NORTH TEXAS MUNICIPAL WATER DISTRICT
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MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS
HELD ON THURSDAY, JULY 24, 2014
IN THE NTMWD ADMINISTRATIVE OFFICES, WYLIE, TEXAS

The North Texas Municipal Water District Board of Directors met in Regular Session on Thursday, July 24, 2014, at 4:00 p.m. in the Administrative Offices, 505 East Brown Street, Wylie, Texas. Notice of the meeting was legally posted in accordance with Government Code, Title 551, Open Meetings.

President Darwin Whiteside called the meeting to order. President Darwin Whiteside advised that Director Larry Parks would be abstaining from voting on Agenda Item Nos. VI. E. and VII. F.

I. INVOCATION

Director Darrell Grooms offered the invocation.

II. ROLL CALL

Secretary Terry Anderson conducted a roll call. Directors Gary Downey and Don Gordon were absent. The following Directors were present for the July 24, 2014, Board meeting:

Terry Anderson   John Murphy
Don Cates        Patrick Nicklen
Joe Farmer       Larry Parks
Marvin Fuller    Bobby Robinson
Darrell Grooms   Richard Sheehan
Bill Harrison    Lynn Shuyler
Joe Joplin       Shep Stahl
Bill Loefland    John Sweeden
James Kerr       Bob Thurmond
Jack May         Darwin Whiteside
Charles McKissick Jorry Yancey
Jim Mellody

The following NTMWD consultants attended the meeting:

Lewis Isaacks – Gay McCall Isaacks Gordon & Roberts
David Medanich – First Southwest Company
Alan Raynor – McCall, Parkhurst & Horton
III. RECOGNITION OF GUESTS

A. Registered Guests

There were no registered guests recognized.

IV. OATHS OF OFFICE

The following recently re-appointed Director was given his Oath of Office by Melisa Fuller prior to any action by the Board of Directors:

A. Director Shep Stahel, Plano

V. PUBLIC COMMENTS

Barbara Harless of Murphy, Texas, spoke to her concerns related to water rates, the Member Cities and Customers take or pay water contracts, and the recent need for cities to flush water due to reduction of usage and conservation.

VI. CONSENT AGENDA ITEMS

Consent Agenda Item No. VI. D. was removed from the consent agenda for individual consideration.

Upon a motion by Director Patrick Nicklen and a second by Director Bob Thurmond, the Board of Directors voted unanimously to approve all the consent agenda items except Item No. VI. D. as follows:

A. Consider Approval of Board of Directors Meeting Minutes – June 26, 2014
(Please refer to Consent Agenda Item No. 14-07-01)

B. Consider Authorizing Execution of Drainage Easement Agreement with the City of Plano for Plano No. 1 Delivery Site
(Please refer to Consent Agenda Item No. 14-07-02)

C. Consider Authorizing Additional Engineering Services on Project No. 315, Dublin Relift Station Improvements
(Please refer to Consent Agenda Item No. 14-07-03)

D. Consider Authorizing Additional Engineering Services on Project No. 138, Texoma Desalination TPDES Permit Application
(Please refer to Consent Agenda Item No. 14-07-04)

This item was removed from the Consent Agenda for individual consideration.

On a motion by Director Shep Stahel and a second by Director Lynn Shuyler, the Board of Directors voted unanimously to authorize additional engineering services with Alan Plummer Associates, Inc., for the Texoma Desalination
TPDES Permit Application, Project No. 138, in the not-to-exceed amount of $20,000 bringing the total authorized amount to $249,100.

