

MINUTES OF A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD IN THE DISTRICT OFFICE IN FORT WORTH, TEXAS,
ON THE 5TH DAY OF SEPTEMBER, 1950, AT 2:00 P.M.

The call of the roll disclosed the presence of Directors,
as follows:

PRESENT.

Joe B. Hogsett
Houston Hill
Dan H. Priest
Gaylord J. Stone
W. L. Pier.

Also present were Sidney L. Samuels, General Attorney, and C. L. McNair, General Manager.

Director Hogsett acted in his capacity as President, and Director Priest acted in his capacity as Secretary, whereupon proceedings were had and done as follows:

1.

The President, Mr. Joe B. Hogsett, announced and stated that inasmuch as the report of the District Engineers, Freese & Nichols, known as Program "B" for Flood Control Improvements to minimize, control and if possible, avert floods on the Trinity River and its tributaries within the boundaries of the District had been theretofore received, adopted and approved by the Board at its meeting held on August 18, 1950, and inasmuch as all possible available data were in hand and since such report and data had been heretofore submitted to the State Board of Water Engineers in Austin, Texas, and that the members of said State Board of Water Engineers had previously made a personal inspection

of the location of the proposed improvements, and further that it appeared that said Board of Water Engineers had approved the aforesaid report of the Engineers of the District on Program "B" as aforesaid, that there remained no reason, either in law or through policy to delay the submission to the qualified tax-paying voters of the District at an election to be designated by the Board of Directors of the District, the question of whether or not the District should be authorized to "issue bonds and levy taxes in payment therefor" in order to build and construct the works recommended in the report of the engineers of the District, which said report had already been approved and adopted by this Board and had also been approved by the State Board of Water Engineers:

2.

Thereupon, Director Priest stated that he had prepared and would introduce at this meeting a proposed order for such a bond election. In this connection, he further stated that in times past there had been full and free discussion by the Board of the subject-matters involved in such order and that he would ask permission of the Board to read and introduce for action of the Board the proposed order, which, upon motion duly carried, he was permitted so to do. Said proposed order was then introduced and read to the Board, which, in words, and figures was and is as follows:

"ORDER OF ELECTION, TOGETHER WITH THE SUPPORTING
FACTS, ESTIMATES AND CONCLUSION:

First: Tarrant County Water Control and Improvement District Number One (hereinafter referred to as "District") was originally organized in October, 1924, by compliance with the provisions of the

laws of Texas relating to the creation of "Water Improvement Districts" which law has since been codified, and is now Chapter 2, Title 128, of the Revised Civil Statutes of the State of Texas. At the time of its creation and by the vote of its qualified electors it did have the rights and powers granted under Section 59 (a) of Article 16 of the Constitution of Texas, and pursuant thereto the statutory provisions making said constitutional provisions effective.

Second: Said "Tarrant County Water Improvement District Number One", in January, 1926, by vote of its qualified electors became and was converted into "Tarrant County Water Control and Improvement District Number One". The procedure for this conversion was that authorized and designated by Section 143 of Chapter 25 of the Acts of the Regular Session of the 39th Legislature of Texas, now codified as Chapter 3a, Title 128 of Vernons Revised Civil Statutes of the State of Texas: Whereby, this District is now governed and is to be governed by Section 59 (a) of Article 16, of the Constitution of Texas and the provisions of Chapter 3a, Title 128 of Vernons Revised Civil Statutes of the State of Texas and all amendments thereto since adopted or hereafter to be adopted, and now has and shall hereafter have and may hereafter exercise all the powers, functions and privileges provided by said Chapter 3a, Title 128 and all amendments thereto, to the same extent and manner as if this District had been originally organized under the provisions of said Chapter 3a, Title 128.

Third: Tarrant County Water Control and Improvement District Number One has heretofore designated a banking depository which depository is the Continental National Bank, of Fort Worth,

Texas.

