

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD IN THE DISTRICT OFFICE AT FORT WORTH, TEXAS, ON
THE 30TH DAY OF APRIL, 1954, AT 1:30 P. M.

The call of the roll disclosed the presence or absence of
the Directors as follows:

PRESENT

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

ABSENT

A. T. Seymour, Jr.

Also present were Messrs. Sidney L. Samuels and William M.
Brown of the legal staff of the District; Ben F. Hickey, Land Agent
and Office 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, whereon proceed-
ings were had and done as follows:

1.

The Directors had previously received copies of the minutes
of a meeting held April 23, 1954, at 1:30 P.M., and having found no
objections thereto, it was ordered that they be approved, signed and
placed on record.

2.

On motion of Director Priest, seconded by Director Hill,
Voucher-Checks #5185 to #5214, inclusive, were approved, having
theretofore received the approval and verification of Mr. J. M.
Williams, County Auditor, who by virtue of the Statutes is the Auditor

of this District as well. All Directors present voted aye thereon.

3.

Mr. Marvin C. Nichols, Engineer of the District, presented to the Board a memorandum termed "Bill for Collection" #10-54-195 dated April 29, 1954, emanating from the Department of the Army, Corps of Engineers, Fort Worth District. It was addressed to Tarrant County Water Control and Improvement District Number One and contained an item reading as follows:

"Initial contribution of funds for changes in channel alignment on Fort Worth Floodway, Fort Worth, Texas. Contribution authorized by War Department Civil Appropriation Act 1938, approved 19 July 1937."

In parenthesis there was added the following statement:

"(Reference letter dated 6 August 1953 from Chief of Engineers to Comptroller of the Army and approval thereof by Comptroller of the Army on 14 August 1953 to accept contribution of funds from Tarrant County Water Control and Improvement Board, District No. 1.)"

The amount of the bill was given at \$30,000.00. Accompanying this bill or statement is a copy of a letter issuing from Texas Electric Service Company, Fort Worth, Texas, dated December 11, 1953 addressed to the District for the attention of Mr. J. B. Hogsett. The contents of the letter were as follows:

"Reference is made to our letter to you dated March 6, 1953, and letter to you from the Corps of Engineers, U. S. Army, dated February 26, 1953, copies of which are attached.

The purpose of this letter is to confirm our understanding that the arrangements to be made by the District to cover the additional work described in the letter and the commitment on our part therein set forth are not superseded or affected by the agreement between us as of even date herewith."

This communication was signed by Mr. J. B. Thomas, President of the Texas Electric Service Company and below was a memorandum that carbon

copies of this letter had been supplied to Messrs. Beeman Fisher, G. W. Bean and F. W. Rogers.

In addition to the copy of the letter hereinabove quoted, there was a further letter on the letterhead of the Texas Electric Service Company, Fort Worth, Texas, dated March 6, 1953, and it was stated to be a copy of the original. It is dated March 6, 1953, addressed to the District for the attention of Mr. Joe B. Hogsett. The full contents of the said communication were and are as follows:

"We are in receipt of a letter addressed to you and dated 26 February 1953 from Mr. K. M. Smith, Chief, Engineering Division, U. S. Army Engineers.

In this letter, Mr. Smith advised you that the Plans are nearing completion for the construction of Part VI of Fort Worth floodway improvement and that certain channel and levee alignments are being included in accordance with the specific request of Texas Electric Service Company. This letter outlines the estimated additional cost involved in making the requested changes. The total of the estimated cost is shown to be \$29,430 but it is noted that the unit prices used are tentative and the actual cost of the additional work and the necessary added charges will be compiled upon completion of the contract for construction of Part VI, Fort Worth Floodway. The letter requests that the Water Control and Improvement District proceed with Texas Electric Service Company toward securing an agreement covering the additional work.

This letter advises that Texas Electric Service Company desires the levee to be constructed along the center line as shown on the attached sketch, which sketch was prepared by the U. S. Army Engineers, and agrees to pay for the additional work on the basis of the estimate furnished with the understanding that the final cost will be adjusted upon completion of the construction.

Your handling with the Army Engineers to assure that this work is done will be greatly appreciated."

This letter was signed by Mr. Beeman Fisher of the Texas Electric Service Company and below was a memorandum that carbon copies of this letter had been mailed to Messrs. J. B. Thomas, G. W. Bean and F. W.

