



MINUTES

UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS December 5, 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 12:45 p.m. on Thursday, December 5, 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
Del Knowler | Bartonville
Mark Pape | Copper Canyon
Kevin Mercer | DCFWSD #7
Richard Lubke | Highland Village
Mike Fairfield | Lake Cities MUA
Drew Corn | Northlake
George Dupont | Prosper

Lyle Drescher, VP | Denton County At Large
Allen L. McCracken, II, Secretary | Pilot Point
Brian Roberson | Aubrey
Kimberly Brawner | Celina
Jody Gonzalez | Denton County
Dave Nelson | Double Oak
Orlando Sanchez | Irving
Chris Boyd | Mustang SUD
Michael Anderson | Ponder
Jim Bolz | Sanger

Absent:

Glenn Barker | Corinth*
Nate Winchester | Krum*

Stephen Gay | Denton*

* Excused Absent

Vacant: Lewisville

Staff and Advisors in Attendance:

Larry N. Patterson, Executive Director
Nancy Tam, Assistant to Executive Director
Lester Harris, Chief Financial Officer
Tina Cheng, Staff Accountant II
Adam McKnight, Director of Eng & Const
Gage Guffy, Graduate Engineer II
Ben Hodges, Director of Operations
Ronna Hartt, Dir of Water Res & Planning
Jan Morris, Chief Administrative Officer
James Rogers, Maintenance Mgr
Michelle Carte, Reg & Environ Comp Coord

Matthew Boyle, General Counsel
Jason Pierce, Dir of Gov Affairs & Comm
Mary Dockery, Controller
Dustin Wright, Mgr of IT Services
Kurt Staller, District Engineer
Jody Zabolio, Chief Operating Officer
Ed Motley, LRH Program Mgr
Doug Janeway, Mgr of Property Services
Mark Weaver, Inst & Control Supervisor
Emma Janeway, Intern

Others in Attendance:

André Garces, Plummer Associates
Sam Barraco, Carollo Engineers
Paul Dossett, Carollo Engineers

Mike South, Archer Western
Chad Simmons, Freese & Nichols
Stephanie Wingnest, Pape-Dawson

3. Pledge of Allegiance and Invocation

The Pledge of Allegiance was led by Lyle Dresher; Invocation was delivered by Clay Riggs.

4. Oath of Office

President Riggs administered the Oath of Office to Mr. Jody Gonzalez, representing Denton County.

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.

- Upper Trinity received TCEQ approval of dam closure for Lake Ralph Hall.
- Staff provided an informative tour of Lake Ralph Hall on December 2nd for Ms. Tonya Miller, new Director of TWDB and her Chief of Staff, Mr. Ron Ellis.
- Drought continues. Conservation is still needed.
 - Lake Chapman is down to 73%
 - Lewisville Lake is 85% full
 - Ray Roberts Lake is 95% full
- Texas 89th Legislative Session: Bill filings started on 11/12/2024; Session begins on 1/14/2025; and expected to be a "water session".
- TWDB – Water for Texas 2025 Conference in late January.

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

James Rogers, Maintenance Manager, recognized long-time employee Mark Weaver, Instrumentation and Control Supervisor. Mark is retiring at the end of December after 25 years of devoted service to Upper Trinity. On behalf of Board of Directors and staff, Rogers congratulated and thanked Mark with best wishes in his retirement.



6. Visitor Comments Concerning Agenda Topics

None.

CONSENT AGENDA

Brian Roberson made the motion to approve the Consent Agenda Items 7- 8 as presented. Seconded by Drew Corn. The *Roll Call Vote* was 19 Yes, 0 No, 3 Absent. Motion carried. The approved Consent Agenda items were:

7. Adopt Minutes of November 7, 2024 Board Meeting.
8. Authorize the Executive Director to enter into appropriate purchasing agreements with Sigler Communications and certain media outlets, based on recommendations from Sigler Communications, for advertising related to the District's Water Conservation and Watershed Protection education and outreach programs.

ITEMS FOR INDIVIDUAL CONSIDERATION

9. Construction Contracts:

- A. Consider approval of Proposed 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 – Early Work Package No. 2 – for Northeast Water Reclamation System Expansion Project.

GMP No. 2 will include the work in Bid Package No. 2: Grading; Excavate and drill piers for aeration basins & secondary clarifiers; Testing; and Relocate existing non-potable water.

