

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD ON THE 3RD DAY OF AUGUST, 1962 at 1:30 P.M.

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

PRESENT

Joe B. Hogsett
Houston Hill
Lacy Boggess
W. L. Pier
Wayne E. Newton

Also present were Mr. John M. Scott General Counsel for the District,
Mr. Marvin C. Nichols of the firm Freese, Nichols and Endress
Consulting Engineers for the District, and Mr. Ben Hickey General
Manager of the District.

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.

President Hogsett stated that this special meeting
was called for the purpose of considering the verbal request of
Mr. Lamar Hunt, President of Gibraltar Construction Co., for an
extension of time in which to execute the Contract Document for
the Cedar Creek Spillway--Contract No. Four.

President Hogsett reviewed the fact that on July 27,
1962 the District had awarded to Gibraltar Construction Co. the
above mentioned contract on their low bid of \$2,628,026.00 under
the terms and conditions as outlined in the bid proposal

submitted, and under said terms were outlined the time limits for execution of the Contract Documents, one of which stated that in substance, the Owner could collect as liquidated damages the amount of the Proposal Bond in the event the proposal was accepted by the owner within thirty (30) days after the date advertised for the reception of bids and the contractor failed to execute the contract and required performance Bond with the owner within ten (10) days after the date the said proposal was accepted. President Hogsett further stated that Gibraltar Construction Co. had been represented by their attorney, Mr. Preston Butler, at the time of the award and also were notified by letter on July 27, 1962.

Following a lengthy and detailed discussion, and upon recommendation of General Counsel for the District, it was the unanimous opinion of the Directors and their order that Gibraltar Construction Co. be notified that an extension of the ten (10) day limit would be considered only upon the receipt of a letter requesting such extension from Gibraltar, accompanied by a letter from the bid proposal bond surety, American Employers Insurance Co., stating that if an extension of time were granted by the District, it would not affect the obligation of the American Employer's Insurance Co. under its bid bond. Wherein Mr. John M. Scott was instructed and thereupon did telephone, Mr. Preston Butler, Counsel for Gibraltar Construction Co., and advised him of the Board's requirement of a waiver from the bid bond company before the request for time extension would be considered.

Mr. Marvin C. Nichols, of the firm Freese, Nichols and Endress, consulting engineers for the District, reviewed the progress to date of various flood control projects proposed for Fort Worth and other sections of Tarrant County. Mr. Nichols explained at length the proposals as outlined by the U.S. Army Corps of Engineers, and as prepared by the Corps of Engineers in their published reports and proposals for flood protection works covering such sections as the West Fork and Clear Fork areas, and an area extending from Riverside Drive to the confluence of Fossil Creek and Trinity River, which he noted was the down stream section of an area proposed to be protected, commonly known as the Fossil Creek Flood Area, as outlined in a detailed report also made by the U.S. Army Corps of Engineers.

Mr. Nichols further stated that the last mentioned area proposed for protection (Fossil Creek) was also the selected site for termination of the Trinity River barge canal navigation project and that in his opinion now was the proper time for some agency to consider the establishment of a Port Authority as the proposed flood control works were certainly a vital part of canalazation, and that co-ordination of these projects should begin now. He (Mr. Nichols) further stated, strongly, that it was his opinion that the Tarrant County Water Control and Improvement District Number One should be designated as the agency for the Port Authority, as they had previously been requested to be the Agency for the Flood Control Works. President Hogsett thanked Mr. Nichols for his presentation.

Mr. Ben Hickey, General Manager of the District, reported that on July 24, 1962, Mr. Dick Richardson, manager of the Tarrant County Water Supply Corp., had visited with him and orally stated that the Tarrant County Water Supply Corp. was proposing to construct a filter plant on the East side of Eagle Mountain Lake and extend a pipeline eastward, proposing to serve, among others, North Richland Hills and Haltom City with filtered water. Mr. Hickey stated that the purpose of this report was being made in order that the Directors establish a policy at this time in regard to county-wide distribution of water in a manner that would not just be a temporary means of getting some water to certain areas, but a policy that would include long range planning in order that all areas involved, would at the needed time, be served the needed amount of water in the most feasible manner and at the most economic price. Mr. Nichols was called upon to express his opinion on the matter and recalled to the Directors, that a study had been made whereby this District would supply filtered water to the Northeast section of Tarrant County, and stated definitely that it was his recommendation that the water supply project proposed by the Tarrant County Water Supply Corp. should not be constructed by it, but that the area involved should obtain its water from Tarrant County Water Control and Improvement District Number One or from the City of Fort Worth.

It was the unanimous decision of the Directors, upon the recommendation of Mr. Marvin Nichols, that the Tarrant County

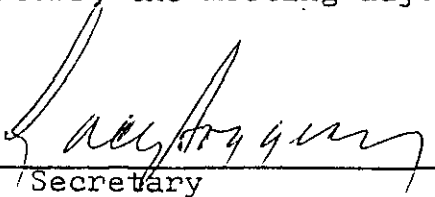
Water Supply Corp. be notified that its proposal to purchase water from this District to be filtered and sold outside of the boundaries established in the Contract between the Corp. and this District dated March 1, 1961, would be unacceptable to the District.

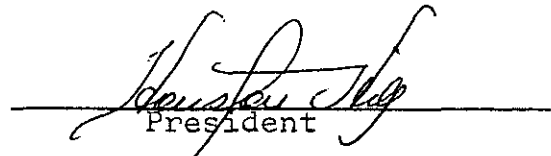
4.

A general review of the proposed County-wide Sewage and Pollution Control was given by Mr. Marvin C. Nichols, stating that numerous meetings had been attended by the General Manager and himself and that progress was being made toward plans that would ultimately provide for the collection, transporting, and treatment of sewage in Tarrant County in a manner that would be feasible and economical and would reduce the pollution of the Trinity River from local sewage.

5.

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


Secretary


President