

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD ON THE 23RD DAY OF FEBRUARY, 1983 AT 9:30 A. M.

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

<u>PRESENT</u>	<u>ABSENT</u>
Wayne E. Newton	Preston M. Geren
Robert D. Alexander	
C. Victor Thornton	
Burford I. King	

Also present were Messrs. Ben Hickey, General Manager; Bill Hilliard, Assistant General Manager; Charles Whaylen, Manager of Support Services; Robert M. Doby, Manager of Fiscal Affairs; George Christie, Attorney for the District; Jim Nichols and Lee Freese, Engineers for the District.

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

1.

On motion made and seconded, and with assurance from management that all requirements of law relating to the "open meeting" law had been met, the minutes of the meeting held February 7, 1983 were read and approved by the Directors and it was accordingly ordered that such minutes be placed in the permanent files of the District.

2.

Director Thornton moved and the motion was seconded by Director Alexander and unanimously approved that the following list of vouchers be approved and paid.

GENERAL FUND: Voucher-checks #2538 thru #2806 inclusive, in the amount of \$1,387,461.10.

REVENUE FUND: Voucher-checks #1445 thru #1526 inclusive, in the amount of \$748,420.01.

DEBT SERVICE: Voucher-checks #223 thru #225 inclusive, in the amount of \$354,875.54.

CEDAR CREEK PROJECT - CONSTRUCTION FUND: Voucher-checks #129 thru #132 inclusive, in the amount of \$337,000.00.

RICHLAND-CHAMBERS PROJECT - CONSTRUCTION FUND: Voucher-checks #1780 thru #1870 inclusive, in the amount of \$3,001,696.92.

3.

(a) Mr. Freese of Freese and Nichols, Inc. reviewed for the Directors his letter of February 16, 1983 which has been entered into the permanent records of the District along with letters from Cullum Construction Company, Inc. and the Martin K. Eby Construction Co., Inc. Mr. Freese expressed his regret for not being able to attend the February 7, 1983 meeting to answer questions arising from his firm's recommendation for additional right-of-way from Fort Worth to Ennis.

Mr. Freese stated that 1979 is approximately when a third line within the right-of-way, or a second Richland line was conceived in answer to a question arising from the following discussion.

Mr. Bill Hilliard was asked to obtain an estimate of acquisition cost and possible differences in fee and easement price, to wit:

February 16, 1983

Mr. Ben Hickey, General Manager
Tarrant County Water Control and Improvement District Number One
P. O. Box 4508
Fort Worth, Texas 76106

SUBJECT: Richland-Chambers Pipeline Right-of-Way

Dear Mr. Hickey:

Our letter of February 3, 1983, recommended that the District acquire an additional fifty feet of right-of-way for the Cedar-Richland pipelines, increasing the right-of-way width from 130 feet to 180 feet. This recommendation is based on information indicating that savings in construction cost will exceed the cost of the additional right-of-way. These anticipated savings would be derived from a more efficient pipe laying spread and from a reduction in the need to protect the existing line from the ditch excavation of the new line. The wider right-of-way would permit the lines to be spaced 35 feet center to center rather than the previously assumed 25 feet center to center.

In the late 1950's and early 1960's when the Cedar Creek and Richland-Chambers system was conceived, it was intended that there would be one pipeline from each reservoir and that the two lines would be in a common right-of-way at 50 feet spacing from Ennis to the Rolling Hills Water Treatment Plant. Because of the major increases in construction and energy costs over the past 20 years, it is now apparent that a more economical approach for the District will be to build the Richland delivery capacity in two stages, with one line installed initially and another some years in the future. This means that there will be three large diameter pipelines within the right-of-way from the Ennis Pump Station to the delivery point in Fort Worth.

We have analyzed the impact of putting three large pipelines in the existing 130 foot right-of-way and have determined that it will be possible to work within these limits. Recent discussions with parties experienced in this type of construction have indicated, however, that an increase in right-of-way width would be desirable. We have been in contact with Harold Johnson of the District's staff, Gifford-Hill-American, the company that manufactured the pipe for the Cedar Creek Project, and George Cullum of Cullum Construction Company who has extensive experience in this type of pipeline construction. His company installed a section of the Cedar Creek pipeline as well as a section of the Tawakoni pipeline recently completed by the City of Dallas.

