts be assigned to Mustang - - and has asked for consent by Upper Trinity.

Staff recommends approval of the Resolutions and Consent to Mustang's assumption of the two Lincoln Park and Oak Point contracts. John F. Boyle, Jr., General Counsel, has reviewed both Agreements. The effective date is subject to Mustang SUD's approval of the consent.

President Vanzant (Celina) announced that he will abstain due to personal (conflict) reasons.

Tim Fisher made a motion to approve Item No. 21. A & B as presented. Seconded by Johnny Harris. The votes were all yes, 1 abstain vote. Motion carried.



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

Regarding Dallas's recent extraordinary rate increase for its customer cities, Tim Fisher raised the question of how the District could help Dallas - - as we are customers.

23. Visitor Comments Concerning Non-Agenda Topics.

None.

24. Adjournment.


With no further business, President Vanzant adjourned the meeting at 2:50 P.M.

Recorded By:



Nancy T. Tam, Assistant Secretary, Board of Directors

Certified By:



Ramiro Lopez, Secretary, Board of Directors

