



NORTH TEXAS MUNICIPAL WATER DISTRICT
501 E. Brown Street • Wylie, Texas 75098
(972) 442-5405

REAL ESTATE COMMITTEE MEETING MINUTES
MAY 21, 2025

The Presiding Officer was present at the meeting location, the NTMWD Administrative Offices, 501 E. Brown Street, Wylie, Texas 75098, with two-way video and audio communication between Board members participating by videoconference, establishing a quorum. The public was invited to attend the meeting in person at the meeting location and offer Public Comments. Board Members participating by videoconference were visible to members of the public in attendance at the meeting location. Members of the public who wished to listen to live audio from the meeting were able to do so by calling (469) 210-7159 or toll free (844) 621-3956 and entering the following access code: 928 587 040. This line did not provide two-way communication. The audio recording of the meeting is available on the NTMWD website.

I. CALL TO ORDER

Chair Terry Sam Anderson served as Presiding Officer and called the meeting of the North Texas Municipal Water District (NTMWD) Real Estate Committee to order at approximately 1 p.m. on Wednesday, May 21, 2025. General instructions were provided to attendees. Any reference to unanimous votes refers to a unanimous vote of the Committee members present.

The following Real Estate Committee members were present. A quorum of Committee members were present.

	Real Estate Committee Members	Attendance
1	Terry Sam Anderson, Chair	Present
2	Lori Dodson	Remote
3	Joe Farmer	Remote
4	Ron Kelley	Remote
5	Alan McCuiston	Remote
6	Randy Roland, Vice Chair	Remote
7	Jody Sutherland	Remote

Members of the Executive Committee were present as well as other Board members. Executive Director Jenna Covington along with other members of the NTMWD management team were also in attendance.

The following consultants participated via teleconference:

- Lauren Kalisek – Lloyd Gosselink Rochelle & Townsend
- Lewis Isaacks – Saunders, Walsh & Beard

II. PUBLIC COMMENTS

We welcome members, customers, and the public to participate during the public comment period of the meeting. Before the start of the meeting, speakers must complete and submit a "Public Comment Registration Form." During this portion of the meeting, speakers will be recognized by name and asked to provide their comments. The time limit is three (3) minutes per speaker, not to exceed a total of thirty (30) minutes for all speakers. Texas Open Meetings Act prohibits the Committee from discussing items not listed in the agenda. However, Committee members may respond with factual or policy information.

There were no requests for public comments.

III. OPENING REMARKS

- A. Chair/Executive Director/Committee Champion Report concerning legislation and regulatory matters, budgets, current projects, and ongoing programs of the District related to real estate.

Assistant General Manager Cesar Baptista advised that last month, three marina firms that submitted proposals were interviewed with one being selected for negotiations. He advised they will provide an updated site plan and conceptual design. He cited the project team obtained copies of their agreement with the USACE on lakes Lewisville and Grapevine as well as other contracts, which the project team will use as a basis for fee negotiation.

Mr. Baptista advised that today's agenda will be rearranged due to several items needing to be discussed in Executive Session.

IV. ACTION ITEMS

- A. Consider approval of Real Estate Committee meeting minutes – February 26, 2025

Upon a motion by Director Randy Roland and a second by Director Jody Sutherland, the Real Estate Committee voted unanimously to approve the meeting minutes for February 26, 2025.

- B. **Preliminary Development Agreement with North Texas Acquisitions, LLC**

- Consider recommendation on authorizing execution of a Preliminary Development Agreement with North Texas Acquisitions, LLC, a subsidiary of Lakewood Capital Group, to construct and use shoreline improvements on NTMWD property adjacent to Bois d'Arc Lake for residential purposes and authorize the subsequent execution of a Lease and Use Agreement with the future property owners association who will own the improvements as required by the Preliminary Development Agreement

Director of Water Resources Galen Roberts presented this item. He advised this is the third residential developer agreement with Lakewood Capital Group. This development is called Bridgewater. He advised the development consists of approximately 80 acres with 53 lots, many of which have already been sold. Final plat approval has been received from Fannin County. The development will be located on the eastern portion of Bois d'Arc Lake, east of F.M. 897 bridge and south of the District's boat ramp adjacent to the F.M. 897 bridge. A location map was provided.

Mr. Roberts advised that the proposed improvements under the agreement include a community dock with 20 slips, an access path, shoreline erosion control, and vegetation modification within defined limits. He noted that there are two stock ponds on adjacent private property located within the NTMWD flood and flowage easement that drain toward the lake. As a result, the developer will also construct drainage improvements and erosion control on District property downstream.

