



## **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 (IN PERSON AND BY VIDEOCONFERENCE) THURSDAY, JULY 28, 2022 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 in person and by videoconference, accessible to the public, on Thursday, July 28, 2022, at 2:30 p.m., at the following meeting location: NTMWD Administrative Offices, 501 E. Brown Street, Wylie, Texas 75098.

The Presiding Officer and a quorum of the Board of Directors will be present at the meeting location or by videoconference with two-way video and audio communication between Board members participating at the meeting location and by videoconference. The public may attend the meeting in person at the meeting location. Audio and video of Board members participating by videoconference will be broadcast live and will be visible to members of the public. The meeting will be recorded and available on the NTMWD website after the meeting.

Members of the public wishing to listen to live audio of 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.

### **AGENDA**

**I. CALL TO ORDER**

**II. INVOCATION**

**III. PLEDGE OF ALLEGIANCE**

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

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

**VI. OPENING REMARKS**

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

**VII. 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 Board may not discuss these items, but may respond with factual or policy information.

**VIII. DISCUSSION ITEMS**

A. Update on Sister Grove Regional Water Resource Recovery Facility

**IX. EXECUTIVE SESSION (to begin at approximately 3:15 p.m. and end approximately at 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 at approximately 3:45 p.m.

- A. Consult with legal counsel regarding pending or contemplated litigation (Tex. Gov’t Code Section 551.071)
1. *Justin A. Jinright, et al., v. NTMWD*, cause No. 429-02373-2016, Collin County, Texas
  2. *NTMWD v. S.J. Louis Construction of Texas, Ltd., ACT Pipe and Supply, Inc., 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. Beck Branch Parallel Interceptor, Phase II Project
  4. Buffalo Creek Parallel Interceptor, Phase I Project

**X. RECONVENE INTO REGULAR SESSION**

In accordance with Texas Government Code, Chapter 551, the Board of Directors of NTMWD will reconvene into regular session to consider action, if any, on matters discussed in Executive Session.

**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. 22-07-01**
- Consider approval of June 23, 2022, Board of Directors Regular meeting minutes
- B. **Approval of Monthly Construction Report - Consent Agenda Item No. 22-07-02**
- Consider approval of July 2022 Monthly Construction Report
- C. **Adoption of Resolution No. 22-31 authorizing the execution of an application to the Texas Commission on Environmental Quality (TCEQ) - Consent Agenda Item No. 22-07-03**
- Consider adoption of Resolution No. 22-31 authorizing the Executive Director to execute an application with the TCEQ for the filing of water use permit applications for the Sabine Creek and City of Bonham’s Wastewater Treatment

Plants return flows in the amount of \$102,275 for legal fees and administrative fees for filing and posting

- D. **Authorize supplementing of the 2019 NTMWD Water Conservation Plan - Consent Agenda Item No. 22-07-04**
- Consider authorizing the supplementing of the 2019 NTMWD Water Conservation Plan in order to comply with the requirements of the Texas Commission on Environmental Quality (TCEQ) for submission of water use permit applications for return flows from the Sabine Creek and City of Bonham's Wastewater Treatment Plants
- E. **Adoption of Resolution No. 22-32 authorizing an amendment to a development agreement with TDC-DRI McKinney Phase I, LLC (TDC) - Consent Agenda Item No. 22-07-05**
- Consider adoption of Resolution No. 22-32 authorizing the Executive Director to execute an amendment to a development agreement with TDC in the amount of \$120,000, which is to be reimbursed by TDC for Project No. 101-0605-22, Wylie to McKinney 24-inch Waterline Relocation
- F. **Adoption of Resolution No. 22-33 authorizing the execution of conveyance of property for the Sister Grove Regional Water Resource Recovery Facility (RWRRF) project - Consent Agenda Item No. 22-07-06**
- Consider adoption of Resolution No. 22-33 authorizing the Executive Director to execute a conveyance of property of approximately 3.28 acres to Rayburn Country Electric Cooperative for Project No. 301-0426-16, Sister Grove RWRRF

**XII. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION**

**GENERAL / ADMINISTRATIVE AGENDA ITEMS**

- A. **Adoption of Resolution No. 22-30 commending Director Larry Parks**
- Consider adoption of Resolution No. 22-30 commending Director Larry Parks for over 29 years of service as a member of the NTMWD Board of Directors
- B. **TABLED ITEM:**
- Review of ongoing regional drought conditions and possible action to address those conditions

**WATER AGENDA ITEMS**

- C. **Authorize Amendment No. 7 to the Construction Manager At-Risk (CMAR) agreement for the Wylie Water Treatment Plant (WTP) projects – Administrative Memorandum No. 5845**
- Consider authorizing Amendment No. 7 to the CMAR agreement with MWH Constructors, Inc. in the amount of \$31,535,200.95 for partial guaranteed maximum price No. 3 for Project No. 101-0390-15, Wylie WTP Biologically Active Filtration; Project No. 101-0496-18, Wylie WTP Ammonia System Improvements and Project No. 101-0517-18, Wylie WTP II Structural and Mechanical Improvements – Phase I & II

- D. **Authorize execution of an interlocal agreement (ILA) with Tarrant Regional Water District and the City of Dallas for Raw Water Optimization and Reliability Evaluation - Administrative Memorandum No. 5846**
- Consider authorizing the Executive Director to execute an ILA with Tarrant Regional Water District and the City of Dallas in the amount of \$400,000 to study the feasibility and reliability of existing water supply and transmission infrastructure

**WASTEWATER AGENDA ITEMS**

- E. **Authorize execution of a construction management services agreement for the South Mesquite Creek Regional Wastewater Treatment Plant (RWWTP) Peak Flow Management and Expansion project - Administrative Memorandum No. 5847**
- Consider authorizing the execution of a construction management services agreement with AECOM Technical Services, Inc. in the amount of \$3,909,004 to provide third-party construction management oversight and daily on-site representation for the CMAR's construction activity for Project No. 301-0525-18, South Mesquite Creek RWWTP Peak Flow Management and Expansion
- F. **Authorize execution of an engineering services agreement for the Upper East Fork Interceptor System 121 Force Main Improvements and 121 Parallel Force Main projects - Administrative Memorandum No. 5848**
- Consider authorizing the Executive Director to execute an engineering services agreement with Kimley-Horn & Associates, Inc. for the final design in the amount of \$2,047,500 for Project No. 501-0491-18, 121 Force Main Improvements; and the preliminary and final design in the amount of \$7,131,500 for Project No. 501-0612-22, 121 Parallel Force Main
- G. **Authorize execution of an engineering services agreement for the Upper East Fork Interceptor System Preston Road Lift Station Expansion project - Administrative Memorandum No. 5849**
- Consider authorizing the Executive Director to execute an engineering services agreement with HDR Engineering, Inc. in the amount of \$3,285,895 for final engineering design for Project No. 501-0559-20, Preston Road Lift Station Expansion

**XIII. CLOSING ITEMS**

- A. Opportunity for Board members to provide feedback or request potential future agenda items.

**XIV. ADJOURNMENT**

**REQUIRED LEGAL NOTICES**

***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.***

***Persons with disabilities who plan to attend the NTMWD 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.***

***Pursuant to Section 30.05, Penal Code (criminal trespass), a person may not enter this property with a firearm. Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun. Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly.***