



NORTH TEXAS MUNICIPAL WATER DISTRICT

**501 E. Brown Street
Wylie, Texas 75098
(972) 442-5405**

Board of Directors Agenda

Thursday, March 28, 2024

2:30 PM

**REGULAR MEETING (IN PERSON
AND BY VIDEOCONFERENCE)**

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 28, 2024, 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.

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, strategic plan, 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

A. March Board Memorandum

[24B-3](#)

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. NTMWD Strategic Plan Annual Update

IX. EXECUTIVE SESSION

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. At the conclusion of the executive session, the public meeting will resume.

- A. Consultation with Attorney (Tex. Gov't Code Section 551.071)

1. ARK Contracting Services, LLC v. North Texas Municipal Water District; Lockwood Andrews & Newnam, Inc.; Freese and Nichols, Inc.; and Garver, LLC - 471st District, Collin County
2. City of Heath v. North Texas Municipal Water District, City of Forney and the City of Rockwall - 5th Court of Appeals, Dallas, Texas; Case No. 05-23-00558-CV; From the 439th Judicial District Court, Rockwall County, Texas, Trial Court Cause No. 1-22-0704
3. Alan Thomas Decker v. NTMWD, Phillips and Jordan, Inc., Archer Western Construction, LLC, and Hammett Excavation in the 336th District Court of Fannin County, Texas
4. North Texas Municipal Water District vs. Encore Wire Corporation, Case No. 001-00768-2022, Collin County, Texas
5. Legal briefing on March 14, 2024, Sanitary Sewer Overflow at Lower White Rock Creek Lift Station

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. February 2024 Regular Board Meeting Minutes [24C-9](#)

The Executive Director and NTMWD staff recommend the Board of Directors approve the minutes of the regular Board meeting held on Thursday, February 22, 2024, as presented.

B. February 2024 Board Work Session Meeting Minutes [24C-10](#)

The Executive Director and NTMWD staff recommend the Board of Directors approve the minutes of the Board Work Session meeting held on Thursday, February 29, 2024, as presented.

C. Modification of Capital Projects Request [24C-11](#)

Recommend the Board of Directors approve the March 2024, Modification of Capital Projects Request as presented.

D. Wylie Water Treatment Plant Backup Power Improvements - Authorization for Alternate Project Delivery Method; Project No. 101-0564-20; Resolution No. 24-12 [24C-12](#)

Authorize the use of Construction Manager At-Risk (CMAR) project delivery method for the Wylie Water Treatment Plant (WTP) Backup Power Improvements project.

E. Multiple Systems Maintenance Facilities Central Region, Phase II; Engineering Services Agreement, Additional Services No. 6; Project No. 101-0445-16 [24C-13](#)

Authorize additional construction phase support services to Stantec Architecture, Inc. (Stantec) for the Multiple System Maintenance Facilities Central Region, Phase II.

- F. **Gateway Drive Transfer Station, Environmental Site Assessment** [24C-14](#)
Project No. 401-0644-24; Engineering Services Agreement

Authorization of an engineering services agreement to conduct a Phase I Environmental Site Assessment and records research for the future site of the Gateway Drive Transfer Station.

- G. **Memorandum of Understanding between the North Texas Municipal Water District and the City of Plano for Providing Electricity to the 121 RDF Landfill Odor Management System** [24C-15](#)

Approve Memorandum of Understanding between the North Texas Municipal Water District (NTMWD) and the City of Plano (Plano) for providing electricity to the 121 Regional Disposal Facility (121 RDF) Odor Management System.

XII. AGENDA ITEMS FOR INDIVIDUAL CONSIDERATION

WATER AGENDA ITEMS

- A. **Per- and Polyfluoroalkyl Substances (PFAS) Management Roadmap** [24-5999](#)
Project No. 101-0645-24; Engineering Services Agreement

Authorize an engineering services agreement for the development of the Per- and Polyfluoroalkyl Substances (PFAS) Management Roadmap.

- B. **Leonard Water Treatment Plant Phase II; Project Number 101-0600-21** [24-6000](#)
Tabulation of Bids and Award of Contract

Authorize award of a construction contract for the Leonard Water Treatment Plant Phase II Expansion Project.

- C. Leonard Water Treatment Plant Phase II; Project No. [24-6001](#)
101-0600-21
Leonard WTP Terminal Storage Reservoir Phase II;
Project No. 101-0601-21
Bois d’Arc Lake Raw Water Pump Station Phase II;
Project No. 101-0602-21
Leonard WTP High Service Pump Station Phase II;
Project No. 101-0603-22**

**Additional Services for Construction Management and
Inspection - Construction Phase**

Recommend Board authorization for additional construction management and inspection services, and Internal Inspection Services for the construction of four projects that comprise the Bois d’Arc Lake System Phase II Program.

- D. Development Agreement between the North Texas [24-6002](#)
Municipal Water District and the Kansas City Southern
Railway Company regarding a future Rail Spur project in
Wylie Texas; Project No. 101-0646-24; Resolution No.
24-10**

Authorize the execution of a Development Agreement between the North Texas Municipal Water District (NTMWD) and the Kansas City Southern Railway Company, d/b/a CPKC.

- E. Contract for reservation, diversion, and use of raw water [24-6003](#)
by and between the City of Garland and the North Texas
Municipal Water District**

Authorize execution a Contract between the North Texas Municipal Water District (NTMWD) and the City of Garland (Garland) for reservation, diversion, and use of raw water for industrial use from Lavon Lake.

[WASTEWATER AGENDA ITEMS](#)

- F. North McKinney Parallel Interceptor Mitigation Projects; [24-6004](#)
Project No. 501-0504-18;
Tabulation of Bids and Award of Contract, and
Inspection Services**

Authorize award of a construction contract and internal inspection services

LAND ACQUISITION / RIGHT OF WAY AGENDA ITEMS

- G. **Future Opening and Operation of Public Recreational Areas and Associated Facilities on Bois d'Arc Lake; Resolution No. 24-11** [24-6005](#)

Adopt a resolution authorizing the future opening and operation of public recreational areas and associated facilities on Bois d'Arc Lake to the public and authorize the Executive Director or their designee to take certain actions associated with the initial and subsequent openings and closures of the lake.

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.