E. Consider Authorizing Additional Engineering Services on Project No. 321, Expansion of Raw Water Pump Station No. 3 to 620 MGD (Please refer to Consent Agenda Item No. 14-07-05)

F. Consider Authorizing Change Order No. 1 and Authorization to Make Final Payment on Project No. 318, Wylie No. 3 Delivery Point Metering Station Upgrade (Please refer to Consent Agenda Item No. 14-07-06)

G. Consider Authorizing Change Order No. 3 and Authorization to Make Final Payment on Project No. 299, Lake Tawakoni Water Treatment Plant Chlorine Dioxide System (Please refer to Consent Agenda Item No. 14-07-07)

H. Consider Authorizing Change Order No. 2 and Authorization to Make Final Payment on Project No. 322, 121 Regional Disposal Facility Scale House Improvements (Please refer to Consent Agenda Item No. 14-07-08)

I. Consider Authorizing Change Order No. 1 on Project No. 266, 42-Inch and 24-Inch Waterline Relocation Along Stacy Road (FM 2786) from SH 5 (Greenville Drive) to FM 1378 (Country Club Road) (Please refer to Consent Agenda Item No. 14-07-09)

VII. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

A. TABLED ITEM: Consider Authorizing Amendment to District Policy No. 19 – Water Rebate Procedure (Please refer to Administrative Memorandum No. 4205-1)

Director Joe Farmer made the motion to take this item from the table. Director Jack May seconded the motion, which was unanimously approved by the Board of Directors.

Upon the recommendation of the Finance/Audit Committee, Director John Sweeden made the motion to table this item until November 2014. Director Shep Stahel seconded the motion, which was unanimously approved by the Board of Directors. In consideration of budgeting, the Member Cities and Customers would be notified that the current policy will remain in place through the end of FY 2014.
B. Consider Authorizing Execution of Potable Water Supply Contract with Town of Prosper
   (Please refer to Administrative Memorandum No. 4222)

   Upon a motion by Director James Kerr and a second by Director Marvin Fuller, the Board of Directors voted unanimously to authorize the execution of the Town of Prosper Potable Water Supply Contract.

C. Consider Authorizing Execution of Potable Water Supply Contract with City of Kaufman
   (Please refer to Administrative Memorandum No. 4223)

   Upon a motion by Director Lynn Shuyler and a second by Director Darrell Grooms, the Board of Directors voted unanimously to authorize execution of the City of Kaufman Potable Water Supply Contract.

D. Consider Authorizing Land Acquisition Program and Adoption of Resolution No. 14-10 Authorizing Property Purchase for the Leonard Water Treatment Plant Site, Project No. 154
   (Please refer to Administrative Memorandum No. 4224)

   Upon the recommendation of the Water Committee, a motion by Director James Kerr, and a second by Director Lynn Shuyler, the Board of Directors voted unanimously to adopt Resolution No. 14-10 authorizing the Executive Director to implement a land acquisition program for purchase of 28.171 acres for the Leonard Water Treatment Plant Site, Project No. 154, with a budget of $400,000.

E. Consider Authorizing Right-of-Way Acquisition Program and Adoption of Resolution No. 14-11 Authorizing Purchase of Right-of-Way for the Cottonwood Creek Outfall Sewer Aerial Crossing Replacement, Project No. 274
   (Please refer to Administrative Memorandum No. 4225)

   Upon a motion by Director Darrell Grooms and a second by Director Joe Farmer, the Board of Directors voted unanimously to authorize a right-of-way acquisition program for the Cottonwood Creek Outfall Sewer Aerial Crossing Replacement, Project No. 274, with a budget of $75,000, and adopt Resolution No. 14-11 authorizing the purchase of right-of-way for the Cottonwood Creek Outfall Sewer Aerial Crossing Replacement, Project No. 274.

F. Consider Authorizing Execution of Engineering Services Agreement for Project No. 363, High Service Pump Station 1-1 Mechanical Improvements Preliminary Engineering
   (Please refer to Administrative Memorandum No. 4226)

   Upon the recommendation of the Water Committee, a motion by Director Larry Parks, and a second by Director Lynn Shuyler, the Board of Directors voted unanimously to authorize the Executive Director to execute an engineering services agreement with Freese and Nichols, Inc., for preliminary design services
associated with the High Service Pump Station 1-1 Mechanical Improvements, Project No. 363, in the not-to-exceed amount of $265,130.

