



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, MARCH 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, March 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.

AMENDED 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. Update on NTMWD Strategic Plan

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. Buffalo Creek Parallel Interceptor, Phase I Project
- B. Compensation for General Counsel position
(Tex. Gov't Code Section 551.074)

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. 23-03-01**
- Consider approval of February 23, 2023, Board of Directors Regular meeting minutes
- B. **Approval of Board Work Session Meeting Minutes - Consent Agenda Item No. 23-03-02**
- Consider approval of February 16, 2023, Board of Directors Work Session meeting
- C. **Approval of Modification of Capital Projects Request - Consent Agenda Item No. 23-03-03**
- Consider approval of February 2023 Modification of Capital Projects Request

- D. **Adoption of Resolution No. 23-06 designating authorized NTMWD Representatives in the Texas Local Government Investment Pool (TexPool) - Consent Agenda Item No. 23-03-04**
- Consider adoption of Resolution No. 23-06 amending authorized representatives for investments in TexPool
- E. **Adoption of Resolution No. 23-07 authorizing filing an application with the Texas Water Development Board (TWDB) for financing - Consent Agenda Item No. 23-03-05**
- Consider adoption of Resolution No. 23-07 authorizing application filing and authorized Representative Resolution with the TWDB for financing the Bois d’Arc Lake – Phase II Improvements and Expansion
- F. **Authorize the First Amendment to the Interlocal Cooperation Agreement (ILA) with the City of Plano - Consent Agenda Item No. 23-03-06**
- Consider authorizing the first amendment to an ILA with the City of Plano for the use of a community garden at the Parkway Transfer Station facility
- G. **Adoption of Resolution No. 23-14 authorizing the amendment of a previously approved right-of-way acquisition program for the Wylie to Rockwall Pipeline Relocation project - Consent Agenda Item No. 23-03-07**
- Consider authorizing the Executive Director to amend a previously approved right-of-way acquisition program, and adoption of Resolution No. 23-14 authorizing the use of eminent domain to acquire property for Project 101-0526-18, Wylie to Rockwall Pipeline Relocation

XII. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

GENERAL / ADMINISTRATIVE SERVICES AGENDA ITEMS

- A. **Adoption of Resolution No. 23-08 authorizing an amendment to the Master Resolution for Extendable Commercial Paper Bonds (ECP) and authorizing issuance of Revenue ECP Bonds for the Regional Water System (RWS) - Administrative Memorandum No. 5890**
- Consider adoption of Resolution No. 23-08 amending the Master Resolution for the ECP financing program and the issuance of Revenue ECP Bonds for the RWS, not to exceed \$700,000,000
- B. **Adoption of Resolution No. 23-09 authorizing Regional Water System (RWS) Refunding Bonds for Extendable Commercial Paper (ECP) Bonds - Administrative Memorandum No. 5891**
- Consider adoption of Resolution No. 23-09 authorizing the issuance, sale, and delivery of NTMWD Water System Revenue ECP Bonds in the amount not to exceed \$700,000,000; pledging revenues for the payment of the bonds, approving an official statement, and authorizing other instruments and procedure relating thereto