The saving in construction cost for the 180 foot right-of-way and

35 foot spacing as compared to the 130 foot right-of-way and 25 foot spacing has been estimated by Cullum, and the information is presented in the attached letter. The potential savings on the first line are estimated to be between \$4 and \$5 per foot. The potential savings on the second line are estimated to be between \$6 and \$8 per foot. In each case, the higher price is for rock excavation. The total length is approximately 410,000 feet, approximately 60,000 feet of which would be rock excavation. On this basis, the estimated savings for the first line would be:

$$\begin{array}{r} 350,000 \times 4 = 1,400,000 \\ 60,000 \times 5 = \underline{300,000} \\ \$1,700,000 \end{array}$$

The estimated savings for the second line would be:

$$\begin{array}{r} 350,000 \times 6 = 2,100,000 \\ 60,000 \times 8 = \underline{480,000} \\ \$2,580,000 \end{array}$$

A 50 foot strip 410,000 feet long would be about 470 acres. The estimated savings for the first line would be equivalent to a right-of-way cost of approximately \$3,600 per acre ($\$1,700,000/470 \text{ Ac} = \$3,617/\text{Ac}$).

Twenty feet of additional right-of-way would provide adequate spacing for the initial pipeline; however, we feel that if any additional right-of-way is purchased at this time, the future requirements should be considered to minimize administrative costs and to preclude encroachment of future development on the proposed additional right-of-way. The additional 30 feet involves an investment in right-of-way that will not be needed until sometime beyond the year 2000. It does seem reasonable, however, to project future right-of-way requirements and to make the acquisitions on that basis.

It needs to be emphasized that the proposed and future pipelines can be installed within the existing right-of-way, and it is feasible to proceed on this basis; however, we feel that the District should carefully consider the potential benefits of providing additional spacing. There also may be sections of right-of-way where it will not be feasible to acquire the additional width either in fee or by easement. These cases will need to be examined on an individual basis and consideration given to the possibility of even a temporary easement.

We are prepared to discuss this recommendation in greater detail at your pleasure.

Sincerely,

FRESE AND NICHOLS, INC.

/s/ Lee Freese

February 14, 1983

Freese and Nichols
811 Lamar
Fort Worth, Texas 76102

Gentlemen:

Enclosed we have included two schemes for the installation of a 84" line to be done in the near future and two schemes for the installation of a 96" line at some time in the future.

In scheme "A" for the 84" line and Scheme "C" for the future 96" line we have assumed that all work must be confined within the present 130' wide right of way.

In Scheme "B" for the 84" line and Scheme "D" for the future 96" we have assumed that the District will either provide a temporary working space or a permanent easement of another 50' in width along the present right of way.

On the 84" line our costs for installation in the dirt areas would be \$4.00 per lin. ft. less for Scheme "B" in lieu of Scheme "A" and \$5.00 per lin. ft. less for the rock area.

On the 96" line our costs for installation in the dirt areas would be \$6.00 per lin. ft. less for Scheme "D" in lieu of Scheme "C" and \$8.00 per lin. ft. less for the rock areas.

We realize that it might be possible for a contractor to make his own arrangements with individual property owners for additional working space and that this would possibly be done at a savings in the above cost. However there are certain areas where this might not be possible due to building construction or reluctance to grant additional room.

We have fairly recently installed nine miles of 84" pipeline for the City of Dallas and 9 miles of 72" pipeline for the North Texas Water District. From a practical standpoint one needs a minimum of 75' of working room either side of the centerline of the main for the most efficient utilization of the very heavy equipment required for these large diameter water lines.

The logistics are major and the access for pipe stringing, gravel

delivery, and construction becomes very critical with the limited access from county roads. The preservation of the top soil introduces a special problem as it needs to be stored in a separate area to be restored after all work is done.

