



## **NORTH TEXAS MUNICIPAL WATER DISTRICT**

501 E. Brown Street • Wylie, Texas 75098  
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### **MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS HELD ON THURSDAY, MARCH 24, 2016 IN THE NTMWD ADMINISTRATIVE OFFICES, WYLIE, TEXAS**

The North Texas Municipal Water District Board of Directors met in Regular meeting on Thursday, March 24, 2016, at 4:00 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 4:00 p.m.

#### **II. INVOCATION**

Director Richard Sheehan 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. Director Don Cates was absent. A quorum was present. The following Directors were present for the March 24, 2016, Regular Board meeting:

Terry Sam Anderson  
Phil Dyer  
Joe Farmer  
Marvin Fuller  
Don Gordon  
Darrell Grooms  
Joe Joplin  
James Kerr  
Bill Lofland  
Jack May

Jim Mellody  
John Murphy  
Patrick Nicklen  
Larry Parks  
Richard Peasley  
Bobby Robinson  
Richard Sheehan  
Lynn Shuyler  
Shep Stahel  
John Sweeden

Wayne May  
Charles McKissick

Robert Thurmond  
Darwin Whiteside

The following NTMWD consultants attended the meeting:

Lewis Isaacks – Lloyd Gosselink Rochelle & Townsend  
David Medanich – First Southwest Company  
Alan Raynor – McCall Parkhurst & Horton  
Mark Walsh – Saunders Beard & Walsh

VI. PUBLIC COMMENTS

There were no registered guests to provide public comments.

VII. OPENING REMARKS

- A. Presentations of awards, recognitions, achievements, etc., of the District, Board Members, and staff

Roy Cooke was recognized for being voted the "Best Municipal/Government Employee" in the Wylie News.

Gary Hartwell, Director of Public Works, City of Frisco, was recognized for his 26 years of service to the region.

Director Lynn Shuyler was recognized for 15 years of service on the NTMWD Board of Directors.

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

President Joe Joplin advised that Director Larry Parks would be abstaining from voting on Agenda Item No. IX. D.

- C. Executive Director's Status Report concerning legislation and regulatory matters, budgets, current projects and ongoing programs of the District including the Regional Water System, Regional Wastewater System, Regional Solid Waste System, Watershed Protection, and Water Conservation

Executive Director Tom Kula provided a brief update on the following topics:

- Update on Planning Workshop
  - Consultant Summary
- Board of Directors letters to USACE and USEPA regarding Lower Bois d'Arc Creek Reservoir project
- Weekly updates on Water Supply projects
- Monthly updates to Board
- GotoMeeting technology provided for Committee meetings

- Communications between Committee Champions and Committee Chairmen/Members regarding agenda items
- Board of Directors/Staff Communication Policy
- 2016 Directors Appointments
- Strategic Plan Work Session planned on June 23, 2016
- New Director orientation planned June 13, 2016

Deputy Director Joe Stankiewicz provided a review of the number and type of items on the Board agenda and improvements to the agenda process.

VIII. CONSENT AGENDA ITEMS

Upon a motion by Director Darrell Grooms and a second by Director Patrick Nicklen, the Board of Directors voted unanimously to approve the consent agenda items as follows:

- A. Consider Approval of Board of Directors Regular Meeting Minutes – February 25, 2016  
(Please refer to Consent Agenda Item No. 16-03-01)
- B. Consider Approval of Board of Directors Annual Planning Workshop Minutes – February 20, 2016  
(Please refer to Consent Agenda Item No. 16-03-02)
- C. Consider Approval of Board of Directors Annual Planning Workshop Minutes – February 21, 2016  
(Please refer to Consent Agenda Item No. 16-03-03)
- D. Consider Approval of Monthly Construction Report – February 2016  
(Please refer to Consent Agenda Item No. 16-03-04)
- E. Consider Authorizing Additional Inspection Services on Project No. 347, Environmental Services Building Heating, Venting, and Air Conditioning System Repair  
(Please refer to Consent Agenda Item No. 16-03-05)
- F. Consider Authorizing Additional Inspection Services on Project No. 298, High Service Pump Station 2-2 and 2-3 Electrical Improvements  
(Please refer to Consent Agenda Item No. 16-03-06)
- G. Consider Authorizing Change Order No. 6 on Project No. 315, Dublin Relift Station Improvements  
(Please refer to Consent Agenda Item No. 16-03-07)
- H. Consider Authorizing Additional Engineering Services on Project No. 334, Indian Creek/Preston Road Force Main Surge Improvements  
(Please refer to Consent Agenda Item No. 16-03-08)

