



NORTH TEXAS MUNICIPAL WATER DISTRICT

**501 E. Brown Street • Wylie, Texas 75098
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WATER COMMITTEE MEETING MINUTES FEBRUARY 23, 2022

The Presiding Officer will be present at the meeting location, the NTMWD Administrative Offices, 501 E. Brown Street, Wylie, Texas 75098, with two-way video and audio communication between Board members participating by videoconference, establishing a quorum. The public may attend the meeting in person at the meeting location. Audio and video of Board members participating by videoconference will be visible to members of the public in attendance at the meeting location. The meeting will be recorded, and the audio recording will be available on the NTMWD website after the meeting.

Members of the public wishing to listen to live audio from the meeting may do so by calling in at (469) 210-7159 or toll free (844) 621-3956 and entering the following access code: 928 587 040. Please note this line will not provide for two-way communication and public comment at the meeting must be made in person at the meeting location.

I. CALL TO ORDER

Chairman Keith Stephens served as the Presiding Officer and called the meeting of the North Texas Municipal Water District (NTMWD) Water Committee to order at 3:00 p.m. on Wednesday, February 23, 2022. The meeting was held with two-way video and audio communication between Board members participating by videoconference, establishing a quorum. General instructions were provided to attendees. Any reference to unanimous votes refers to a unanimous vote of the Committee members present.

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

	Water Committee Members	Attendance
1	Terry Sam Anderson	Remote
2	Kalen Boren	Remote
3	Don Gordon	Remote
4	David Hollifield	Remote (3:14 p.m.)
5	Chip Imrie	Remote
6	James Kerr	Remote
7	Keith Stephens, Chair	Present

Members of the Executive Committee were present as well as other Board members and members of the NTMWD management team. Lauren Kalisek with Lloyd Gosselink Rochelle & Townsend attended via teleconference.

II. PUBLIC COMMENTS

Prior to the start of the meeting, speakers must complete and submit a "Public Comment Registration Form." During the public comment portion of the meeting, speakers will be recognized by name and asked to provide their comments. The time limit is three (3) 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.

There were no requests for public comment.

III. OPENING REMARKS

- A. Chairman/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

Deputy Director Billy George reviewed items that will be on the Board meeting agenda and not on the Water Committee agenda:

- Consent Item No. 22-02-03: Authorize Amendment No. 15 to a Construction Manager At-Risk (CMAR) Agreement for the Bois d'Arc Lake Boat Ramps and Lake Facilities project. This action includes authorization for final payment for the Lake Operation Center and Boat Ramps and extends the contract time for the private boat house facilities.
- Consent Item No. 22-02-04: Authorize reductions in funding or final payments for the Bois d'Arc Lake Dam and Intake Structure project with Atmos Energy, Frontier Communications, Southwestern Bell Telephone Company and White Shed Water Supply Corporation in the amount of \$2,037,823.10.
- Consent Item No. 22-02-05: Authorize a grant funding agreement with the Texas State Soil and Water Conservation Board (TSSWCB) to support implementation of the Lavon Lake Watershed Protection Plan (WPP) in the amount of \$120,602.
- Consent Item No. 22-02-07: Authorize Resolution 22-05 which authorizes a development agreement with TDC-DRI McKinney Phase I, LLC. The company desires to relocate a 24" NTWMD waterline to facilitate the construction of a warehouse. NTMWD has reviewed the relation plans and has found them to be acceptable.
- Administrative Memorandum No. 5806: Authorize Amendment No. 4 to Construction Manager At-Risk (CMAR) Agreement for Wylie Water Treatment

Plant Complex projects. The amendment establishes a partial guaranteed maximum price and ratifies expenditures related to urgent structural repairs that were discussed with the Water Committee in December 2021.

- Administrative Memorandum No. 5808: Authorize execution of an engineering services agreement for the Wylie to Rockwall Pipeline Relocation Phase II Project. Phase I construction was awarded in 2020. The need for Phase II design and construction was discussed in 2020. This engineering design award is necessary to increase capacity in the East Water Conveyance System.

Mr. George advised that Senate Bill 3, the critical infrastructure resilience legislation passed in the wake of Winter Storm Uri, was discussed at the February 9th Executive Committee meeting. The District is on track to meet the requirements of the Bill.

Executive Director Jenna Covington advised that she is sending out an email today regarding the current weather conditions and tomorrow's Board meeting. She advised that the agenda wording was modified to allow for a quorum with in-person and video conference attendance as an option. This is not a normal practice; however current weather conditions are prompting this exception. She noted that the presiding officer will be physically present at the meeting location.

