

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 15TH DAY OF FEBRUARY, 1955, AT 2:00 P. M.

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

<u>PRESENT</u>	<u>ABSENT</u>
Joe B. Hogsett Houston Hill W. L. Pier Lacy Boggess	A. T. Seymour, Jr.

Also present were Messrs. Sidney L. Samuels, General Counsel of the District; Ben F. Hickey, General Manager of the District and Marvin C. Nichols of the firm of Freese and Nichols, Consulting Engineers for the District. Mr. Fred Korth and Mr. Robert Sansom also appeared before the Board as participants in a roundtable discussion concerning the building of one dam or two dams on Marine Creek, and the cost of such construction and appraisal of such cost including the land necessary to be acquired.

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

1.

Mr. Fred Korth and Mr. Robert Sansom were present, as hereinbefore stated, to discuss with the Board the matter of one dam or two dams on Marine Creek. It appears that at one time the Board had considered the construction of two dams, one known as Dam "Q" and another one known as Dam "Z". Prior to this time the Board, in respect to that feature of Program "B" concerning the dams, had con-

templated the construction of one dam serving the same purpose as two dams. Comparison of the cost of the construction of such facilities had been brought to the attention of the Board and also to the Engineer for the Board, Mr. Marvin C. Nichols. The main question involved was that of land necessary for such purpose and also the cost of construction. After much discussion around the table it was agreed by the members of the Board that an appraisal should be had from competent judges, of the cost of acquiring the land for the purposes of the two dams "Q" and "Z", and that report should be brought to the Board at the next regular meeting. When such appraisal has been received and examined, the Board should be influenced as to what would be the greater cost, one dam or two dams, and how the price of land therefor would affect the total cost.

Mr. Fred Korth and Mr. Robert Sansom were advised by the Board that they were invited to be present when the matter of appraisal comes before the Board and would be allowed to present their view on such an appraisal and the figures connected therewith.

2.

There was presented to the Board of Directors for the signatures of the four Directors present to-wit: Joe B. Hogsett, Houston Hill, W. L. Pier and Lacy Boggess, voucher-check #6291 dated February 15, 1955 drawn on Construction Fund, payable to the order of the City of Fort Worth for its Water Department in the amount of \$116,563.87. Such Voucher-check was drawn on the Continental National Bank, the Depository of the District, and was duly approved and signed by Mr. J. M. Williams in his capacity as Auditor for the District. It appeared from the endorsement on the reverse side of

the voucher-check that this check was drawn for payment of Raw Water Conduit Crossing in Crestwood-Brookside Area, which Conduit forms a part of Program "B" in the scheme of flood protection in that region. It further appeared from such endorsement that the payment to the said City of Fort Worth had been recommended by letter of the District's Engineer, Mr. Marvin C. Nichols, dated July 25, 1952, which letter was attached to the minutes of the District and also approved by the Board of Directors at a meeting held at 11:00 A. M. on August 2, 1952; such payment had also been recommended by Mr. Nichols in his letter of February 11, 1955. In this connection it was further ordered by the Board that the letter of February 11, 1955 addressed to the Board of Directors and signed by Mr. Marvin C. Nichols, hereinabove referred to, should be attached to the minutes of this meeting and made a part thereof. In this letter of February 11, 1955, Mr. Nichols referred to his letter of July 25, 1952 in which he had recommended that a cash settlement in the amount of \$116,563.87 be made to the City of Fort Worth for the readjustment required to accommodate the 60" and 36" raw water conduit to the new channel in Brookside-Crestwood being constructed by the Corps of Federal Engineers. Such recommendation contained in said letter of July 25, 1952 was approved by the Board of Directors on August 2, 1952. Mr. Nichols further stated that in this communication of February 11, 1955, that under date of September 5, 1952 he had transmitted a copy of the Board minutes to Mr. Uel Stephens, Director of Water Department, City of Fort Worth and that a copy of his letter addressed to Mr. Stephens is attached to the letter of February 5, 1955. Mr. Nichols stated that under date of September 5, 1952, Mr. Stephens, above mentioned, replied to his,

Mr. Nichols', letter of September 3, 1952, and that he, Mr. Nichols, now quotes in part from such letter from Mr. Stephens, to-wit:

"In regard to the part of the minutes of the Board of Directors meeting which pertains to the City repairing leaks in the existing 60" conduit, we do not see that this item is in any way connected with the District's responsibility for relocating existing conduits and protecting them in connection with the flood prevention program. It is the plan of the Water Department, however, to continue its work repairing leaks in both the 60" conduit and the 36" conduit just as we have pursued this work diligently in the past. We further plan that when the new 72" conduit is in service and the existing 60" conduit can be taken out of service and dewatered, to commence a program of joint repairs which ultimately will result in repairing of all known leaks".

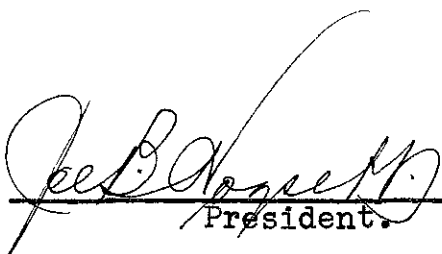
Mr. Nichols then stated that the original letter from Mr. Stephens is in the files of the District. Mr. Nichols further stated that the work covered by the agreement had been completed and that he had examined and inspected the work during the period of construction and upon its completion. Mr. Nichols concluded his letter of February 11, 1955 with this opinion and recommendation which is now quoted and made a part thereof:

"It is our opinion that payment should now be made to the City of Fort Worth in the amount of \$116,563.87. We recommend that payment be made to the City of Fort Worth in the amount of \$116,563.87 in full settlement of adjustments in the 60" and 36" raw water conduit across the West Fork of Trinity River necessary by the construction of a new channel in the Brookside-Crestwood Area by the Corps of Engineers."

