



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 (BY TELECONFERENCE)
THURSDAY, MARCH 25, 2021
2:30 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 by teleconference, accessible to the public, on Thursday, March 25, 2021, at 2:30 p.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 VIII. 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.

AGENDA¹

I. CALL TO ORDER

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.

II. **INVOCATION**

III. **PLEDGE OF ALLEGIANCE**

IV. **PLEDGE OF ALLEGIANCE TO THE TEXAS FLAG**

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

VI. **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.

VII. **OPENING REMARKS**

- A. President's Remarks concerning current events, conduct of meeting, posted agenda items, committee assignments, and related matters
- B. 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

VIII. **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 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.

IX. **EXECUTIVE SESSION (to begin at approximately 2:45 p.m. and end between 3:15 p.m. – 4:00 p.m.)**

The Presiding Officer will announce that the meeting will move into closed executive session and identify the agenda items to be discussed in executive session. The executive session will conclude so that the public meeting will resume between 3:15 p.m. - 4:00 p.m.

X. **DISCUSSION ITEMS**

- A. Update on litigation involving North Texas Municipal Water District/advice from legal counsel, including:
 - 1. Provide update regarding possible easement encroachment by a contractor performing residuals removal, hauling, and disposal

- B. Update on water quality contaminants of emerging concern
- C. Update on zebra mussels and other invasive species

- D. Engineering update
 - 1. Update on Bois d'Arc Lake Operations Building

XI. 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. **Approval of Regular Board Meeting Minutes – Consent Agenda Item No. 21-03-01**
 - Consider approval of February 25, 2021, Board of Directors Regular meeting minutes
- B. **Approval of Monthly Construction Report – Consent Agenda Item No. 21-03-02**
 - Consider approval of March 2021 Monthly Construction Report
- C. **Authorize appointment of financial auditors for FY 2021 – Consent Agenda Item No. 21-03-03**
 - Consider authorizing appointing Crowe, LLP, for financial audit services for FY 2021 in the amount of \$122,500
- D. **Authorize legal services for negotiations with Texas Department of Transportation – Consent Agenda Item No. 21-03-04**
 - Consider authorizing legal services with Saunders, Walsh & Beard, Attorneys and Counselors, in the amount of \$15,000 for negotiations with Texas Department of Transportation on Project No. 101-0544-19, Plano-McKinney Water Transmission System, Phase I, Relocation of 84-inch and 42-inch Pipelines
- E. **Authorize partial release of retainage on Meter Vault Standardization project – Consent Agenda Item No. 21-03-05**
 - Consider authorizing partial release of retainage in the amount of \$295,282.37 with MELA Contracting, Inc., on Project No. 101-0338-13, Meter Vault Standardization, Set Point Control Implementation, Phase II
- F. **Authorize reallocation of funds for improvements at John Bunker Sands Wetland Center – Consent Agenda Item No. 21-03-06**
 - Consider authorizing the reallocation of \$33,334 previously paid to the John Bunker Sands Wetland Center for improvements to Martin Lane to construct fire protection improvements associated with the Center's expansion

- G. **Authorize execution of license agreement with Dallas Area Rapid Transit on Beck Branch Parallel Interceptor Improvements, Beck Branch Parallel Interceptor Phase II, and Plano Spring Creek Force Main Parallel projects – Consent Agenda Item No. 21-03-07**
- Consider authorizing the Interim Executive Director to execute a license agreement with Dallas Area Rapid Transit, in the amount of \$6,364.44 on Project No. 501-0439-16, Beck Branch Parallel Interceptor Improvements, Beck Branch Parallel Interceptor Phase II and Plano Spring Creek Force Main Parallel
- H. **Authorize execution of inspection services agreement on North McKinney Interceptor Improvements and Richardson Spring Creek Trunk Sewer Improvements Inspection projects – Consent Agenda Item No. 21-03-08**
- Consider authorizing the Interim Executive Director to execute an inspection services agreement with Ace Pipe Cleaning, Inc., in the amount of \$321,150 on Project No. 501-0590-21, North McKinney Interceptor Improvements, Phase II, Texas Commission on Environmental Quality Re-inspection and Richardson Spring Creek Trunk Sewer Improvements Inspection

