



## **NORTH TEXAS MUNICIPAL WATER DISTRICT**

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### **WATER COMMITTEE MEETING MINUTES DECEMBER 16, 2020**

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

Chairman Jack May called the meeting of the North Texas Municipal Water District (NTMWD) Water Committee to order at 2:46 p.m. on Wednesday, December 16, 2020.

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, the public may teleconference into the meeting by calling toll free (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 II. 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.

General instructions were provided to attendees. The role was called, and teleconference attendance was confirmed of the Water Committee members including Chairman Jack May, Directors Terry Sam Anderson, Joe Farmer, Marvin Fuller (2:56 p.m.), Chip Imrie, Joe Joplin and Keith Stephens. Any reference to unanimous votes refers to a unanimous vote of the Committee members present.

Members of the Executive Committee were present as well as other Board members and members of the NTMWD management team. Mark Walsh with Saunders Walsh & Beard attended via teleconference.

#### **II. PUBLIC COMMENTS (FOR TELECONFERENCE COMMITTEE MEETINGS ONLY)**

**INSTRUCTIONS FOR PUBLIC COMMENT ON-LINE REGISTRATION:** Prior to the start of the Water Committee 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 Committee may not discuss these items, but may respond with factual or policy information. Public comment is provided for

committee meetings held by teleconference during the COVID-19 health threat to confirm the opportunity for two-way communication with the public during the meeting. There were no requests to speak from the public.

III. OPENING REMARKS

- A. Chairman/Interim Executive Director/Committee Champion Status Report concerning legislation and regulatory matters, budgets, current projects and ongoing programs of the District including the Regional Water System, Watershed Protection, and Water Conservation

Assistant Deputy Billy George advised that the annual temporary change in disinfectant is scheduled for March 1<sup>st</sup> through March 29<sup>th</sup>, 2021. The dates were announced during the Partnering Meeting on December 9<sup>th</sup>. Additional coordination with the members and customers will take place during a January Communications Team meeting.

Mr. George advised that the annual NTWMD Wetlands thatch burn will begin this month and continue either until the thatch burn is complete or the end of February, whichever occurs first. The Wetlands' staff takes care of all coordination with the local fire response and with the JBS Wetland Center. Signs will be posted locally on highway U.S. 175 notifying the public of the planned burns.

Mr. George noted that there is a consent agenda item on this month's Board meeting agenda for the North Garland 5 psi tank(s). He noted that the Water Committee will not be discussing the item given that it relates to an ongoing project previously briefed before the Board.

IV. ACTION ITEMS

- A. Consider approval of Water Committee meeting minutes – November 18, 2020

Upon a motion by Director Terry Sam Anderson and a second by Director Chip Imrie, the Water Committee voted unanimously to approve as presented.

- B. **Authorize additional archeological services on Bois d'Arc Lake Archeological Services project – Administrative Memorandum No. 5656**
- Consider recommendation on authorizing additional archeological services to existing Archeological Services Agreement with AR Consultants, Inc., in the amount of \$14,800,000 on Project No. 101-0237-11, Bois d'Arc Lake Archeological Services

Deputy Director Cesar Baptista presented this item. He advised this item is to authorize additional archeological services with AR Consultants, Inc. to mitigate six cultural resource sites in accordance with Section 106 of The National Historic Preservation Act, the Texas Antiquities Code, and as required by special conditions of the Section 404 permit of the Clean Water Act issued by the U. S. Army Corps of Engineers.

Mr. Baptista reviewed that the archeological sites must be hand excavated and provided a lake elevation map indicating the general locations of the remaining sites to be completed. He also provided an overview of the Programmatic Agreement, Research Design, and Treatment Plan that are included in the Section 106 process. Phase III Mitigation has the data recovery completed at three burial sites and three sites are still underway, with expected completion for those to be by April 2021. The mitigation process includes: 1) excavating artifacts & features; 2) washing & processing artifacts; 3) writing final reports; and 4) curating artifacts at the Texas Archeological Research Laboratory. Mr. Baptista explained that so far, over 100,000 artifacts have been processed. He advised the work is very time consuming and provided photos of the work in process. He added that COVID restrictions have impacted the work process.

Mr. Baptista stated that the funds requested should last until the end of 2021 and another \$7 million will be needed in 2022, totaling the archeological expense to approximately \$44 million. In response to a Directors' question, Mr. Baptista advised the funds requested are not budgeted but will come from unspent balances of other components of the project, contingencies, and interest from the bonds. During further discussion of the expense, it was noted that in order to have enough qualified people on site to finish the work, the contractor sublet out some of the work to other organizations with qualified archeologists available to assist. The cost includes housing expenses for those who are not local.

