



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, FEBRUARY 23, 2023
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, February 23, 2023, 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, recognitions, 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. Bois d'Arc Lake Update
- B. Review Construction Inspection Services Request Process
- C. Communications Department Update

IX. EXECUTIVE SESSION (to begin at approximately 3:00 p.m. and end approximately at 3:30 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 3:30 p.m.

- A. Consultation with Attorney
(Tex. Gov't Code Section 551.071)
 - 1. Manuel Cole v. North Texas Municipal Water District, Cause No. 429-06813-2021
 - 2. Progressive County Mutual Insurance Company V. NTMWD, Cause No. 003-04136-2021

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. 23-2- 01**
 - 3- Consider approval of January 26, 2023, Board of Directors Regular meeting minutes
- B. **Approval of Modification of Capital Projects Request - Consent Agenda Item No. 23-02-02**
 - Consider approval of January 2023 Modification of Capital Projects Request

- C. **Authorize execution of an amendment to the Construction Manager At-Risk (CMAR) for the Bois d’Arc Lake Dam and Intake Structure project - Consent Agenda Item No. 23-02-03**
- Consider authorizing the Executive Director to execute Amendment No. 17 to the CMAR with Archer Western Construction, LLC to close eight work packages, reduce the Guaranteed Maximum Price, add contract time and reduce retainage resulting in a credit in the amount of (\$937,490.46) for Project No. 101-0344-13, Bois d’Arc Lake Dam and Intake Structure
- D. **Adoption of Resolution No. 23-03 authorizing the conveyance of property to the City of Allen - Consent Agenda Item No. 23-02-04**
- Consider adoption of Resolution No. 23-03 authorizing the Executive Director to execute transaction documents and convey property in fee simple of approximately 1.25 acres to the City of Allen near the North System Exchange Parkway Ground Storage Tank site for Project No. 101-0385-15
- E. **Adoption of Resolution No. 23-04 authorizing the conveyance of property to Oncor Electric Delivery Company, LLC (Oncor) - Consent Agenda Item No. 23-02-05**
- Consider adoption of Resolution No. 23-04 authorizing the Executive Director to execute a conveyance of property of approximately 0.064 acres of permanent easement to Oncor for Project No. 501-0513-18, North McKinney Transfer Lift Station
- F. **Authorization to declare certain NTMWD property as salvage or surplus and authorize the execution of a contract to facilitate sale of such assets - Consent Agenda Item No. 23-02-06**
- Consider declaring certain NTMWD property as salvage or surplus and authorizing the Executive Director to execute a contract with René Bates Auctioneers, Inc., for the auction sale of such assets listed in Consent Agenda Item No. 23-02-06
- G. **Adoption of Resolution No. 23-05 authorizing the First Amendment to the Interlocal Cooperation Agreement (ILA) with the City of Melissa - Consent Agenda Item No. 23-02-07**
- Consider adoption of Resolution No. 23-05 authorizing the Executive Director to execute the First Amendment to the ILA with the City of Melissa regarding the Stiff Creek Sewer Capital Improvements project

XII. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

WATER AGENDA ITEMS

- A. **Authorize execution of a potable water supply contract with Wylie Northeast Special Utility District (SUD) - Administrative Memorandum No. 5887**
- Consider authorizing the execution of a potable water supply contract with current customer, Wylie Northeast SUD, with a contract term of 20 years

WASTEWATER AGENDA ITEMS

- B. **Authorize construction Change Order No. 8 for the Buffalo Creek Parallel Interceptor , Phase I project - Administrative Memorandum No. 5888**
- Consider authorizing Change Order No. 8 with Mountain Cascade of Texas, LLC for additional vents and odor control improvements for Project No. 507-0484-17, Buffalo Creek Parallel Interceptor, Phase I
- C. **Authorize construction Change Order No. 4 for the Upper East Fork Interceptor System Relocation of 60-inch Wastewater Pipeline project - Administrative Memorandum No. 5889**
- Consider authorizing Change Order No. 4 with McKee Utility Contractors, Inc. in the amount of \$672,459.72, which is subject to Texas Department of Transportation reimbursement to resolve a utility conflict with the existing 60-inch NTMWD interceptors and additional pavement replacement necessary to facilitate the relocation for Project No. 101-0544-19, Upper East Fork Interceptor System Relocation of 60-inch Wastewater Pipeline

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.