



MINUTES

UPPER TRINITY REGIONAL WATER DISTRICT BOARD OF DIRECTORS MEETING

September 7, 2017

REGULAR SESSION BOARD MEETING

1. Call to Order

The Board of Directors of the Upper Trinity Regional Water District convened, with President Mercer presiding, at 1:21 P.M. on Thursday, September 7, 2017, 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:

Kevin Mercer, President, DCFWSD #7
Ramiro Lopez, Treasurer, Irving
Troy Norton, Argyle
James Burnham, Celina
Cody Collier, Corinth
Johnny Harris, Denton County
Dick Cook, Double Oak
Kenneth Parr, Flower Mound
Eric Ferris, Lewisville
Alan Guard, Pilot Point
Frank Jaromin, Prosper

Richard Lubke, Vice President, Highland Village
Mike Fairfield, Secretary, Lake Cities MUA
Del Knowler, Bartonville
Janet Aune, Copper Canyon
Timothy Fisher, Denton
Jean Campbell, Denton County At-Large
Kristina Clark, DCFWSD #1A
Gary Calmes, Krum
Chris Boyd, Mustang SUD
Michael Anderson, Ponder
Mike Brice, Sanger

Absent:

Brian Roberson, Aubrey *

Virginia Blevins, Justin *

* Excused Absence

Staff & Advisors in Attendance:

Thomas E. Taylor, Executive Director
Bill Greenleaf, Director / Business Services
Jody Zabolio, Director/Operations
Lester Harris, Accounting Manager
Mark Skaggs, Manager / IT Srvs.

John F. Boyle, Jr., General Counsel
Nancy Tam, Assistant to Executive Director
Jason Pierce, Mgr. / Cust Cont & Support Srvs.
Kim Probasco, Budget Manager
Kurt Staller, Sr. Professional Engineer

Others in Attendance:

Jeff Caffey, APAI
Gary Oradat, Jacobs Engineering

Randy Bush from CP&Y

3. Pledge of Allegiance and Invocation

Pledge of Allegiance: Kenneth Parr

Invocation: Johnny Harris

4. Opening Remarks:

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

- President Mercer thanked staff for the informative field trip taken to the Lake Ralph Hall site, and Board Members that attended. Until you have seen this site, it is hard to realize how perfect it is for a lake. In addition, because of the amount of rain fall in this area, it is a strategic location for a reservoir.
- Lantana recently experienced problems with their lift station off Old Alton Rd. It is a four-pump wet well, and three of those pumps were lost in just a matter of weeks. Thanks to James Rogers and the maintenance team, Jody Zabolio and the operations team for all their hard work and creativity. We are now back to three working pumps and working on the fourth pump.
- We have been devastated with the severe weather along the coast lately. People are still recovering from Hurricane Harvey; now, other storms are headed toward the United States. Numerous Board Members reported ways their entities are helping with the aftermath of Harvey. The following are just a few examples noted:
 - Ken Parr reported that Flower Mound, sent 16 firemen and 5 police officers, some going a second time, to the Houston area. Flower Mound has also signed up to help with traffic control for a 2-week period. They are also preparing to send a crew down that will be working on water / wastewater services.
 - Eric Ferris reported that City of Lewisville is finishing their two-week service on initial response - - 15 firemen assigned to various State Task Forces in the Rockport, South Houston, Beaumont areas; 3 animal control officers returning today. The City is also in the queue for Public Work Teams working on debris clearing, dump trucks, backhoes, and trailers. They have some personnel assigned to water plant and wastewater plant operations. Ferris expressed his pride in our State, our Communities, our Counties. The State Emergency Management Teams have done wonderful jobs in some horrible situations.
 - One of the District's Senior Operators took his personal time to go to help in the initial rescue efforts.
 - Mike Fairfield reported that LCMUA is in the queue; they have been approved and are waiting for the message of where to go and what to do. Equipment is loaded, bags are packed and they are prepared to go when notified.
 - As a volunteer, Rich Lubke reported that Salvation Army dispatched their canteen trucks last Sunday. There were 50 trucks serving. Each truck can feed 2,500 people a day.



- Ramiro Lopez reported that City of Irving also dispatched fire personnel and equipment and police officers to the devastated areas. The City is also providing shelter and care for approximately 150 to 250 evacuees at one of the Cities evacuation centers.