XII. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

GENERAL/ADMINISTRATIVE SERVICES AGENDA ITEMS

- A. **Adoption of Resolution No. 21-15 commending Mike Rickman for over 18 years of service**
- Consider adoption of Resolution No. 21-15 commending Mike Rickman for over 18 years of service to the NTMWD
- B. **Adoption of Resolution No. 21-16 commending Teresa Wigington for over 20 years of service**
- Consider adoption of Resolution No. 21-16 commending Teresa Wigington for over 20 years of service to the NTMWD
- C. **Adoption of Resolution No. 21-17 commending Steve Long for over 30 years of service**
- Consider adoption of Resolution No. 21-17 commending Steve Long for over 30 years of service to the NTMWD
- D. **Authorize execution of contract to perform financial management analysis of the Regional Water System pursuant to Settlement Agreement – Administrative Memorandum No. 5702**
- Consider authorizing the Interim Executive Director to execute a contract for independent review with Amawalk Consulting Group, LLC, in the not-to-exceed amount of \$160,000 to perform a financial management analysis of the Regional Water System pursuant to Section III of the Settlement Agreement with the NTMWD Member Cities in reference to the rate case filed by the cities of Garland, Mesquite, Plano, and Richardson with the Public Utility Commission of Texas

- E. **Adoption of Resolution No. 21-18 authorizing procurement of Bois d’Arc Lake startup equipment for operations – Administrative Memorandum No. 5703**
- Consider adoption of Resolution No. 21-18 authorizing the procurement of Bois d’Arc Lake startup equipment for operations in the not-to-exceed amount of \$3,500,000, Project No. 101-0436-16, Bois d’Arc Lake Boat Ramps
- F. **Authorize execution of Public Hunting Lands Agreement with Texas Parks and Wildlife Department – Administrative Memorandum No. 5704**
- Consider authorizing execution of Public Hunting Lands Agreement with Texas Parks and Wildlife Department for Bois d’Arc Lake
- G. **Authorize execution of potable water supply contract with Rose Hill Special Utility District – Administrative Memorandum No. 5705**
- Consider authorizing execution of potable water supply contract with the Rose Hill Special Utility District with a contract term of 20 years
- H. **Authorize ratification of emergency procurement in response to Chapman Raw Water Pipeline failure – Administrative Memorandum No. 5706**
- Consider authorizing ratification of emergency procurement of goods and services authorized by the Interim Executive Director in response to the emergency conditions resulting from the 84-inch Chapman Raw Water Pipeline failures on December 3, 2020, in the amount of \$462,713
- I. **Authorize award of construction contract and internal inspection services on Wylie Water Treatment Plant III Sludge Handling and Reclaimed Water Improvements project – Administrative Memorandum No. 5707**
- Consider authorizing award of construction contract with Archer Western Construction, LLC, in the amount of \$16,789,920 and authorizing internal inspection services in the amount of \$361,200 on Project No. 101-0541-19, Wylie Water Treatment Plant III Sludge Handling and Reclaimed Water Improvements
- J. **Authorize execution of engineering services agreement on Water System Operation and Maintenance manuals updates – Administrative Memorandum No. 5708**
- Consider authorizing the Interim Executive Director to execute an engineering services agreement with Jacobs Engineering Group, Inc., in the amount of \$416,000 to develop and implement a process for updating Operation and Maintenance Manuals to incorporate changes resulting from Capital Improvement Projects, Project No. 101-0589-21, Water System Operation and Maintenance Manuals Updates
- K. **Authorize Change Order No. 4 on Renner Road to Plano Delivery Point No. 2 Pipeline project – Administrative Memorandum No. 5709**
- Consider authorizing Change Order No. 4 with McKee Utility Contractors, Inc., in the amount of \$590,737.56, Project No. 101-0462-17, Renner Road to Plano Delivery Point No. 2 Pipeline

- L. **Authorize execution of engineering services agreement on Northeast McKinney Pump Station project – Administrative Memorandum No. 5710**
- Consider authorizing the Interim Executive Director to execute an engineering services agreement with CDM Smith in the amount of \$4,241,030 for final engineering design on Project No. 101-0591-21, Northeast McKinney Pump Station

WASTEWATER SYSTEM AGENDA ITEMS

- M. **Authorize execution of Amendment No. 7 to the Construction Manager At-Risk Agreement on Sister Grove Water Resource Recovery Facility project – Administrative Memorandum No. 5711**
- Consider authorizing the Interim Executive Director to execute Amendment No. 7 to the Construction Manager At-Risk Agreement with Garney Companies, Inc., in the amount of \$26,853,233.03 for partial Guaranteed Maximum Price No. 6 and change to the substantial and final completion dates on Project No. 301-0426-16, Sister Grove Regional Water Resource Recovery Facility

XIII. CLOSING ITEMS

- A. Review of items for follow up raised during meeting
- B. Opportunity for Board members to request potential future agenda items
(No substantive discussion of items will take place at this time)

XIV. ADJOURNMENT