Upon a motion by Director Chip Imrie and a second by Director Joe Joplin, the Water Committee voted unanimously to recommend approval to the Board of Directors.

**C. Authorize execution of Memorandum of Agreement with Caddo Nation of Oklahoma – Administrative Memorandum No. 5657**

- Consider recommendation on authorizing the Interim Executive Director to execute a Memorandum of Agreement with the Caddo Nation of Oklahoma for the re-interment of Caddo Ancestral Burials

Cesar Baptista presented this item. He advised this item will authorize the Interim Executive Director to execute a Memorandum of Agreement with the Caddo Nation of Oklahoma to dis-inter and re-inter Caddo ancestral burials. He reviewed the details of the agreement that includes the previously approved conveyance of two acres of District owned land for a cemetery and surrounding easements.

Upon a motion by Director Joe Joplin and a second by Director Chip Imrie, the Water Committee voted unanimously to recommend approval to the Board of Directors.

**D. Authorize additional inspection services on Bois d'Arc Lake projects – Administrative Memorandum No. 5658**

- Consider recommendation on authorizing additional inspection services with Mbroh Engineering, Inc., in the amount of \$1,630,000 for Bois d'Arc Lake electrical, instrumentation, and supervisory control and data acquisition inspection services; Project Nos. 101-0344-13, 101-0358-14, 101-0384-15, 101-0428-16, and 101-0436-16

Cesar Baptista presented this item. He advised this item will authorize funding for additional inspection services for electrical, instrumentation, and supervisory control and data acquisition inspections of projects in the Bois d'Arc Lake (BDL) program. This action will provide continued funding for outsourced electrical and instrumentation inspectors required for the Bois d'Arc Lake construction projects (Leonard Water Treatment Plant (WTP), Leonard WTP Terminal Storage Reservoir, Bois d'Arc Lake Raw Water Pump Station, BDL Dam Maintenance Facility, and the BDL Operations Center construction.) He noted that the inspectors have specific skill sets as required by these projects.

Mr. Baptista reviewed the previously authorized expenditures from 2019 and 2020 that total \$1,881,975, and along with this requested amount totals \$3,511,975.

Upon a motion by Director Keith Stephens and a second by Director Joe Farmer, the Water Committee voted unanimously to recommend approval to the Board of Directors.

- E. **Authorize execution of fourth amendment to Settlement Agreement with Bois d'Arc Municipal Utility District – Administrative Memorandum No. 5659**
- Consider recommendation on authorizing execution of fourth amendment to the Settlement Agreement with Bois d'Arc Municipal Utility District for an increased waterline size on Project No. 101-0344-13, Bois d'Arc Lake Dam and Intake Structure

Cesar Baptista presented this item. He advised that this item is to authorize the Interim Executive Director to execute a fourth amendment to the Settlement Agreement with Bois d'Arc Municipal Utility District. Its purpose is to fund an upsized offsite a water line that will provide sufficient flow and pressure for the Bois d'Arc Lake Operations Center fire sprinkler system.

Mr. Baptista explained that this action to upsize the planned water line from a six-inch line to an eight-inch line at a cost of \$150,000 eliminates the need for the District to install a storage tank and pumping system, which would cost \$500,000. Future maintenance that would be required for such facilities is also eliminated with this action. Funding for this agreement will be from existing allowances previously authorized by the Board under Project No. 101-0436-16.

In response to a Director's question, Mr. Baptista advised that the remote fire department connection to the water line was included in the expense for the sprinkler system in the building.

Upon a motion by Director Joe Joplin and a second by Director Chip Imrie, the Water Committee voted unanimously to recommend approval to the Board of Directors.

- F. **Authorize transportation agreement between the City of Mesquite and City of Forney – Administrative Memorandum No. 5660**
- Consider recommendation on authorizing transportation agreement between the City of Mesquite and City of Forney for water delivered to Markout Water Supply Corporation

Assistant Deputy R.J. Muraski presented this item. He advised that approval of this agreement will allow water supplied to the majority of the Markout WSC through Forney's System be allocated to Mesquite until a direct connection is constructed from Mesquite. This is consistent with Section 3 (a) of the August 1, 1988, Regional Water Supply Facilities Amendatory Contract between the NTMWD and Mesquite. Mr. Muraski advised this is the same item that was briefed for discussion at the Water Committee meeting in October.

Mr. Muraski reviewed that Markout WSC is currently a customer of Forney whose service area covers portions of Forney and Mesquite's City limits and ETJ. On September 14, 2020 Markout approved to have Mesquite manage its system and merge service area with Mesquite. Forney desires to continue to serve a small portion of Markout service area within its city limits, primarily the Grayhawk Subdivision. Mr. Muraski confirmed that Mesquite and Markout have filed with the Public Utility Commission (PUC) to transfer Markout's Certificate of Convenience and Necessity to Mesquite and anticipates a ruling in late spring 2021. Mesquite will need to transport treated water from NTMWD through Forney's water system to Markout's water system until Mesquite can connect to Markout's water system directly, which is estimated to be complete in 2023.

