

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD ON THE 20TH DAY OF SEPTEMBER, 1988 AT 9:30 A.M.

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

Present

Burford I. King
George W. Shannon
Victor W. Henderson
Charles B. Campbell, Jr.
Hal S. Sparks III

Also present were James M. Oliver, General Manager; Alan
Thomas, Director of Administration and Operations; Robert M.
Doby, Treasurer; Woody Frossard, Environmental Manager; Steve
Christian, Real Property Manager; Wayne Owen, Administrative
Analyst; George Christie and Stan Harrell, legal counsel for the
District.

Also in attendance were the following persons:

<u>Name</u>	<u>Representing</u>
Jim Nichols	Freese and Nichols, Inc.
Lee Freese	Freese and Nichols, Inc.
Bob Gooch	Freese and Nichols, Inc.
Rollins Bilby	Twin Hills Marina
Doug Keller	Fort Worth Boat Club
Ron Helfenstine	West Bay Marina
Larry Buck	Lakeview Marina
Dan Unsworth	Lake Country Marina
Kim Elliot	Twin Points Resort
Darla Hobbs	Twin Points Resort
Bobby Hobbs	Twin Points Resort
Jeff Irion	Ross, Arnn, Hartley and Irion
Wayne E. Newton	Director Emeritus

1.

On motion made by Director Henderson and seconded by Director Sparks and with the assurance that all requirements of law relating to the "open meetings" law had been met, the Directors unanimously voted to approve the minutes from the meeting held September 6, 1988. It was accordingly ordered that such minutes be placed in the permanent files of the District.

2.

Wayne Owen presented the September 9, 1988 draft of the proposed Marina Ordinance. After lengthy discussion and upon the recommendation of management, Director Shannon moved to adopt the Marina Ordinance with the following changes:

1. The effective date of the ordinance will be January 1, 1989. Section 8.01(D), Section 8.01(F) and Section 10.06 will be changed accordingly.
2. A new section 4.04(G) is to be added, reading as follows:

The requirement of a construction permit under this Section 4.04 may be waived by the District's staff if, in the sole discretion of the staff, the proposed expansion, reconstruction, alteration, modification, renovation or addition is not significant.
3. The second to the last sentence of Section 2.01(34) will be completely omitted.

Director Campbell seconded the motion and the vote in favor was unanimous.

3.

Bob Gooch of Freese and Nichols presented the Supplemental Memorandum Report On The Use Of Lake Benbrook For Regulating Storage. After a lengthy discussion and with the recommendation of management, Director Henderson moved to adopt the memorandum

report and authorize Freese and Nichols to proceed with the design phase of the Benbrook Pipeline. Director Shannon seconded the motion and the vote in favor was unanimous.

4.

Robert Doby and Lee Freese next presented an update of the construction of Section IV of the Richland-Chambers Pipeline. With the recommendation of management, Director Shannon moved to authorize the reduction in retainage on the Section IV construction contract with Green/Sieben to five percent of the original contract amount or \$1,041,000.00. Director Henderson seconded the motion and the vote in favor was unanimous.

5.

Consideration of the Concession Agreement at Eagle Mountain Lake was postponed.

6.

The President called an executive session under Section 2(e) of the Texas Open Meetings Act to consider litigation and land matters.

7.

Upon completion of the executive session, the President reopened the meeting.

8.

With the recommendation of management, Director Campbell moved to approve an agreement between the District and the Corps of Engineers concerning a proposed development by the Marriott Corporation along the Floodway on the Clear Fork of the Trinity

River. Director Shannon seconded the motion and the vote in favor was unanimous.

9.

Consideration of matters concerning the mitigation land at Richland-Chambers Reservoir was postponed.

10.

Consideration of matters concerning the release of easement at Richland-Chambers Reservoir was postponed.

11.

With the recommendation of management, Director Shannon moved to accept the high bids submitted and award the sale of surplus property at the following locations:

1. 3.5 acres in the J. Foster Survey, Abstract No. 511, being a portion of the tract conveyed to Tarrant County Water Control and Improvement District Number One by a deed of record in Volume 1071, Page 467 of the Deed Records of Tarrant County. Bid price was the appraised value of \$38,500.00.
2. 15 acres in the Sharp Whitley Survey, Abstract No. 798, being a portion of the tract conveyed to Tarrant County Water Control and Improvement District Number One by a deed of record in Volume 493, page 620 and 628, and Volume 493, Page 588 of the Deed Records of Henderson County. Bid price was the appraised value of \$27,500.00

Director Sparks seconded the motion and the vote in favor was unanimous.