We hope our comemnts might be helpful.

Very truly yours,

CULLUM CONSTRUCTION CO., INC.

/s/ GEORGE P. CULLUM, JR.
PRESIDENT

A. SCHEME A: New 84" Line instaleld 25' away from existing 72"

- Comments:
1. This location although workable does not allow ample area on either side. On the spoil side of the pipe logging operation only 8 ft. remain for pushing the dirt backfill as well as allowance for access road.
 2. The twenty-five foot spacing where bends and unstable areas occur will necessitate special protection for the in service line.
 3. Where top soil removal is necessary there would be little or no room for storage as it needs to be segregated.

ESTIMATED CONSTRUCTION COSTS:

1. In areas of dirt excavation we estimate the cost of construction at \$29.00 per lin. ft. over and above the cost of the pipe.
2. In areas of rock excavation we estimate the cost of construction at \$35.00 per lin. ft. over and above the cost of the pipe.

SCHEME B: New 84" Line installed 35' away from existing 72" line and with temporary working space being provided.

COMMENTS:

1. This location allows ample room on both sides of pipe for laying the pipe as well as backfill and working room.
2. We don't believe that special protection of the existing line would be necessary with the 35'

spacing.

ESTIMATED CONSTRUCTION COSTS:

1. In areas of dirt excavation we estimate the cost of construction of \$25.00 per lin. foot over and above the cost of the pipe.
2. In areas of rock excavation we estimate the cost of construction at \$30.00 per Lin. Ft. over and above the cost of the pipe.

SCHEME C:

Assumes that the 84" has previously been installed 25' from the existing 72" line and that the new 96" is to be installed 25' away from the 84" line.

Comments:

1. This location is 40' away from the R.O.W. line which is neither wide enough for the laying crane or the storage of spoil.
2. Having to lay the pipe from the flattened spoil bank can cause special problems especially during wet weather.
3. Where top soil removal is necessary there would be little or no room for storage which needs to be segregated.
4. The twenty-five foot spacing would require special protection for existing line.

ESTIMATED CONSTRUCTION COSTS:

1. In areas of dirt excavation we estimate the cost of construction at \$38.00 per lineal foot over and above the cost of the pipe.
2. In areas of rock excavation we estimate the cost of construction at \$53.00 per lineal foot over and above the cost of the pipe.

SCHEME D:

Assumes that the 84" has previously been installed 35' from the existing 72" and that the new 96" line is to be installed 35' away from the 84" line and with temporary working space being provided.

Comments:

1. This location at 20' from the R.O.W. and using a 50' wide temporary working space affords ample room for the most efficient utilization

of equipment.

2. This location would not require special protection of existing line at binds and close areas.

ESTIMATED CONSTRUCTION COST:

1. In areas of dirt excavation we estimate the cost of construction of the 96" line at \$32.00 per lineal foot over and above the cost of the pipe.
2. In areas of rock excavation we estimate the cost of construction of the 96" line at \$45.00 per lineal foot over and above the cost of the pipe.

February 15, 1983

Tarrant County Water District
P. O. Box 4508
Fort Worth, Texas 76106

Attention: Mr. Ben F. Hickey

Gentlemen:

We have been asked to give your office our opinion concerning the installation of additional water transmission facilities that would parallel the 72" pressure line installed several years ago from your Cedar Creek Facility, and how easement widths and pipe spacing would impact our construction activities.

As we understand the facts:

- 1) There is an existing 130 easement available that holds the 72" line which is located 40' from the easement line.
- 2) We were asked our thoughts on installing a new 84" line parallel to the 72" line 25', center line to center line, or 35', center line to center line.

- 3) We were also advised that the future would perhaps dictate an additional water transmission line to be installed within this easement.
- 4) Construction activities would be limited to the easement and any superimposed loads on the existing 72" pipe was not advisable and would be restricted.