Mr. Muraski provided a map depicting Markout's service areas in Mesquite and Forney. He explained that a Water Transportation Agreement between Mesquite and the City of Forney has been executed for the transportation of water to Markout. No requests for changes in minimums between Forney and Mesquite are included. Mr. Muraski added that the transportation agreement expires once Mesquite builds infrastructure to serve the Markout area. He noted that the District has two other similar transportation agreements that are considered temporary as well.

Upon a motion by Director Terry Sam Anderson and a second by Director Joe Farmer, the Water Committee voted unanimously to recommend approval to the Board of Directors.

**G. Authorize Construction Manager At-Risk Agreement on Wylie Water Treatment Plant Biologically Active Filtration project and Wylie Water Treatment Plant I Structural and Mechanical Improvements project – Administrative Memorandum No. 5661**

- Consider recommendation on authorizing Construction Manager At-Risk Agreement with Montgomery Watson Harza (MWH) Constructors for pre-construction and procurement services in the amount of \$446,253 on Project No. 101-0390-15, Wylie Water Treatment Plant Biologically Active Filtration and on Project No. 101-0517-18, Wylie Water Treatment Plant I Structural and Mechanical Improvements in the amount of \$365,116

Jeff Ray, Engineering Manager presented this item. He advised this item is to authorize a Construction Manager At-Risk (CMAR) agreement and authorize initial funding for CMAR pre-construction and procurement services, for the Wylie Water Treatment Plant Biologically Active Filtration system (BAF) and the Wylie WTP Plant II Structural and Mechanical Improvements projects. He advised the CMAR delivery method allows engineering design to progress while taking advantage of

the construction manager's input to value engineering, constructability reviews, scheduling, cost estimating, phasing of construction, and development of work packages in a manner that matches NTMWD's funding and schedule. Mr. Ray noted that the CMAR authorization was obtained in September 2019. The in-progress design projects for the Wylie Water Treatment Plant Biologically Active Filtration and the Wylie Water Treatment Plant II Structural and Mechanical Improvements will be combined under this CMAR.

Mr. Ray reviewed the major elements to implement the BAF. He also reviewed the CMAR selection process, saying that Montgomery Watson Harza (MWH) Constructors were selected out of five submittals. The CMAR funding agreement was reviewed.

In response to a Director's question, Mr. Ray advised that in the future the CMAR will have another agreement to cover the construction phases of the project.

Upon a motion by Director Chip Imrie and a second by Director Keith Stephens, the Water Committee voted unanimously to recommend approval to the Board of Directors.

**H. Adoption of Resolution No. 20-62 authorizing ratification of execution of Development Agreement with Encore Wire Corporation – Administrative Memorandum No. 5662**

- Consider recommendation on adoption of Resolution No. 20-62 authorizing ratification of the Interim Executive Director's execution of Development Agreement with Encore Wire Corporation, Project No.101-0580-20, Wylie-to-McKinney 24-Inch Waterline and North McKinney, Phase I and II, 36-Inch Waterline Improvements

Jeff Ray presented this item. He advised this item is to ratify the Interim Executive Director's execution of a development agreement with Encore Wire Corporation. A development agreement between Encore and the NTMWD was executed to secure Encore funding of all legal, inspection and installation costs associated with required improvements to NTMWD's infrastructure along the west side of Encore's property. The improvements are needed for Encore to develop its property at Industrial Boulevard and Airport Road in McKinney, Texas. A map depicting the location was provided.

Mr. Ray advised that Encore is paying for all costs associated with this agreement and includes encasement for piping not intended to be underneath a road that Encore needs to build, relocation of an existing air relief valve, installation of 23-inch and 36-inch isolation valves to facilitate the construction. All engineering, design, and inspections are included.

Upon a motion by Director Terry Sam Anderson and a second by Director Keith Stephens, the Water Committee voted unanimously to recommend approval to the Board of Directors.

- I. **Authorize engineering services agreement on Relocation of Wylie-to-Garland 42-Inch Waterline project – Administrative Memorandum No. 5663**
- Consider recommendation on authorizing the Interim Executive Director to execute an engineering services agreement with Teague, Nall and Perkins, Inc., in the amount of \$186,680 for final design on Project No. 101-0563-20, Relocation of Wylie-to-Garland 42-inch Waterline

Jeff Ray presented this item. He advised this will authorize an Engineering Services Agreement for the final design phase to relocate a section of the Wylie-to-Garland 42-Inch waterline to accommodate development of a site by the Wylie Economic Development Corporation.

