



DATA SHEET
Agenda Item No. 7.

Meeting Date: February 1, 2018

Agenda Item:

Adopt minutes of December 7, 2017 Board Meeting.

Placement:	<input checked="" type="checkbox"/> Consent	<input type="checkbox"/> Individual Consideration	<input type="checkbox"/> Executive Session
Vote:	<input checked="" type="checkbox"/> Non-Weighted	<input type="checkbox"/> Weighted Capital	
Recommending Department: Administration			

Background:

The enclosed minutes from the December 7, 2017 Board Meeting were prepared by Nancy T. Tam, Assistant Secretary to the Board.

Financial:

None.

Recommendation:

Recommend that the Board adopt the enclosed minutes for the December 7, 2017 Board Meeting.

Enclosures:

Prepared minutes from the December 7, 2017 Board Meeting.

Submitted By: 
Nancy Tam, Assistant to Executive Director

Date: January 26, 2018



MINUTES

**UPPER TRINITY REGIONAL WATER DISTRICT
BOARD OF DIRECTORS MEETING
December 7, 2017**

REGULAR SESSION BOARD MEETING

1. Call to Order

The Board of Directors of the Upper Trinity Regional Water District convened, with President Mercer presiding, at 1:10 P.M. on Thursday, December 7, 2017, at the UTRWD Board Meeting Room, 900 N. Kealy, Lewisville, TX 75057.

2. Roll Call and confirm Quorum

The attendance of the Board of Directors was taken. A quorum was present for the meeting.

Board Members in Attendance:

Kevin Mercer, President, DCFWSD #7
Mike Fairfield, Secretary, Lake Cities MUA
Brian Roberson, Aubrey
James Burnham, Celina
Cody Collier, Corinth
Johnny Harris, Denton County
Kristina Clark, DCFWSD #1A
Virginia Blevins, Justin
Eric Ferris, Lewisville
Michael Anderson, Ponder

Richard Lubke, Vice President, Highland Village
Troy Norton, Argyle
Del Knowler, Bartonville
Janet Aune, Copper Canyon
Timothy Fisher, Denton
Jean Campbell, Denton County At-Large
Dick Cook, Double Oak
Gary Calmes, Krum
Alan Guard, Pilot Point
Frank Jaromin, Prosper

Absent:

Kenneth Parr, Flower Mound *
Chris Boyd, Mustang SUD *

Ramiro Lopez, Treasurer, Irving *

* Excused Absence

Vacant: City of Sanger

Staff & Advisors in Attendance:

Thomas E. Taylor, Executive Director
Larry Patterson, Deputy Executive Director
Nancy Tam, Assistant to Executive Director
Don Hill, Manager / Property Services
Kim Probasco, Budget Manager
Kurt Staller, Acting Director of Eng & Constr

John F. Boyle, Jr., General Counsel
Bill Greenleaf, Director / Business Services
Jason Pierce, Mgr. / Customer Contracts
Lester Harris, Accounts Manager
Mark Skaggs, Manager / IT Srvs

Others in Attendance:

Alan Tucker, Alan Plummer Assoc. Inc.
Glen Middleton, Carollo Engineering

Pete Dewing, Town of Northlake
Drew Corn, Town of Northlake

3. Pledge of Allegiance and Invocation:

Pledge of Allegiance: Kristina Clark

Invocation: Rich Lubke

4. Opening Remarks:

A. President's Remarks concerning current events, conduct of the meeting, posted agenda items, committee assignments, and related matters.

- President Mercer congratulated Staff and the Conservation Trust for receiving the 2018 National Environmental Achievement Award for the Denton County Greenbelt Plan.
- Martin Rochelle, the District's long-time "water lawyer" recently retired. Congratulations to him for time well served; his services will be missed.
- Currently, we are not planning for a January 2018 Board Meeting unless there is business that requires timely consideration. The next Board Meeting will be February 1, 2018.
- Please hold the date: The Employee Appreciation Luncheon will be held on Sunday, March 4th, 11:00 AM to 3:00 PM, at the Star in Frisco.

B. Executive Director's Status Report about legislation and regulatory matters, about budgets, current projects and on-going programs of the District, including: the Regional Water System, Water Resource Development, Regional Water Reclamation Systems, Watershed Protection and Water Conservation.

None.

C. Presentations about awards, recognitions, achievements, etc. of the District, Board Members, Member Entities and Staff.

None.

5. Visitor Comments Concerning Agenda Topics.

None.

