



NORTH TEXAS MUNICIPAL WATER DISTRICT

**501 E. Brown Street • Wylie, Texas 75098
(972) 442-5405 – Phone • (972) 295-6440 - Fax**

POLICY COMMITTEE MEETING MINUTES SEPTEMBER 8, 2021

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

Director Marvin Fuller served as Presiding Officer and called the meeting of the North Texas Municipal Water District (NTMWD) Policy Committee to order at approximately 3:00 p.m. on Wednesday, September 8, 2021. The meeting was held with two-way video and audio communication between Board members participating by videoconference, establishing a quorum.

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

Policy Committee Members		
1	Crump, George	Absent
2	Dyer, Phil	Remote
3	Fuller, Marvin	Present
4	Hollifield, David	Remote
5	Imrie, Chip	Remote
6	Johnson, Blair	Remote
7	Stephens, Keith	Absent
8	Sweeden, John	Remote

Members of the Executive Committee were present as well as other Board members. Lauren Kalisek and Sheila Gladstone with Lloyd Gosselink Rochelle & Townsend were present. Executive Director Jenna Covington along with other members of the NTMWD management team were also in attendance.

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 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.

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

Executive Director Jenna Covington advised that this is the second committee meeting conducted by video conferencing according to the Texas Open Meetings Act. She advised that today's agenda items have been previously heard and discussed by other committees.

IV. ACTION ITEMS

- A. Consider approval of Policy Committee meeting minutes – June 9, 2021

Upon a motion by Director Chip Imrie and a second by Director Phil Dyer, the Policy Committee voted unanimously to approve the June 9, 2021 meeting minutes.

- B. Review and possible action on amendment to NTMWD's Administration and Finance Policies Manual, Section 6., Purchasing Policy

Nicole Mucha, Purchasing Manager, presented this item. She reviewed that the current Purchasing Policy was approved in July 2020. After evaluation and discussions with staff it was determined that some adjustments should be made.

Ms. Mucha advised the following:

Section 6.4 Signature Authority for executing contracts should match the approval levels of the financial system. If an individual has the authority to enter into a contract, then that person should also have the authority to approve the expenditure.

Section 6.9 General Exemptions will now include Personal and Professional Services. She advised that any expenditure over \$25,000 would still need to go to the Purchasing Department. A formal request for qualifications process may still be used for these services.

Other minor changes in the policy are proposed in various other sections.

Ms. Mucha advised that mandatory training on purchasing procedures will be required and noted that an updated Administrative Directive No. 10 that includes the proposed changes would be effective October 1, 2021.

Upon a motion by Director Chip Imrie and a second by Director John Sweeden, the Policy Committee voted unanimously to recommend approval to the Board of Directors.

- C. Review and possible action on amendment to NTMWD's Personnel Policies Manual, Section I: Employment Practices; Section II: Employee Conduct and Safety; Section III: Complaint Resolution; Section IV. Compensation and Reimbursement

Brian Brooks, Board Liaison and Assistant to the General Manager, presented this item. He reviewed proposed amendments to the Personnel Policy Manual as follows:

1.3 Equal Employment Opportunity and Disability Accommodation to read as follows:

"NTMWD is firmly committed to a policy of equal opportunity in all aspect of its relations with employees. Initial employment, promotions, raises, opportunities for training and enrichment, discipline, and other conditions of employment will be made without regard to color, race, religion, national origin, age, sex, gender, sexual orientation, gender identity, disability, genetic information, veteran status, political affiliation, or any other unlawful classification."

2.3 Workplace Harassment, Including Sexual Harassment to read as follows:

"The law prohibits harassment of employees on the basis of race, color, religion, sex, gender, sexual orientation, gender identity, national origin, disability, age, or any other classification protected by law."

This change will align the policy with current federal law.

2.5 Drug and Alcohol-Free Workplace Policy, paragraph to read as follows:

"Reasonable Suspicion - when (i) based on sufficient articulable observations, management suspects that an employee is under the influence of prohibited drugs. Such observations include, but are not limited to, misbehavior or aberrant behavior, drug or alcohol odor, a reduced ability to perform work in a safe and productive manner, or an impaired physical or mental ability, such as incoherence, slurred speech or difficulty in maintaining balance; (ii) NTMWD discovers drug paraphernalia or any detectable amount of a prohibited drug on premises; or (iii) NTMWD learns from a credible source that this policy may have been violated."

Attorney Sheila Gladstone provided examples of the benefit of adding this additional language.

Mr. Brooks continued his presentation by providing an overview of Section III. Complaint Resolution as follows:

- Process starts with a written complaint to HR
- Increased emphasis on the avoidance of any retribution
- HR will assign the complaint to the appropriate level of management and/or retain oversight in HR
- Mirror the appeals process with the complaint resolution process
- Establishes third party arbitration/dispute resolution within Personnel Policies
- Establishes a third party hotline process for employees to report complaints

Director Dyer inquired whether any employee complaint might reach the Board level. Attorney Gladstone advised that employee concerns are under the purview of the Executive Director, and the Executive Director is under the purview of the Board of Directors.

Mr. Brooks reviewed the proposed addition of Section 4.11 De Minimis Benefits as follows:

"At the sole discretion of the GM/ED, the District may provide de minimis benefits for employees from time to time, including for the purposes of promoting team building and employee morale, recognizing employees' extraordinary work performance or other contributions to the District, or celebrating major life events.

Examples of de minimis benefits may include, but are not limited to: providing meals and other snacks, hosting celebrations for employees' major life events such as retirement and work anniversaries, sending flowers or making small in memoriam donations, and other gestures of a similar monetary amount.

This policy does not create an entitlement to any de minimis benefit outlined above. The District policy and directives will follow guidance from the Internal Revenue Service rules regarding de minimis benefits."

Mr. Brooks explained that this section covers non-monetary benefits to employees, such as occasional meals, celebrations, or recognition of major life events.

Attorney Sheila Gladstone explained that the Texas Constitution states that gifts to employees are prohibitive unless there is a policy in place. She added that IRS rules allow occasional such benefits but not on a regular basis. Executive Director Covington added that a directive on how to follow the IRS rules and still have the option of providing such benefits will be developed.

Upon a motion by Director Chip Imrie and a second by Director John Sweeden, the Policy Committee voted unanimously to recommend approval to the Board of Directors.

V. DISCUSSION ITEMS

- A. Opportunity for Committee members to provide feedback on Policy Committee meeting

There were no comments from Committee members.

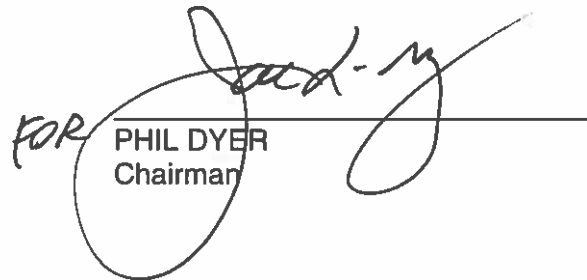
- B. Opportunity for Committee members to request potential future agenda items

There were no potential future agenda items requested.

VI. ADJOURNMENT

The meeting adjourned at approximately 3:28 p.m. The Chairman will call the next meeting with proper notification to the members.

APPROVED:

FOR  _____
PHIL DYER
Chairman