

MINUTES



UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS MEETING

February 6, 2020

REGULAR SESSION BOARD MEETING

1. Call to Order

The Board of Directors of the Upper Trinity Regional Water District convened, with President Richard Lubke presiding at 12:55 P.M. on Thursday, February 6, 2020, 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:

Richard Lubke, President, Highland Village
Troy Norton, Argyle
James Burnham, Celina
Bob Hart, Corinth
Johnny Harris, Denton County
Kristina Clark, DCFWSD #1A
Dick Cook, Double Oak
Devon Kennedy, Krum
Eric Ferris, Lewisville
Lyle Dresher, Northlake
Michael Anderson, Ponder
Tracy LaPiene, Sanger

Brian Roberson, Secretary, Aubrey
Del Knowler, Bartonville
Mark Pape, Copper Canyon
Frank Pugsley, Denton
Gary Calmes, Denton County at Large
Kevin Mercer, DCFWSD #7
Clay Riggs, Flower Mound
Virginia Blevins, Justin
Chris Boyd, Mustang SUD
Allen McCracken, Pilot Point
Frank Jaromin, Prosper

Absent:

Ramiro Lopez, Vice President, Irving*

*Excused Absence

Mike Fairfield, Treasurer, Lake Cities MUA*

Staff & Advisors in Attendance:

Larry N. Patterson, Executive Director
Nancy Tam, Assistant to Executive Director
Tom Snyder, Director Const. & Eng.
Lester Harris, Controller
Ed Motley, LRH Program Manager
Mark Skaggs, Manager / IT Services
Adam McKnight, Sr. Professional Engineer
Jan Morris, Asst Director for Administration

Matthew Boyle, General Counsel
Bill Greenleaf, Chief Financial Officer
Jason Pierce, Mgr/Gov Affairs & Comm
Doug Janeway, Manager/Property Svcs
Ronna Hartt, Manager/Water Rscs
Kurt Staller, Asst. Dir, Const. & Eng.
Michelle Carte, Water Resources Specialist
Tim Brazile, Taylor RWTP Water Ops Manager

Others in Attendance:

Crete Martin, Plummer
Ignacio Cadena, B&V

Lee Hollis, Halff Associates, Inc.
Justin Reeves, Lockwood Andrews & Newnam

3. Pledge of Allegiance and Invocation

Pledge: Mark Pape

Invocation: Mike Anderson

4. Opening Remarks:

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

President Lubke was able to attend the recent Underground Construction Technology Association Conference (UCT 2020) in Fort Worth with staff. One of the highlights of attending that was to see the Executive Director Larry Patterson as the Keynote Speaker. Also, Lubke was able to attend the Lewisville Council Workshop. Both events were very informative.

- 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.

- Patterson pointed out the following recent news articles:
 - i. Denton Record Chronicle regarding the "State denied a permit for a concrete crushing facility in east Denton."
 - ii. Celina Record about the "Upper Trinity's Riverbend Water Reclamation Plant was recognized by the National Association of Clean Water Agencies (NACWA) for its innovative treatment technology."
- Patterson briefed the Board regarding the USACE 404 Permit process. The District submitted the application back in 2006; after more than 15 years of working diligently with the Corps of Engineers, the Permit was finally approved and awarded to the District on January 30th.
- Patterson recognized the Lake Ralph Hall project team (Ronna Hartt, Ed Motley and Michelle Carte). They jointly presented the Final Permit to the Executive Director and the Board. Patterson noted that a press release would be issued later today; in addition, Denton County Judge Andy Eads, Fannin County Judge Randy Moore and Ladonia Mayor Jan Cooper have been notified.

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

None.

5. Visitor Comments Concerning Agenda Topics.

None.



CONSENT AGENDA

President Lubke asked for a motion to approve items on Consent Agenda. **Frank Jaromin made a motion to approve Consent Agenda Items 6 – 11.** **Seconded by Tracy LaPeine.** The vote was all Yes. Motion Carried. Items approved were:

6. Adopt minutes of December 5, 2019 Board Meeting.
7. Accept Monthly Management Report for the period ending December 31, 2019.
8. Accept Quarterly Investment Report for the period ending December 31, 2019
9. Receive report of construction change orders approved by staff.
10. Authorize the Executive Director to enter into a pricing agreement with M & M Irrigation & Illumination to provide residential irrigation system evaluations.
11. Authorize advertising a Request for Qualifications for Design-Builders relating to Roadway Relocations – Lake Ralph Hall.

ITEMS FOR INDIVIDUAL CONSIDERATION

12. Consider award of contract for construction of FM 2181 Water Main Upsize and Relocation from Hickory Creek Rd. to Montecito Dr. in the City of Denton and approval of associated budget amendment. (Weighted Capital Vote)

Kurt Staller provided the background briefing. Bids were opened on January 27th and Acadia Services, LLC was the apparent low of 4 bidders. Staff and engineers (Half Associates, Inc.) have evaluated the bids and recommended for approval of the enclosed resolution awarding a construction contract to Acadia Services, LLC in the amount of \$1,254,013 and approval of the associated budget amendment.

