



## **NORTH TEXAS MUNICIPAL WATER DISTRICT**

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

**BOARD OF DIRECTORS  
SPECIAL MEETING (BY TELECONFERENCE)  
WEDNESDAY, SEPTEMBER 23, 2020  
9:00 A.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 special meeting by teleconference, accessible to the public, on Wednesday, September 23, 2020, at 9:00 a.m.

**In accordance with the COVID-19 public health threat and the related March 16, 2020, action by the Office of the Governor, temporarily suspending certain provisions of the Texas Open Meetings Act, NTMWD will hold its meeting by telephonic conference call.**

**In lieu of physical attendance of the meeting, the public may teleconference in to the Board meeting by calling 1 (844) 621-3956 and entering the following access code: 928 587 040. Members of the public wishing to make public comment during the meeting should follow the instructions for on-line registration listed under Item V. below no later than the start time of the meeting. The meeting will be recorded and the audio recording will be available on the NTMWD website after the meeting.**

**Please note, if the Office of the Governor's March 16, 2020, action expires prior to the meeting, NTMWD will resume in-person meetings at its offices at 501 East Brown Street Wylie, Texas 75098 and there will not be an option to use the above listed teleconference line to attend the meeting so that NTMWD remains in compliance with the Texas Open Meetings Act.**

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.

### **AGENDA<sup>1</sup>**

#### **I. CALL TO ORDER**

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<sup>1</sup>Persons 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.

**II. ROLL CALL/ANNOUNCEMENT OF QUORUM**

NTMWD staff will call the roll and confirm attendance of Board members by voice confirmation. The Board Secretary shall announce a quorum.

**III. INSTRUCTIONS FROM MODERATOR**

A member of NTMWD staff will serve as moderator for the teleconference and provide instructions to Board members, staff and the public for conducting the meeting by teleconference.

**IV. PUBLIC COMMENTS**

***INSTRUCTIONS FOR PUBLIC COMMENT ON-LINE REGISTRATION:*** Prior to the start of the Board meeting, members of the public wishing to provide public comment must submit via email to [PublicRelations.Info@ntmwd.com](mailto:PublicRelations.Info@ntmwd.com) their first and last name, organization, comment topic, mailing address and email address. During the public comment portion of the meeting, speakers will be recognized by name and asked to provide their comments. 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.

**V. DISCUSSION AND POSSIBLE ACTION ITEMS**

A. Matters related to *Petitions of the Cities of Garland, Mesquite, Plano and Richardson Appealing Wholesale Water Rates Implemented by North Texas Municipal Water District*, Docket Nos. 46662, 47863, 49043, 50382 before the Public Utility Commission of Texas (Member City Contract Matters)

1. Update on settlement negotiations on Member City Contract Matters from staff and legal team
2. Resolution No. 20-46 Authorizing and Directing the Execution of First Amendment to North Texas Municipal Water District Regional Water Supply Facilities Amendatory Contract
3. Resolution No. 20-47 Authorizing and Directing the Execution of Settlement Agreement Regarding Member City Contract Matters

**VI. ADJOURNMENT**

# NORTH TEXAS MUNICIPAL WATER DISTRICT

## RESOLUTION NO. 20-46

### RESOLUTION AUTHORIZING AND DIRECTING THE EXECUTION OF FIRST AMENDMENT TO NORTH TEXAS MUNICIPAL WATER DISTRICT REGIONAL WATER SUPPLY FACILITIES AMENDATORY CONTRACT

**BE IT RESOLVED BY THE BOARD OF DIRECTORS OF NORTH TEXAS  
MUNICIPAL WATER DISTRICT THAT:**

#### SECTION 1

For and on behalf of the North Texas Municipal Water District (the "District"), the President of the Board of Directors of the District is hereby authorized and directed to date, sign, deliver, and otherwise execute, and the Secretary of the Board of Directors of the District is hereby authorized and directed to sign, attest, and seal, the "First Amendment to North Texas Municipal Water District Regional Water Supply Facilities Amendatory Contract" (the "Amendment") in substantially the form and substance **attached**<sup>1</sup> to this Resolution and made a part hereof for all purposes.

#### SECTION 2

Upon its execution by the parties thereto, the Amendment shall be binding upon the District in accordance with its terms and provisions.

#### SECTION 3

This Resolution shall take effect and be in full force and effect from and after the date of its adoption, and it is so resolved; and all resolutions of the Board of Directors of the District in conflict herewith are hereby amended or repealed to the extent of such conflict, and all such resolutions, and any contracts or agreements authorized thereby, shall be of no further force or effect upon execution of the Amendment to the extent of any such conflict.

**THIS RESOLUTION ADOPTED BY THE NTMWD BOARD OF DIRECTORS IN A REGULAR  
MEETING ON SEPTEMBER 24, 2020, IN THE ADMINISTRATIVE OFFICES OF THE  
NTMWD, WYLIE, TEXAS.**

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PHIL DYER, Secretary

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LARRY PARKS, President

(SEAL)

***<sup>1</sup>Amendment will be provided to Board members through NTMWD's legal counsel***

# NORTH TEXAS MUNICIPAL WATER DISTRICT

## RESOLUTION NO. 20-47

### RESOLUTION AUTHORIZING AND DIRECTING THE EXECUTION OF SETTLEMENT AGREEMENT REGARDING MEMBER CITY CONTRACT MATTERS

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF NORTH TEXAS MUNICIPAL WATER DISTRICT THAT:

#### SECTION 1

For and on behalf of the North Texas Municipal Water District (the "District"), the President of the Board of Directors of the District is hereby authorized and directed to date, sign, deliver, and otherwise execute, and the Secretary of the Board of Directors of the District is hereby authorized and directed to sign, attest, and seal, the "Settlement Agreement " (the "Agreement") regarding Member City contract matters in substantially the form and substance **attached**<sup>1</sup> to this Resolution and made a part hereof for all purposes.

#### SECTION 2

Upon its execution by the parties thereto, the Agreement shall be binding upon the District in accordance with its terms and provisions.

#### SECTION 3

This Resolution shall take effect and be in full force and effect from and after the date of its adoption, and it is so resolved; and all resolutions of the Board of Directors of the District in conflict herewith are hereby amended or repealed to the extent of such conflict, and all such resolutions, and any contracts or agreements authorized thereby, shall be of no further force or effect upon execution of the Agreement to the extent of any such conflict.

**THIS RESOLUTION ADOPTED BY THE NTMWD BOARD OF DIRECTORS IN A REGULAR MEETING ON SEPTEMBER 24, 2020, IN THE ADMINISTRATIVE OFFICES OF THE NTMWD, WYLIE, TEXAS.**

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PHIL DYER, Secretary

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LARRY PARKS, President

(SEAL)

***<sup>1</sup>Agreement will be provided to Board members through NTMWD's legal counsel***