



NORTH TEXAS MUNICIPAL WATER DISTRICT

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WATER COMMITTEE MEETING MINUTES
APRIL 21, 2021

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, April 21, 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, 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 roll was called, and teleconference attendance was confirmed of the Water Committee members including Chairman Jack May, Directors Terry Sam Anderson, Joe Farmer, Marvin Fuller, 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. Lauren Kalisek and Sara Thornton with Lloyd Gosselink Rochelle & Townsend, and Lewis Isaacks 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 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 for public comments.

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 reviewed two items included on the regular Board Meeting agenda for April 22nd including:

- 1) Authorizing the use of a new customer contract template for water contracts
- 2) A panel discussion related to the historic winter weather Texas experienced in February 2021

Mr. George advised a new Water Resource Program and Public Education Manager was recently hired to fill the position vacated by Denise Hickey's retirement. Helen Dulac has joined the team, and she will be introduced to the Committee in the future. He added that Helen is working hard getting up to speed with NTMWD's programs and major facilities.

Mr. George advised the impoundment of water in Bois d'Arc Lake began on April 14, 2021. It is exciting news for NTMWD, and multiple news outlets have picked up the story.

Mr. George advised that staff is working to trace and repair an apparent leak in a storm drain line at Water Treatment Plant III at the Wylie Complex that has released a small amount of what could be water from a water treatment lagoon onto the Corps of Engineers property. The released water does not pose a threat to aquatic life and staff is working with the Corps of Engineers on potential cleanup activities.

Mr. George provided an update on discussions with the City of Leonard on the potential to provide limited and temporary support related to the Leonard Water Treatment Plant, which was discussed with the Water Committee last November. Mr. George advised that he provided a draft agreement to the City of Leonard and their City Council discussed its contents at the April 13th Council meeting. The Council tabled any action on the agreement pending the Water Committee's and Board's consideration next month.

IV. ACTION ITEMS

- A. Consider approval of Water Committee meeting minutes – March 24, 2021

Upon a motion by Director Chip Imrie and a second by Director Joe Farmer the Water Committee voted unanimously to approve the meeting minutes for March 24, 2021.

At this time Chairman May moved Item V. D. up on the agenda.

At 2:54 p.m. Chairman May declared the need for an Executive Session of the Committee to discuss Items V. D. on the agenda pursuant to Texas Government Code, Section 551.071, Consultation with Attorney.

V. DISCUSSION ITEMS

- D. Discussion on roadway rights of way expansions and encroachment into NTMWD easements and other utility installations in roadway rights of way and easements in close proximity to NTMWD infrastructure

Open session reconvened at 3:11 p.m. No action was taken during Executive Session.

- B. **Authorize award of construction contract and internal inspection services on Wylie Water Treatment Plant II Sedimentation Basin Trough Improvements project – Administrative Memorandum No. 5712**
- Consider recommendation on authorizing award of construction contract to Schofield Civil Construction, LLC, in the amount of \$2,603,000 on Project No. 101-0568-20, Wylie Water Treatment Plant II Sedimentation Basin Trough Improvements, and authorizing internal inspection services in the amount of \$38,250

Engineering Manager Jeff Ray presented this item. He advised that the Wylie Water Treatment Plant II sedimentation basin discharge overflow troughs have been found to have advanced corrosion on many parts of the normally submerged surfaces. This active deterioration is due to normal service. Exposure continues to result in leaks in the troughs and has compromised the metal to the point that patchwork repairs are no longer feasible. Mr. Ray advised the areas of concern have been identified in four basins and provided a diagram of those locations.

Mr. Ray reviewed the bids received and advised the apparent low bidder is Schofield Civil Construction in the amount of \$2,603,000. The Engineer's last opinion of probable construction cost was \$3,180,000. Background for this recommended contractor was provided. Mr. Ray noted that the internal inspection services needed for this project are included in the amount of \$38,250.