IV. ACTION ITEMS

- A. Consider approval of Water Committee meeting minutes – January 26, 2022

Upon a motion by Director Chip Imrie and a second by Director James Kerr, the Water Committee voted unanimously to approve the meeting minutes for January 26, 2022. Director David Hollifield was not present for the vote.

- B. **Authorize Amendment No. 17 to Construction Manager At-Risk (CMAR) Agreement for the Leonard Water Treatment Plant project - Administrative Memorandum No. 5804**

- Consider recommendation on authorizing Amendment No. 17, Change Order No. 2 to the CMAR agreement with Garney Companies, Inc. in the amount of \$2,894,703. Amendment No. 17 covers CMAR 3 which consists of four construction projects:
 - Bois d'Arc Lake Construction Manager At-Risk (CMAR 3) Agreement
 - Project No. 101-0358-14, Bois d'Arc Lake Raw Water Pump Station
 - Project No. 101-0384-15, Bois d'Arc Lake Leonard Water Treatment Plant
 - Project No. 101-0428-16, Bois d'Arc Lake Leonard Water Treatment Plant High Service Pump Station
 - Project No. 101-0436B-16, Bois d'Arc Lake Boat Ramps and Lake Facilities, Dam Maintenance Facility

Deputy Director Cesar Baptista presented this item. He advised this item is to authorize an amendment with Garney Companies and funding to construct an additional building expansion at the Leonard Water Treatment Plant North Chemical Facilities to fully enclose the chlorine delivery trucks. He advised this

will improve safety during chlorine delivery and minimize potential for accidental release of a hazardous chemical.

Mr. Baptista advised that the original plan was to utilize a railroad track to transport the needed chlorine; however, the existing rail track was not in a suitable condition. Replacement of the track would have cost the District \$15 million dollars so it was determined that truck delivery was more cost effective, until Phase 3 of the Leonard expansion in the future.

Mr. Baptista advised that the current building design includes an open driveway for the chlorine trucks to unload the chemicals; however, discussions with Environmental Compliance and Water Operations resulted in a recommendation to fully enclose the delivery driveway. Although construction of the facility is underway, the covered driveway has not been built so this enclosed drive can still be added.

Mr. Baptista advised that an enclosed delivery system will provide control for the prevention of a chemical release, providing a safer process for the operation and maintenance of the system. He noted that a release inside an enclosed building would not be considered a release to the environment or an emissions event. Releases outside of an enclosed building have federal and state reporting requirements. Additionally, Fannin County contracts with the City of Plano for hazmat response, which to this facility it would take an excess of one hour to arrive. A diagram of the building was provided.

Mr. Baptista reviewed anticipated funding sources that should cover the cost of this enclosure. In response to a Director's question, Mr. Baptista advised that specialized equipment required for this enclosure results in additional expense.

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

C. Authorize execution of a Transmission/Substation Facility Extension Agreement and adopt Resolution No. 22-06 with Oncor Electric Delivery Company, LLC (Oncor) – Administrative Memorandum No. 5805

- Consider recommendation on adoption of Resolution No. 22-06 and authorizing the Executive Director to execute a Transmission/Substation Facility Extension Agreement with Oncor in the amount of \$3,552,460 for Project No. 101-0530-19, Lake Texoma Pump Station 2019 Electrical Improvements Phase I

Assistant Deputy Mark Simon presented this item. He reviewed that this item was discussed at last month's meeting, and advised that the Oncor electric substation at the Lake Texoma Pump Station requires additional capacity to operate the existing and future pump motors. This agreement will authorize Oncor to proceed with the needed improvements which will be reimbursed by NTMWD and the Greater Texoma Utility Authority. The District's portion is \$2,841,968.

Mr. Simon provided an aerial photo of the pump station that reflects the future Phase 2 electrical building and backup generator locations.

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

D. Authorize execution of an engineering services agreement for the waterline relocations associated with TxDOT road improvements - Administrative Memorandum No. 5807

- Consider recommendation on authorizing the Executive Director to execute an engineering services agreement with Teague, Nall, and Perkins, Inc. in the amount of \$3,899,200 for engineering design for the relocation or protection of water lines, valves, and other facilities for Project No. 101-0607-22, Waterline Relocations along State Highways in Dallas, Rockwall, and Kaufman Counties

Mark Simon presented this item. He advised that this item is to recommend authorizing funding for engineering services for design of the waterline relocations associated with TxDOT road improvements along US Highway 80, John King Boulevard, and State Highways 276, 552 and 205. The Texas Department of Transportation (TxDOT) is preparing to widen various state roads within the North Texas Municipal Water District service area in Dallas, Rockwall, and Kaufman Counties. These eight TxDOT projects will encroach on existing NTMWD water lines and easements, requiring the relocation or protection of water lines, valves, and other facilities.

