

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE  
HELD ON THE 29TH DAY OF MARCH, 1985 AT 9:30 A. M.

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

<u>PRESENT</u>	<u>ABSENT</u>
C. Victor Thornton Burford I. King Wayne E. Newton Robert D. Alexander	George W. Shannon

Also present were Messrs. Ben Hickey, General Manager of the District; Bill Hilliard, Assistant General Manager of the District and R. M. Doby, Manager of Fiscal Affairs of the District.

Director Thornton acted in his capacity as President and Director King 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 meetings held February 26 and March 6, 1985 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 King moved and the motion was seconded by Director Newton that the January, 1985 vouchers be approved as follows:

GENERAL FUND: Voucher-checks #6672 thru #6884 inclusive, in the amount of \$5,538,867.84.

REVENUE FUND: Voucher-checks #3359 thru #3421 inclusive, in the amount of \$3,417,145.18.

RICHLAND CHAMBERS PROJECT - CONSTRUCTION FUND:  
Voucher-checks #4139 thru #4208 in the amount of \$12,660,677.57.

CEDAR CREEK PROJECT - CONSTRUCTION FUND: Voucher-checks #286 thru #291 inclusive, in the amount of \$1,002,791.00.

CEDAR CREEK PROJECT - INTEREST AND REDEMPTION FUND:  
Voucher-check #155 in the amount of \$178,205.57.

DEBT SERVICE: Voucher-checks #327 thru #331 inclusive, in the amount of \$1,942,352.43.

Director King moved and the motion was seconded by Director Alexander and unanimously approved that the February, 1985 following list of vouchers be approved:

GENERAL FUND: Voucher-checks #6885 thru #7092 inclusive, in the amount of \$4,817,224.38.

REVENUE FUND: Voucher-checks #3422 thru #3542 inclusive, in the amount of \$7,769,041.85.

RICHLAND CHAMBERS PROJECT - CONSTRUCTION FUND:  
Voucher-checks #4208 thru #4341 inclusive, in the amount of \$9,694,419.35.

CEDAR CREEK PROJECT - INTEREST AND REDEMPTION FUND:  
Voucher-checks #156 thru #158 inclusive, in the amount of \$14,698,308.47.

CAPITAL PROJECTS: Voucher-checks #147 thru #151 inclusive, in the amount of \$2,840,289.17.

DEBT SERVICE: Voucher-checks #332 thru #338 inclusive, in the amount of \$2,276,288.75.

3.

President Thornton recognized and greeted a delegation from Corsicana led by The Honorable Sue Youngblood, Mayor of Corsicana, Texas. Mrs. Youngblood made brief remarks concerning

the proposed settlement of litigation between the District and Corsicana at the Richland Creek Project. She expressed gratitude to the Directors and her hope that the proposed agreement would be adopted by the Board. She then introduced the other members of the delegation; each spoke to the Board and expressed how pleased the community is to have the District's project and a settlement of the conflict. Those delegation members were Messrs. Craig Lonon, City Manager of Corsicana; Rex Carpenter, Executive Vice President Corsicana Chamber of Commerce; Oliver Albritton and Tom White of the Chamber's Industrial Development Team. Letters from Messrs. Kenneth P. Walker and The Honorable Gary B. Bennett were presented and are included in the minutes below:

March 28, 1985

Mr. Ben Hickey, General Manager  
Mr. Bill Hilliard, Assistant General Manager  
The Honorable Members of the Board of Directors  
Tarrant County Water Control and Improvement  
District No. 1

Gentlemen:

On behalf of Navarro County I would like to take this opportunity to welcome you as a neighbor and a citizen of our community. After all of the dust from two years of negotiations has settled, Navarro County looks forward to working with the Water District in making Navarro County a community which will benefit from and be beneficial to the Richland-Chambers Creek Reservoir.

The County views the new reservoir as a turning point to long term growth and prosperity of our county. We recognize that the quality of the environment around the lake is important to both the County and the Water District. It is our hope to work together to ensure this quality.

Again, we appreciate the spirit of cooperation the Water District has shown in resolving differences with Navarro County.

Yours very truly,

Gary B. Bennett  
County Judge

March 28, 1985

Mr. Ben F. Hickey, General Manager  
Mr. William T. Hilliard, Jr., Asst. General Manager  
and  
Board of Directors  
Tarrant County Water Control and Improvement District #1  
P. O. Box 4508  
Fort Worth, Texas 76106

Dear Sirs:

The Board of Directors of the Corsicana Chamber of Commerce is extremely pleased that the Tarrant County Water District is constructing the Richland-Chambers Reservoir near Corsicana.

This will be a mutually beneficial facility for you and for Corsicana. We welcome you as a neighbor and ally in the orderly growth and development of this area.

In any project of this magnitude, growing pains are naturally encountered. We commend you for the positive manner in which you handle these realities. On behalf of myself and the Chamber Directors, we look forward to working with you in realizing the vast potential of the Richland-Chambers Reservoir to Tarrant County and to Greater Corsicana.