Fourth: There has been filed in the office of the District a report designated as "Program "B" Flood Control Improvements" by the District's Engineers, Freese and Nichols, covering the plans and improvements proposed to be constructed, together with maps, plats, profiles and data fully explaining the same, and further containing a detailed estimate of the cost of such improvements, including the cost of all property, materials and lands necessary and requisite to be purchased; also containing an estimate of the time required to complete such proposed improvements so that service therefrom can be commenced.

Further, the Directors of this District had, on August 18, 1950, considered and approved said report without change, as appears by formal order of record in the minutes and records of this District kept in the District's office in Fort Worth, Texas. Said District Engineers' report, together with maps, plats, profiles and data fully explaining the same, containing a detailed estimate of the cost of such improvements, including the cost of the purchase of all lands, materials and property to be purchased; containing also an estimate of the time that will be required to complete said proposed improvements so that service therefrom can be commenced, is and are, now on file in the records of this District at its office in Fort Worth, Texas, where the same, together with the order of the Directors approving the said report are, and shall be, open to inspection by the public, or by any person interested therein, as required by Section 78 of Article 7880, of the Revised Civil Statutes of the State of Texas.

Fifth: The report of said District Engineers designated as

"Program "B" for Flood Control and Improvements" to control and minimize flood hazards and storm waters in and on the Trinity River and its tributaries, shows the detailed estimated costs of the proposed works, together, with the property, materials and lands necessary and requisite to be purchased therefor, which estimated costs in said report is stated to be Seven Million, Three Hundred and Eighty-four Thousand, Six Hundred and Fifty-one (\$7,384,651.00) Dollars, which estimate of costs embraces all costs to the District to the time such works can be completed and service therefor begun, which time for completion is estimated to be forty-eight (48) months from the beginning of construction.

(a) The detailed estimate of cost of such works as determined by the Engineers of the District, is summarized as follows:

Army Engineers' Project (which is set forth in detail in program "B" of report of Dis- trict Engineers.)	\$ 5,247,072.00
Crawford Addition Project	\$ 107,356.00
Sycamore Creek Project	\$ 635,963.00
Marine Creek Project	<u>\$ 1,394,260.00</u>
TOTAL ESTIMATED COST	\$ 7,384,651.00
Less Tax Remission Funds, authorized by act of Legislature of Texas and now ear-marked by Tarrant County Commissioners' Court	<u>\$ 550,000.00</u>
	\$ 6,834,651.00
RECOMMENDED BOND ISSUE	\$ 7,000,000.00

The foregoing estimates with respect to amounts are in the nature of things intended to be flexible and to be governed in its phases by the report of the Engineers of the District; which report

as heretofore noted, is styled Program "B" Flood Control Improvements Tarrant County Water Control and Improvement District Number One.

Sixth: We further find that said improvements, when constructed after due authorization of the qualified voters of the District, will be of great advantage and benefit to the inhabitants of the District, and to the safety of life and property within the District and that the same will be conducive to the public welfare and will represent a utility within the meaning of the Statutes governing and regulating the objectives of the District as ordained by law.

BY REASON OF THE FOREGOING FINDINGS OF FACT,
ESTIMATES, AND DECISIONS BASED THEREON, BE
IT NOW AND IT IS HEREBY ORDERED AS FOLLOWS,
TO-WIT:

(a) That there be held within the District an election on the 27th day of October, 1950, at and in which each duly qualified voter, who is also a property tax payer in the District, having rendered such property for taxation, shall be given opportunity to cast his or her vote for or against the proposition which is by this order specifically made and set forth:

(b) The proposition submitted at said election shall be, 'For the issue of bonds and levy of taxes in payment therefor', and in the negative 'Against the issue of bonds, and levy of taxes in payment therefor' so as to conform to Section 81 of Article 7880, of the Revised Civil Statutes of Texas.

(c) Be it further ordered that the bonds hereby proposed to be authorized and issued shall be in amount, and upon terms and conditions, as follows, namely,

(1) The maximum amount shall be Seven Million (\$7,000,000.00) Dollars, to be evidenced by seven thousand (7000) interest coupon bonds, of par value One Thousand (\$1,000.00) Dollars each, and to be

numbered serially and consecutively from "1" to "7000", both inclusive: (a summary of the items composing this sum is given in paragraph (a) Sec. 5 of this order and the same is here referred to as part of this paragraph.);

(2) The maximum rate of interest shall be Four (4%) per centum per annum, payable semi-annually, the time of payment and rate of interest to be fixed by the Directors, within the limits stated.