Rogers.

Following the foregoing copies of the communications hereinabove set out is a further copy of a communication dated February 26, 1953, addressed to the District for the attention of Mr. J. B. Hogsett, President of the Board, which letter is set forth as follows:

"In the plans nearing completion in this office for the construction of Part VI of Fort Worth floodway improvement, certain channel and levee alignments are being included in accordance with the specific request of the Texas Electric Service Company. The requested alignments represent changes from the plans carried in the approved definite project report on Fort Worth floodway, and involve additional costs of construction as set forth in the letter from this office, file SWFGD, dated 11 December 1952.

It is our understanding that the Texas Electric Service Company desired the changes as being for the betterment of conditions on the portion of the company property which is skirted by the improved channel, and that the estimate of additional cost was furnished to enable the company to complete its financial arrangements for the additional work in advance of its accomplishment. It is believed that the requisite preliminary agreement to provide for this additional work should be made with the Water Control and Improvement District, as the cooperating agency.

For ease of reference there is included herewith a statement of the estimated additional cost due to making the requested changes referred to, above.

Channel excavation - 69,300 c.y. @ \$0.26	\$18,018
Compacted fill - 93,500 c.y. @ \$0.07	<u>6,454</u>
Total estimated direct costs	24,563
Contingencies (approx. 10%)	<u>2,437</u>
	27,000
Government costs	<u>2,430</u>
Total estimated cost	29,430

It should be noted that unit prices used are tentative, and that actual cost of the additional work, and the necessary added charged, will be compiled upon completion of the contract for construction of Part VI, Fort Worth Floodway.

It is requested that the Water Control and Improvement District proceed toward securing an agreement with the Texas Electric Service Company covering the additional work referred to, above, on the basis of the estimate furnished and the understanding that the final cost will be adjusted upon completion of the construction. It is suggested that an agreement with the Electric Company is advisable at an early date in order to avoid delay in putting the work under contract.

FOR THE DISTRICT ENGINEER:"

This communication was signed by Mr. K. M. Smith, Chief, Engineering Division.

The foregoing matters were presented by Mr. Marvin C. Nichols who stated that the District was to be reimbursed for the expenditure by Texas Electric Service Company of Fort Worth. Thereupon on motion of Director Pier, seconded by Director Hill, it was ordered by the Board that a Voucher-Check issue from the District in the amount of \$30,000.00 payable to the Treasurer of the United States in accordance with the statement issuing from the Federal Corps of Engineers hereinbefore mentioned and that Mr. J. M. Williams, Auditor of the District, be requested to authorize said Voucher-Check and countersign the same. Further the motion provided that in the meantime a check from the Texas Electric Service Company to the District in the amount of \$30,000.00 in reimbursement be obtained from the proper authorities of the said Texas Electric Service Company in confirmation of the agreement on the part of said company to reimburse the District in the expense of the said funds; all the Directors present voted aye thereon. It was accordingly so ordered.

4.

It was unanimously resolved by the Board, all the Directors

present voting aye thereon, that Mr. J. M. Williams, Auditor of the District, be requested and authorized to, in his capacity as Auditor of the District, execute his signature to the signature card of the District as requested by the Continental National Bank of Fort Worth, the Depository of the District.

5.

Mr. Ben F. Hickey, Office Manager and Land Agent of the District, presented to the Board the matter of purchasing for the District the following described real property:


Lot 6, Block 11, Brookside Acres, an Addition to the City of Fort Worth, Tarrant County, Texas.

Such purchase was authorized to be made from the owner, Robert H. Hanna, at and for the consideration of \$675.00, subject to title policy to be executed thereon by Fort Worth and Tarrant County Abstract Company and also to have valid conveyance from Robert H. Hanna, joined by his wife, Jo Ella Hanna, and acknowledged in the manner prescribed by law, further that Voucher-Check for sum of \$675.00 be issued payable to Robert H. Hanna and Jo Ella Hanna, when all the matters connected with the transaction be duly and completely completed. Said lot is to be used in and under the flood prevention plan.

On motion of Director Hill, seconded by Director Priest, such action was duly authorized, all the Directors present voting aye thereon.

6.

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



President



Secretary