12.

With the recommendation of management, Director Campbell moved to approve the acquisition of 1.95 acres in fee for the appraised value of \$1,000 per acre from G. H. Andrews, out of the Lewis Powell Survey Abstract No. 634, Navarro County, Texas,

District Tract #412. Director Henderson seconded the motion and the vote in favor was unanimous.

13.

With the recommendation of management, Director Shannon moved to approve Change Order Number Three of the Section V Contract between the District and H. B. Zachry Construction Company resulting in a net reduction of the contract in the amount of \$34,922.72. Director Campbell seconded the motion and the vote in favor was unanimous.

14.

With the recommendation of management, Director Henderson moved to authorize the reduction in retainage on the Richland-Chambers Lake Pump Station construction contract with Red River Construction Company to two point five percent of the original contract amount or \$80,085.42. Director Sparks seconded the motion and the vote in favor was unanimous.

15.

With the recommendation of management, Director Campbell moved to approve Change Order Number Five of the Richland-Chambers Lake Pump Station contract with Red River Construction Company resulting in a net increase in contract amount of \$12,065.53. Director Sparks seconded the motion and the vote in favor was unanimous.

16.

With the recommendation of management, Director Campbell moved to adopt the \$46,641,360.00 Fiscal 1989 Revenue Fund Budget

as presented. Director Henderson seconded the motion and the vote in favor was unanimous.

17.

With the recommendation of management, Director Sparks moved to adopt the \$5,131,071.00 Fiscal 1989 General Fund Budget as presented. Director Shannon seconded the motion and the vote in favor was unanimous.

18.

With the recommendation of management, Director Campbell moved that the District set a tax rate of zero cents per \$100.00 valuation for fiscal year 1989. Director Henderson seconded the motion and the vote in favor was unanimous.

19.

With the recommendation of management, Director Sparks moved to adopt a policy intended to phase out the issuance of permanent duck blind structure permits on District Reservoirs, that the District pursue this by allowing only persons who possessed permits during the previous year to renew their permit, further that the District not regulate the placement of portable duck blinds. Director Henderson seconded the motion and the vote in favor was unanimous.

20.

With the recommendation of management, Directors Sparks moved to approve the following list of check vouchers for the month of July, 1988:

Cedar Creek Construction Fund: Check numbers 2018 thru 2019, the total expense being \$149,165.11.

Debt Service Fund: Check numbers 2047 thru 2048, the total expense being \$3.77.

General Fund: Check numbers 22824 thru 23101, the total expense being \$374,695.67.

Richland-Chambers Construction Fund: Check numbers 12039 thru 12163, the total expense being \$5,044,825.41.

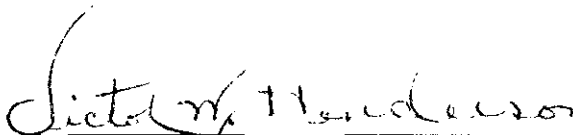
Revenue Fund: Check numbers 8771 thru 8982, the total expense being \$5,960,737.31.

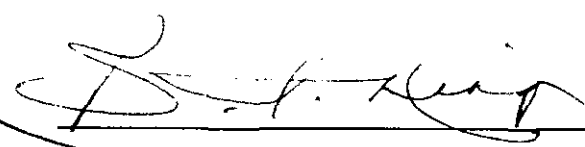
Capital Projects Fund: Check number 2022 thru 2025, the total expenditure being \$1,625,967.49.

Director Campbell seconded the motion and the vote in favor was unanimous.

21.

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


Secretary


President

LEGAL NOTICE

NOTICE OF ADOPTION OF A MARINA ORDINANCE REGULATING MARINA FACILITIES LOCATED ON RESERVOIRS OPERATED BY TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE (HEREAFTER REFERRED TO AS THE DISTRICT)

This Notice is published to advise all persons that on the 20th day of September, 1988, the District adopted a Marina Ordinance. The ordinance establishes regulations governing marina facilities on reservoirs operated by Tarrant County Water Control and Improvement District Number One for the purpose of maintaining public access, use and safety; protecting water quality; establishing regulations relative to the location, configuration, lighting, safety, construction, sanitation, pollution control and electrical services of marina facilities; establishing rules and regulations relative to inspections, licenses, permits, applications, fees and insurance for marina operations; establishing rules and procedures for noncomplying facilities.