- C. **Adoption of Resolution No. 23-10 authorizing an amendment to the Master Resolution for Extendable Commercial Paper Bonds (ECP) and authorizing issuance of Revenue ECP Bonds for the Regional Wastewater System (RWWS) - Administrative Memorandum No. 5892**
- Consider adoption of Resolution No. 23-10 amending the Master Resolution for the ECP financing program and the issuance of Revenue ECP Bonds for the RWWS, not to exceed \$400,000,000
- D. **Adoption of Resolution No. 23-11 authorizing Regional Wastewater System Refunding Bonds for Extendable Commercial Paper (ECP) Bonds – Administrative Memorandum No. 5893**
- Consider adoption of Resolution No. 23-11 authorizing the issuance, sale, and delivery of NTMWD Regional Wastewater System Revenue ECP Bonds in the amount not to exceed \$400,000,000; pledging revenues for the payment of the bonds, approving an official statement, and authorizing other instruments and procedure relating thereto
- E. **Adoption of Resolution No. 23-12 authorizing an amendment to the Master Resolution for Extendable Commercial Paper Bonds (ECP) and authorizing issuance of Revenue ECP Bonds for the Upper East Fork Wastewater Interceptor System (UEFIS) – Administrative Memorandum No. 5894**
- Consider adoption of Resolution No. 23-12 amending the Master Resolution for the ECP financing program and the issuance of Revenue ECP Bonds for the UEFIS, not to exceed \$150,000,000
- F. **Adoption of Resolution No. 23-13 authorizing Upper East Fork Wastewater Interceptor System (UEFIS) Refunding Bonds for Extendable Commercial Paper (ECP) Bonds – Administrative Memorandum No. 5895**
- Consider adoption of Resolution No. 23-13 authorizing the issuance, sale, and delivery of NTMWD UEFIS Contract Revenue ECP Refunding Bonds in the amount not to exceed \$150,000,000; pledging revenues for the payment of the bonds, approving an official statement, and authorizing other instruments and procedure relating thereto
- G. **Authorize the selection of a financial institution to provide bank depository services for the funds of NTMWD – Administrative Memorandum No. 5896**
- Consider authorizing the Executive Director to execute a professional services agreement with Inwood National Bank for bank depository services for a term of 5 years with the option to renew for two additional 1-year periods

WATER AGENDA ITEMS

- H. **Authorize execution of an engineering services agreement (ESA) for the Cooper Pipeline Extension project - Administrative Memorandum No. 5897**
- Consider authorizing an ESA with AECOM Technical Services, Inc. in the amount of \$549,752 to evaluate the feasibility of initial concepts for the development of the Cooper Pipeline Extension for Project: No. 101-0620-23, Cooper Pipeline Extension

- I. **Adoption of Resolution No. 23-15 authorizing the execution of an Advanced Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) - Administrative Memorandum No. 5898**
- Consider adoption of Resolution No. 23-15 authorizing an AFA with TxDOT in the amount of \$52,795.27 [to be verified with TxDOT's final draft of Agreement] for the joint construction of TxDOT's expansion of FM 1378 and the NTMWD's relocation of the Wylie to McKinney 20-inch waterline for Project No. 101-0585-21, FM 2514 Pipeline Relocation for FM 1378 Pipeline Relocation

WASTEWATER AGENDA ITEMS

- J. **Authorize construction Change Order No. 1 for the Sabine Creek Wastewater Treatment Plant (WWTP) Expansion to 7 million gallons per day (MGD) - Administrative Memorandum No. 5899**
- Consider authorizing Change Order No. 1 with Eagle Contracting, LLC resulting in a credit to the construction contract in the amount of (\$714,605.00) for material that is more readily available for Project No. 308-0576-20, Sabine Creek Wastewater Treatment Plant Expansion to 7 MGD

LAND ACQUISITION / RIGHT-OF-WAY AGENDA ITEMS

- K. **Adoption of Resolution No. 23-16 authorizing the execution of a property acquisition program for the Lower East Fork Regional Water Resource Recovery Facility project - Administrative Memorandum No. 5900**
- Consider adoption of Resolution No. 23-16 authorizing the Executive Director to execute a property acquisition program with a budget of \$5,000,000; and authorizing the use of eminent domain to acquire property for Project No. 301-0598-21, Lower East Fork Regional Water Resource Recovery Facility
- L. **Adoption of Resolution No. 23-17 authorizing the amendment to a previously approved Right-of-Way acquisition program and add additional permanent and temporary easements for the F.M. 2514 Pipeline Relocations project – Administrative Memorandum No. 5901**
- Consider adoption of Resolution No. 23-17 authorizing the Executive Director to amend a previously approved Right-of-Way acquisition program with a budget of \$130,000 and authorizing the use of eminent domain to acquire property for Project No 101-0585-21, F.M. 2514 Pipeline Relocations

SOLID WASTE AGENDA ITEMS

- M. **Authorize Change Order No. 1 for the 121 Regional Disposal Facility Sectors 6B and 6C Mass Excavation project – Administrative Memorandum No. 5902**
- Consider authorizing Change Order No. 1 with Rigid Constructors, LLC in the amount of \$594,000 for favorable contract unit pricing for Austin Chalk excavation and clay soil stockpiling 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.