- I. Consider Authorizing Ratification of Temporary Access and Construction Easement on Project No. 388, Chapman Pipeline Repairs at Hunt County Road 4301 and South Sulphur River  
(Please refer to Consent Agenda Item No. 16-03-09)
- J. Consider Authorizing Additional Engineering Services on Project No. 295, Upper Rowlett Creek and Upper Cottonwood Creek Lift Station Improvements  
(Please refer to Consent Agenda Item No. 16-03-10)

**IX. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION**

- A. Consider Authorizing Award of Construction Contract on Project No. 354, Wylie Water Treatment Plant Chemical System Improvements, Phase 2  
(Please refer to Administrative Memorandum No. 4604)

Upon a motion by Director Lynn Shuyler and a second by Director John Murphy, the Board of Directors voted unanimously to authorize award of a construction contract to Pepper Lawson Waterworks, LLC, in the amount of \$10,999,000 on Project No. 354, Wylie Water Treatment Plant Chemical Systems Improvements, Phase 2.

- B. Consider Authorizing Award of Construction Contract on Project No. 403, Wylie-McKinney 24-Inch Waterline Steel Casing at FM 546  
(Please refer to Administrative Memorandum No. 4605)

Upon a motion by Director James Kerr and a second by Director Jim Mellody, the Board of Directors voted unanimously to authorize award of a construction contract to Dowager Utility Construction, Ltd., in the amount of \$140,000 on Project No. 403, Wylie-McKinney 24-Inch Waterline Steel Casing at FM 546.

- C. Consider Authorizing Award of Construction Contract on Project No. 324, Wallace Street Site Improvements and Ground Storage Tank  
(Please refer to Administrative Memorandum No. 4606)

Upon a motion by Director Lynn Shuyler and a second by Director John Sweeden, the Board of Directors voted unanimously to award a construction contract to Archer Western Construction, LLC, in the amount of \$2,710,000 on Project No. 324, Wallace Street Site Improvements and Ground Storage Tank.

- D. Consider Authorizing Execution of Engineering Services on Project No. 428, Leonard Water Treatment Plant High Service Pump Station  
(Please refer to Administrative Memorandum No. 4607)

Upon a motion by Director Joe Farmer and a second by Director Patrick Nicklen, the Board of Directors voted unanimously to authorize the Executive Director to execute an engineering services agreement with Freese and Nichols, Inc., in the amount of \$1,185,000 for preliminary engineering design and evaluation on Project No. 428, Leonard Water Treatment Plant High Service Pump Station.

- E. Consider Adoption of Resolution No. 16-16 Authorizing Use of Construction Manager At-Risk Delivery Method Under Texas Government Code, Chapter 2269, for the Lower Bois d'Arc Creek Reservoir Raw Water Pump Station, Project No. 358, and for the Leonard Water Treatment Plant High Service Pump Station, Project No. 428  
(Please refer to Administrative Memorandum No. 4608)

Upon a motion by Director Shep Stahel and a second by Director Darrell Grooms, the Board of Directors voted unanimously to adopt Resolution No. 16-16 authorizing the use of Construction Manager At-Risk Delivery Method Under Texas Government Code, Chapter 2269, for the Lower Bois d'Arc Creek Reservoir Raw Water Pump Station, Project No. 358, and Leonard Water Treatment Plant High Service Pump Station, Project No. 428.

- F. Consider Authorizing Execution of Letter Agreement for Repair of Sedimentation Lagoon and Authorizing Change Order No. 12 and Reduction of Retainage on Project No. WCF 07-4 (099), Lake Tawakoni Water Treatment Plant  
(Please refer to Administrative Memorandum No. 4609)

Upon a motion by Director Lynn Shuyler and a second by Director John Murphy, the Board of Directors voted unanimously to take the following action on Project No. WCF 07-4 (099), Lake Tawakoni Water Treatment Plant: (1) authorize the Executive Director to execute a letter agreement with BAR Constructors, Inc., for repairs to the sedimentation lagoon; (2) authorize Change Order No. 12 for additional contract time; and, (3) authorize a reduction of retainage from \$1,258,885 to \$500,000 on the existing contract.