This Notice will not set out in full the entire content of the Marina Ordinance adopted by the Board of Directors of the District on September 20, 1988, 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 Marina Ordinance. Where not otherwise provided, upon conviction of the violation of any of the provisions of the Marina Ordinance, as enacted by the District, the person so found guilty may be punished by a fine of not more than \$200.00, 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 once a week for two consecutive weeks, in newspapers with general circulation in Wise, Tarrant, Henderson, Navarro and Freestone Counties, Texas and the Marina Ordinance will be in full force and effect on January 1, 1989, a date which is not earlier than the sixth day next after the second such publication.

SYNOPSIS OF THE MARINA ORDINANCE

Article One: Stating that the purpose of the Ordinance is to provide minimum standards for the operation and maintenance of marina facilities on the District's reservoirs.

Article Two: Providing definitions of certain words used in the Marina Ordinance.

Article Three: Providing minimum standards for lighting, safety, structural requirements, sanitation and pollution control and electrical requirements of marina facilities and providing rules relative to location and configuration thereof.

Article Four: Providing for required licenses, permits and inspections of marina facilities.

Article Five: Providing requirements of applications for permits and licenses and providing for a public hearing procedure thereon.

Article Six: Providing for fees to be charged by the District for marina facilities and operation thereof.

Article Seven: Providing insurance requirements for marina facilities.

Article Eight: Providing rules and regulations for existing marina facilities which are found not to be in compliance with the Marina Ordinance.

Article Nine: Providing procedures for the granting of variances by the District to the provisions of the Marina Ordinance.

Article Ten: Provisions granting the District the right of entry on marina facilities to inspect or enforce the Marina Ordinance, granting the District the right to stop construction work done contrary to the provisions of the Ordinance, providing a procedure for amendment of the Ordinance and notice thereof, providing rules for construing the Ordinance in relationship to other laws, providing for severability, providing an effective date, and providing for enforcement of the Ordinance and penalties assessable for violations.

Notice is hereby given that all persons conducting marina operations upon lands or waters controlled by the District (being Eagle Mountain Lake, Marine Creek Lake, Lake Bridgeport, Cedar Creek Reservoir and Richland-Chambers Reservoir and adjacent lands) should fully acquaint themselves with the entire content of the Marina Ordinance, of which due and legal notice is here being given. Such persons are hereby advised that as approved and adopted by its Board of Directors, this District will effectuate its Marina Ordinance beginning January 1, 1989 which will not be sooner than the sixth day next after the second publication of this notice. The Marina Ordinance shall be recognized by the Courts as if it were a penal ordinance of a city. Ignorance of the terms of the Marina Ordinance is not a defense for prosecution for the enforcement of the penalties herein provided.

In order to make compliance with the Marina 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. At the principal office of the District, located at 800 East Northside Drive, Fort Worth, Texas 76106, telephone number (817)335-2491.
2. At the office of the District at Eagle Mountain Lake, located at 6506 Wells Burnett Road, Fort Worth, Texas 76135, telephone number (817)237-8585.
3. At the office of the District at Lake Bridgeport, located at Route 1, Box 276, Bridgeport, Texas 76026, telephone number (817)683-2349.

4. At the office of the District at Cedar Creek Reservoir, located on State Highway 274, Route One, Box 175, Trinidad, Texas 75163, telephone number (214)432-2814.
5. At the office of the District at Richland-Chambers Reservoir, located at Route 1, Box 155-B, Streetman, Texas 75849, telephone number (214)389-3928.

This notice is published as required by Chapter 340 of the General and Special Laws enacted by the 44th Legislature of Texas at its Regular Session, now appearing as Sections 51.127, et seq., of the Texas Water Code, and as ordered by the Board of Directors of Tarrant County Water Control and Improvement District Number One on September 20, 1988.

Attest: Victor W. Henderson By: Burford I. King
Victor W. Henderson Burford I. King
Its Secretary Its President