Mr. Simon advised that some of the expense will be reimbursed by TxDOT. In addition to the work required for TxDOT, some enhancements will be included that will allow better control over the system. A map of the sites to be evaluated by Teague, Nall, and Perkins, Inc. was provided.

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

V. DISCUSSION ITEMS

A. Watershed Protection update

David Cowan, Watershed Manager, presented this item. He provided an overview of the District's Lavon Lake Watershed Protection Plan. He advised the Plan was developed in 2017 in partnership with stakeholders in the Lavon watershed and is a non-regulatory approach to protect water quality. Key components of the Plan include water quality monitoring, education and outreach, promotion of low impact development practices, and grant funding for a conservation technician.

Mr. Cowan reviewed grants the District has received to assist in its watershed protection efforts. He advised that staff applied for and received a new grant to continue support for water quality monitoring and public outreach through 2024.

This month staff is requesting Board authorization to execute a new grant agreement with the Texas State Soil and Water Conservation Board for \$120,602.

Mr. Cowan provided an update on current low impact development installations. First is the Wylie Treatment Train located in the north parking lot of the NTMWD Engineering building. It consists of green stormwater features designed to capture and treat runoff from 9,000 square foot of rooftop and 20,000 square feet of parking area. Components of this project include a rainwater cistern, rain gardens, pervious pavers, native and adapted vegetation, and educational signage. Another project is the McKinney Raingardens. Three of these will be located in McKinney on City property and the City of McKinney will maintain them. Plans should be finalized in the Spring of 2022 with construction completed in the Fall of 2022.

Mr. Cowan advised that the Bois d'Arc Lake Watershed Protection Plan efforts began in June of 2021. The Plan's key components include water quality monitoring, education and outreach, grant assistance for failing on-site sewer systems, and grant funding for a soil and Water Conservation District Conservation Technician. He added that there is potential opportunity to coordinate watershed protection efforts in Fannin County with the Upper Trinity Regional Water District (Lake Ralph Hall.) A finalized Bois d'Arc Lake Watershed Protection Draft Plan is currently undergoing a 30-day public comment period which ends March 3, 2022. The Draft must be submitted to the Environmental Protection Agency for acceptance. Following acceptance, grant applications may begin.

B. Mid-year member and customer water consumption update

Assistant Deputy Galen Roberts presented this item. He reported that this month's Water Consumption Report reflects that seven of the thirteen Member Cities are on pace to set new annual minimums and four of those seven did so last year as well. Fourteen of the 34 Customer Cities also appear to be on pace to do the same.

Mr. Roberts provided a state of Texas drought monitoring map. He stated that Texas is currently experiencing *La Nina* conditions, which is likely to continue for the next 90 days according to the National Weather Service. *La Nina* condition is to have higher than average temperatures and below average precipitation.

Mr. Roberts advised that staff will present another report regarding drought conditions in May.

In response to a Director's question, Deputy Director George responded that the Consumption Report is used to evaluate the growth of this area. He added that since 2015 a large number of customers have been setting new minimums and that does reflect growth. A Director commented regarding the amount of water the city of Mesquite pays for yet does not use.

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

There was no feedback from Committee Members.

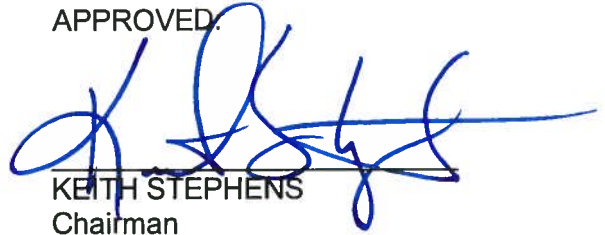
D. Opportunity for Committee members to request potential future agenda items

There were no requests for potential future agenda items.

VI. ADJOURNMENT

There being no further business, the meeting of the Water Committee adjourned at 3:51 p.m.

APPROVED.

A handwritten signature in blue ink, appearing to read 'Keith Stephens', is written over a horizontal line. The signature is stylized and cursive.

KEITH STEPHENS
Chairman