The CMAR anticipates advertising for this Work Package in December and awarding the Package in January 2025. Staff recommended the Board's approval of Amendment No. 2 to Archer Western Construction, LLC Construction Manager at Risk Contract for Northeast Water Reclamation System Expansion for a not to exceed amount of \$10,351,000.

- B. Consider approval of Amendment No. 4 to an existing Construction Manager at Risk (CMAR) contract with Archer Western Construction, LLC to establish a Progressive Guaranteed Maximum Price No. 4 for Taylor Regional Water Treatment Plant Phase 3 Expansion and Lewisville Lake Intake Pump Station Improvements Project.

There was one bid received. Staff and Engineer evaluated and recommended award of Bid Package No. 5 to Veolia Water Technologies Treatment Solutions USA, Inc. Staff recommended the Board of Directors approve Amendment No. 4 to Archer Western Construction, LLC Construction Manager at Risk Contract for Taylor Regional Water Treatment Plant Expansion for a not to exceed amount of \$9,242,145.01.



- C. Consider award of construction contract and Change Order No. 1 to Urban Infraconstruction, LLC for Lift Station Improvements Project.

Urban Infraconstruction, LLC submitted the only bid. Staff and Engineer, B&V, evaluated the bid, qualifications and draft change order. Staff recommended the Board of Directors approve Resolution awarding a construction contract and authorizing Change Order No. 1, in the amount of \$2,033,600.00 to Urban Infraconstruction, LLC for Lift Station Improvements Project.

Kevin Mercer made the motion to approve Items 9A - 9C as presented. Seconded by Allen McCracken. The *Weighted Capital Vote* was 41 Yes, 0 No, 6 Absent (Barker, Gay, Winchester). 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 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 – (Vacant - 3 votes)					
MUSTANG SUD – Boyd	6	6			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
TOTAL:	47	41	0	0	6

10. Engineering Contracts and Task Orders:

- A. Consider approval of Task Order No. 13 to an existing contract with Carollo Engineers, Inc. for engineering services related to final design, bidding, and construction of the Harpool Water Treatment Plant Phase 2 Expansion Project.

The proposed Task Order No. 13 with Carollo Engineers, Inc. includes final design, electrical improvements and construction phase services for a new pump station, modifications the existing pump station, interim pumping design to safely increase summer pumping capacity, bid and construction phase services. Staff recommended the Board of Directors approve Task Order No.



13 with Carollo Engineers, Inc. for engineering services related to final design, bidding, and construction of the Harpool Water Treatment Plant Phase 2 Expansion for a not to exceed amount of \$679,203.

- B. Consider approval of Task Order No. 11 to an existing contract with Plummer Associates, Inc. for engineering services related to utility coordination, design, bidding, and construction for facility modifications resulting from TxDOT widening of FM 407.

The proposed Task Order No. 11 with Plummer Associates, Inc. includes engineering services to coordinate with TxDOT as required to develop the necessary agreements and design services to resolve conflicts. Special Services include necessary surveying, subsurface utility engineering, and possible bidding and construction phase services.

Staff recommended the Board of Directors approve Task Order No. 11 with Plummer Associates, Inc. for engineering services related to utility coordination, design, and construction services for TxDOT FM 407 widening improvements for a not to exceed amount of \$111,878.

Del Knowler made the motion to approve Items 10A - 10B as presented. Seconded by Greg Scott.
 The *Weighted Capital Vote* was 41 Yes, 0 No, 6 Absent (Barker, Gay, Winchester). 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 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 – (Vacant - 3 votes)					
MUSTANG SUD – Boyd	6	6			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
TOTAL:	47	41	0	0	6

11. Lake Ralph Hall Agenda Items:

- A. Consider approval of Task Order No. 12 to the existing contract with AR Consultants, Inc. for cultural resource consulting services for continued cultural resource studies required by the Section 404 Permit for Lake Ralph Hall Program. (Weighted Capital Vote)

The goals for proposed Task Order No. 12 are to complete field work and reports on 4 Phase II and 2 Monitoring sites; to complete Scope of Work for Phase III study of the Flat Prairie Community; and to initiate Phase III Fieldwork on Flat Prairie Community.