CONSENT AGENDA

President Mercer moved to the Consent Agenda Items. Rich Lubke made a motion to approve Consent Agenda Items 6-12. Seconded by Dick Cook. The votes were 19 Yes, 0 No. Motion passed.

6. Adopt minutes of October 5, 2017 Board Meeting.

7. Accept Quarterly Investment Report for the period ending September 30, 2017.

8. After the required annual review, authorize renewal of the District Investment Policy/Strategy, with certain changes.

9. Authorize Memorandum of Agreement with Denton Independent School District (DISD) for relocation of fiber optic cables on behalf of DISD to clear TxDOT FM 720 road improvements.



10. Authorize the Executive Director to enter into a pricing agreement to provide brush removal and tree trimming services with Weldon’s Lawn and Tree Service as primary vendor, and with Golden Tree Maintenance as secondary vendor.
11. Authorize the Executive Director to execute a purchase order with LJ Power, Inc. under an existing Price Agreement for repair of the Lakeview Plant emergency generator for a total cost of \$67,329.94, and approve a budget amendment.
12. Receive report of construction change orders approved by staff.

ITEMS FOR INDIVIDUAL CONSIDERATION

13. Consider request of the Town of Northlake to reinstate the Town's Membership in the District, subject to a catch-up payment of all applicable fees and charges.

On behalf of the Town of Northlake, Mayor Peter Dewing provided a presentation to the Board requesting reinstatement of their membership to the Board. The Town Council recently adopted a Resolution which indicated that Northlake can play a vital role in the western growth of the UTRWD System and that Northlake can make a significant contribution to the success of UTRWD if its role as a Participating Member were reinstated. Financially, Northlake has agreed to pay its Member fees from 1993 to date as a condition of restoring its Membership.

President Mercer indicated that several inquiries have been received from some of the Board Members. He is prepared to send this item to the Policy Review Committee and plan to discuss it at the February Board Meeting. Also, back ground information including previous reinstatement will be included in the meeting packet. Fisher requested that Larry Patterson, the Deputy Executive Director to participate in the Policy Review Committee meeting(s). No action on Item No. 13 other than deferring it to the February Meeting.

14. Consider approval of resolution to authorize the Executive Director to file with the Texas Commission on Environmental Quality an application for extension of time provided in Water Rights Permit to begin and complete construction of proposed Lake Ralph Hall. **(Weighted Capital Vote)**

Since December 11, 2013, the District has secured Water Use Permit from the Texas Commission on Environment on Environmental Quality (TCEQ) authorizing the District to construct and maintain proposed Lake Ralph Hall. Previously, the TCEQ had granted the District an extension until December 11, 2017. Based upon evaluation of the additional time needed by the USACE to complete their environmental review work prior to issuance of the Section 404 permit, it is necessary for the District to: (1) file a second application to extend the time for an additional two years to begin construction to December 11, 2019; also, (2) to complete the project by to December 11, 2025.

Virginia Blevins made a motion to approve Item No. 14. Seconded by Tim Fisher. The Weighted Capital Vote proceeded as follows. The votes were 26 Yes, 0 No. Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	1	1		



CORINTH – Collier	3	3		
DENTON (CITY) – Fisher	2	2		
DC AT-LARGE - Campbell	1	1		
DCFWSD #1A – Clark	2	2		
DCFWSD #7 – Mercer	2	2		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Parr	9			9
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2			2
JUSTIN – Blevins	1	1		
KRUM - Calmes	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Farris	2	2		
MUSTANG SUD - Boyd	2			2
PILOT POINT - Guard	1	1		
PONDER - Anderson	1	1		
PROSPER - Jaromin	1	1		
SANGER – (VACANT- 1)				
TOTAL	39	26		13

A 5-minute break was called at 1:40 P.M.

15. Authorize extension of contract with Sulphur River Basin Authority for joint water resources planning through August 31, 2018. **(Weighted Capital Vote)**

Since January 2002, the Board has authorized a contract between the District and the Sulphur River Basin Authority (SRBA) for joint planning for potential water supplies in the Sulphur River Basin. Also, North Texas Municipal Water District (NTMWD), Tarrant Regional Water District (TRWD) and the cities of Irving and Dallas are participating in the joint planning activities. This joint planning effort is consistent with both the Regional C Plan and the Texas Water Plan.