Mr. Roberts stated the agreement fees use the same calculation methodology as prior preliminary development agreements. The first-year fee based on the number of boat dock slips is \$10,013 and the recurring annual fee after that is \$3,250.

Mr. Roberts advised that today's agenda item is to recommend two agreements as follows:

Preliminary Development Agreement

- Facilitates construction of improvements by Lakewood Capital and their subsidiary, North Texas Acquisitions LLC (Developer)
- Five-year agreement term
- Includes provisions specific to preconstruction and construction phases
- Requires Developer and Property Owners Association (POA) to enter into a subsequent Lease and Use Agreement with NTMWD upon completion of construction to NTMWD's satisfaction

Subsequent Lease and Use Agreement

- Facilitates use and maintenance of improvements by Developer and Property Owners Association (POA)
- Specific requirements for use, operation and maintenance of improvements and NTMWD property
- Subsequent Lease and Use Agreement must conform to the draft attached to this agreement
- The Ad Memo authorizing the Executive Director to execute this agreement also authorizes execution of the required Lease and Use Agreement

Mr. Roberts said that individual lot owners must obtain separate Lease and Use Agreements from NTMWD for private docks and other improvements.

Chair Anderson asked whether at the end of the five-year term the agreement is renegotiated. Mr. Roberts responded if all requirements of the agreement are met,

then the Lease and Use Agreement with the Property Owners' Association would be executed. No further Board action would be taken.

Director Roland asked if this developer is in good standing with the District, and will the development have direct access to the District's dock area. Mr. Roberts advised there are no outstanding issues and they are in good standing. He said that there is a fence between the District's boat dock and the development.

Director Rick Crowley asked whether the District has an opportunity to provide input to Fannin County regarding the plats. Mr. Roberts advised that yes, the District can provide input through the Planning and Zoning process. The developer has also made contact with District staff regarding the plat. Director Crowley also asked whether the District has all needed access to its easements around the development property. Mr. Roberts responded yes that those matters are addressed in the agreement(s).

Upon a motion by Director Randy Roland and a second by Director Alan McCuiston, the Real Estate Committee voted unanimously to recommend approval to the Board of Directors.

C. Buffalo Creek Parallel Interceptor, Phase II; Project No. 507-0636-34; Resolution No. 25-25; Right of Way Acquisition Program

- Consider recommendation on authorizing funding in the amount of \$3,200,000 to acquire permanent and temporary easements for the Buffalo Creek Parallel Interceptor Phase II

Real Estate Manager Garrett Murphree presented this item. He advised that the 2021 Buffalo Creek Interceptor System Capacity Assessment & Assurance report recommends a parallel interceptor to meet growth projections in Forney, Heath and Rockwall. Construction is complete on Buffalo Creek Parallel Interceptor, Phase I. Phase I mostly parallels the existing Buffalo Creek Interceptor from Buffalo Creek Wastewater Treatment Plant to Manhole No. 3022 located north of FM 740. Phase II shall continue to Buffalo Creek Lift Station and to currently-in-design Buffalo Creek Lift Station, Phase II. This project will include approximately 32,000 linear feet of interceptor and related appurtenances. Permanent, Temporary, and Access easements are required. A budget of \$3,200,000 is needed for the purchase of the easement. A map of the existing interceptor pipeline, Phase II, and Phase II was reviewed.

Mr. Murphree advised that staff is requesting authorization to execute a right-of-way acquisition program for the Buffalo Creek Parallel Interceptor Phase II Project with a budget of \$3,200,000. In addition, staff is requesting adoption of Resolution No. 25-25 authorizing the use of eminent domain and condemnation proceedings if necessary.

Discussion followed regarding the previous easements needed for the Phase I project and whether there was potential to acquire the property for Phase II at that time. Staff responded that Phase I easements were acquired approximately two decades ago so that was unknown. Mr. Baptista added that if it is known that additional space will be needed, the District tries to purchase it all at one time. It

was stated that typically 5-10 percent of the property needed for easements requires eminent domain.

Additional discussion regarding the cities' tree ordinances followed. It was noted that such an issue is not expected.

Upon a motion by Director Jody Sutherland and a second by Director Alan McCuiston, the Real Estate Committee voted unanimously to recommend approval to the Board of Directors.

Chair Anderson stated that as Mr. Baptista explained earlier, the agenda items were rearranged to cover all open session items first and then the Committee will convene in Executive Session to cover the remaining items. Discussion Items V.A. and B. were addressed next.

V. DISCUSSION ITEMS

A. Meter Vault Standardization Phase V

Garrett Murphree presented this item to the Committee. He reviewed that the Meter Vault Standardization project is a phased initiative to upgrade delivery point infrastructure throughout the water system. The project optimizes operational efficiency by providing valves and controls that can maintain predetermined rates of delivery and facilitates a more constant rate of delivery. Additionally, daily delivery volumes may be set for each delivery site in the event maximum delivery rates are required due to stricter conservation levels.

