



MINUTES

UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS

August 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 Riggs presiding at 1:07p.m. on Thursday, August 1, 2024, at 900 N. Kealy Avenue, 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
Greg Scott, Treasurer | Justin
Bobby Johnston | Argyle
Kimberly Brawner | Celina
Glenn Barker | Corinth
Kevin Mercer | DCFWSD #7
Rich Lubke | Highland Village*
Mike Fairfield | Lake Cities MUA*
Chris Boyd | Mustang SUD
Michael Anderson | Ponder
Jim Bolz | Sanger

Lyle Dresher, VP | Denton County At Large
Allen L. McCracken, II, Secretary | Pilot Point
Del Knowler | Bartonville
Mark Pape | Copper Canyon
Stephen Gay | Denton
Dave Nelson | Double Oak
Nate Winchester | Krum
Kelly Rouse | Lewisville
Drew Corn | Northlake
George Dupont | Prosper

Absent:

Brian Roberson, Aubrey*

Orlando Sanchez | Irving*

*Excused absent

Vacant: Denton County

Staff and Advisors in Attendance:

Larry N. Patterson, Executive Director
Jody Zabolio, Director of Operations
Jason Pierce, Mgr of Gov Affairs & Comm
Mary Dockery, Controller
Dustin Wright, Mgr of IT Services
Adam McKnight, Deputy Director of Eng & Const
Doug Janeway, Manager of Property Services
Jan Morris, Chief Administrative Officer

Matthew Boyle, General Counsel
Nancy Tam, Assistant to Executive Director
Lester Harris, Chief Financial Officer
Kurt Staller, Director of Eng & Construction
Marcos Zepeda, IT Specialist
Ed Motley, LRH Program Mgr
Ronna Hartt, Asst Dir of Ops – Water Res
Tina Cheng, Accountant II

Others in Attendance:

Jennifer Cottingham, LJA	George Marshall, Walter P Moore
Chad Simmons, FNI	Andre Garces, Plummer
Brett Isbell, Jacobs	Alan Tucker, Plummer
Natalie Gullo, Boyle & Lowry	Kaitlen Cerney, Boyle & Lowry
Heather Harward, Texas Water Supply Partners	Anthony Samarripas, Kimley-Horn

3. Pledge of Allegiance and Invocation

Pledge of Allegiance was led by Lyle Dresher. The invocation was delivered by Greg Scott.

4. Oath of Office

President Clay Riggs administered the Oath of Office for the following:

- Mr. Bobby Johnston, newly appointed Board Member for the Town of Argyle to fill the unexpired portion of Troy Norton's term (until May 31, 2025).
- Mr. Jim Bolz, newly appointed Board Member for the City of Sanger to fill the unexpired portion of Alina Ciocan's term (until May 31, 2027).

Glenn Barker arrived at the meeting at 1:10 P.M.

5. Opening Remarks:

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

The 35th Anniversary / Members Breakfast was very well attended. Lyle, thank you very much for running it.

As indicated in the Work Session on the Preliminary Capital Improvement Program, the District has almost 60 projects going on for this coming budget year.

With the continued growth of our Member communities, we are glad to see the progress on Lake Ralph Hall and look forward to placing it into operation.

- 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.

It was very nice to see many of the Members Officials at the 35th Anniversary/Members Breakfast. Thanks to all Board Members that were able to attend and especially the program speakers.

The Water Demand Chart indicates that the District had hit a Max Day of 80.925 MG on July 15, 2024. This chart shows how important it is for everyone to participate in the **Pledge 2 Water Conservation Campaign**.



As part of the Watershed Protection Program, the District recently purchased its own Stream Erosion Trailer. The new trailer will be used as an educational and outreach tool to improve District's efforts to teach watershed management, stream hydrology and erosion control.

The Executive Director congratulated the Mustang SUD for completing their New Headquarters Building and conducting an outstanding grand opening celebration ceremony.

- 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. Seconded by Drew Corn. The *Roll Call Vote* was 20 Yes, 0 No, 2 Absent (Roberson, Sanchez). Motion carried. The approved Consent Agenda Items were:

7. Adopt Minutes of June 6, 2024 Board Meeting.
8. Accept Monthly Management Report for the period ended June 30, 2024.
9. Accept Quarterly Investment Report for the period ended June 30, 2024.
10. Authorize the Executive Director to enter into a Purchasing Agreement with Hach Company for an annual service and preventative maintenance agreement for process control instrumentation and lab equipment at District treatment plants.
11. Authorize advertisement for bids for Lakeview Water Reclamation System Lift Station Improvements Project.
12. Receive report of construction change orders approved by staff.