However, the current agreement is set to expire in May 2018. To accommodate ongoing efforts to complete the U.S. Army Corps of Engineers Sulphur River Basin Studies, SRBA has requested the participating parties to extend the agreement through August 31, 2018 -- the end of its fiscal year. Staff recommends approval of the First Amendment to the Advanced Funding Agreement for Water Resources Planning with the Sulphur River Basin and other participating utilities.

Frank Jaromin made a motion to approve Item No. 15 as recommended by staff. Seconded by Jean Campbell. The *Weighted Capital Vote* proceeded as follows. The votes were 26 Yes, 0 No. Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
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ARGYLE – Norton	1	1	
AUBREY - Roberson	1	1	
BARTONVILLE – Knowler	1	1	
CELINA – Burnham	1	1	
CORINTH – Collier	3	3	
DENTON (CITY) – Fisher	2	2	
DC AT-LARGE - Campbell	1	1	
DCFWSD #1A – Clark	2	2	
DCFWSD #7 – Mercer	2	2	
DOUBLE OAK – Cook	1	1	
FLOWER MOUND – Parr	9		9
HIGHLAND VILLAGE – Lubke	2	2	
IRVING – Lopez	2		2
JUSTIN – Blevins	1	1	
KRUM - Calmes	1	1	
LAKE CITIES MUA – Fairfield	2	2	
LEWISVILLE – Ferris	2	2	
MUSTANG SUD - Boyd	2		2
PILOT POINT - Guard	1	1	
PONDER - Anderson	1	1	
PROSPER - Jaromin	1	1	
SANGER – (VACANT- 1)			
TOTAL	39	26	13

16. Resolution authorizing acceptance of completed work, approval of final payment and release of retainage for construction contract awarded to Crescent Constructors, Inc. for odor control and miscellaneous improvements at Lakeview Regional Water Reclamation Plant and for TxDOT's FM 2181 project. (Weighted Capital Vote)

This is a routine completion of the job. All work has been completed in accordance with the plans, specifications and change orders except for minor punch list items. **Kristina Clark made a motion to approve Item No. 16 as recommended by staff. Seconded by Mike Fairfield.** The *Weighted Capital Vote* proceeded as follows. The votes were 26 Yes, 0 No. Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		



CELINA – Burnham	1	1		
CORINTH – Collier	3	3		
DENTON (CITY) – Fisher	2	2		
DC AT-LARGE - Campbell	1	1		
DCFWSD #1A – Clark	2	2		
DCFWSD #7 – Mercer	2	2		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Parr	9			9
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2			2
JUSTIN – Blevins	1	1		
KRUM - Calmes	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Ferris	2	2		
MUSTANG SUD - Boyd	2			2
PILOT POINT - Guard	1	1		
PONDER - Anderson	1	1		
PROSPER - Jaromin	1	1		
SANGER – (VACANT- 1)				
TOTAL	39	26	0	13

17. Consider authorizing staff to initiate planning and make preparations for proposed parallel pipeline from the Taylor Water Treatment Plant to the Stonehill Pump Station, including abridged application with the Texas Water Development Board for financial assistance under the SWIFT program. **(Weighted Capital Vote)**

Currently, we have a pipeline from the Taylor Plant to Stone Hill Pump Station, and it is approaching its 25 year design capacity. Accordingly, plans for a parallel treated water pipeline project are included in the current fiscal year’s Capital Improvement Program budget. The initial planning budget estimate for this pipeline is approximately \$41,000,000 and is anticipated to be spread through four annual budget cycles.

To provide the most advantageous funding for the proposed Parallel Pipeline project, staff proposes to file an abridged (preliminary) application with the Texas Water Development Board (TWDB) for financial assistance. If the TWDB finds the project to be feasible and eligible for SWIFT funding, formal invitations to submit a full application will be extended. Under current analysis, the SWIFT funds would save the District approximately \$25 million in financing costs.

Kristina Clark made a motion to approve Item No. 17 as recommended by staff. Seconded by Tim Fisher. The *Weighted Capital Vote* proceeded as follows. The votes were 26 Yes, 0 No. Motion carried.



ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	1	1		
CORINTH – Collier	3	3		
DENTON (CITY) – Fisher	2	2		
DC AT-LARGE - Campbell	1	1		
DCFWSO #1A – Clark	2	2		
DCFWSO #7 – Mercer	2	2		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Parr	9			9
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2			2
JUSTIN – Blevins	1	1		
KRUM - Calmes	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Ferris	2	2		
MUSTANG SUD - Boyd	2			2
PILOT POINT - Guard	1	1		
PONDER - Anderson	1	1		
PROSPER - Jaromin	1	1		
SANGER – (VACANT- 1)				
TOTAL	39	26	0	13

18. Consider approval of contract and financial matters related to the Doe Branch Water Reclamation Plant expansion: **(Weighted Capital Vote)**

- A. Contract with Freese and Nichols, Inc. for professional services related to design, and construction of Phase 2 of the Doe Branch Water Reclamation Plant, including Task Order No. 1 for preliminary design and related matters.

