



NORTH TEXAS MUNICIPAL WATER DISTRICT

**501 E. Brown Street • Wylie, Texas 75098
(972) 442-5405 – Phone • (972) 295-6440 – Fax**

**BOARD OF DIRECTORS
REGULAR MEETING
THURSDAY, FEBRUARY 28, 2019
4:00 P.M.**

Notice is hereby given pursuant to V.T.C.A., Government Code, Chapter 551, that the Board of Directors of North Texas Municipal Water District (NTMWD) will hold a regular meeting, open to the public, on Thursday, February 28, 2019, at 4:00 p.m., at the NTMWD Administrative Offices, 501 E. Brown Street, Wylie, Texas.

The Board of Directors is authorized by the Texas Open Meetings Act to convene in closed or executive session for certain purposes. These purposes include receiving legal advice from its attorney (Section 551.071); discussing real property matters (Section 551.072); discussing gifts and donations (Section 551.073); discussing personnel matters (Section 551.074); or discussing security personnel or devices (Section 551.076). If the Board of Directors determines to go into executive session on any item on this agenda, the Presiding Officer will announce that an executive session will be held and will identify the item to be discussed and provision of the Open Meetings Act that authorizes the closed or executive session.

AMENDED AGENDA¹

- I. CALL TO ORDER
- II. INVOCATION – DIRECTOR JOHN MURPHY
- III. PLEDGE OF ALLEGIANCE
- IV. PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG
- V. ANNOUNCEMENT OF QUORUM
- VI. PUBLIC COMMENTS

The Board of Directors allows individuals to speak to the Board. Prior to the meeting, speakers must complete and submit a “Public Comment Registration Form.” The time limit is five (5) minutes per speaker, not to exceed a total of thirty (30) minutes for all speakers. The Board may not discuss these items, but may respond with factual or policy information.

¹Persons with disabilities who plan to attend the NTMWD Board of Directors meeting and who may need auxiliary aids or services are requested to contact John Montgomery in the NTMWD Administrative Offices at (972) 442-5405 as soon as possible. All reasonable efforts will be taken to make the appropriate arrangements.

VII. OPENING REMARKS

- A. Presentations of awards, recognitions, achievements, etc., of the District, Board members, and staff
 - 1. Federal Legislators
 - a. Congressman Sam Johnson
 - 2. Board of Directors Service
 - a. Director David Island – One Year
 - 3. Employee of the Year Winner and Finalists
- B. President's Remarks concerning current events, conduct of meeting, posted agenda items, committee assignments, and related matters
- 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

VIII. UPDATE ON BOIS D'ARC LAKE PROJECT

IX. CONSENT AGENDA ITEMS

The Consent Agenda allows the Board of Directors to approve all routine, noncontroversial items with a single motion, without the need for discussion by the entire Board. Any item may be removed from consent and considered individually upon request of a Board member or NTMWD staff member.

- A. Consider approval of Board of Directors Planning Workshop Minutes – January 12, 2019
(Please refer to Consent Agenda Item No. 19-02-01)
- B. Consider approval of Board of Directors Regular Meeting Minutes – January 24, 2019
(Please refer to Consent Agenda Item No. 19-02-02)
- C. Consider approval of Board of Directors Special Meeting Minutes – January 24, 2019
(Please refer to Consent Agenda Item No. 19-02-03)
- D. Consider approval of Monthly Construction Report – February 2019
(Please refer to Consent Agenda Item No. 19-02-04)
- E. Consider adoption of Resolution No. 19-09 amending authorized representatives for investments in TexPool
(Please refer to Consent Agenda Item No. 19-02-05)
- F. Consider adoption of Resolution No. 19-08 expressing official intent to reimburse expenditures up to \$200,000,000 for cost of acquiring, constructing, and improving

the Regional Water Resource Recovery Facility in the Regional Wastewater System
(Please refer to Consent Agenda Item No. 19-02-06)

X. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

- A. Consider adoption of Resolution No. 19-06 authorizing the issuance, sale and delivery of NTMWD Muddy Creek Regional Wastewater System Revenue Bonds, Series 2019, in the amount of approximately \$8,700,000; and approving and authorizing instruments and procedures relating thereto.
(Please refer to Administrative Memorandum No. 5338)
- B. Consider authorizing execution of an Interlocal Agreement with Collin County Governmental Purchasers Forum to join the Forum Cooperative Purchasing Program
(Please refer to Administrative Memorandum No. 5339)
- C. Consider authorizing execution of an Agreed Order and Supplemental Environmental Project with the Texas Commission on Environmental Quality, Docket No. 2018-1236-WQ-E, related to an administrative penalty for Rowlett Pump Station No. 1 in the amount of \$7,275 to be offset by Supplemental Environmental Project
(Please refer to Administrative Memorandum No. 5340)
- D. Consider authorizing award of construction contract with Eagle Contracting, LP, in the amount of \$536,750 on Project No. 101-0496-18, Wylie Water Treatment Plant Anhydrous Ammonia System Improvements
(Please refer to Administrative Memorandum No. 5341)
- E. Consider authorizing award of construction contract with Brandt Companies, LLC, in the amount of \$4,417,659.42 on Project No. 101-0368-14, Wylie Water Treatment Plant Power System Improvements, Phase II, for update of aging electrical infrastructure at the Wylie Water Treatment Plant north electrical substation
(Please refer to Administrative Memorandum No. 5342)
- F. Consider authorizing execution of inspection services agreement with Mbroh Engineering, Inc., in the amount of \$157,700 on Project No. 101-0368-14, Wylie Water Treatment Plant Power System Improvements, Phase II, to provide specialized electrical inspection for improvements to the Wylie Water Treatment Plant north electrical substation
(Please refer to Administrative Memorandum No. 5343)
- G. Consider authorizing termination of construction contract with Ratcliff Constructors on Project No. 101-0352-14, Wylie Water Treatment Plant Water System Operations Center
(Please refer to Administrative Memorandum No. 5344)