ITEMS FOR INDIVIDUAL CONSIDERATION

Due to time constraints on filing the proposed grant application with the Texas Parks & Wildlife, the Board moved up Agenda Item 15B for consideration.

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

- B. Consider Resolution authorizing the Executive Director to file a Local Park Grant Program application with the Texas Parks & Wildlife Department for the Lake Ralph Hall Project.



District continues to coordinate with the Texas Parks and Wildlife Department (TPWD) for recreational opportunities in and around Lake Ralph Hall. Texas Parks & Wildlife Department provides recreational amenities include trails, trailheads or trailside facilities. TPWD provides up to 50% of project cost (a maximum of \$750,000).

Staff recommended that the Board of Directors to approve the proposed Resolution authorizing the Executive Director to submit a grant application to Texas Parks & Wildlife Department for the construction of recreational amenities at Lake Ralph Hall.

Drew Corn made the motion to approve Agenda Item 15B as presented. Seconded by Greg Scott. The *Weighted Capital Vote* was 46 Yes, 0 No, 3 Absent (Roberson, Sanchez). Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Johnston	1	1			
AUBREY – Roberson	1				1
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3	3			
DENTON (city) – Gay	2	2			
DENTON (county) – Vacant (1 vote)					
DENTON COUNTY AT LARGE – Drescher	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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
TOTAL:	49	46	0	0	3

13. Consider award of construction contract to Canary Construction, Inc. for IH-35 Water Pipeline Relocation Project. (Weighted Capital Vote)

District staff and consultant coordinated extensively with TxDOT and determined the 12-inch pipeline that serves Sanger was in direct conflict with the proposed highway improvements. District consultant developed the necessary TxDOT Agreements, assisted with replacement easement acquisition, design, and bidding of the pipeline relocation.



Bids were received from three bidders. The Project was bid as a Base Bid for relocation of 12-inch pipeline and an Alternate Bid to upsize the 12-inch to an 18-inch pipeline. However, the Low bidder **Quality Excavation, LLC** found an error in their bid and withdrew their bid.

Staff recommended that the Board of Directors approve the enclosed Resolution awarding a construction contract in the amount of \$8,084,179.00 to Canary Construction, Inc. for IH-35 Water Pipeline Relocation Project. **Drew Corn made the motion to approve Agenda Item 13 as presented. Seconded by Kevin Mercer.** The *Weighted Capital Vote* was 46 Yes, 0 No, 3 Absent (Roberson, Sanchez). Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Johnston	1	1			
AUBREY – Roberson	1				1
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3	3			
DENTON (city) – Gay	2	2			
DENTON (county) – Vacant (1 vote)					
DENTON COUNTY 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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
TOTAL:	49	46	0	0	3

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

- A. Consider approval of Task Order No. 10 with Plummer Associates, Inc. for construction inspection services related to the IH-35 12-inch Pipeline Relocation Project.

District staff anticipated the need for outside inspection services and has included the cost for these services in the TxDOT Agreement as an eligible item for reimbursement.



Staff recommended the Board of Directors approve proposed Task Order No. 10 with Plummer Associates, Inc. for Resident Project Representative services for TxDOT IH-35 pipeline relocation project in the not to exceed amount of \$388,450. **Jim Bolz made the motion to approve Agenda Item 14A as presented.** **Seconded by Greg Scott.** The *Weighted Capital Vote* was 46 Yes, 0 No, 3 Absent (Roberson, Sanchez). Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Johnston	1	1			
AUBREY – Roberson	1				1
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3	3			
DENTON (city) – Gay	2	2			
DENTON (county) – Vacant (1 vote)					
DENTON COUNTY AT LARGE – Dresher	1	1			
DCFWSD #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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
TOTAL:	49	46	0	0	3

- B. Consider approval of Contract and Task Order No. 1 with Jacobs for Engineering Services to develop, update, and maintain District’s Regional Treated Water System Hydraulic Model.

Proposed Contract and Task Order No. 1 with Jacobs Engineers, Inc. is for engineering services related to developing, updating, calibrating, and maintaining the RTWS Hydraulic Model. Staff recommended the Board of Directors approve Contract and Task Order No. 1 with Jacobs Engineering Group, Inc. to develop, update, and maintain District’s Regional Treated Water System hydraulic model for a not to exceed amount of \$388,332.