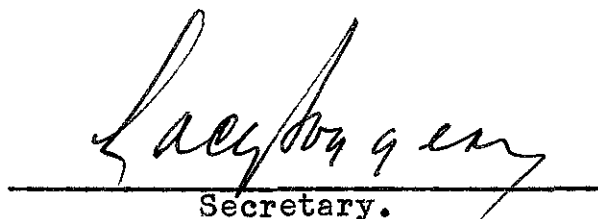
On motion of Director Boggess, seconded by Director Hill, the voucher-check, above mentioned, was executed by all four Directors present and the voucher-check was ordered to be delivered to the City of Fort Worth. All the Directors present voted aye thereon, and the motion was duly adopted and ordered of record.

3.

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



President.



Secretary.

S. W. FREESE
M. C. NICHOLS
S. G. ENDRESS

FREESE AND NICHOLS
CONSULTING ENGINEERS
407-410 DANCIGER BUILDING
TELEPHONE ~~FA-4384~~ FA-4384
FORT WORTH 2, TEXAS

February 11, 1955

To be attached to the Minutes
of a Meeting of the Board of
Directors held February 15,
1955 at 2:00 P. M.

Board of Directors
Tarrant County Water Control
and Improvement District No. 1
Danciger Building
Fort Worth, Texas

Gentlemen:

Re: Raw Water Conduit Crossing
Brookside - Crestwood

Under date of July 25, 1952 by letter we recommended that a cash settlement in the amount of \$116,563.87 be made with the City of Fort Worth for the readjustments required to accommodate the 60" and 36" raw water conduits to the new channel in Brookside-Crestwood being constructed by Corps of Engineers. You approved this recommendation by Board action on August 2, 1952.

Under date of September 5, 1952 we transmitted a copy of the Board minutes to Mr. Uel Stephens, Director Water Department, Fort Worth. Copy of our letter to Mr. Stephens is attached.

Under date of September 5, 1952 Mr. Stephens replied to our letter of September 3. We quote in part from the Stephens letter:

"In regard to the part of the minutes of the Board of Directors meeting which pertains to the City repairing leaks in the existing 60" conduit, we do not see that this item is in any way connected with the District's responsibility for relocating existing conduits and protecting them in connection with the flood prevention program. It is the plan of the Water Department, however, to continue its work repairing leaks in both the 60" conduit and the 36" conduit just as we have pursued this work diligently in the past. We further plan that when the new 72" conduit is in service and the existing 60" conduit can be taken out of service and dewatered, to commence a program of joint repairs which ultimately will result in repairing of all known leaks."

The original letter from Mr. Stephens is in the District files.

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Board of Directors
T.C.W.C. & I.D. No. 1

2/11/55

The work covered by the agreement has been completed. We have examined and inspected the work during construction and upon its completion.

It is our opinion that payment should now be made to the City of Fort Worth in the amount of \$116,563.87. We recommend that payment be made to the City of Fort Worth in the amount of \$116,563.87 in full settlement of adjustments in the 60" and 36" raw water conduits across the West Fork of Trinity River made necessary by the construction of a new river channel in the Brookside-Crestwood Area by the Corps of Engineers.

Respectfully submitted,

FREESE AND NICHOLS

By 
Marvin C. Nichols

MCN:lk

September 3, 1952

Mr. Uel Stephens
Director Water Department
City Hall
Fort Worth, Texas

RE: Raw Water Conduit
Crossing Brookside-Crestwood
Area.

Dear Mr. Stephens:

We hand you herewith excerpts from the minutes of the Board of Directors at their meeting August 2, 1952 relative to payment by the District to the City for the alteration of Raw Water Conduits in the Brookside-Crestwood Area, being a part of Program "B" of Tarrant County Water Control and Improvement District Number One.

We would call your attention particularly to the resolution passed by the Board which appears on the last page of the attached minutes. Essentially payment is to be made upon

1. Completion of the work covered by the payment to the City by the District and
2. The furnishing by the City to the District of satisfactory written assurances that the leaks in the existing 60" Raw Water Conduit will be repaired at the earliest possible date.

We also wish to call to your attention that the settlement provides \$1500.00 as the estimated cost of such provisions as may be necessary where the existing 36" Raw Water Conduit will be under the levee on the Brookside side of the river.

For your files we are enclosing copy of our letter to the Directors, Tarrant County Water Control and Improvement District Number One, dated July 25, 1952 and the estimated cost of the proposed alteration as determined from the bid items in the Zachry Contract. This estimate of cost was taken from the Zachry bid by Mr. Endress.

Yours very truly,

FREESE AND NICHOLS, DISTRICT ENGINEERS,
TARRANT COUNTY WATER CONTROL AND IMPROVE-
MENT DISTRICT NUMBER ONE

MCN:S

cc: Mr. Joe B. Hogsett
Fort Worth, Texas

Marvin C. Nichols