The Northeast Regional Water Reclamation System service area is experiencing rapid growth, and is anticipated that Doe Branch Plant Phase 2 expansion will be needed by latter part of 2020. The current Texas Commission on Environmental Quality (TCEQ) permit would allow for an expansion to either 4.0 or 5.225 mgd.



Staff recommends that the Board authorize the proposed Contract and Task Order No. 1 with Freese and Nichols, Inc. for professional services related to preliminary design and related matters for Phase 2 of the Doe Branch Water Reclamation Plant. The total for the proposed Task Order is \$154,850.00.

- B. Resolution authorizing use of current funds for interim purposes and a loan from Regional Treated Water System Non-Bond Capital Reserve.

Staff recommends an internal loan be used from the Regional Treated Water System Non-Bond Capital Reserves for the interim time period until bonds can be sold or other financing arranged to reimburse the funds. To cover Task Order No. 1 and additional expenses related to the Doe Branch Plant expansion, staff proposes an inter-fund loan in the amount of \$300,000 from the Regional Treated Water System. Staff recommends that current funds in the Regional Treated Water System Non-Bond Capital Reserve be invested internally, at a minimum of 1.5% interest, with the potential to adjust on a quarterly basis depending on TexPool's investment rate, and subject to Board authorization.

- C. Resolution to enable reimbursement of funds from future Bond proceeds.

Staff recommends the Board to adopt a separate Resolution authorizing reimbursement of prior costs out of future bond proceeds. Such resolution is standard practice to authorize reimbursement of prior costs out of future bond proceeds, and expresses clear intent of the Board to make such reimbursements when project financing is complete.

Rich Lubke made a motion to approve Item Nos. 18.A.B.C. Seconded by James Burnham. The Weighted Capital Vote proceeded as follows. The votes were 26 Yes, 0 No. Motion carried.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	1	1		
CORINTH – Collier	3	3		
DENTON (CITY) – Fisher	2	2		
DC AT-LARGE - Campbell	1	1		
DCFWSO #1A – Clark	2	2		
DCFWSO #7 – Mercer	2	2		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Parr	9			9
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2			2
JUSTIN – Blevins	1	1		
KRUM - Calmes	1	1		
LAKE CITIES MUA – Fairfield	2	2		

LEWISVILLE – Ferris	2	2	
MUSTANG SUD - Boyd	2		2
PILOT POINT - Guard	1	1	
PONDER - Anderson	1	1	
PROSPER - Jaromin	1	1	
SANGER – (VACANT- 1)			
TOTAL	39	26	13

19. Consider award of contracts for capital projects. (Weighted Capital Vote)

- A. Contract to Red River Construction, Co. for construction of rehabilitation and improvements to the filters and hypochlorite storage tanks at the Taylor Water Treatment Plant.

This item is for rehabilitation and improvements of filters and replacement of hypochlorite storage tanks. Red River Construction Co. submitted the only bid in the amount of \$1,893,794.00. The District has extensive experience with Red River Construction, which has a good track record of successfully completing projects on time and within budget. Staff recommends awarding construction contract to Red River Construction, Co.

- B. Contract for pipeline modifications and relocations as a result of TxDOT roadway improvements along FM 720.

Due to TxDOT's current schedule, the time required to acquire the needed easement and to minimize potential impacts to customers for required shutdowns of the existing treated water pipelines, the work has been split into two construction contracts. This contract is for lowering the two treated water pipelines, adding additional encasement and installing the fittings and valves necessary for connecting to the two future 36-inch pipelines. The installation of the future pipelines will be included in a future construction contract.

Atkins Brothers Equipment Company, Inc. was the apparent low of two bidders in the amount of \$1,193,838.00. Funding for transmission main relocations and modifications is available in the Regional Treated Water System FY 2018 Capital Budget referenced as Relocation / TxDOT FM 720 Coordination Project. Staff recommends award of construction contract to Adkins Brothers Equipment Company, Inc.

- C. Contract to Crescent Constructors, Inc. for installation of pumps and associated improvements at the Harpool Water Treatment Plant.