The first item that immediately causes us concern is the center line criteria. Anytime we are required to cross, parallel or excavate near existing pressure facilities raised a real concern. Depending on P. I. locations and Thrust Block installations, a real danger exists in creating a blow-out which is dangerous to those in the area and can certainly cause many problems to the water supply system. We, of course, would feel more secure with the 35' distance, but the closer to the existing line the slower the productivity must be to protect the integrity of the existing line. It would be necessary to maintain a very limited excavation and to see that backfill was installed prior to excavation for the next pipe. This situation could increase costs 10% to 20%. Translated into dollars, on projects recently bid, this could mean four to six dollars per foot.

Of course, limited access by restricted easements is always a productivity concern. Double handling of excavated material and the new material to be installed is a very real consideration. This situation would be compounded by just how severe the restrictions are around the existing 72" pipe and how they limit our abilities to perform. An additional 50' would give us an effective easement width of 105' for installation purposes using the 35' center line dimension and the area to the 40' side of the existing pipe would be available to store the new pipe materials. The reduction of this area to the original 130' would give the contractor an effective easement area of only 55' which in our opinion establishes unrealistic working limits for the size pipe and the necessary equipment to install it.

We hope we have interpreted the problem correctly, and should you care to talk with us further please let us know.

Sincerely,

MARTIN K. EBY CONSTRUCTION CO., INC.

/s/ Robert N. Brite
Vice President

No action was recommended by management nor taken by the Board.

(b) Mr. George Christie, Attorney for the District, briefed Directors on the question of law concerning contractor's withholding. He stated that the District's governing statutes within the Water Code still requires a 10% retainage on construction contracts through 50% completion of the contract. At that time it is at the discretion of the District whether to continue to retain; reduce the percentage; discontinue it altogether; hold retained funds or release those funds to the contractor. The statute, Article 6252-5b, Texas Revised Civil Statutes, only requires that retainage in excess of 5% must be placed in an interest bearing account. At completion of the contract the retainage and interest must be tendered to the contractor. He did note that no rates of interest is specified in the statute.

Following a discussion all present agreed that the matter should be taken under advisement for later consideration and action. Richland Creek Project Contract Number One with the H. B. Zachry Company is still approximately twenty (20) months away from the 50% completion point.

(c) Mr. Paul Horton's, bond counsel for the District, opinion concerning bond fund investment was presented and is included in the permanent files of the District.

February 15, 1983

Board of Directors
Tarrant County Water Control and
Improvement District Number One
800 East North Side Drive
Fort Worth, Texas 76106

Gentlemen:

RE: Tarrant County Water Control and Improvement
District Number one Water Revenue Bonds,
Series 1979-A, in the principal amount of
\$342,750,000

You have asked for our opinion with respect to the investment status of the balance of the proceeds from the sale of the captioned bonds which will be on hand at the end of the applicable and permitted "temporary period" for unrestricted yield on the investment of bond proceeds under Regulations of the federal Internal Revenue Service (IRS) relating to arbitrage bonds. Actually, the situation is described in the "No Arbitrage Certificate" executed on October 10, 1979 (the date of delivery of the captioned bonds) by the District's President, its General Manager, and its Manager-Fiscal Affairs, and the District's Consulting Engineers. We refer you to this document, which is in your possession, for additional details.

Of course, under your bond proceedings you have covenanted and agreed to comply with the applicable IRS Arbitrage Bond Regulations so as to prevent the interest on your bonds from becoming subject to federal income taxes, and to prevent the District from being "blacklisted" by the IRS so that you could not issue tax exempt bonds without special IRS approval.

To summarize the situation, at the end of your permitted "temporary period" you will be required to restrict the yield on the investment of all amounts remaining on hand (derived from the original proceeds of these bonds and the investment and reinvestment thereof) in excess of \$51,412,500. The average yield must be restricted to not more than 7.25334%, and can be accomplished through the purchase from the U. S. Treasury of obligations designated as State and Local Government Series (SLGS) which are designed and required specifically for this purpose. Under IRS Regulations you are not permitted to allow any entity other than the U. S. Treasury to profit from this arbitrary restriction requirement. Of course, it is possible that yields normally available to you at that time will not exceed an average of 7.25334%, and no investment in these SLGS will be necessary.