- H. Consider authorizing execution of inspection services agreement with TEC Consulting, LLC, in the amount of \$51,635 on Project No. 101-0485-17, Wylie Water Treatment Plant Chlorine System Improvements
(Please refer to Administrative Memorandum No. 5345)
- I. Consider authorizing award of contract with EarthBalance in the not-to-exceed amount of \$200,000 for Fiscal Year 2019 for the East Fork Wetland remedial planting activities
(Please refer to Administrative Memorandum No. 5346)
- J. Consider authorizing ratification of actions by Executive Director in authorizing emergency procurement of goods and services in response to the North Garland System 72-Inch Pipeline failure
(Please refer to Administrative Memorandum No. 5347)
- K. Consider authorizing execution of engineering services agreement with CDM Smith, Inc., in the amount of \$492,285 for preliminary engineering design on Project No. 101-0530-19, Lake Texoma Pump Station 2019 Electrical Improvements
(Please refer to Administrative Memorandum No. 5348)
- L. Consider authorizing execution of Potable Water Supply Contract with City of Crandall
(Please refer to Administrative Memorandum No. 5349)
- M. Consider authorizing award of construction contract to Canary Construction, Inc., in the amount of \$2,335,600 on Project No. 101-0442-16, North System Air Valve Improvements
(Please refer to Administrative Memorandum No. 5350)
- N. Consider authorizing execution of an engineering services agreement with HDR, Inc., in the amount of \$1,196,309, for 60% engineering design on Project No. 101-0505-18, McKinney Delivery Point No. 3 to McKinney Delivery Point No. 4 Pipeline
(Please refer to Administrative Memorandum No. 5351)
- O. Consider authorizing execution of engineering services agreement with CP&Y, Inc., in the amount of \$538,594 on Project No. 101-0528-19, High Service Pump Stations 2-2 and 2-3 Control Valve Improvements
(Please refer to Administrative Memorandum No. 5352)
- P. Consider authorizing execution of an engineering services agreement with Freese and Nichols, Inc., in the amount of \$543,121 for mitigation monitoring on Project No. 101-0366-14, Bois d'Arc Lake Mitigation Property
(Please refer to Administrative Memorandum No. 5353)
- Q. Consider authorizing additional inspection services with Dietz Engineering in the amount of \$260,837 on Project No. 301-0346-13, Wilson Creek Regional Wastewater Treatment Plant Advanced Treatment and Headworks Improvements
(Please refer to Administrative Memorandum No. 5354)

- R. Consider authorizing award of construction contract to Eagle Contracting, LP, in the amount of \$6,134,000 for Project No. 310-0450-17, Muddy Creek Wastewater Treatment Plant Odor Control, Aeration Basin, and Backup Power Improvements (Please refer to Administrative Memorandum No. 5355)
- S. Consider authorizing setting hearing date and providing notice of NTMWD's possible action regarding the City of Melissa's request for membership in the Regional Wastewater System and Upper East Fork Interceptor System (Please refer to Administrative Memorandum No. 5356)
- T. Consider authorizing additional engineering services with Arcadis US, Inc., in the amount of \$33,300 on Project No. 301-0432-16, Floyd Branch Regional Wastewater Treatment Plant Process Optimization Improvements (Please refer to Administrative Memorandum No. 5357)
- U. Consider authorizing execution of engineering services agreement with Huitt-Zollars, Inc., in the amount of \$47,500 on Project No. 401-0529-19, 121 Regional Disposal Facility Heavy Equipment Shop Addition (Please refer to Administrative Memorandum No. 5358)
- V. Consider authorizing award of construction contract to New World Contracting, LLC, in the amount of \$1,794,142.20 on Project No. 401-0527-19, 121 Regional Disposal Facility Bypass Lane Improvements (Please refer to Administrative Memorandum No. 5359)
- W. Consider adoption of Resolution No. 19-10 authorizing execution of Interlocal Agreement with the City of Plano for conveyances of real property (Please refer to Administrative Memorandum No. 5360)

XI. DISCUSSION ITEMS

- A. 86th Texas legislative session update
- B. Discuss status of Member City contract matters including:
 - 1. *Petition of the Cities of Garland, Mesquite, Plano and Richardson Appealing Wholesale Water Rates Implemented by North Texas Municipal Water District*, Docket No. 46662 before the Public Utility Commission of Texas
 - 2. *Petition of the Cities of Garland, Mesquite, Plano and Richardson Appealing Wholesale Water Rates Implemented by North Texas Municipal Water District*, Docket No. 47863 before the Public Utility Commission of Texas
 - 3. *Petition of the Cities of Garland, Mesquite, Plano, and Richardson Appealing Wholesale Water Rates Implemented by North Texas Municipal Water District*, Docket No. 49043 before the Public Utility Commission of Texas
 - 4. *Ex Parte, North Texas Municipal Water District*, Cause No. 429-01462-2018 in the 429th Judicial District, District Court of Collin County, Texas
 - 5. Facilitation with Member Cities Regarding Alternate Cost Methodologies to the Amendatory Water Supply Contract

- C. Update on pending litigation involving North Texas Municipal Water District/advice from legal counsel, including:
 - 1. Knight et al. vs. U.S. Army Corps of Engineers, Case No. 18-352-ALM in the U.S. District Court for the Eastern District of Texas, Sherman Division
- D. Review of items for follow up raised during meeting
- E. Opportunity for Board members to request potential future agenda items
(No substantive discussion of items will take place at this time)

XII. ADJOURNMENT