- G. Consider Authorizing Execution of Engineering Services Agreement on Project No. 422, Wylie Water Treatment Plant IV Filter Complex Structural Evaluation  
(Please refer to Administrative Memorandum No. 4610)

Upon a motion by Director James Kerr and a second by Director Wayne May, the Board of Directors voted unanimously to authorize the Executive Director to execute an engineering services agreement to JQ Infrastructure, LLC, in the amount of \$115,800 for preliminary engineering services on Project No. 422, Wylie Water Treatment Plant IV Filter Complex Structural Evaluation.

- H. Consider Authorizing Execution of Engineering Services Agreement on Project No. 427, Kaufman 20-Inch Waterline Assessment  
(Please refer to Administrative Memorandum No. 4611)

Upon a motion by Director Joe Farmer and a second by Director Don Gordon, the Board of Directors voted unanimously to authorize the Executive Director to execute an engineering services agreement with Kimley Horn and Associates, Inc., in the amount of \$216,325 for engineering design and construction phase services on Project No. 427, Kaufman 20-Inch Waterline Assessment.

- I. Consider Authorizing Ratification of Contract Award for Project No. 388, Chapman Pipeline Repairs at Hunt County Road 4301 and South Sulphur River  
(Please refer to Administrative Memorandum No. 4612)

Upon a motion by Director Wayne May and a second by Director Darrell Grooms, the Board of Directors voted unanimously to authorize award of construction contract to Garney Companies, Inc., in the amount of \$3,318,100 on Project No. 388, Chapman Pipeline Repairs at Hunt County Road 4301 and South Sulphur River and authorize ratification of actions of the Executive Director to issue the notice to proceed with emergency repairs.

- J. Consider Authorizing Execution of Engineering Services Agreement on Project No. 426, Regional Wastewater Treatment Plant Conceptual Design  
(Please refer to Administrative Memorandum No. 4613)

Upon the recommendation of the Wastewater Committee, a motion by Director Marvin Fuller, and a second by Director Wayne May, the Board of Directors voted unanimously to authorize the Executive Director to execute an engineering services agreement with CH2M HILL Engineers, Inc., in the amount of \$821,171 for conceptual design of Project No. 426, Regional Wastewater Treatment Plant Conceptual Design.

- K. Consider Authorizing Execution of Engineering Services Agreement on Project No. 423, Parker Creek Parallel Wastewater Interceptor  
(Please refer to Administrative Memorandum No. 4614)

Upon a motion by Director Lynn Shuyler and a second by Director John Murphy, the Board of Directors voted unanimously to authorize the Executive Director to execute an engineering services agreement with Kimley-Horn and Associates, Inc., in the amount of \$65,400 for bidding and construction phase services on Project No. 423, Parker Creek Parallel Interceptor.

- L. Consider Authorizing Execution of Engineering Services Agreement on Project No. 430, Richardson Spring Creek Trunk Sewer Aerial Crossing, Phase 2  
(Please refer to Administrative Memorandum No. 4615)

Upon a motion by Director Darrell Grooms and a second by Director Jim Mellody, the Board of Directors voted unanimously to authorize the Executive Director to execute an engineering services agreement with JQ Infrastructure, LLC, in the amount of \$178,030 for engineering design and construction phase services on Project No. 425, Richardson Spring Creek Trunk Sewer Aerial Crossing, Phase 2.

- M. Consider Authorizing Execution of Landfill Gas Agreement for 121 Regional Disposal Facility  
(Please refer to Administrative Memorandum No. 4616)

Upon a motion by Director Lynn Shuyler and a second by Director John Sweeden, the Board of Directors voted unanimously to authorize the Executive Director to execute an agreement with Morrow Renewables, LLC, to collect, purchase and

treat landfill gas generated at the 121 Regional Disposal Facility for purposes of treating the gas to high BTU quality and reselling for beneficial use as follows: (1) Morrow will pay NTMWD \$0.40 per million BTUs for all landfill gas provided to Morrow's treatment facility; (2) Morrow will pay NTMWD three percent on all gross revenues received from emission credits, emission reduction benefits, emission offsets, and similar environmental credits; and, (3) the approximate initial annual revenue and cost avoidance to NTMWD of \$400,000.