President Mercer indicated his amazement at the number of people willing to assist in any way they can, and thanked everyone and their entities for the helped given.

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.

- Doe Branch Plant. Staff is continuing to monitor episodes of extremely high strength wastewater and sludge coming into the Doe Branch Plant. Forensics are being done on this material; it is petroleum based and appears to be coming through the Celina Point-of-Entry. Staff is working to identify the cause as quickly as possible. Celina is cooperating to help solve this issue.
- Lunch & Learn. A periodic session for Customers, staff and their engineers to meet and share technical information and operational protocols. The next session will be held on September 13 at 11:00 A.M., a BBQ lunch is included. Please encourage your staff to participate - - contact Jason Pierce. Topics to include:
 - UTRWD Capital Improvements Program
 - Pipeline design and construction
 - Critical pipelines
- Feedback on Zebra Mussel Program. The USGS is keeping a watch on the extent of the infestation. As part of an annual inspection for Lewisville Lake, their divers checked our Intake Structure, both last year and this year with an underwater inspection. It appears mostly clear with only a few scattered clumps; it was actually a little better than last year. Staff is thankful for the good news.
- Taylor showed a few photos of the recent Field Trip to the Lake Ralph Hall site where Board Members had the opportunity to walk on the bottom of the river. He also showed a short video of the site after an 8.5" rainfall a few days later; the river quickly rose 20 plus feet.

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

Staff showed a historical video of Tom Taylor (then Director of Dallas Water Utilities) and C.J. Webster (then City Manager of Addison). In a joint presentation they discussed the lessons learned regarding settlement of the 12-Year Water Rate Dispute between City of Dallas and its 16 Wholesale Customer Cities:

<i>Addison</i>	<i>Carrollton</i>	<i>Cedar Hill</i>	<i>Cockrell Hill</i>	<i>Coppell</i>	<i>Dallas</i>
<i>Desoto</i>	<i>Duncanville</i>	<i>Grand Prairie</i>	<i>Hutchins</i>	<i>Irving</i>	<i>Lancaster</i>
<i>Richardson</i>	<i>Seagoville</i>	<i>Dallas County WCID #6</i>		<i>Flower Mound MUD #1</i>	

This l-o-n-g dispute was finally settled on August 23, 1979; mayors and managers got together, signed the peace treaty and each threw their hatchets into a big hole and buried them. ALL parties were glad to finally end this long-running dispute, intending to avoid any repeat in the future.



5. Visitor Comments Concerning Agenda Topics.

None.

CONSENT AGENDA

President Mercer moved to the Consent Agenda and asked for a motion to approve. Tim Fisher requested to pull Item No. 9 for individual consideration. **Kristina Clark made a motion to approve Agenda Items 6, 7, 8 and 10. Seconded by Rich Lubke.** The votes were 20 Yes (Double Oak Abstain), 0 No. Motion passed.

- 6. Adopt minutes of August 3, 2017 Board Meeting.
- 7. Accept Monthly Management Report for the period ended July 31, 2017.
- 8. Authorize renewal of contract with City of Fort Worth for disposal of Household Hazardous Waste collected under Upper Trinity's Program.
- 10. Receive report of construction change orders approved by staff.

Chris Boyd stepped out the meeting at 1:50 P.M.

ITEMS FOR INDIVIDUAL CONSIDERATION

- 9. Authorize the Executive Director to enter into a contract amendment with Waste Management of Texas, Inc. for the transportation and landfill disposal of Water Reclamation Plant Bio-solids.

Tim Fisher inquired additional details about the proposed contract amendment. Jody Zabolio indicated that since the original pricing agreement was entered into, Doe Branch Plant became operational and required regular service for removal of bio-solids. In addition, increased flows at the Peninsula Plant and larger containers are being utilized with disposable liners which help control corrosion and odor problems.

Jody indicated the new amendment addresses a new rate structure of approximately increase of 20% that supports quality service from our current vendor and it is worth the increase given the additional services required. **Tim Fisher made a motion to approve Item No. 9 as presented. Seconded by Dick Cook.** The votes were 20 Yes, 0 No. Motion passed.

Boyd returned to meeting at 2:01 P.M.

