

MINUTES OF A 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 23RD DAY OF MARCH, 1953, 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
W. L. Pier
A. T. Seymour, Jr.

Also present were Sidney L. Samuels, General Counsel, and C. L. McNair, General Manager of the District, and Marvin C. Nichols of the firm of Freese and Nichols, consulting engineers of the District.

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.

Mr. Wm. Holden, Executive Vice-President, General Manager of the Fort Worth Chamber of Commerce, accompanied by Mr. Webb Maddox, past President of the Chamber of Commerce, laid before the Board an account of their mission to Washington, D. C., to secure additional funds from the National Government to provide for flood protection to that area known as Sycamore neighborhood, adjacent to Sycamore Creek, and stated that interviews had been held with Mr. Fritz Lanham and with Honorable Wingate Lucas, member of the Congress from this Congressional District, and while

they could not give positive assurance in view of the economies now sought to be practiced by the Congress, yet they felt hopeful that some appropriation would be allowed.

Mr. Holden, however, stated that the committee on appropriations would consider the matter further, but that any protests against the allowance of such additional appropriations from the National Treasury would doubtless throw the whole plan into confusion and result in its defeat. He further stated that the protest heretofore made by some citizens in the area above mentioned has been, as he was informed, withdrawn, and that he thought that such withdrawal would be helpful in respect to encouraging the hope that additional appropriations would be allowed.

2.

Mr. Hogsett, in conformity with tacit agreement with the Board, submitted to the meeting a communication dated March 18, 1953, to the Mayor and the City Manager of the City of Fort Worth with respect to the improvements of the Seventh Street Bridge during the period of time the work of construction or alteration was carried on, and the necessity on the part of the City Government of the City of Fort Worth to provide a by-pass or detour, which would enable travel and traffic in the vicinity to continue with the least practicable disturbance to business activities along Seventh Street in the immediate vicinity of the bridge, and to enable business enterprise in such area to proceed with as little of interruption as would be practicable.

Mr. Hogsett then exhibited to the Board, and there was read to the members thereof a communication as aforesaid, dated March 18, 1953, addressed to the Mayor and City Council of Fort Worth, in which the City Government was notified of the conditions surrounding the work on the Seventh Street Bridge, and that such work was an indispensable part of the flood program adopted officially by the District by consent of the City and the inhabitants thereof, and that in consequence of the alteration of the channel of the river at the western extremity of the bridge, the bridge itself would have to be changed and rehabilitated, and that the question of travel and the effect upon business in that immediate vicinity by the closing of the bridge was one for the city, itself, to consider and meet.

Mr. Hogsett, then laid stress on this particular paragraph of the communication, which reads as follows:

"At this point we should emphasize the fact that the obligation to construct the extension of the West Seventh Street Bridge, in order to provide for alteration in the channel of the river, is strictly the duty of the Board, but on the other hand the control of travel and traffic over the thoroughfares of the City of Fort Worth, including West Seventh Street and the bridge in question, is one exclusively, not only within the province of the City of Fort Worth, but its express obligation."

In view of the fact that prior to this meeting the City Manager had announced that the city was not in position to build a bridge at West Fifth Street across the river that would go far toward reducing the inconvenience of travel and interruption to business in the vicinity, that the District proposed an alle-

viation with a contribution of funds to the city to be used in the construction of the by-pass. The feature of this proposal in the aforesaid communication reads, as follows:

"With this before us in respect to a permanent bridge at West Fifth Street, and its abandonment by the City, it is due to say that in order to accelerate the construction of the extension of the West Seventh Street Bridge, it had been our plan in the performance of this task to have the contractor work round-the-clock, as it were. To do this would increase the cost to the District, as may be readily perceived. If a by-pass were constructed it would avoid the congestion that would otherwise ensue, and it would not be necessary for the contractor to work round-the-clock. The District is willing to contribute to the City, in the building of such by-pass the amount of its savings in not requiring work-round-the-clock, which saving is estimated by our engineer to be Fifty Thousand (\$50,000.00) Dollars. It is this amount which the District is willing to pay to the City toward the construction of such by-pass, it being understood that the City will assume full responsibility for the location, design, construction, maintenance and operation of such by-pass. It is to be understood that while the location of the by-pass is to be made by the City, the District will expect such by-pass to be so located and constructed as not to interfere with the construction by the Board of the West Seventh Street Bridge."

At the conclusion of the reading of this letter and the contents thereof, it was the unanimous vote and voice of the Board of Directors that the letter be approved in its entirety, and that the authority to make the money contribution, as therein stated, be fully and completely ratified and adopted as the official action of the Board. It was accordingly so ordered and the copy of the letter above referred to is attached hereto in folio and made a part hereof.

3.

Mr. Marvin C. Nichols, Engineer of this District, was present at the meeting and he presented valuable information on many

questions connected with the Flood Improvements Program, and referred in particular to a letter from Col. H. R. Hallock, Federal District Engineer, wherein Col. Hallock had reference to the flood waters, that in the disaster of May, 1949, filled up the storage space on the protected side of the levee on the right bank of the West Fork extending around to the vicinity of University Drive at the West Fork, and that this resulted in a somewhat deeper and longer duration of the flood, due to the trapping of the waters by the levee of the West Fork.