Staff recommended that the Board of Directors authorize proposed Task Order No. 12 with AR Consultants, Inc. for professional services related to Cultural Resource Services for the Lake Ralph Hall Project for a fee not to exceed \$9,099,093. **Richard Lubke made the motion to approve Item 11A as presented. Seconded by Brian Roberson.** The *Weighted Capital Vote* was 41 Yes, 0 No, 6 Absent (Barker, Gay, Winchester). 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 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 – (Vacant - 3 votes)					
MUSTANG SUD – Boyd	6	6			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
TOTAL:	47	41	0	0	6

- B. Consider Resolution authorizing the Executive Director to file a Recreational Trails Grant Program application with the Texas Parks and 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. In August 2024, District applied for a TPWD grant for a hard trail system and recreational amenities. The Recreational Trails offered

soft surface trail system for hikers and mountain bikers. TPWD would provide up to 80% of project cost (a maximum of \$300,000). Staff recommended the Board of Directors approve the proposed Resolution 2024-42 authorizing the Executive Director to submit a Recreational Trails Grant application to Texas Parks & Wildlife Department for construction of recreational amenities at Lake Ralph Hall.

Brian Roberson made the motion to approve Item 11B as presented. Seconded by Kimberly Brawner. The *Roll Call Vote* was 19 Yes, 0 No, 3 Absent. Motion carried.

Mark Pape left the meeting at 1:40 p.m.

12. 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 Executive Session began at 1:42 p.m.
 The Board returned to open meeting at 2:22 p.m.

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

The Board of Directors discussed the following property matters in Executive Session:

- A. Regarding the Doe Branch Parallel Interceptor Project, Staff recommended the Board of Director approve Resolution to authorize the Executive Director to execute contracts for the purchase of easements on property owned by Texaplex Properties, LLC, Holt Texas Properties, Inc., Durkin-CAC Lot 24, LLC and VP Windsong Operations, LLC based on the terms as stated and take the necessary steps to finalize and close the purchase of easements to be part of the regional system.

Brian Roberson made the motion to approve Resolution No. 2024-44 as recommended by staff. Seconded by Allen McCracken. The *Weighted Capital Vote* was 41 Yes, 0 No, 6 Absent (Barker, Gay, Winchester). 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 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 – (Vacant - 3 votes)					
MUSTANG SUD – Boyd	6	6			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
TOTAL:	47	41	0	0	6

B. Regarding the NE Pipeline Phase 3 Project, Staff recommended that the Board of Directors approve a Resolution to authorize the Executive Director to execute a contract for the purchase of an easement on property owned by James and Kathy Hinsley based on the agreed terms as stated and take the necessary steps to finalize and close the purchase of easement to be part of the regional treated water system.

Drew Corn made the motion to approve Resolution No. 2024-45 as recommended. Seconded by Dave Nelson. The *Weighted Capital Vote* was 41 Yes, 0 No, 6 Absent (Barker, Gay, Winchester). 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 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 – Vacant (3 votes)					
MUSTANG SUD – Boyd	6	6			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
TOTAL:	47	41	0	0	6

C. Regarding the Lake Ralph Hall Project, Staff recommended the Board of Directors approve a Resolution to authorize the Executive Director to execute an engagement for appraisal services related to the “Agreement to Initiate” with the U.S. Forest Service for the exchange of certain federal lands for certain District-owned lands located in Fannin County necessary for the construction of Lake Ralph Hall.

Jim Bolz made the motion to approve the proposed Resolution No. 2024-46 as recommended by staff. Seconded by Greg Scott. The *Weighted Capital Vote* was 41 Yes, 0 No, 6 Absent (Barker, Gay, Winchester). 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 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 – (Vacant (3 votes))					
MUSTANG SUD – Boyd	6	6			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
TOTAL:	47	41	0	0	6



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

The Board of Directors discussed the Lake Ralph Hall construction change orders in Executive Session. Lyle Dresher made the motion to approve Change Orders 27 and 28 with Granite Construction Co. consistent with the Board’s discussions in Executive Session and authorize the Executive Director to execute same and to take all other necessary action. Seconded by Allen McCracken. The *Weighted Capital Vote* was 41 Yes, 0 No, 6 Absent (Barker, Gay, Winchester). 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 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 – (Vacant - 3 votes)					
MUSTANG SUD – Boyd	6	6			
NORTHLAKE – Corn	3	3			
PILOT POINT – McCracken	1	1			
PONDER – Anderson	1	1			
PROSPER – Dupont	2	2			
SANGER – Bolz	1	1			
TOTAL:	47	41	0	0	6

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

No Board meeting scheduled for January 2025. The next Board Meeting is scheduled for Feb. 6, 2025.

16. Visitor Comments Concerning Non-Agenda Topics.

None.



17. Adjournment.

There being no further business, President Riggs adjourned the meeting at 2:25 p.m.

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

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