It should be pointed out that the above \$51,412,500 includes the amount in the Reserve Fund created for the bonds, which is required to be equal to the principal and interest requirements of the bonds during the fiscal year in which such requirements are scheduled to be the greatest.

One further refinement is that any earnings derived from the investment of any of these moneys in question has a separate and additional "temporary period" of one year from the date of the receipt of the investment earnings. Therefore, solely as to any such investment earnings, you may be able to continue with unrestricted yield past the end of the primary "temporary period" for various limited times. Please remember that you are required

by your bond proceedings to pay interest on the bonds out of investment earnings through March 1, 1984, and such fact must be recognized in making your calculations. Interest due on the bonds on and after September 1, 1984, during the remainder of the construction period may, at the option of the District, be paid from any money in the Construction Fund.

In accordance with the "No Arbitrage Certificate" dated October 10, 1979, the primary temporary period for the bonds was calculated to end on May 1, 1984. However, we are in the process of reviewing the current circumstances and IRS rulings since the bonds were issued to try to assess the possibility of an extension of the temporary period to October 10, 1984, being the maximum period available. We will advise you of the results in the near future when we have completed our research.

If you have any questions or comments, please let us know.

Sincerely yours,

McCALL, PARKHURST & HORTON

/s/ Paul B. Horton

(e) Mr. Jim Nichols of Freese and Nichols, Inc. stated that a computerized Richland Project Budget accounting can be furnished to the District at no additional cost. Data concerning projects not managed by Freese and Nichols can be furnished by the District and included in the report. Printouts, at no cost to District, can be generated as often as the Board may request. Printouts will be provided monthly.

4.

Mr. Charles Whylen presented the proposed District Ordinance for District reservoirs. Discussion followed Mr. Whylen's presentation. After said discussion and with the recommendation for approval by the General Manager, Director Thornton moved, Director Alexander seconded and with the approval of all Directors present the District Ordinance, copy heretofore furnished the District, was approved and adopted as presented.

5.

The Board next heard from Mr. Whaylen on the subject of the District's group hospitalization insurance program. A survey of the District's, and five (5) governmental entities' insurance programs, prepared for the District by an independent Licensed Insurance Counselor, was discussed. He further stated that staff work is now underway evaluating present coverage and the cost of the plan. A recommendation by management will be presented well before the expiration of existing coverage.

6.

Mr. Robert Doby presented Maintenance Division's recommendations for the purchase of maintenance equipment, to wit:

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE

INTER-OFFICE CORRESPONDENCE

DATE: February 22, 1983

TO: Ben Hickey

FROM: Gene Fruhwirth

SUBJECT: Bid results regarding six (6) Half Ton pickups.

Bids were received for (6) new half ton pickups and the results are as follows:

Bruce Lowrie Chev.	\$8,520.13/ea. or \$51,120.78
Jack Williams Chev.	8,524.83/ea. or \$51,149.00
Hudiburg Chev.	8,582.99/ea. or \$51,497.00
G.M.C.	8,655.88/ea. or \$51,935.28

The Maintenance Division has reviewed these results and feel that the low bid by Bruce Lowrie Chev. of \$8,520.13 should be accepted.

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE

INTER-OFFICE CORRESPONDENCE

DATE: February 22, 1983
TO: Ben Hickey
FROM: Gene Fruhwirth
SUBJECT: Bid results for two 75KW Emergency Standby Generators
for Richland Spillway.

Bids were received for two 75KW generators and the results are as follows:

Lightbourn Equip. Company: Onan Model 75DYC-18R - \$39,465.00
Cummins Sales and Service: Perkins Model 375 - 32,700.00
Darr Equipment Company: Caterpillar 3208NA - 31,960.00
D.C. International: Generac Model SD080K366 - 29,325.00

The maintenance division has reviewed the results of the bidding and would like to submit that the District accept the bid from Darr Equipment Company for the Caterpillar generator for the following reasons:

1) Engine Size: The Generac utilizes a six cylinder turb-charged engine to produce the specified horsepower. The Caterpillar engine utilizes a naturally aspirated 636 cubic inch V-8 engine. Not utilizing a turbo-charger to produce the necessary horsepower extends the life of the engine. To put it another way, the Generac engine is running at 1800 RPM, with a high replacement cost turbo-charger, to produce 137 horsepower. The Caterpillar engine is turned down to run at 1800 RPM producing 155 horsepower. It is simply a larger engine running at below capacity producing more, and capable of even more, horsepower.