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

- C. **Authorize award of construction contract and internal inspection services on Wylie Water Treatment Plant I Washwater Supply System Improvements project – Administrative Memorandum No. 5713**

- Consider recommendation on authorizing award of construction contract to Schofield Civil Construction, LLC, in the amount of \$6,128,875 on Project No. 101-0511-18, Wylie Water Treatment Plant I Washwater Supply System Improvements, and authorizing internal inspection services in the amount of \$209,000

Jeff Ray presented this item. He advised this item is for a construction contract and internal inspection services to replace the existing aged, elevated storage tank with a larger elevated tank and modernized pumping and process control. This will allow operational flexibility in management of filter backwash supply to maximize the WTP I filtration process capacity.

Mr. Ray advised that the current 200,000-gallon elevated steel tank supplies filter backwash water. It is undersized and has been abandoned due to condition issues. The new 500,000-gallon will allow more efficient cycling and avoid short-term process constraints. This project includes properly sized refill pumps and associated chemical storage and feed system. A location map was provided. He noted that the old tank will be discarded.

Mr. Ray reviewed the bids and advised that Schofield Civil Construction is the apparent low bidder in the amount of \$6,128,875. Much of the work will be subcontracted to others by Schofield. Mr. Ray noted that the low bid is 11 percent above the engineer's opinion of probable construction cost, and he reviewed the cost factors. The internal inspection services in the amount of \$209,000 are included in this item.

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

D. Authorize additional engineering services on Texoma Fiber Optic Improvements project – Administrative Memorandum No. 5715

- Consider recommendation on authorizing additional engineering services with Gupta & Associates, Inc., in the amount of \$251,100 on Project No. 101-0558-20, Texoma Fiber Optic Improvements

Jeff Ray presented this item. He advised this item is for additional engineering and surveying services for the final design of the Texoma Fiber Optic Improvements. He advised that ongoing development around the Texoma Raw Water pipeline corridor has created several areas of anticipated limitation or conflict with the current best proposed path for fiber optic cabling in parallel with the raw water pipeline. Mr. Ray added that the City of Sherman Water Treatment Plant and the Panda Power Plant usage of the raw water along this pipeline will be monitored with the fiber optic.

The raw water pipeline begins at the Texoma Raw Water Pump Station and ends at the Howe Balancing Reservoir. Mr. Ray advised that the fiber optic will be located in the same easement as the pipeline, noting that the space in some areas is tight. Supplemental surveying is required to ensure installation remains inside the easement.

In response to Chairman May's questions, Mr. Ray advised \$596,898 is the revised design fee with the current additional services. The \$4,120,000 is the construction estimate at the present point of design progression. Deputy Director Cesar Baptista advised that the distance and the location of the pipeline has impacted the cost. He added that the fees as a percentage of the construction cost will be higher than a typical engineering contract because of the nature of the project.

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

V. DISCUSSION ITEMS

- A. Discuss requests from public water suppliers to become new wholesale water customers of NTMWD

Assistant Deputy R.J. Muraski presented this item. He reviewed that since 2004 Terrell, Greater Texoma Utility Authority, and Able Springs were added as new customers, and indirect customers Little Elm and BHP Water Supply Corporation (WSC) were added as direct customers. He noted that in 2016 the Board provided formal guidance of not considering new membership until Bois d'Arc Lake is completed.

Mr. Muraski explained that the request process for becoming a new customer includes a formal request letter, water service requirements, and a worksheet estimating population and demands for the next 30 years. A potential customer must also have no objections from the current wholesale provider and be located in the Region C Planning service area. In addition, the existing treated water transmission system capacity replacement cost must be provided, and the new customer must cover all costs for a new delivery point. Mr. Muraski noted that staff plans to bring all customer requests to the Board in the summer of 2021 as the completion of Bois d'Arc Lake occurs in 2022.

Mr. Muraski advised that as of January 2021, indirect customers requesting to become direct customers include Blackland WSC, RCH WSC (both currently indirect customers of Rockwall with no objections), and High Point Special Utility District (High Point) (currently indirect customer of Forney and Terrell; both cities voiced objections.) New customer requests have been received from Celina and Weston. He added that informal meetings have been held with the City of Blue Ridge and Trenton. Location maps of these entities were provided.