(3) The bonds shall be issued either as one series or as several series so as to mature in serial form, but none of said bonds shall be made payable more than forty years after the date thereof. The first installment to be paid on the principal will mature at the end of the fourth year next after the date of the bonds, as issued, and thereafter there shall be paid annually, on the same month and day, an installment on the principal during the period of not more than forty years after the date of the series of bonds, at which time said series of bonds shall be fully paid off and discharged.

(4) Payment of Bonds and Interest Coupons shall be made at the offices of the Central Hanover Bank and Trust Company, New York, New York, the paying agent of the District, or such other Bank or Banks as the Board may hereafter designate.

(d) Be it further ordered that the Attorneys for the District prepare a notice of the election hereby ordered, which notice shall in all things conform to the provisions of subdivision 80 of Article 7880, of the Revised Civil Statutes of the State of Texas, 1925. Said notice of this election shall, among other things, set out in words, symbols and figures the following:

SUBSTANTIAL OUTLINE OF WORK TO BE DONE AND ESTIMATED COSTS THEREOF FOR PURPOSE OF ENLARGING LEVEES AND TO MINIMIZE THE DANGER OF FLOOD WATERS FROM THE TRINITY RIVER AND ITS TRIBUTARIES WITHIN THE DISTRICT AS SET FORTH IN THE REPORT OF THE ENGINEERS OF THE DISTRICT, WHICH REPORT IS DESIGNATED AS PROGRAM "B", IS AS FOLLOWS:

Present Leveed Section (Main Floodway) Including 15% Engineering & Contingencies, as set out on pages #16 to #18, incl. of said Engineers' Report on Program "B")))))))))))	\$ 5,247,072.00
Crawford Addition, including 15% Engineering & contingencies, as set out on pages #22 and #23, of said Engineers' Report on Pro- gram "B".)))))))))))	\$ 107,356.00
Sycamore Creek Project, includ- ing 15% Engineering and contin- gencies, as set out on page #26 of said Engineers' Report on Program "B".)))))))))))	\$ 635,963.00
Marine Creek Project, including 15% Engineering & contingencies as set out on page #31 of said Engineers' Report on Program "B")))))))))))	\$ <u>1,394,260.00</u>
Total Estimated Cost		\$ 7,384,651.00

The total or maximum amount of the bonds required to be issued in view of the tax remission fund referred to in the Engineers' summary is Seven Million (\$7,000,000.00) Dollars, which amount does not exceed the sum estimated for the purposes above mentioned by the District's Engineers, in the summary set forth on page 1 of report of the Engineers in said Program "B", and so estimated by the Directors, required for constructing, providing and purchasing the proposed improve-

ments, materials, property and works.

The benefit to be derived from the proposed improvements are such as to control and minimize the hazards of flood waters arising out of the Trinity River and its tributaries in the District, and thereby relieve life and property from flood and freshet, and thus to protect property and lives within the boundaries of the District from the recurring menace of flood waters from the Trinity River and its tributaries as aforesaid.

It is the order of this Board that for the purpose of this election, and the conduct of same, the entire boundaries of the District shall constitute one election precinct in which polling places shall be located at such places within the District as may be deemed proper and practicable for the use of the voters. For the guidance of qualified voters having residence in the District, the boundaries of the District wherein the bond election is to be held shall be set out at length in the Notice of the Election and published as part thereof.

We further order and direct that the attorneys of the District, with the assistance of the office manager, Mr. Ed B. Cheatham, be authorized and are hereby instructed to make all necessary arrangements for the holding of such election, the expense thereof, and the payment of fees for the officers and clerks of the said election without further order of this Board. They, the said attorneys and Mr. Ed B. Cheatham, office manager, shall prepare a list designating the voting places and name a presiding

judge, an assistant judge and two election clerks, for each designated polling place. The first named person shall be the Judge, the second named person shall be the Assistant Judge, and the last two persons so named shall be Clerks for each designated polling place in the Notice of Election, and shall act in said capacity. Said list shall be attached to these minutes as Exhibit "A", and to be considered and construed to be a part hereof. The polling places for this election and the personnel of the officers who are to hold the same, except insofar as they may be changed by the Directors of this District, shall be as shown on said Exhibit "A".