He advised that Phase V includes the final 26 remaining Member and Customer City delivery points. Design is still ongoing; future locations will be brought as design is completed.

Mr. Murphree advised that this item is for Package 2 of Phase V (Phases I-IV are already initiated.) Permanent and temporary easements are required for only one location and this will be an agenda item for the Board of Directors in June. Additionally, no funds are being requested as there are some remaining from the previous phases. A location map was reviewed.

B. First Amendment to Preliminary Development Agreement with Bois d'Arc Shores LLC

Galen Roberts presented this item. He advised this is the first amendment to a previously approved preliminary development agreement with Bois d'Arc Shores LLC. Along with other components, the agreement granted an exception to the maximum dock length. The property is located on the west side of the lake and was encumbered by standing timber. Timber clearing for boat lanes was granted in the agreement and has been done. During the clearing, it was learned that the elevation is not as steep as originally thought. The developer is requesting to dredge around the four shared docks.

Mr. Roberts advised that the total estimated extent of dredging to be approximately 3 acres, or 5,850 cubic yards. All dredging activities are to be performed in compliance with all US Army Corps of Engineers requirements which includes a "one-step" removal, no redistribution of fill material within the lake and no discharge of fill material to the lake. Such dredging activities are consistent with the Shoreline Management Plan and the current agreement. This amendment is expected to be presented to the Board in June.

Mr. Roberts noted that there is a minimum amendment fee in the amount of \$5,000, which should be sufficient to cover the staff time associated with the amendment.

Discussion followed.

EXECUTIVE SESSION

At 1:53 p.m. Chair Anderson announced the need for an Executive Session of the Committee to discuss Items IV. D., E., F. and V. C., D., E. pursuant to Texas Government Code, Section 551.072, Deliberations about Real Property, and Section 551.071, Consultation with Attorney.

Chair Anderson confirmed with staff that the public access line was disconnected and that the audio recording was disabled during the Executive Session discussion.

Open Session reconvened at 2:49 p.m. The public teleconference line was reconnected. No action was taken in Executive Session.

Chair Anderson called for motions on the Action Items discussed during Executive Session. See below motions on Items IV. D., E., and F.

V. DISCUSSION ITEMS

C. Treated Water Pipeline to Farmersville

D. McKinney Delivery Point No. 3 to McKinney Delivery point No. 4 Pipeline

E. Shiloh Ground Storage Tank

IV. ACTION ITEMS

D. **Stover Creek Lift Station; Project No. 501-0625-23; Resolution No. 25-23; Right of way Acquisition Program**

- Consider recommendation on authorizing funding in the amount of \$2,800,000 to acquire fee simple property

Upon a motion by Director Alan McCuiston and a second by Director Jody Sutherland, the Real Estate Committee voted unanimously to recommend approval to the Board of Directors.

- E. **Lower East Fork Regional Water Resource Recovery Facility; Project No. 301-0598-21; Resolution No. 25-24; Land Acquisition Program**
- Consider recommendation on authorizing additional funding in the amount of \$10,000,000 for property acquisition

Upon a motion by Director Randy Roland and a second by Director Alan McCuiston, the Real Estate Committee voted unanimously to recommend approval to the Board of Directors.

- F. **Land Acquisition and Support Service to facilitate purchasing land for additional raw water supply; Project No. 101-0667-25; Resolution No. 25-28**
- Consider recommendation on authorizing funding in the amount of \$7,750,000 to make a written offer to acquire real estate located in Red River County, needed to increase raw water supply

Upon a motion by Director Jody Sutherland and a second by Director Randy Roland, the Real Estate Committee voted unanimously to recommend approval to the Board of Directors.

DISCUSSION ITEMS cont'd

- F. Opportunity for Committee members to provide feedback on the Real Estate Committee meeting or request potential future agenda items

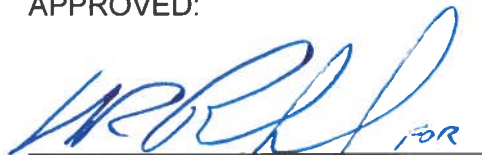
There were no comments and no requests for potential future agenda items.

Executive Director Jenna Covington stated that two other discussion items were not discussed due to time limitations and that those items will be discussed at the next Real Estate Committee meeting.

V. ADJOURNMENT

There being no further business, the Real Estate Committee meeting adjourned at 2:54 p.m.

APPROVED:


TERRY SAM ANDERSON
Chair