- N. Consider Authorizing Right-of-Way Acquisition Program and Adoption of Resolution No. 16-15 Authorizing the Use of Eminent Domain to Acquire Right-of-Way for McKinney No. 1 to Princeton No. 1, 72-Inch and 24-Inch Pipeline, Project No. 407  
(Please refer to Administrative Memorandum No. 4617)

Upon a motion by Director Patrick Nicklen and a second by Director Richard Sheehan, the Board of Directors voted unanimously to authorize a right-of-way acquisition program in the not-to-exceed amount of \$2,850,000 and adopt Resolution No. 16-15 authorizing the use of eminent domain to acquire right-of-way for Project No. 407, McKinney No. 1 to Princeton No. 1, 72-Inch and 24-Inch Pipeline.

- O. Consider Authorizing Property Acquisition Program and Adoption of Resolution No. 16-17 Authorizing Acquiring Property for the North System Exchange Parkway Ground Storage, Project No. 385  
(Please refer to Administrative Memorandum No. 4618)

Upon a motion by Director John Murphy and a second by Director Darrell Grooms, the Board of Directors voted unanimously to authorize a right-of-way acquisition program in the not-to-exceed amount of \$2,700,000 and adopt Resolution No. 16-17 authorizing acquiring property for Project No. 385, North System Exchange Parkway Ground Storage.

- P. Consider Adoption of Resolution No. 16-13 Authorizing the Issuance, Sale, and Delivery of North Texas Municipal Water District Lower East Fork Wastewater Interceptor Contract Revenue Refunding Bonds, Series 2016, and Approving and Authorizing Instruments and Procedures Relating Thereto  
(Please refer to Administrative Memorandum No. 4619)

Upon the recommendation of the Finance/Audit Committee, a motion by Director Lynn Shuyler and a second by Director Shep Stahel, the Board of Directors voted unanimously to adopt Resolution No. 16-13 authorizing the issuance, sale, and delivery of North Texas Municipal Water District Lower East Fork Wastewater Interceptor System Contract Revenue Refunding Bonds, Series 2016, and approving and authorizing instruments and procedures related thereto in the amount of \$10,745,000. Citigroup Global Markets, Inc., was the successful bidder at a true interest cost of 1.78573%.

- Q. Consider Adoption of Resolution No. 16-13 Authorizing the Issuance, Sale, and Delivery of North Texas Municipal Water District Muddy Creek Regional Wastewater System Contract Revenue Refunding Bonds, Series 2016, and Approving and Authorizing Instruments and Procedures Relating Thereto (Please refer to Administrative Memorandum No. 4620)

Upon the recommendation of the Finance/Audit Committee, a motion by Director Larry Parks and a second by Director John Murphy, the Board of Directors voted unanimously to adopt Resolution No. 16-14 authorizing the issuance, sale, and delivery of North Texas Municipal Water District Muddy Creek Regional Wastewater System Contract Revenue Refunding Bonds, Series 2016, and approving and authorizing instruments and procedures related thereto in the amount of \$5,645,000. RBC Capital Markets was the successful bidder at a true interest cost of 1.886416%.

- R. Consider Authorizing Ratification of Change Order No. 6 on Project No. 302, Water Treatment Plant II Filter Underdrain Improvements and Conversion to Biologically Active Filters (Please refer to Administrative Memorandum No. 4621)

Upon the recommendation of the Water Committee, a motion by Director Charles McKissick, and a second by Director Darrell Grooms, the Board of Directors voted unanimously to authorize Change Order No. 6 to Red River Construction Company in the amount of \$405,247.94 on Project No. 302, Water Treatment Plant II Filter Underdrain Improvements and Conversion to Biologically Active Filters and authorize ratification of actions of the Executive Director to utilize anthracite filter media from contractor's onsite stores.

X. DISCUSSION ITEMS

- A. Opportunity for Board Members to Request Potential Future Agenda Items

There were no future agenda items requested by Board members.

XI. ADJOURNMENT

There being no further business, the meeting adjourned at approximately 4:52 p.m. The next regular meeting of the NTMWD Board of Directors will be held Thursday, April 28, 2016, at 4:00 p.m. at the North Texas Municipal Water District offices at 501 East Brown Street, Wylie, Texas.

APPROVED.

JOE JOPLIN, President

ATTEST

ROBERT THURMOND, Secretary

(Seal)

