



NORTH TEXAS MUNICIPAL WATER DISTRICT

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EXECUTIVE COMMITTEE MEETING MINUTES JANUARY 13, 2021

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 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.

I. CALL TO ORDER

President Larry Parks called the meeting to order at approximately 9:01 a.m. on Wednesday, January 13, 2021. The meeting was conducted by teleconference.

The following Executive Committee members were present; therefore, a quorum was present.

Executive Committee Members		
1	Parks, Larry (President)	Present
2	Grooms, Darrell (Vice President)	Present
3	Dyer, Phil (Secretary)	Present
4	Gordon, Don (Past President)	Present

Other Directors were in attendance along with Interim Executive Director Rodney Rhoades and other members of the NTMWD management team.

The following consultants participated by telephone:

- Mark Walsh – Saunders, Walsh & Beard
- Lauren Kalisek – Lloyd Gosselink Rochelle & Townsend

II. PUBLIC COMMENTS (FOR TELECONFERENCE COMMITTEE MEETINGS ONLY)

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 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. 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 for Public Comment.

III. ACTION ITEMS

- A. Consider approval of minutes of Executive Committee meeting – December 2, 2020

On a motion by Director Darrell Grooms and a second by Director Phil Dyer, the Executive Committee approved the minutes of December 2, 2020, by unanimous vote.

- B. Discussion and possible action on Board Members requested potential future agenda items

There were no requested potential future agenda items at the December Board meeting.

IV. DISCUSSION ITEMS

- A. Chairman/Interim 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

President Parks asked everyone to remember those who are affected by COVID-19 and reviewed the following guidelines for the meeting:

- Remember to unmute your phone when you acknowledge your presence, provide comments, make a motion/second, and vote. Please then return to mute to minimize any background noise.
- Please announce your name when speaking.
- If for some reason you drop off the call, simply follow the instructions to redial into teleconference.
- Audio for this meeting will be recorded and made available on our website in accordance with the current modified requirements.

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- The public line will be muted except during public comment to avoid noise disruptions so that we can do our best to make sure all participants can clearly hear the proceedings.

Interim Executive Director Rodney Rhoades advised that Governor Abbott extended the COVID disaster declaration until the end of January. He noted that there has been an increase in the number of cases recently throughout the area. He stated that staff members are working with the Collin County Healthcare Services to offer vaccines to District employees.

Mr. Rhoades advised that at the January Board meeting two long-time employees will be recognized. Ken Wesson and Denise Hickey will both be retiring at the end of January. He added that plans are to present a resolution to the Board of Directors at an upcoming meeting to recognize retirees.

Mr. Rhoades advised that Deputy Director Mike Rickman will be out for a short period of time and he and Deputy Director Cesar Baptista will cover his duties until his return.

At 9:07 a.m. President Parks declared the need for an Executive Session of the Executive Committee to discuss Item No. IV. B. and C. on the agenda pursuant to Texas Government Code, Section 551.071, Consultation with Attorney.

- B. Discuss status of Member City contract matters including:
 1. *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, and 50382 before the Public Utility Commission of Texas*
 2. Update on settlement status

- C. Update on litigation involving North Texas Municipal Water District/advice from legal counsel, including:
 1. *Excel Aircraft, LLC d/b/a Excel Trenching v. NTMWD*, arising out of the Indian Creek Force Main No. 2, Project No. 501-0454-17
 2. *North Texas Municipal Water District v. S.J. Louis Construction of Texas, Ltd., ACT Pipe and Supply, Inc., North American Pipe Corporation, J-M Manufacturing, Inc., d/b/a JM Eagle, Inc.*, Cause No. 429-06607-2019, 429th Judicial District, Collin County, Texas (121 Force Main)
 3. Provide update regarding possible easement encroachment by a contractor performing residuals removal, hauling, and disposal

Open Session reconvened at 10:01 a.m. No action was taken in Executive Session.

- D. Agendas for January 2021 Board meeting and Committee meetings
 1. Legislative Committee meeting

Mr. Rhoades reviewed the agenda items for today's at 11:00 a.m. Legislative Committee meeting as follows:

- Consider request from City of Rockwall to support legislation regarding Board Member removal by appointing Member City
- Discuss Public Utility Commission wholesale rate review legislation
- Discussion regarding meeting schedule with State Legislative Delegations
- Update on the 87th Texas Legislature and introduced legislation
- Update on Red River Boundary Compact Commission and Oklahoma legislative action

2. Personnel Committee meeting

Mr. Rhoades reviewed the agenda items for today's 1:00 p.m. Finance Committee meeting as follows:

- Consider amendment to Personnel Policy Manual related to situational and core telework for eligible employees.
- Discuss potential changes to the District's Complaint Resolution Process

3. Real Estate Committee meeting

Mr. Rhoades advised that Real Estate Committee meeting is scheduled for Wednesday, January 27, at 10:00 a.m. and agenda is being developed.

4. Finance Committee meeting

Mr. Rhoades advised that the Finance Committee meeting is scheduled for Wednesday, January 27, at 11:15 a.m. and the agenda is being developed.

5. Wastewater Committee meeting

Mr. Rhoades advised that the Wastewater Committee meeting is scheduled for Wednesday, January 27, at 1:00 p.m. and the agenda is being developed.

6. Water Committee meeting

Mr. Rhoades advised that the Water Committee meeting is scheduled for Wednesday, January 27, at 2:45 p.m. and the agenda is being developed.

7. Regular Board meeting

Mr. Rhoades advised that the Regular Board meeting will be held Thursday, January 28, at 2:30 p.m.

E. Operations and Maintenance update

1. Water System update

a. Update on 60-inch McKinney Parallel Pipeline break in Wylie, Texas

Assistant Deputy Billy George advised that the repairs on in this pipeline break (which actually consisted of two breaks) will be done this week and the line will be back in service the next week. There will be an item on the January Water Committee and Board agendas to ratify the expenses for these emergency repairs.

b. Update on 84-inch Cooper Pipeline break in Hunt County, Texas

Billy George advised that this break has been repaired and the line is back in service. There will be an item on the February Water Committee and Board agendas to ratify the expenses for these emergency repairs.

2. Wastewater System update

No update provided.

3. Solid Waste System update

No update provided.

4. Maintenance update

No update provided.

F. Administrative Services update

1. Finance/Budget update

Interim Executive Director Rhoades advised that the Finance Committee have the Comprehensive Annual Financial Report (CAFR) on the agenda this month and it will go the Board on January 27th.

2. Personnel update

Mr. Rhoades advised that the proposed policy changes that are being presented to the Personnel Committee will be on the Board's agenda in January.

3. Technology and support update

No update provided.

4. District Policy update

No update provided.

- G. Engineering and Capital Improvement Plan (CIP) update
1. Engineering update
 - a. Update on Bois d'Arc Lake project

No update provided.

2. CIP/Planning update

Deputy Director Cesar Baptista reviewed the Public Meeting that was recently held regarding the Rowlett Creek Regional Wastewater Treatment Plant Administration Building design and construction. He provided information on the attendees and the information discussed.

In response to President Parks' inquiry, Mr. Baptista provided information on two other CIP projects (Bear Creek contract and Sister Grove).

- H. Legislative update

No update was provided.

- I. Opportunity for Committee members to provide feedback on Executive Committee meeting

There were no comments from Committee members.

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

There were no potential future agenda items requested.

V. ADJOURNMENT

There being no further business, the meeting was adjourned at approximately 10:15 a.m. The next meeting of the Executive Committee will be called by the Chairman with proper notification to all members.



APPROVED:

DocuSigned by:
Larry Parks
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LARRY PARKS
President