The District received bids for installation of three new pumps with variable frequency drives (VFD) and associated piping improvements at Harpool Water Treatment Plant. Staff and engineer (Carollo Engineers, Inc.) have evaluated the bids and recommend award to Crescent Constructors, Inc. as the lowest responsible bidder in the amount of \$4,037,000.00. Funding for pump station and vault improvements is available in the Regional Treated Water System FY 2018 Capital Budget referenced as Phase 1B – Replacement of 3 high service pumps.

Kristina Clark made a motion to approve Item Nos. 19. A-C. Seconded by Del Knowler. The Weighted Capital Vote proceeded as follows. The votes were 26 Yes, 0 No. Motion carried.



ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	1	1		
CORINTH – Collier	3	3		
DENTON (CITY) – Fisher	2	2		
DC AT-LARGE - Campbell	1	1		
DCFWSD #1A – Clark	2	2		
DCFWSD #7 – Mercer	2	2		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Parr	9			9
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2			2
JUSTIN – Blevins	1	1		
KRUM - Calmes	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Ferris	2	2		
MUSTANG SUD - Boyd	2			2
PILOT POINT - Guard	1	1		
PONDER - Anderson	1	1		
PROSPER - Jaromin	1	1		
SANGER – (VACANT- 1)				
TOTAL	39	26		13

20. Authorize the Executive Director to enter an agreement with Xylem Water Solutions USA to purchase a Flygt Pump at the Riverbend Water Reclamation Plant for a total cost of \$59,536.38. **(Weighted Capital Vote)**

The Riverbend Water Reclamation Plant (WRP) has a single influent pump station, which is approximately 60-feet deep and contains three submersible pumps. The original Flygt pumps have been in service since the plant was constructed in 2003. The maintenance required to keep these pumps in service has reached the point where planned replacement is necessary. Due to the critical nature of this station, waiting for a pump failure that would require replacement on an emergency basis is not recommended. A spare pump, ready to be installed will provide critical time to evaluate and determine the most cost-effective option to take the next time a pump requires significant maintenance or rebuild.

On November 3, 2017, bids were received and were evaluated based upon factors including



compliance with all specifications and proven ability to perform in the extreme environment found at the Riverbend WRP. Based upon these results, staff recommend that the Board authorize the Executive Director to enter into an agreement with Xylem Water Solutions USA to purchase a Flygt pump at the Riverbend Water Reclamation Plant for a total cost of \$59,536.38.

Frank Jaromin made a motion to approve Item No. 20. Seconded by Troy Norton. The Weighted Capital Vote proceeded as follows. The votes were 26 Yes, 0 No. Motion passed.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	1	1		
CORINTH – Collier	3	3		
DENTON (CITY) – Fisher	2	2		
DC AT-LARGE - Campbell	1	1		
DCFWSD #1A – Clark	2	2		
DCFWSD #7 – Mercer	2	2		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Parr	9			9
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2			2
JUSTIN – Blevins	1	1		
KRUM - Calmes	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Ferris	2	2		
MUSTANG SUD - Boyd	2			2
PILOT POINT - Guard	1	1		
PONDER - Anderson	1	1		
PROSPER - Jaromin	1	1		
SANGER – (VACANT- 1)				
TOTAL	39	26		13

21. Authorize the Executive Director to select an Electric Energy Service Provider, establish terms, conditions and rates, and enter into an Electric Energy Services Agreement according to specific parameters for electrical service for the Taylor Regional Water Plant and Intake, the Non-potable Water System and Lakeview Regional Water Reclamation System for an additional period of 24 to 36 months after April 30, 2020.



The District currently has an agreement with Reliant Energy at a price of \$0.04787 per kilowatt hour through April 30, 2018. Recently, the District obtained a two-year extension from May 1, 2018 through April 30, 2020 at a price of \$0.03798 per kilowatt hour.

Based on current market conditions and the economic outlook, the Officers advised it would be smart to lock in a favorable rate for electric service for up to five years into the future. Staff recommends approval of the proposed Resolution which authorizes the Executive Director to select an Electric Energy Service provider, establish terms, conditions and rates, and enter into an Electric Energy Services Agreement; 1) for a period not to exceed 24 to 36 months beginning May 1, 2020, and 2) at a rate not to exceed \$0.036 per kilowatt-hour.

Johnny Harris made a motion to approve Item No. 21. Seconded by Rich Lubke. The votes were 19 Yes, 0 No. Motion carried.