2) Dependability: Realizing that this engine is classified as an "Emergency Standby Generator" in our opinion, for the main reason listed above, is a sturdy and dependable engine.

3) Maintenance Standpoint: The 3208 Caterpillar engine is presently utilized by the District in our scraper and fuel truck with a good performance record. The District is well stocked with all the maintenance requirements such as fuel and oil filters, air cleaners etc. All District mechanics have worked on and are familiar with Cat engines of various sizes.

4) Product Support: Darr Equipment Company maintains a Fort Worth parts house with complete stock and orders are filled and

delivered promptly. Darr also maintains an extensive field service crew on hand that is well experienced and prompt.

5) Warranty: The warranty provided by both dealers commences from the installation date. Darr has provided a warranty that covers two years, double that of D.C. International.

One final note, the Darr bid included two batteries not provided, nor specified, by the others. They have adjusted their bid by \$350.00 for deletion of the batteries. This brings their bid to within \$1,285.00, or \$642.50 per unit, of the Generac. For the equipment presented to us by Darr Equipment Company this amount is negligible.

The maintenance division submits that the District accept the bid from Darr Equipment Company.

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
INTER-OFFICE CORRESPONDENCE

DATE: February 22, 1983

TO: Ben Hickey

FROM: Gene Fruhwirth

SUBJECT: Bid results for a 3/4 cubic yard dragline.

Bids were received for a 3/4 cubic yard dragline and the results are as follows:

Plains Machinery Co.: Link-Belt Model LS-78 - \$162,290.00

Kirkpatrick & O'Donnell: Link-Belt Model LS-78 - 165,008.00

Nichols Machinery Company: Northwest Model 41 - 174,437.00

The maintenance division has reviewed the bids and would like to submit that although the two lower bidders have bid the same machine we recommend the bid of Kirkpatrick & O'Donnell Construction Company for the following reasons:

1) Kirkpatrick & O'Donnell included in their total bid some optional equipment that if deducted would make them the low bidder. To clarify: a folding catwalk for both sides - \$2,154.00 and an electric windshield wiper, cab heater and defroster fan - \$862.50. These, deducted from bid amount, computes to \$162,027.50 or \$262.50 lower than Plains Machinery Company. We feel that this optional equipment is well worth the amount listed for the reason of operator safety and should have been included in the specifications.

2) Product Support and Service: Kirkpatrick & O'Donnell maintains product support and service in Dallas for the entire North Texas area. All service and parts originate from Dallas unlike Plains Machinery Company who would have to order from Amarillo or buy the parts from Kirkpatrick & O'Donnell.

3) Warranty: Plains Machinery Company has offered a standard factory warranty of 1,000 hours or six months, whichever comes first. Kirkpatrick & O'Donnell has extended the factory warranty to 2,000 hours or twelve months, whichever comes first. Backed by their local parts and service center this warranty extension is well worth the difference between bids.

The maintenance division would like to submit that the District accept the bid from Kirkpatrick & O'Donnell for the above listed reasons.

Following discussion and with the recommendation of management, Director King moved to accept the bids as recommended and authorize the District to purchase the said equipment. Director Thornton seconded the motion and with the approval of all Directors present, it was so ordered.

7.

Mr. Doby presented the results of bids received for the sale of used equipment:

TARRANT COUNTY WATE CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
INTER-OFFICE CORRESPONDENCE

DATE: February 22, 1983
TO: Ben Hickey
FROM: Gene Fruhwirth
SUBJECT: Bid results regarding sale of used equipment.

