



## **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, NOVEMBER 17, 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, November 17, 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**

There are no discussion items.

**IX. EXECUTIVE SESSION (to begin at approximately 3:00 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 4:00 p.m.

- A. Consult with legal counsel regarding pending or contemplated litigation (Tex. Gov't Code Section 551.071)
1. Update on Oklahoma Red River Boundary Commission
  2. 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. 22-11-01**
- Consider approval of October 27, 2022, Board of Directors Regular meeting minutes
- B. **Approval of Modification of Capital Projects Request - Consent Agenda Item No. 22-11-02**
- Consider approval of November 2022 Modification of Capital Projects Request

- C. **Adoption of Resolution No. 22-48 authorizing the amendment of a previously approved right-of-way acquisition program for the McKinney Delivery Point No. 3 to McKinney Delivery Point No. 4 Pipeline project - Consent Agenda Item No. 22-11-03**
- Consider authorizing the Executive Director to amend a previously approved right-of-way acquisition program, and adoption of Resolution No. 22-48 authorizing the use of eminent domain to acquire property for Project No. 101-0505-18, McKinney Delivery Point No. 3 to McKinney Delivery Point No. 4 Pipeline
- D. **Adoption of Resolution No. 22-49 authorizing the amendment to a previously approved right-of-way acquisition program for the Beck Branch Parallel Interceptor project - Consent Agenda Item No. 22-11-04**
- Consider authorizing the Executive Director to amend a previously approved right-of-way acquisition program, and adoption of Resolution No. 22-49 authorizing the use of eminent domain for Project No. 501-0439-16, Beck Branch Parallel Interceptor

XII. **AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION**

**GENERAL / ADMINISTRATIVE SERVICES AGENDA ITEMS**

- A. **Authorize Water System Variable Cost Rebates for Fiscal Year 2021-2022 – Administrative Memorandum No. 5871**
- Consider authorizing Water System Variable Cost Rebates for Fiscal Year 2021-2022 in the amount of \$2,793,511.32

**BOIS D'ARC LAKE AGENDA ITEMS**

- B. **Authorize a termination agreement with Rayburn Country Electric Cooperative (RCEC) for the Bois d'Arc Lake Power Supply project – Administrative Memorandum No. 5872**
- Consider authorizing the Executive Director to execute a termination agreement with RCEC for the electric transmission service to the Bois d'Arc Lake Raw Water Pump Station and the Leonard Water Treatment Plant. RCEC has completed both projects and the costs for those projects have been approved by the Public Utility Commission of Texas for recovery under the Transmission Cost of Service program, which allows NTMWD to unencumber funds in the amount of (\$5,229,000) reserved for Project No. 101-0362-14, Bois d'Arc Lake Power Supply

**WATER AGENDA ITEMS**

- C. **Authorize award of construction contract and inspection services on the Bonham Water Treatment Plant Intake Improvements project - Administrative Memorandum No. 5873**
- Consider authorizing award of construction contract with Dredge America, Inc. in the amount of \$999,975 and authorizing internal inspection services in the amount of \$27,000 for Project No. 101-0582-21, Bonham Water Treatment Plant Intake Improvements

- D. **Authorize construction Change Order No. 1 for the Plano-McKinney Water Transmission System, Phase I project - Administrative Memorandum No. 5874**
- Consider authorizing Change Order No. 1 with Garney Companies, Inc. in the amount of \$525,171.88 for remobilization and additional work necessary to facilitate Texas Department of Transportation's proposed widening of Farm-to-Market Road FM 2551, Project No. No. 101-0544-19, Plano-McKinney Water Transmission System Phase I, Relocation of 84-inch and 42-inch Pipelines
- E. **Authorize award of a construction contract and internal inspection services for the Forney-to-Terrell Pump Station Communications Tower project - Administrative Memorandum No. 5875**
- Consider authorizing award of construction contract with Schofield Civil Construction, LLC in the amount of \$2,670,000 and authorizing internal inspections services in the amount of \$200,000 for Project No. 101-0542-19, Forney-to-Terrell Pump Station Communications Tower

#### WASTEWATER AGENDA ITEMS

- F. **Authorize construction Change Order No. 6 for the Buffalo Creek Parallel Interceptor, Phase I project - Administrative Memorandum No. 5876**
- Consider authorizing Change Order No. 6 with Mountain Cascade of Texas, LLC in the amount of \$384,011.82 to renew the required contractor flood insurance for work within the 100-year flood plain as a result of delays acquiring easements, and replace an existing pedestrian bridge and additional trail within an easement per easement settlement agreement for Project No. 507-0484-17, Buffalo Creek Parallel Interceptor, Phase I

#### LAND ACQUISITION / RIGHT-OF-WAY AGENDA ITEMS

- G. **Adoption of Resolution No. 22-50 authorizing the execution of a Right-of-Way acquisition program for the Lake Texoma Pump Station 2019 Electrical Improvements, Phase I project - Administrative Memorandum No. 5877**
- Consider adoption of Resolution No. 22-50 authorizing the Executive Director to execute a right-of-way acquisition program with a budget of \$13,000; and authorizing the acquisition of a permanent easement for Project No. 101-0530-19, Lake Texoma Pump Station 2019 Electrical Improvements, Phase I

#### SOLID WASTE AGENDA ITEMS

- H. **Authorize award of construction contract and inspection services agreement for the 121 Regional Disposal Facility (RDF) Sectors 6B and 6C Mass Excavation project - Administrative Memorandum No. 5878**
- Consider authorizing award of construction contract to Rigid Constructors, LLC in the amount of \$2,947,352 and award of inspection services agreement to Biggs and Mathews Environmental in the amount of \$184,000 for Project No. 401-0614-22, 121 RDF Sectors 6B and 6C Mass Excavation

**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.*