- 11. Consider acceptance of completed work and approval of final payment for new entrance to the Riverbend Water Reclamation Plant, jointly funded by District and Hillwood Communities (project developer). **(Weighted Capital Vote)**

Staff indicated that this is a successful partnership with a neighboring developer. The project is now completed. **Rich Lubke made a motion to approve Item No. 11 as recommended by staff. Seconded by Troy Norton.** The *Weighted Capital Vote* proceeded as follows. The votes were 38 Yes, 0 No. Motion passed.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
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ARGYLE – Norton	1	1	
AUBREY - Roberson	1		1
BARTONVILLE – Knowler	1	1	
CELINA – Burnham	1	1	
CORINTH – Collier	3	3	
DENTON (CITY) – Fisher	2	2	
DC AT-LARGE - Campbell	1	1	
DCFWS #1A – Clark	2	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 – Ferris	2	2	
MUSTANG SUD - Boyd	2	2	
PILOT POINT - Guard	1	1	
PONDER - Anderson	1	1	
PROSPER - Jaromin	1	1	
SANGER – Brice	1	1	
TOTAL	40	38	2

12. Consider adoption of rates for services provided by the District:

- A. Wholesale Rates for Regional Treated Water System
- B. Wholesale Rates for Lakeview Regional Water Reclamation System
- C. Wholesale Rates for Northeast Water Reclamation System
- D. Wholesale Rates for Peninsula Water Reclamation Plant
- E. Wholesale Rates for Non-Potable Water Service
- F. Rates for Collection of Household Hazardous Waste
- G. Administrative/Planning and Growth Program Fees (effective upon Budget adoption)

Staff recommended voting this item as one. **Kristina Clark made a motion to approve Item No. 12. A-G. Seconded by Del Knowler.** The Roll Call Votes were 19 Yes, 2 No (Mustang, Pilot Point). Motion passed.



13. Consider Adoption of Budgets for Fiscal Year 2017-2018:
- A. Operating Budgets
 - B. Capital Improvement Budgets
 - C. Budget for Upper Trinity Conservation Trust

Johnny Harris made a motion to approve Item No. 13. A – C. Seconded by Dick Cook. The Roll Call vote was 19 Yes, 2 No (Mustang, Pilot Point). Motion passed.

14. Resolution authorizing acceptance of completed work, approval of final change order, final payment and release of retainage for construction contract awarded 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)**

According to Staff, this project has been completed in accordance with the plans, specifications and change orders. District’s consultant, JQ Infrastructure and staff recommend that the Board approve Change Order No. 3, accept the project as complete, and authorize final payment and release of retainage. **Tim Fisher made a motion to approve Item No. 14 as presented. Seconded by Kristina Clark.** The *Weighted Capital Vote* proceeded as follows. The votes were 38 Yes, 0 No. Motion passed.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1			1
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	1	1		
CORINTH – Collier	3	3		
DENTON (CITY) – Fisher	2	2		
DC AT-LARGE - Campbell	1	1		
DCFWSO #1A – Clark	2	2		
DCFWSO #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 – Ferris	2	2		
MUSTANG SUD - Boyd	2	2		
PILOT POINT - Guard	1	1		



PONDER - Anderson	1	1		
PROSPER - Jaromin	1	1		
SANGER – Brice	1	1		
TOTAL	40	38		2

15. Executive Session concerning granting or acquisition of easements, rights-of-way and other property for Water Resource Development, for Regional Treated Water System or for Regional Water Reclamation Systems according to location maps of the projects available in the District Office, and regarding water rights and related permits pursuant to Texas Government Code, Section 551.072; 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.

None.

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

None.

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

None.

18. Visitor Comments Concerning Non-Agenda Topics. (Residents who desire to address the Board must complete a Speaker's Request Form and return it to the Board Secretary. Each speaker will be limited to three (3) minutes. To provide all visitors an opportunity to speak, the President may request speakers to avoid repetitious remarks. In accordance with the Texas Open Meetings Act, Members of the Board are not authorized to discuss items not on the posted agenda.)

None.

19. Adjournment.

There being no further business, President Mercer adjourned the meeting at 2:15 P.M.

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

Certified By: 
Mike Fairfield, Secretary, Board of Directors