Sincerely,

Kenneth P. Walker  
President

(a) Following remarks made by Directors and discussion, Mr. Thornton asked Mr. Bill Hilliard to read the resolution to be considered to wit:

RESOLUTION OF BOARD OF DIRECTORS

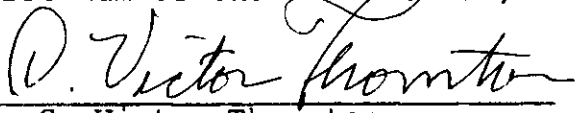
WHEREAS, BY LETTER DATED March 21, 1985, the City of Corsicana presented to Tarrant County Water Control and Improvement District Number One a proposal for settlement in mitigation of the impact of Richland Creek Reservoir on said City; and

WHEREAS, said District desires to achieve a settlement with the City of Corsicana;

IT IS, THEREFORE, RESOLVED that Tarrant County Water Control and Improvement District Number One (District) make the following settlement offer to the City of Corsicana (City):

1. That the District recognizes the City's senior rights to 13,650 acre feet of water per annum from Richland Creek Reservoir;
2. That under the terms of its existing standard water supply contract, the District will obligate itself to sell to the City any additional volume of water at any time in the future; the City, however, will not be required to abide by the "take or pay" provisions of said Contract until January 1, 2003; a copy of the proposed Contract between the District and the City is attached to this Resolution as Exhibit A;
3. That the District will pay to the City the sum of \$2,107,000.00 for easements over the City's property lying at or below 320 feet m.s.l.; and for liquidation of damages to the City's facilities at Lake Corsicana;
4. That the District will remove the Lake Corsicana Dam; will evenly distribute the material from the dam on the City's property above elevation 315 m.s.l.; and will excavate a boat channel from Chambers Creek to the City's property, said channel to be sufficiently deep at normal conservation level to accommodate recreational boats customarily found on inland lakes;
5. That in addition to the foregoing proposal for mitigation of the impact of said reservoir upon the City, the District will reimburse the City the sum of \$1,200,000.00 for improvements to the City's waste treatment plant, which reimbursement will be made periodically as work progresses, and based upon actual cost to said City; said improvements will bring waste treatment plant into compliance with state and federal standards as to effluent discharge when said reservoir is in place;
6. That the District will dismiss its Application for Writ of Error, currently pending; that the District and the City will file a joint motion in the District Court of Navarro County, Texas, 13th Judicial District, seeking the dissolution of the injunction entered in Cause No. 533-83, styled The City of Corsicana vs. Tarrant County Water Control and Improvement District Number One; and further seeking the dismissal, with prejudice, of said lawsuit; all costs of Court and attorney's fees to be paid by the party by which incurred.

ADOPTED by the Board of Directors of Tarrant County  
Water Control and Improvement District Number One on March 29,  
1985.

  
C. Victor Thornton

Following the reading of the resolution and discussion,  
the General Manager recommended adoption. Director Newton moved  
to adopt the resolution as presented and Director King seconded  
the motion. The measure was unanimously approved and the  
Directors instructed staff to prepare an agreement for final  
settlement of the matter.

(b) Mr. Hilliard next presented the matter of  
settlement of rights-of-way and bridge conflicts at the Richland  
Creek Project with Navarro County. The total amount of  
consideration is to be reunified in a lump sum payment as  
originally proposed. The total amount of consideration for the  
liquidation of all claims of the County arising from the  
construction of the reservoir is \$6,394,000. Staff recommended  
approval of this sum. Director King moved to approve the  
settlement in the amount of \$6,394,000 for damages as submitted.  
Director Newton seconded the motion and with the approval of all  
Directors present it was so ordered.

4.

Mr. Hilliard presented the recommendation of Operations  
Division for purchase of materials for Balancing Reservoir repair:  
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE

INTER-OFFICE CORRESPONDENCE

DATE: March 26, 1985  
TO: Ben Hickey  
FROM: Mike Meza  
SUBJECT: Bid Opening for Balancing Reservoir Repair Materials

Bids were received and opened at 10:00 A.M., March 22, 1985 for a total of 157,739 Feet of Number Four steel Reinforcing Bar and 1000 Cubic Yards of Concrete to be utilized in the repair of the north wall of the 1972 Balancing Reservoir. The results are as follows:

STEEL REINFORCING BAR

<u>BIDDER</u>	<u>COST</u>	<u>DELIVERY TIME</u>
Lot #1: 1390 Pieces at Forty (40) Feet		
Georgia Pacific Corp.	\$ 5,838.00*	20 Days
Beall Concrete Company	6,270.00	6 Days
Huffhines Steel Company	6,700.00	3-5 Days
North Texas Steel Corp.	7,122.00	5 Days
Ersco Corporation	7,240.00	5 Days
Lot #2: 1350 Pieces at Twenty (20) Feet		
Georgia Pacific Corp.	\$ 6,615.00*	10 Days
Beall Concrete Company	6,944.00	7 Days
Huffhines Steel Company	7,592.00	3-5 Days
North Texas Steel Corp.	8,070.00	5 Days
Ersco Corporation	8,206.00	5 Days
Lot #3: 1050 Pieces Cut and Bent per Specifications		
Huffhines Steel Company	\$ 3,381.00*	3-5 Days
Beall Concrete Company	3,514.00	14 Days
Ersco Corporation	3,556.00	5 Days
North Texas Steel Corp.	4,055.00	5 Days
Georgia Pacific Corp.	No Bid	
Lot #4: 1180 Pieces Cut and Bent per Specifications		
Huffhines Steel Company	\$ 720.00*	3-5 Days
Beall Concrete Company	749.50	14 Days
Ersco Corporation	757.00	5 Days
North Texas Steel Corp.	862.00	5 Days
Georgia Pacific Corp.	No Bid	
Lot #5: 1150 Pieces Cut and Bent per Specifications		
Huffhines Steel Company	\$ 749.00*	3-5 Days
Ersco Corporation	787.00	5 Days
North Texas Steel Corp.	987.00	5 Days
Beall Concrete Company	1,000.00	14 Days
Georgia Pacific Corp.	No Bid	