G. Consider Authorizing Award of Construction Contract and Change Order No. 1 on Project No. 295, Upper Rowlett Creek and Upper Cottonwood Creek Lift Stations Improvements
(Please refer to Administrative Memorandum No. 4227)

Upon a motion by Director Lynn Shuyler and a second by Director Patrick Nicklen, the Board of Directors voted unanimously to authorize award of a construction contract to Archer Western Construction, LLC, in the initial contract amount of $8,904,500 and authorize Change Order No. 1, a deduction in the amount of $345,200, resulting in a revised contract amount of $8,559,300 for the Upper Rowlett Creek and Upper Cottonwood Creek Lift Stations Improvements, Project No. 295.

H. Consider Authorizing Change Order No. 3 on Project No. 227 (Contract A), Upper White Rock Creek Parallel Force Main
(Please refer to Administrative Memorandum No. 4228)

Upon a motion by Director Darrell Grooms and a second by Director Bob Thurmond, the Board of Directors voted unanimously to authorize Change Order No. 3 for an increase of $156,961.78, resulting in a revised contract amount of $3,357,351.91 and a 161-day contract time extension resulting in a revised final completion date of September 28, 2014, for the Upper White Rock Creek Parallel Force Main, Project No. 227 (Contract A).

I. Consider Authorizing Additional Engineering Services on Project No. 326, Casa View Control Structure Improvements and Ground Storage Tank Improvements
(Please refer to Administrative Memorandum No. 4229)

Upon a motion by Director Don Cates and a second by Director James Kerr, the Board of Directors voted unanimously to authorize an increase to the engineering services agreement with Kimley-Horn and Associates, Inc., in the not-to-exceed amount of $71,500, resulting in a revised total not-to-exceed engineering services fee of $356,000 for the Casa View Control Structure Improvements and Ground Storage Tank Improvements, Project No. 326.

J. Consider Authorizing Change Order No. 2 on Project No. 298, High Service Pump Station 2-2 and 2-3 Electrical Improvements
(Please refer to Administrative Memorandum No. 4230)

Upon a motion by Director Lynn Shuyler and a second by Director Patrick Nicklen, the Board of Directors authorized Change Order No. 2 for an increase of $36,937.46 resulting in a revised contract amount of $4,975,087.42 for Project No. 298, High Service Pump Station 2-2 and 2-3 Electrical Improvements.
K. Consider Adoption of Resolution No. 14-12 Authorizing NTMWD Board President to Act on Behalf of the Board of Directors to Negotiate Terms and Conditions of Settlement Agreements Related to the Lower Bois d'Arc Creek Reservoir Project and to Execute Settlement Agreements (Please refer to Administrative Memorandum No. 4231)

Upon a motion by Director Larry Parks and a second by Director Shep Stahel, the Board of Directors authorized the Board President to work in concert with the District’s executive staff and legal counsel to complete such negotiations and execute on behalf of the District settlement agreements with the National Wildlife Federation, the Lone Star Chapter of the Sierra Club, the Texas Conservation Alliance, and any other protestants to any local, state, or federal permit or license that may be required to authorize the permitting, construction or operation of the Lower Bois d’Arc Creek Reservoir project, and to take all other actions necessary to facilitate same.

VIII. DISCUSSION ITEM

A. Water Supply Update

Mike Rickman provided a water supply update.

IX. ADJOURNMENT

There being no further business, the meeting adjourned at approximately 5:06 p.m. The next regular meeting of the NTMWD Board of Directors will be held Thursday, August 28, 2014, at 4:00 p.m. in the NTMWD Administrative Offices, 505 E. Brown Street, Wylie, Texas.

APPROVED:

[Signature]
DARWIN WHITESIDE, President

ATTEST:

[Signature]
TERRY SAM ANDERSON, Secretary