In response to this letter, Mr. Nichols had prepared a letter under date of March 20, 1953, addressed to Col. Hallock, in which, among other things, Mr. Nichols stated as follows:

"We have been directed by the Board of Directors of Tarrant County Water Control and Improvement District Number One to request your reconsideration of the proposed plan to proceed with construction on the West Fork above its confluence with the Clear Fork prior to commencing work on the Clear Fork."

Mr. Nichols then asked the pleasure of the Board with respect to sending his letter of March 24, 1953, to Col. Hallock, and on motion of Director Seymour, seconded by Director Priest, the Board of Directors authorized and instructed Mr. Nichols to proceed to send the letter as it was written to Col. Hallock. The motion having been submitted to the Board, it was unanimously carried and Mr. Nichols accordingly directed.

4.

After the foregoing matter had been disposed of, Mr. Nichols then presented to the Board the matter concerning the Crawford Addition to the City of Fort Worth, with respect to the removal

of the Frisco Railway track to another location, necessitated by the improvements contemplated by the District in that area. Mr. Nichols reported that the officials of the Frisco Railway Company had stated that they would be willing to remove said track provided the District would pay the railway company compensation reckoned at \$3.50 per foot.

Mr. Nichols informed the Board that he thought this rate of compensation very reasonable, and he would recommend that he be permitted to enter into such agreement with the railroad company.

On motion of Director Pier, seconded by Director Seymour, such an arrangement was approved and Mr. Nichols instructed to enter into the arrangement, and that the necessary writings be prepared to that end, all the Directors voted "aye" thereon.

5.

Mr. Nichols presented to the Board correspondence that had ensued between the State Board of Water Engineers and Mr. Nichols as the Engineer of the District, with regard to the hearing that was set before the Board of Water Engineers at Austin, April 14, 1953, in the matter of the application of the City of Dallas for temporary permit to divert water from the West Fork of the Trinity River.

After discussion by the members of the Board, it was considered desirable to the protection of the interests of this District that Mr. Nichols, in his capacity as the Engineer of the District, should himself be present before the State Board of Water Engineers when the hearing on the application is held on April 13, 1953. Accordingly, it was the unanimous opinion of the Board that Mr.

Nichols should be present so that the interests of this District should be safeguarded, and Mr. Nichols was accordingly instructed to make the trip to Austin, as the representative of the Tarrant County Water Control and Improvement District Number One. All the Directors voted "aye" thereon.

6.

Among other vouchers authorized by the Board of Directors to be paid was voucher-check #3680, payable to the order of Clara Peeler, a widow. It appeared that the consideration recited in the right-of-way easement from Clara Peeler to this District was \$10.00. The easement was over Lot #2, of Block #28, of W. J. Boaz Re-plat, a part of Kings and Hendricks Subdivision, a part of the James Sanderson Addition to the City of Fort Worth.

It appears that this deed of easement was recorded March 4, 1953, Vol. 2406, page 12, Deed Records of Tarrant County, Texas, but the records of the District did not disclose the payment of \$10.00 consideration recited in the deed, therefore, it was ordered that voucher-check be issued for the amount of \$10.00, payable to Clara Peeler, a widow, and that the voucher-check be delivered to her. It was so ordered.

7.

It was also authorized by the Board that there be paid to S. M. Young the further amount of \$90.00, the cost for moving a barn which stood on the Vasquez property, from Lot #11, in N. Fort Worth Addition to Lot No. 1, Block #119, M. G. Ellis Addition, to the City of Fort Worth, Texas. This transaction grew out of an

original contract between the District on the one hand, and N. Vasquez and wife, Amelia Vasquez on the other, by which as stated in the contract, dated July 29, 1952, the District was to pay to the said Vasquez and wife, the sum of \$866.67, for lot No. 11, and South 6 feet of Lot #12, Block #42, of North Fort Worth Addition, an Addition to the City of Fort Worth, Texas. It appears however, that through error it had been further agreed by Mr. Hickey, the Land Agent of the District, that the District should move a certain barn on the Vasquez property to Lot #1, Block #119, M. G. Ellis Addition to the City of Fort Worth, and that in accordance with such understanding the District was to pay to Mr. S. M. Young, engaged in house moving, the expense of moving the same. Accordingly, it was agreed by the Directors that the error in not including such stipulation in the original contract should be corrected and adjusted and that a voucher-check be issued to the said W. M. Young in the sum of \$90.00 for such service, and it was accordingly so ordered, all the Directors voting "aye" thereon.

8.