Bids were received for the used equipment and the results are as follows:

1) 1964 Allis-Chalmers Front End Loader:

Steve Misner	- \$6,700.00
Steve Decker	- 5,765.00
Clyde Sharpless	- 3,178.93
Edgin Machine Sales	- 1,796.00

We feel that the bid by Steve Misner in the amount of \$6,700.00 is a fair price for this machine and should be accepted.

2) 1971 Caterpillar D-5 Tractor with Dozer Blade:

Clyde Sharpless - \$5,678.14

This was the only bidder for this piece of equipment and we feel that this amount is unacceptable. We would like to readvertise and accept new bids for this machine when our other used equipment goes up for sale.

3) 1951 Gibson Portable Concrete Mixer:

Clyde Sharpless - \$ 427.59
Edgin Machine Sales - 196.00
C. N. Jordan - 126.50

We feel that the bid of Clyde Sharpless in the amount of \$427.59 is more than fair and should be accepted.

4) Caterpillar Pull Scraper:

No bids were submitted for this piece of equipment. We would like to readvertise and accept new bids for this machine.

After discussion of the recommendation to reject the bid for the 1971 Caterpillar D-5 tractor and with the concurrence of management, Director Alexander moved, Director King seconded, and with the approval of all Directors present, that the District be now authorized to sell the 1964 Allis-Chalmers Front End Loader and the 1951 Gibson Portable Concrete Mixer on the basis presented, it was so ordered.

8.

Management of the District requested authority for the District to enter into contract for the purchase of the following described tracts of land required for Program E - Richland Creek

Project, on the following:

- I. Tract Nos. ~~60~~ and 252 - 52.20 acres in fee @ \$700.00 per acre; 15.76 acres in easement @ \$466.66 per acre from Robert L. Whitfield and wife Lelia Faye Whitfield - Navarro County, Texas.
- II. Tract No. 291 - 26 acres in fee @ \$675.00 per acre from Lois Drayton, et al, Navarro County, Texas.
- III. Tract No. 271 - 44.52 acres in fee @ \$750.00 per acre; 40.86 acres in easement @ \$500.00 per acre from Marvin L. Henderson, Jr., Navarro County, Texas.
- IV. Tract No. 272 - 68.92 acres in fee @ \$750.00 per acre; 25.51 acres in easement @ \$500.00 per acre from Donovan W. Henderson, Navarro County, Texas.
- V. Tract No. 295 - 27.57 acres in fee @ \$1,000.00 per acre; 3 acres in fee for 3 surplus acres (basis \$630.00 per acre); move dwelling to 3 acre tract from Fletcher Cloud, Navarro County, Texas.

Following a detailed presentation of the tracts, and upon recommendation of management of the District, Director King moved, seconded by Director Thornton, that the District be now authorized to enter into contract for the purchase of the above described tracts and on the basis as shown. This meeting with the approval of all Directors present, it was so ordered.

9.

President Newton informed the Board that Director Geren has requested an executive session meeting of the Board be called. The meeting is to be held at 9:30 A. M., March 4, 1983.

10.

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


Secretary


President

NOTICE OF ADOPTION OF GENERAL ORDINANCE BY TARRANT
COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
(HEREAFTER USUALLY REFERRED TO AS THE DISTRICT)

This Notice is published to advise all persons who may desire to go near or upon the waters of Eagle Mountain Lake, Lake Bridgeport, Marine Creek Reservoir, Cement Creek Reservoir or Cedar Creek Reservoir, or who may desire to be near or upon the District's lands forming the margins to any of these lakes or reservoirs, that on the 23rd day of February, 1983, the District passed a General Ordinance governing such matters, which Ordinance replaces and consolidates therein all prior Ordinances and Rules and Regulations of the District governing such matters.

This Notice will not set out in full the entire content of the General Ordinance enacted by the Board of Directors of Tarrant County Water Control and Improvement District Number One on February 23, 1983, but will give a substantive statement as condensed as is possible to intelligently explain the purposes to be accomplished or the acts forbidden by the Ordinance. Where not otherwise provided, upon conviction of the violation of any of the provisions of the Ordinance enacted by the District, the person so found guilty may be punished by a fine of not more than \$200.00, or by imprisonment not to exceed 30 days, or by both such fine and imprisonment, together with the costs of court, provided that the fine and the costs of court do not exceed \$200.00.

