



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, DECEMBER 19, 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, December 19, 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.

AGENDA¹

- I. CALL TO ORDER**
- II. INVOCATION**
- 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 Shannon Sauceman 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
- 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. 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 Regular Meeting Minutes – November 21, 2019
(Consent Agenda Item No. 19-12-01)
- B. Consider approval of Board of Directors Special Meeting Minutes – November 21, 2019
(Consent Agenda Item No. 19-12-02)
- C. Consider approval of Monthly Construction Report – December 2019
(Consent Agenda Item No. 19-12-03)
- D. Consider authorizing additional engineering services with Arcadis US, Inc., in the amount of \$90,839, Project No. 301-0432-16, Floyd Branch Regional Wastewater Treatment Plant Process Improvement Improvements
(Consent Agenda Item No. 19-12-04)
- E. Consider Adoption of Resolution No. 19-60 conveying property at the Bois d'Arc Lake Operations Center Site in the form of an approximate two-acre parcel of property to the Caddo Nation of Oklahoma, Project No. 101-0374-14
(Consent Agenda Item No. 19-12-05)
- F. Consider authorizing partial release of retainage to Crescent Constructors, Inc., the amount of \$198,608.25 on Project No. 101-0338-13, Meter Vault Standardization, Phase II, Set-Point Control
(Consent Agenda Item No. 19-12-06)
- G. Consider authorizing execution of engineering services agreement for Garver, LLC, in the amount of \$383,000 on Project No. 501-0551-19, McKinney East Side Extension Improvements
(Consent Agenda Item No. 19-12-07)

- H. Consider authorizing Amendment to District Policy No. 33 Acceptable Waste Delivered by Residents of Solid Waste Member Cities to NTMWD Facilities (Consent Agenda Item No. 19-12-08)

IX. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

GENERAL/ADMINISTRATIVE SERVICES ITEMS

- A. **Adoption of Resolution Commending Deputy Director Joe Stankiewicz**
- Consider adoption of Resolution No. 19-62 commending Deputy Director Joseph Stankiewicz for 37 years of dedicated service to the NTMWD
- B. **Adoption of Resolution authorizing submittal of request for financial assistance with Texas Water Development Board – Administrative Memorandum No. 5501**
- Consider adoption of Resolution No. 19-61 authorizing filing of application for financial assistance from the Texas Water Development Board for financing the Rowlett Creek Regional Wastewater Treatment Plant Peak Flow Management Phase II Improvements and designating authorized representative of NTMWD for purposes of furnishing information and executing documents required in filing application

BOIS D'ARC LAKE AGENDA ITEMS

- C. **Additional Program Management Services for Bois d'Arc Lake Project – Administrative Memorandum No. 5502**
- Consider authorizing additional program management services with Freese and Nichols, Inc., in the amount of \$4,944,181 for Project No. 101-0374-14, Bois d'Arc Lake Program Management
- D. **Additional Construction Management Services for Bois d'Arc Lake Project – Administrative Memorandum No. 5503**
- Consider authorizing additional engineering services with Freese and Nichols, Inc., in the amount of \$3,257,890 for Bois d'Arc Lake Construction Management Services
- E. **Additional Inspection Services for Bois d'Arc Lake electrical, instrumentation, and supervisory control and data acquisition – Administrative Memorandum No. 5504**
- Consider authorizing additional inspection services with Mbroh Engineering, Inc., in the amount of \$1,388,000 for Bois d'Arc Lake electrical, instrumentation, and supervisory control and data acquisition inspection services
- F. **Additional Inspection Services for Bois d'Arc Lake Project – Administrative Memorandum No. 5505**
- Consider authorizing additional inspection services with Freese and Nichols, Inc., in the amount of \$8,545,769 for Bois d'Arc Lake Project

WATER SYSTEM AGENDA ITEMS

- G. **Engineering Services Agreement for Trinity River Lock and Dam No. 7 Stabilization – Administrative Memorandum No. 5506**
- Consider authorizing execution of engineering services agreement with Freese and Nichols, Inc., in the amount of \$389,000 for Project No. 101-0550-19, Trinity River Lock and Dam No. 7 Stabilization

WASTEWATER SYSTEM AGENDA ITEMS

- H. **Change Order No. 14 and Partial Release of Retainage – Administrative Memorandum No. 5507**
- Consider authorizing Change Order No. 14 for 275 additional days for project and partial release of retainage in the amount of \$248,342.67 with Crescent Constructions, Inc., Project No. 501-0401-15, Princeton Lift Station Improvements

PROPERTY ACQUISITION/RIGHT-OF-WAY AGENDA ITEMS

- I. **121 Regional Disposal Facility Property Acquisition Program – Administrative Memorandum No. 5508**
- Consider authorizing execution of property acquisition program with a budget of \$3,100,000 and adoption of Resolution No. 19-63 authorizing purchase of approximately 12.81 acres adjacent to the 121 Regional Disposal Facility, Project No. 401-0552-19

X. DISCUSSION ITEMS

- A. Bois d'Arc Lake Update
1. Construction update
 2. Property acquisition update
- B. Update on Video Recording of Regular Board Meetings
- C. 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. Facilitation with Member Cities regarding alternate cost methodologies to the Amendatory Water Supply Contract

- D. Update on litigation involving North Texas Municipal Water District/advice from legal counsel, including:
 - 1. North Texas Municipal Water District v. Bar Constructors, Black & Veatch, et al., Cause No. 366-02550-2017 pending in Collin County, Texas
 - 2. Justin A. Jinright, et al., v. NTMWD, Cause No. 429-02373-2016 pending in Collin County, Texas
 - 3. Loyd D. Johnson Family Ltd. Partnership No. 1, LLC, et al, v. NTMWD, 336th Judicial District Court in Fannin County, Texas
 - 4. Update on dispute related to Water Treatment Plant Operations Contract and potential litigation relating to same

- E. Review of items for follow up raised during meeting

- F. Opportunity for Board members to request potential future agenda items
(No substantive discussion of items will take place at this time)

XI. **ADJOURNMENT**