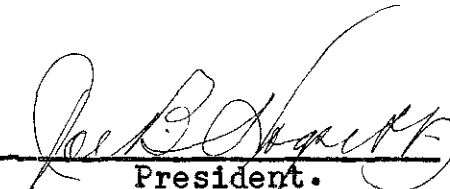
It was brought to the attention of the Directors that the Interest and Sinking Fund has a cash balance of \$235,867.24, and of this amount \$66,545.00 will be needed to pay interest due June 15, 1953, on Improvement Bonds Series 1950, and \$125,372.50 will be needed to pay maturing Bonds and Interest Coupons from Series A-B-C and D, maturing September 15, 1953.

After discussion of the matter, Director Priest moved

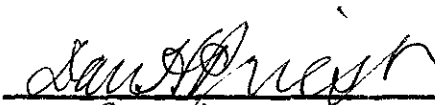
seconded by Director Hill, that the District purchase \$150,000.00 91 day United States Treasury Bills through the Continental National Bank of Fort Worth, the District's Depository, as a temporary investment for the use and benefit of the Interest and Sinking Fund, and that President Hogsett be authorized to make the purchase, and when the Treasury Bills are received, he is to place same in the Safekeeping Department of the Fort Worth National Bank, Fort Worth, Texas, taking their official receipt for same. Upon a vote being taken the motion carried and it was so ordered.

9.

There being no further business before the Board, the meeting adjourned.



President.



Secretary.

TARRANT COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE

BOARD OF DIRECTORS

JOE B. HOGSETT, PRES.
HOUSTON HILL, VICE-PRES.
DAN H. PRIEST, SEC'Y
A. T. SEYMOUR, JR.
W. L. PIER

DANCIGER BUILDING - COR. 5TH AND THROCKMORTON STS.

ED. B. CHEATHAM, OFFICE MANAGER

PHONE EDISON 3263

SIDNEY L. SAMUELS,
GENERAL ATTORNEY

C. L. MCNAIR, GENERAL MANAGER

BEN F. HICKEY
LAND AGENT

FORT WORTH 2, TEXAS.

March 18, 1953.

Attach to minutes of March
23, 1953, at 2:00 P.M.

To the Honorable Mayor and City Council
of the City of Fort Worth,
Fort Worth, Texas.

Attention: Mr. W. O. Jones, City Manager.

Gentlemen:

It is common knowledge of all our people, and is also a subject which has come before you on many occasions, that the program for flood prevention, which has been entrusted by law and by the consent of the City itself, to Tarrant County Water Control & Improvement District No. One, includes the extension of the west end of West Seventh Street Bridge at a point where the channel of the river will be altered by the Corps of Engineers in conformity with the approved flood plan. The existing bridge, together with this extension, forms an indispensable link in the travel of the public east and west along West Seventh Street. Therefore the extension of the bridge was included in the program for flood prevention, in the bond election which occurred on the 27th day of October, 1950.

Pending the completion of the project, the travel and traffic, particularly of the inhabitants of the City of Fort Worth, over and across the bridge, and in the immediate vicinity of the roadway that leads to the bridge, will be interrupted while the work proceeds in constructing the extension of the bridge.

At this point we should emphasize the fact that the obligation to construct the extension of the West Seventh Street Bridge, in order to provide for alteration in the channel of the river, is strictly the duty of the Board, but on the other hand the control of travel and traffic over the thoroughfares of the City of Fort Worth, including West Seventh Street and the bridge in question, is one exclusively, not only within the province of the city of Fort Worth, but its express obligation.

You will recall that early in 1952, our engineer, Mr. Marvin Nichols, addressed a communication to Mr. Jones, your City Manager, concerning the advisability on the

part of the City to build promptly the bridge at West Fifth Street, across the river, city bonds for which had been previously authorized. The building of this bridge would have minimized the inconvenience of travel while the West Seventh Street bridge was closed, and the extension of the bridge on West Seventh Street could be synchronized with the completion of the West Fifth Street bridge, so that while the West Seventh Street bridge was closed the public who had used such bridge would find a facility for travel at West Fifth Street. In response to this communication we received reply from Mr. Jones that the City was not in position at such time to build the bridge at West Fifth Street.

With this before us in respect to a permanent bridge at West Fifth Street, and its abandonment by the City, it is due to say that in order to accelerate the construction of the extension of the West Seventh Street bridge, it had been our plan in the performance of this task to have the contractor work round-the-clock, as it were. To do this would increase the cost to the District, as may be readily perceived. If a by-pass were constructed it would avoid the congestion that would otherwise ensue, and it would not be necessary for the contractor to work round-the-clock. The District is willing to contribute to the City, in the building of such by-pass the amount of its savings in not requiring work-round-the-clock, which saving is estimated by our engineer to be Fifty Thousand (\$50,000.00) Dollars. It is this amount which the District is willing to pay to the City toward the construction of such by-pass, it being understood that the City will assume full responsibility for the location, design, construction, maintenance and operation of such by-pass. It is to be understood that while the location of the by-pass is to be made by the City, the District will expect such by-pass to be so located and constructed as not to interfere with the construction by the Board of the West Seventh Street Bridge.

Awaiting your response, we are,

Yours very truly,

TARRANT COUNTY WATER CONTROL &
IMPROVEMENT DISTRICT NO. ONE,

By Joe B. Hogsett. President.