This Notice will be published twice, once on March 18, 1983 and once on March 25, 1983, and the Ordinance will be in full force and effect the sixth day next after the second such publication.

SYNOPSIS OF THE PROVISIONS OF THE GENERAL ORDINANCE

1. Declaring the general policy of the Ordinance.

2. Statement of the primary reasons for the enactment of the Ordinance.

3. Defining misdemeanors and fixing the penalties hereinabove described for the commission thereof, and providing for judicial enforcement of the Ordinance.

4. Defining certain words, phrases and terms as used in the Ordinance and prohibiting trespassing, malicious mischief, nuisances, breaches of the peace, tampering with warning devices and breaches of license regulations as therein defined and declaring noncompliance with the directory provisions of the Ordinance summarized below to be a misdemeanor.

5. Defining all violations of the Ordinance to be misdemeanors.

6. Providing sanitation controls necessary to protect the lands of the District forming the margins to the District's lakes and reservoirs, and protecting the quality of the water stored in such lakes and reservoirs.

7. Regulating the use of craft, boats, swimmers and water skiers upon the District's reservoirs or lakes, and regulating use of marine toilet facilities and requiring inspection thereof.

8. Providing for the licensing, construction and maintenance of duck blinds and declaring the District's policy regarding same.

9. Providing for surveillance of watersheds as they relate to potential pollution of the District's lakes and reservoirs that may result from the drilling for oil or gas or the mining of coal, sand and gravel.

10. Providing procedures to be followed pertaining to the licensing, construction and maintenance of wharves, docks, boathouses and certain other improvements, and declaring the District's policy regarding same.

11. Prohibiting the possession or use of firearms (other than shotguns) on the lands, lakes and reservoirs of the District, and regulating hunting.

12. Declaring the District's lakes and reservoirs to be regulatory impoundments and providing that all general and special fishing regulations established by the District or by action of the Texas Parks and Wildlife Commission shall regulate the propagation, protection, catching or otherwise relating to control of, selling of, unlawfully destroying of, or possession of fish.

13. Outlining certain emergency procedures applicable at the District's lakes and reservoirs and providing for the implementation thereof.

14. Providing for the control of seaplanes when on the District's lakes and reservoirs.

15. Providing that in the event of partial invalidity, the remainder of the Ordinance shall have full force and effect.

16. Providing that the provisions of the Ordinance shall become effective the sixth day next after the second publication of this Notice.

17. Providing that the Ordinance shall be applicable to any and all lakes or reservoirs of the District, whether now in existence or hereafter constructed.

Notice is hereby given that all persons desiring to go upon lands or waters controlled by the District, or upon lands forming the margins to the lakes or reservoirs controlled by the District (being Eagle Mountain Lake, Marine Creek Reservoir, Cement Creek Reservoir, Lake Bridgeport and Cedar Creek Reservoir) for any purpose whatever, should fully acquaint themselves

with the entire content of the Ordinance, of which due and legal Notice is here being given. Such persons are hereby advised that the sixth day next after the second publication of this Notice, the Ordinance shall be recognized by the Courts as if it were a penal ordinance of a city. Ignorance of the terms of the Ordinance is not a defense for prosecution for the enforcement of the penalties therein provided.

In order to make compliance with the Ordinance as convenient as possible, the full text of the Ordinance is available to be read by any interested person at the following locations:

1. The principal business office of the District located at 800 East Northside Drive, Fort Worth, Texas 76106; and
2. At the office of the District located on State Highway 274 at Cedar Creek Reservoir, Route One, Box 175, Trinidad, Texas 75163.

TARRANT COUNTY WATER CONTROL AND
IMPROVEMENT DISTRICT NUMBER ONE

(SEAL)

By: Wayne E. Newton
/s/ Wayne E. Newton, its President

ATTEST:

Robert B. Alexander
/s/ Robert B. Alexander, its Secretary