



NORTH TEXAS MUNICIPAL WATER DISTRICT

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MINUTES OF A SPECIAL WORKSHOP OF THE BOARD OF DIRECTORS HELD ON THURSDAY, JANUARY 14, 2016 IN THE NTMWD ADMINISTRATIVE OFFICES, WYLIE, TEXAS

The North Texas Municipal Water District Board of Directors met in a Special Workshop meeting on Thursday, January 14, 2016, at 2:00 p.m. in the NTMWD Administrative Offices located at 501 E. Brown Street, Wylie, Texas. Notice of the meeting was legally posted in accordance with Government Code, Title 551, Open Meetings.

I. CALL TO ORDER

President Joe Joplin called the meeting to order at approximately 2:00 p.m.

II. INVOCATION

Director Larry Parks offered the invocation.

III. PLEDGE OF ALLEGIANCE

Secretary Robert Thurmond led the Board of Directors in the Pledge of Allegiance.

IV. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG

Secretary Robert Thurmond led the Board of Directors in the Pledge of Allegiance to the Texas Flag.

V. ROLL CALL AND CONFIRM QUORUM

Secretary Robert Thurmond conducted a roll call. Directors Wayne May, Patrick Nicklen, and Bobby Robinson were absent. A quorum was present. The following Directors were present for the January 14, 2016, Special Workshop:

Terry Sam Anderson	Charles McKissick
Don Cates	Jim Mellody
Phil Dyer	John Murphy
Joe Farmer	Larry Parks
Marvin Fuller	Richard Peasley
Don Gordon	Richard Sheehan
Darrell Grooms	Lynn Shuyler
Joe Joplin	Shep Stahel
Bill Lofland	John Sweeden
James Kerr	Robert Thurmond
Jack May	Darwin Whiteside

The following NTMWD consultants attended the meeting:

Lewis Isaacks – Gay, McCall, Isaacks & Roberts
Martin Rochelle – Lloyd Gosselink Townsend & Rochelle
Lauren Kalisek – Lloyd Gosselink Townsend & Rochelle
Alan Raynor – McCall Parkhurst & Horton
David Medanich – First Southwest Company
Ron Lewis – Ron Lewis & Associates
Snapper Carr – Focused Advocacy

VI. DISCUSSION ITEMS

- A. Introduction/Workshop Goal: Staff would appreciate direction regarding what action items, if any, to bring to the January Board meeting based on the requests of the Member Cities as discussed at the December 16, 2015, Member Cities Meeting

President Joe Joplin advised that no action would be taken at this Workshop, and the staff was seeking guidance from the Board regarding actions to be considered at the Regular Board meeting being held on January 28, 2016.

Executive Director Tom Kula introduced legal counsel and consultants present as listed above.

- B. Recap Results of Comments from Member Cities on Governance Matter

- i. Review comments received at Member City meeting held on December 16, 2015

Executive Director Tom Kula provided a recap of comments received from each Member City at the Member City meeting held on December 16, 2015. Mr. Kula indicated the comments resulted in the following:

- Seven cities wanting the ability to remove Directors at will
- Two cities wanting clarification to remove Directors for cause
- One city wanting consistency with City Charter – the ability to remove Directors at will
- One city wanting no change
- One city had not requested any action

- ii. Review feedback received since December 16, 2015, by staff

Mr. Kula reviewed feedback received since the December 16, 2015, Member City meeting, which included the following:

- City of Plano reiterated their position to amend the District's Enabling Legislation
- City of Forney adopted a Resolution on January 5, 2016, acknowledging Directors serve at the will of the City Council

iii. Board member input on additional feedback

Executive Director Tom Kula provided an opportunity for all Directors present to provide any additional feedback received from their appointing city.

C. Discuss Options the Board of Directors May Consider on Governance Matter

i. Review of Enabling Legislation (including history of changes and process for amendment)

Lauren Kalisek of Lloyd Gosselink Rochelle & Townsend provided a review on NTMWD's Enabling Legislation including a history of the amendments to the Enabling Legislation made in 1969, 1975, and 2009, and reviewed process of amendment.

ii. Review of Options (Pros and Cons)

Ms. Kalisek reviewed the pros and cons of the following proposed options the Board may consider on the governance matter:

- a) No Change
- b) Local Option
- c) Attorney General Opinion
- d) Enabling Legislation

Ms. Kalisek advised she did not see any legal or financial impediments to any of the proposed options. Ms. Kalisek offered the Board of Directors an opportunity for questions on the options.

D. Discussion and direction to staff

Executive Director Tom Kula advised that the NTMWD staff was seeking comments from each Director in order to prepare for action at the January 28, 2016, Regular Board meeting. Mr. Kula advised that the NTMWD staff recommendation would be to seek a new Attorney General Opinion and seek an amendment to the Enabling Legislation.

Each Director was given an opportunity to provide feedback. Feedback received from the Directors present resulted in the following:

- Three Directors interested in No Change
- One Director interested in pursuing the Local Option
- Three Directors interested in pursuing an amendment to the Enabling Legislation without seeking an Attorney General Opinion
- 15 Directors agreeing with the staff recommendation to seek a new Attorney General Opinion and seek an amendment to the Enabling Legislation

VII. ADJOURNMENT

There being no further business, the meeting adjourned at approximately 4:40 p.m.

APPROVED:



JOE JOPLIN, President

ATTEST:



ROBERT THURMOND, Secretary

(Seal)