The Operations Division has reviewed the bids and is satisfied that the material meets all specifications and therefore submit that the low bid by lot number (as indicated by asterisk) be accepted. The total cost will be \$17,303.00.

Following discussion and upon recommendation of the General Manager, Director King moved to accept the bids for materials as presented. Director Alexander seconded the motion and there being four ayes and no nays it was so ordered.

5,

Mr. Hilliard presented the following tracts of land now surplus to the requirements of the District to wit:

SALE OF SURPLUS LAND - MARCH, 1985

CEDAR CREEK

<u>BIDDER</u>	<u>DESCRIPTION</u>	<u>CONSIDERATION</u>
David M. Huffman	Lot 93, Block 1 Water Board's Subdivision (\$4,000.00 appraised value)	\$ 4,002.00
David L. Clary	Water Board's Subdivision Lot 90, Block 1 (\$4,000.00 appraised value)	\$ 4,002.00
	Lot 91, Block 1 (\$3,500.00 appraised value)	\$ 3,502.00
	Lot 92, Block 1 (\$3,000.00 appraised value)	\$ 3,002.00
James F. Owen et ux Anne M. Owen	Lot 127, Block 1	\$ 3,500.00
Phillip Bailey et ux, Kay Bailey	Lot 129, Block 1 Water Board's Subdivision (\$3,500.00 appraised value)	\$ 3,500.00
Steven M. Hoffman et ux Kelli Lee Hoffman	Lot 97, Block 1 Water Board's Subdivision (\$4,200.00 appraised value)	\$ 4,202.00

EAGLE MOUNTAIN LAKE

<u>ABUTTING OWNER</u>	<u>DESCRIPTION</u>	<u>CONSIDERATION</u>
Billy D. Parten et ux Mary Lou Parten	0.092 Acres abutting Lot 41, Cooley Subd., Tarrant County	\$ 500.00

PROGRAM B

<u>ABUTTING OWNER</u>	<u>DESCRIPTION</u>	<u>CONSIDERATION</u>
Pete Standridge	A portion of Lot 14, Block 7 Brookside Annex to the City of Fort Worth	\$ 2,000.00



Following discussion and upon the recommendation of management, Director Newton moved, seconded by Director Alexander and unanimously approved, that as recommended by management the District now be authorized to sell the above listed tracts at not less than the appraised price as shown and upon terms and conditions theretofore adopted by the District.

6.

Mr. Robert Doby presented for consideration and action a resolution and order for contracting with the law firm of Heard, Goggan and Blair for services in the collection of delinquent ad valorem taxes. The contract conforms with the Heard firm contract with Tarrant County. The District contracts with the County for collection of District taxes. Following discussion and the recommendation for approval by management, Director Alexander moved and Director Newton seconded to adopt the following:

RESOLUTION AND ORDER  
OF THE BOARD OF  
THE TARRANT COUNTY WATER CONTROL AND IMPROVEMENT  
DISTRICT #1

WHEREAS, The Tarrant County Water Control and Improvement District Number One has contracted with the law firm of Heard, Goggan & Blair for services in the collection of delinquent ad valorem taxes; and

WHEREAS, Section 33.07 of the Texas Property Tax Code provides for additional penalties to defray the costs of collection of such taxes; now therefore,

THAT taxes that remain delinquent on July 1 of the year in which they become delinquent incur an additional penalty in the amount of fifteen percent (15%) of the amount of taxes, penalty and interest due, to defray costs of collection.

SAID Resolution being put to vote, it carried by a vote of \_\_\_\_\_ to \_\_\_\_\_. Those voting "Aye" were:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

There being four ayes and no nays it was so ordered and adopted.

7.

Mr. Hilliard presented an agreement for consideration and approval between the District and Texas Power and Light Company for adjustment at the Richland Creek Project. The described project is the Navarro - Streetman (Superrock) 69KV Line Relocation. The estimated cost for adjustments of the transmission facilities is \$810,000. This is one of the ongoing adjustments to be administered by the owner/utility itself with reimbursement by the District. The General Manager recommended the expenditure of \$810,000 as proposed for this relocation. Director King moved approval as submitted. Director Newton seconded the motion and with the approval of all Directors present it was so ordered.

8.

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

George H. Shannon  
Secretary

O. Victor Brown  
President