Teague, Nall and Perkins, Inc. has been selected to provide the design for this relocation. Any expense involved in this project will be reimbursed by the Wylie Economic Development Corporation.

Upon a motion by Director Keith Stephens and a second by Director Marvin Fuller, the Water Committee voted unanimously to recommend approval to the Board of Directors.

- J. **Authorize award of contract on Wylie-to-Rockwall Pipeline Relocation, Phase I, project - Administrative Memorandum No. 5664**
- Consider recommendation on authorizing award of construction contract with McKee Utility Contractors, Inc., in the amount of \$9,095,000 for construction of Project No. 101-0526-19, Wylie-to-Rockwall Pipeline Relocation, Phase I

Jeff Ray presented this item. He advised this item is to execute a construction contract with McKee Utility Contractors, Inc, and authorize internal inspection funding, to install Phase I of the Lavon No. 2 to Rockwall-CASH Pipeline and the northern interconnect line between the Wylie-Rockwall-Farmersville pipeline and the Wylie-Lavon pipeline near Kreymer Lane in Wylie, Texas.

TxDOT is widening SH 205 and it creates the need to relocate part of the existing 20-inch Wylie to Rockwall pipeline. In anticipation of the need for a future larger pipeline in this area, the District has determined to upsize this line and will be responsible for that portion of the expense. A location map was provided.

The bid tabulation was reviewed with McKee Utility Contractors, Inc. submitting the winning bid.

Upon a motion by Director Joe Joplin and a second by Director Chip Imrie, the Water Committee voted unanimously to recommend approval to the Board of Directors.

V. **DISCUSSION ITEMS**

- A. 60-inch McKinney Parallel Pipeline, Phase I update

Hunter Stephens, Water Transmission System Manager, presented this item. He reviewed that on November 10, 2020 the McKinney Parallel Pipeline failed in two locations. The first being at Pointe North (E. Gaston Dr.) and the second at High Service Pump Station (HSPS) 2-2. He advised that the Emergency Operation Center was activated, and the Interim Executive Director declared an emergency. He noted that water service was maintained at the delivery points during this emergency.

Mr. Stephens reviewed that the failure of a joint occurred at E. Gaston Dr. and a failed tapping saddle caused the failure at the HSPS 2-2. Inspections and repairs made at both failure locations were reviewed. Mr. Stephens advised that currently one pipe segment requires excavation and an external inspection. Once the pipeline is returned to service, a complete forensic evaluation will be conducted (2021). A future Board action is anticipated to ratify the Interim Executive Director's declaration of an emergency and associated response expenses.

In response to a Director's question, Mr. Stephens advised that prior to this event this pipeline had not been inspected, however, had been recently identified among pipeline identified as priorities for being inspected.

B. Cooper System update

Hunter Stephens presented this item. He reviewed that there was an 84-inch pipeline failure on December 3, 2020. He advised this line is jointly owned with the City of Irving and the failure was indicated by the NTMWD Control Room operators when a pressure drop was observed. The evening of the failure, personnel were dispatched to assess roadway crossings for possible damage. On December 4<sup>th</sup> the leak was located on Aaron Ranch, located southwest of Commerce. The Interim Executive Director declared an emergency on December 8<sup>th</sup> after it became apparent that a non-emergency response would not return the pipeline to service within an adequate time period.

Mr. Stephens provided photos of the area and an update on the current status, saying that the installation of new pipeline is scheduled for the interval between December 20<sup>th</sup> and 25<sup>th</sup>. After all costs are determined future Board action is anticipated.

C. Water transmission asset management and maintenance status update

Due to time constraints this item was postponed to a future meeting.

D. Opportunity for Committee members to provide feedback on Water Committee meeting

There were no comments from Committee Members.

E. Opportunity for Committee members to request potential future agenda items  
**(No substantive discussion of items will take place at this time)**



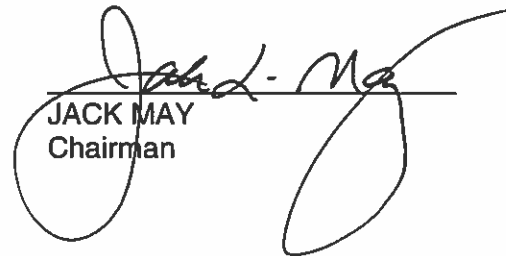
Chairman May advised that Director Brenda Jean Patrick suggested a discussion about the possibility of water being included for Wall Street trading.

Director Anderson commended the staff for the level of information being provided to the Committees and Board.

VI. ADJOURNMENT

There being no further business, the meeting of the Water Committee adjourned at 4:18 p.m.

APPROVED:



JACK MAY  
Chairman