Dave Nelson made the motion to approve Agenda Item 14B as presented. **Seconded by Allen McCracken.** The *Weighted Capital Vote* was 46 Yes, 0 No, 3 Absent (Roberson, Sanchez). Motion carried.



Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Johnston	1	1			
AUBREY – Roberson	1				1
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3	3			
DENTON (city) – Gay	2	2			
DENTON (county) – Vacant (1 vote)					
DENTON COUNTY AT LARGE – Dresher	1	1			
DCFWSD #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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
TOTAL:	49	46	0	0	3

- C. Consider approval of Amendment No. 2 to an existing Construction Manager at Risk (CMAR) contract with Archer Western Construction, LLC to establish a Progressive Guaranteed Maximum Price No. 2 for Taylor Regional Water Treatment Plant Phase 3 Expansion and Lewisville Lake Intake Pump Station Improvements Project.

To minimize the impact of supply chain issues on the aggressive project schedule, Archer Western developed Bid Package No. 2 which includes additional items with long delivery times related to plant equipment. The items in Bid Package No. 2 included electrical equipment, valves, pumps, tanks, and plant process equipment.

Staff recommended the Board of Directors approve Amendment No. 2 to Archer Western Construction, LLC Construction Manager at Risk Contract for Taylor Regional Water Treatment Plant Expansion for a not to exceed amount of \$20,469,283.01. **Kevin Mercer made the motion to approve Agenda Item 14C as presented. Seconded by Drew Corn.** The *Weighted Capital Vote* was 46 Yes, 0 No, 3 Absent (Roberson, Sanchez). Motion carried.

Entity	Eligible Weighted Votes	Yes	No	Abstain	Absent
ARGYLE – Johnston	1	1			



AUBREY – Roberson	1				1
BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3	3			
DENTON (city) – Gay	2	2			
DENTON (county) – Vacant (1 vote)					
DENTON COUNTY AT LARGE – Dresher	1	1			
DCFWSD #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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Vacant (1 vote)	1	1			
TOTAL:	49	46	0	0	3

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

- A. Consider Resolution authorizing the Executive Director to release funding to provide for the City of Irving’s reimbursement to Fannin Electric Cooperative for Pre-construction Engineering Services related to electrical power distribution facilities for the Princeton Booster Pump Station Improvement Project in accordance with the Lake Ralph Hall Water Transportation Agreement.

The Expansion of the Princeton Booster Pump Station requires Fannin Electric Cooperative (FEC) to upgrade a portion of its electrical distribution infrastructure to accommodate the increased electrical load at the pump station.

To maintain the Project schedule, staff recommended the Board of Directors approve a Resolution authorizing the Executive Director to release funding, not to exceed \$60,000, to reimburse the City of Irving for payments to Fannin Electrical Cooperative for Pre-construction Engineering Services relating to the Princeton Pump Station Improvements. **Rich Lubke made the motion to approve Agenda Item 15A as presented. Seconded by Kimberly Brawner.** The *Weighted Capital Vote* was 46 Yes, 0 No, 3 Absent (Roberson, Sanchez). Motion carried.

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



BARTONVILLE – Knowler	1	1			
CELINA – Brawner	4	4			
CORINTH – Barker	3	3			
DENTON (city) – Gay	2	2			
DENTON (county) – Vacant (1 vote)					
DENTON COUNTY AT LARGE – Dresher	1	1			
DCFWSD #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 – Rouse	3	3			
MUSTANG SUD – Boyd	5	5			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
TOTAL:	49	46	0	0	3

16. 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 including but not limited to construction contracts and projects related to Lake Ralph Hall.

The Board of Directors went into Executive Session at 1:58 p.m.
 The Board returned to open meeting at 2:10 p.m.

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

None.

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

None.



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

None.

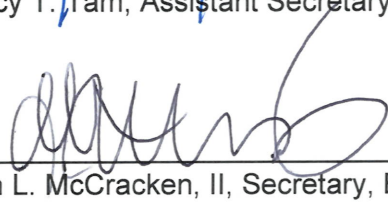
20. Visitor Comments Concerning Non-Agenda Topics.

None.

21. Adjournment.

There being no further business, President Riggs adjourned the meeting at 2:15 p.m.

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

Certified by: 
Allen L. McCracken, II, Secretary, Board of Directors