Mr. Muraski stated that a future Long Range Water Supply Plan will help define the District's service area. Staff recommended that a policy be developed to address public water suppliers desiring to become customers of the District.

In response to a question by a Director Joe Joplin, Mr. Muraski advised that currently Weston is using well water. Celina is using well water and also getting water from the Upper Trinity Regional Water District (UTRWD).

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Director Chip Imrie inquired as to how the District responds to requests when there is an objection raised. Mr. Muraski advised that the District takes no action as those entities must work with the providers directly.

Director John Carr expressed concern that he was not included in discussions regarding High Point stating that there needs to be more transparency. Mr. Muraski responded that the District has an objection letter from Forney regarding High Point. Interim Executive Director Rodney Rhoades added that High Point has not responded to the initial capacity replacement costs estimated at \$7.5 million, to be phased in over six years. He noted that staff is working directly with High Point which is the normal process. Director Chip Imrie suggested that since the no objection letter from Rockwall with respect to RCH WSC is several years old perhaps they should be contacted again.

Director Marvin Fuller inquired whether Celina will continue receiving water from the UTRWD. Mr. Muraski responded that they still have a contract so it is likely they will.

Several Directors expressed concern about the District committing to new customers until additional water sources are available. Mr. Baptista responded that staff knows that in the future there will be a gap between supply and demand in 2040, and staff will bring back a plan to the Board for consideration.

- B. Discuss Texas Commission on Environmental Quality requirement to supply 0.6 gallons per minute of water for each customer connection supplied by public water systems

R.J. Muraski presented this item. He reviewed that the Texas Commission on Environmental Quality (TCEQ) requires 0.6 gallons per minute (GPM) per connection as stated in the 30 Texas Administrative Code 290.45(f). Each member city and customer must demonstrate they meet the 0.6 GPM rule to TCEQ as part of periodic Comprehensive Compliance Inspection. TCEQ requires the appropriate volume of water to meet 0.6 rule stated in wholesale water contracts.

Mr. Muraski advised that NTMWD meets the 0.6 rule technically but sometimes not contractually. In the NTMWD contracts for member cities and in some customer contracts it only states Annual Minimums. The current contract template states maximum volume (Usually > 0.6 rule). He advised that smaller cities sometimes do not meet the .6 rule and can get an exception from TCEQ. A revised contract template will be considered by the Board at the upcoming Board meeting.

Mr. Muraski noted this discussion was requested by Chairman May.

- C. Discuss plan to make use of Lake Texoma water in the future

Billy George provided an overview of the history of the District's permits for Texoma water. He explained the usage of Texoma water over the past 20 years and the blending requirements. It was noted that from 2010 to 2014 Texoma water was not available due to Zebra Mussels. A chart reflecting the impact of Texoma

water supplies on Lake Lavon was provided as well as the impact of drought conditions over the years without Texoma water.

Mr. George provided a graph that represented water supplies from 2020 to 2070 that included existing water sources, blending with Marvin Nichols, blending with Bois d'Arc, and blending with Wright Patman.

Director Terry Sam Anderson expressed that the Marvin Nichols Reservoir is a huge endeavor and will likely present challenges for usage in the future. Director Joe Joplin inquired whether the new Leonard Water Treatment Plant will take water directly from Texoma. Mr. George responded that the last expansion of the Leonard Water Treatment Plant in 2034 will include a new pipeline from Lake Texoma.

- D. Discussion on roadway rights of way expansions and encroachment into NTMWD easements and other utility installations in roadway rights of way and easements in close proximity to NTMWD infrastructure

This item was discussed previously during Executive Session.

- E. Opportunity for Committee members to provide feedback on Water Committee meeting

Director Brenda Jean Patrick requested a presentation that includes predictions for droughts in the next five to seven years.

President Larry Parks suggested in the future the Item C. presentation include an overlay of water from Oklahoma as a possible source.

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

Director Marvin Fuller requested an update on water rights and capacities.

VI. ADJOURNMENT

There being no further business, the meeting of the Water Committee adjourned at 4:27 p.m.

APPROVED:



JACK MAY
Chairman