Tracy LaPiene made the motion to approve Item #12 as recommended by staff. **Seconded by Lyle Dresher.** The vote was 39 Yes. 0 No. Motion carried. The *Weighted Capital Vote* proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Pugsley	2	2		
DC AT-LARGE - Calmes	1	1		
DCFWS #1A – Clark	2	2		
DCFWS #7 – Mercer	2	2		



DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2			2
JUSTIN – Blevins	1	1		
KRUM - Kennedy	1	1		
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	43	39	0	4

13. Consider authorizing Construction Manager at Risk to award Bid Package No. 11 to Alpha Testing, Inc. for quality control materials testing services during construction for Parallel Pipeline from Taylor Water Treatment Plant to Stone Hill Pump Station. (Weighted Capital Vote)

District staff, project engineer (Plummer Associates, Inc.) and CMAR have evaluated the bid and recommended the award of Bid Package No. 11 to Alpha Testing, Inc. as the lowest responsive, responsible bidder.

Troy Norton made the motion to authorize Construction Manager at Risk to award Bid Package No. 11 to Alpha Testing, Inc. in the amount of \$131,540 as recommended by staff. Seconded by Frank Jaromin. The vote was 38 Yes. 1 No (Prosper). Motion carried. The Weighted Capital Vote proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Pugsley	2	2		
DC AT-LARGE - Calmes	1	1		
DCFWSO #1A – Clark	2	2		
DCFWSO #7 – Mercer	2	2		

DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2			2
JUSTIN – Blevins	1	1		
KRUM - Kennedy	1	1		
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	43	38	1	4

14. Consider approval of a professional services Contract and Task Order 1 with Lockwood Andrews & Newnam, Inc. (LAN) for services relating to the Lake Ralph Hall Conveyance System. (Weighted Capital Vote)

Ed Motley provided the briefing to the Board. The proposed Contract and Task Order No. 1 with Lockwood, Andrews & Newnam, Inc. for services relating to the Lake Ralph Hall Conveyance System including facilitating other project components to advance in design and construction activities.

Virginia Blevins made the motion to approve the proposed Contract and Task Order No. 1 with Lockwood, Andrews & Newnam, Inc. in the amount of \$1,275,349 as recommended by staff. Seconded by Kristina Clark. The vote was 39 Yes. 0 No. Motion carried. The *Weighted Capital Vote* proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Pugsley	2	2		
DC AT-LARGE - Calmes	1	1		
DCFWS #1A – Clark	2	2		
DCFWS #7 – Mercer	2	2		

DOUBLE OAK – Cook	1	1	
FLOWER MOUND – Riggs	9	9	
HIGHLAND VILLAGE – Lubke	2	2	
IRVING – Lopez	2		2
JUSTIN – Blevins	1	1	
KRUM - Kennedy	1	1	
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	43	39	4

15. Authorize the Executive Director to enter into a purchasing agreement with Prime Controls, LLP for LPU #1 fabrication and installation services. (Weighted Capital Vote)

The Local Processing Unit (LPU #1) allows monitors operations and controls all systems components throughout the Main Communication Hub. It allows for Multiple Systems via the SCADA System to tie all Programmable Logic Controllers (PLCs) together. Funds are provided in the FY 2020 Capital Budget for this purchase. Staff recommended to authorize the Executive Director to enter a purchasing agreement with Prime Controls, LLP for LPU #1 fabrication and installation not to exceed \$139,943.00.

Tracy LaPiene made the motion to approve Item #15 as recommended by staff. Seconded by Frank Jaromin. The vote was 39 Yes. 0 No. Motion carried. The *Weighted Capital Vote* proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Pugsley	2	2		
DC AT-LARGE - Calmes	1	1		
DCFWS #1A – Clark	2	2		
DCFWS #7 – Mercer	2	2		

DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2			2
JUSTIN – Blevins	1	1		
KRUM - Kennedy	1	1		
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	43	39	0	4

16. Consider approval of proposed Work Program Guidelines for the calendar year 2020 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. **Kevin Mercer made the motion to approve the proposed Work Program Guidelines for year 2020. Seconded by Dick Cook.** The roll call vote was all Yes. Motion carried.

17. Executive Session concerning granting or acquisition of easements, rights-of-way and other property 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 1:40pm.
 The Board returned to open meeting at 1:55pm.

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

The Board discussed the purchase of the following property item in Executive Session necessary for the following projects:

- Lake Ralph Hall Project: Parcel P153-LRH (Woodfield)
- Parallel Pipeline Project: Parcel 21 & 22 (Lewisville Development LP)

Virginia Blevins made a motion to approve the purchase of property listed above necessary for the Lake Ralph Hall Project & Parallel Pipeline Project. Seconded by Kristina Clark. The vote was 39 Yes. 0 No. Motion carried. The *Weighted Capital Vote* proceeded as follows:

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	2	2		
CORINTH – Hart	3	3		
DENTON (CITY) – Pugsley	2	2		
DC AT-LARGE - Calmes	1	1		
DCFWSO #1A – Clark	2	2		
DCFWSO #7 – Mercer	2	2		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Riggs	9	9		
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2			2
JUSTIN – Blevins	1	1		
KRUM - Kennedy	1	1		
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	43	39	0	4

19. 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 during 2019 and shared their evaluation with the entire Board in Executive Session.

Frank Jaromin made a motion to accept the Officers' evaluation of the Executive Director's performance and to authorize an increase of \$20,000 in base compensation effective March 1, 2020. Eric Ferris seconded the motion. Motion passed unanimously. Motion carried.

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

- Gary Calmes requested an update on Zebra Mussels.
- Johnny Harris requested a status report regarding the repairs of the Lewisville Dam.

21. Adjournment.

There being no further business, President Lubke adjourned the meeting at 2:00 P.M.

Recorded By:



Nancy Tam, Assistant Secretary, Board of Directors

Certified By:



Brian Roberson, Secretary, Board of Directors