22. Consider actions related to the District giving consent for requested assignment to Mustang Special Utility District of Participating Customer Systems and contracts with Denton County Fresh Water Supply District No. 10 (FWSD).
- A. Resolution consenting to a partial assumption of existing regional water and wastewater contracts with FWSD, and to the assignment and conveyance of an agreed portion of FWSD's retail water and wastewater systems.

With concurrence of the District's Bond Counsel, staff recommends the Board adopt the proposed Resolution, subject to the terms and conditions set forth therein being fully satisfied. Mustang will assume the specified water and wastewater subscriptions and will make the applicable payments directly to the District. There is no significant cost impact on the District, the District will be kept whole.

- B. Amendments to existing regional water and wastewater contracts with FWSD to continue providing water and wastewater services on a wholesale basis to FWSD for service to the Artesia community.

This item was pulled from the Agenda and not available for consideration at this time.

- C. Amendments to existing regional water and wastewater contracts with Mustang acknowledging partial transfer and assignment of the FWSD contracts for Mustang to provide retail water and wastewater service to the Savannah and Arrowbrook communities.

Mustang will assume the specified water and wastewater subscriptions and will make the applicable payments directly to the District. There is no significant cost impact on the District, the District will be kept whole.

Mustang's Board of Directors will consider the amendments at a future Board meeting. Staff recommends approval of the proposed contract amendments with Mustang Special Utility District regarding the transfer and assumption of a portion of the FWSDs water and wastewater systems and contracts by Mustang, subject to any non-substantive changes that may be mutually agreed by the parties.

Tim Fisher made a motion to approve Item No. 22. A & C. as proposed and recommended by Staff. Seconded by Alan Guard. The votes were 19 Yes, 0 No. Motion carried.

23. Executive Session concerning granting or acquisition of easements, rights-of-way and other property for Water Resource Development, for Regional Treated Water System or for Regional Water Reclamation Systems according to location maps of the projects available in the District Office, and regarding water



rights and related permits pursuant to Texas Government Code, Section 551.072; and, concerning personnel matter, related to succession planning pursuant to Texas Government Code, Section 551.074; and, meeting with legal counsel pursuant to Texas Government Code, Section 551.071 relative to a matter in which the attorney is required under the Texas Disciplinary Rules of Professional Conduct to convey advice in Executive Session.

A 10-minute break was called.

The Board of Directors went into Executive Session at 2:56 PM.
 The Board returned to open meeting at 3:38 PM.

24. Consider action on property matters, some of which may have been discussed in Executive Session. (Weighted Capital Vote)

The following properties were discussed in Executive Session for consideration of acquisition of Utility Easements for the Harpool North Raw Water Storage Pipeline Project: P04-HNSP (Ellison) and P5-HNSP (Brown). James Burnham made a motion to approve both easements as recommended by staff. Seconded by Dick Cook. The *Weighted Capital Vote* proceeded as follows. The votes were 26 Yes, 0 No. Motion passed.

ENTITY	ELIGIBLE WEIGHTED VOTE	YES	NO	ABSENT
ARGYLE – Norton	1	1		
AUBREY - Roberson	1	1		
BARTONVILLE – Knowler	1	1		
CELINA – Burnham	1	1		
CORINTH – Collier	3	3		
DENTON (CITY) – Fisher	2	2		
DC AT-LARGE - Campbell	1	1		
DCFWSO #1A – Clark	2	2		
DCFWSO #7 – Mercer	2	2		
DOUBLE OAK – Cook	1	1		
FLOWER MOUND – Parr	9			9
HIGHLAND VILLAGE – Lubke	2	2		
IRVING – Lopez	2			2
JUSTIN – Blevins	1	1		
KRUM - Calmes	1	1		
LAKE CITIES MUA – Fairfield	2	2		
LEWISVILLE – Ferris	2	2		
MUSTANG SUD - Boyd	2			2
PILOT POINT - Guard	1	1		
PONDER - Anderson	1	1		



PROSPER - Jaromin	1	1	
SANGER – (VACANT- 1)			
TOTAL	39	26	13

25. Review potential agenda items, activities and announcements for future Board meetings.
Item #13 regarding Northlake Membership to be carried to the February 1, 2018 Board Meeting.
26. Visitor Comments Concerning Non-Agenda Topics.
None.
27. Adjournment.
There being no further business, President Mercer adjourned the meeting at 3:40 PM.

Recorded By: 
Nancy T. Tam, Assistant Secretary, Board of Directors

Certified By: _____
Mike Fairfield, Secretary, Board of Directors