Seventh: It is further ordered by the Board that the within Order and the Notice of Election be each signed by the President of this Board, attested and signed by the Secretary of the Board, and that the seal of the District be affixed thereto; and, further, that the Secretary of the Board is hereby instructed to cause a copy of said Notice to be published in the Fort Worth Star-Telegram and the Fort Worth Press, each of which newspapers has a general circulation in the District, once a week for four consecutive weeks, the first of such publications shall be at least twenty-eight (28) days next prior to the day and date set for the election.

Eighth: It is further ordered by the Board that this Order of Election and the Notice thereof shall be recorded in the minutes of the District and that a copy of the Notice of Election as published, with the publishers' affidavit of publication

attached thereto, shall be filed in the records of the District; further, such election shall be held and conducted, and returns thereon made, in accordance with the provisions of said Chapter 3a, Title 128, of the Revised Civil Statutes of Texas, relating to the holding of elections in and by the District. If at the election so ordered and thus to be held, a majority of the votes cast by the qualified electors participating in the election, be in favor of the proposition submitted, then the bonds so sought to be issued shall thereby be authorized by the Board of Directors of this District, and issued as required by law.

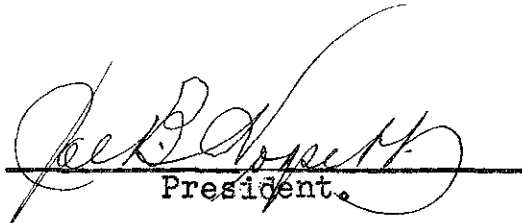
All matters and things contained in the foregoing order, and to be contained in the minutes of this meeting, we, the Board of Directors of Tarrant County Water Control and Improvement District Number One, do now hereby declare to be the order of this District, and we, officially as members of such Board, do now hereby ratify and confirm the same.

Upon conclusion of the reading of the Order, Director Priest moved that the proceedings herein, including the findings of the Board and the Order for Election as written and read before the Board of Directors, be approved and adopted as the act, deed and order of the Board, and made a part of the minutes and records of the District as required by Chapter 3a, Title 128, of the Revised Civil Statutes of Texas, 1925. The motion was seconded by Director Hill, The President, thereupon, submitted the motion to a vote and Directors Hogsett, Hill, Priest, Stone and Pier

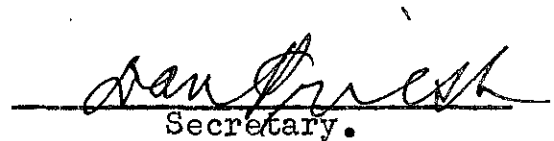
voted for the motion. No Director voted against the motion.
Those Directors voting constitute the entire Board.

The President thereupon declared the Order adopted
in its entirety.

Thereupon, the meeting adjourned.



President.



Secretary.

FREESE AND NICHOLS
CONSULTING ENGINEERS
407-410 DANCIGER BUILDING
TELEPHONE 3-5431
FORT WORTH, TEXAS

To be attached to minutes
of September 5, 1950, at
2:00 P.M.

September 1, 1950

Mr. Joe B. Hogsett, President
and Board of Directors
Tarrant County Water Control and
Improvement District No. 1
Fort Worth, Texas

Gentlemen:

Supplementing our Report on Program B, Flood Control
Improvements, presented August 15, 1950, it is our opinion
that 48 months will be required to complete the improvements.
This estimate of time required is based on the present
anticipated schedule of appropriations to the Corps of
Engineers for the carrying out of the federal governments
participation in the Army Engineers' Project.

Respectfully submitted,

FREESE AND NICHOLS


Marvin C. Nichols

MCN/dc