

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 19TH DAY OF MAY 2009 AT 9:30 A.M.

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

Present

Victor W. Henderson
Hal S. Sparks III
Jack R. Stevens
Marty V. Leonard
Jim W. Lane

Also present were James Oliver, Alan Thomas, Shanna Cate, Steve Christian, Linda Christie, Wesley Cleveland, J. D. Granger, Sheila Johannessen, Madeline Robson, Sandy Swinnea and Ed Weaver.

Also in attendance were George Christie, General Counsel for Tarrant Regional Water District (the Water District); Lee Christie and Jared Harrell representing Pope, Hardwicke, Christie, Harrell, Schell & Kelly, LLP; Dick Fish of Save Eagle Mountain Lake; Dan Buhman of CDM; Hopper Smith of SRC; Robert P. Smith of Water Resource Construction; Doug Biglen of HDR Engineering; Ann Kovich and Pat Acker of Halff and Associates; Gary Dreighton and Doug Varner of CDM; Rusty Gibson of Freese and Nichols, Inc.; Brian Newby of Cantey Hanger LLP; David Hargrove and Bob Riley of BLG LaGrave; Kim Arnold, Peter Brettell and Gary Nuss of Jacobs; Randy Romack of Black and Veatch; Judd Pritchard of The Epstein Group; Bill Hanna of the Fort Worth Star Telegram; Robert Hobbs, James Leonard, Mike Montgomery, Jim Risky, Jerry Lamont, James D. Matthews, Gerry Matthews and Earl Alexander.

President Henderson convened the meeting with the assurance from management that all requirements of the “open meetings” laws had been met.

1.

All present were given the opportunity to join in reciting the Pledge of Allegiance.

2.

On a motion made by Director Leonard and seconded by Director Stevens, the Directors unanimously voted to approve the minutes from the meeting held April 14, 2009. It was accordingly ordered that these minutes be placed in the permanent files of Tarrant Regional Water District.

3.

Dick Fish of Save Eagle Mountain Lake commented that 21 members participated in the Eagle Mountain clean-up on May 9, 2009. Mr. Fish also thanked Alan Thomas for the presentation regarding the emergency spillway at the Save Eagle Mountain Lake meeting on May 12, 2009.

Mike Montgomery introduced several neighbors in attendance to express concerns over construction in Twin Points Spillway area at Eagle Mountain Lake. Jim Risky expressed concerns for security issues, duplication of facilities, and emergency spillway debris. Robert Hobbs explained that he is a previous property owner at Twin Points and wants to be sure there are plans for security and should be safety conscience and the area returned to and maintained as the Eagle Mountain spillway. James Matthews reiterated concerns of others and asked the Water District to be a good neighbor and keep residents in mind including concerns for residential property in the area, security, fencing, gas wells and sound baffling if needed. They requested a public forum to discuss issues for development in the Twin Points spillway area at Eagle Mountain Lake.

4.

With the recommendation of management, Director Leonard moved to accept an in-kind donation of food for the reception held in conjunction with the Blessing of the River from Chadra Mezza and Grill in the amount of \$995. Director Stevens seconded the motion and the vote in favor was unanimous.

5.

With the recommendation of management, Director Stevens moved to approve the Investment Policy and Strategies dated May 19, 2009. Director Sparks seconded the motion and the vote in favor was unanimous.

6.

With the recommendation of management, Director Leonard moved to approve the purchase of a multifunction plotter/scanner/printer to be used in the new Annex building from OCE North America at a cost of \$27,899 to be purchased through a cooperative purchasing agreement with the State of Texas. Funding for this purchase is included in the FY 2009 General Fund Budget. Director Sparks seconded the motion and the vote in favor was unanimous.

7.

With the recommendation of management and committee as noted, Director Stevens moved to approve capital expenditure as noted below:

Equipment	Vendor	Approved Amount	Funding Source	Committee Recommending Approval
1 ITB #09-27 Heavy Duty Grapple Truck	Chastang's Bayou City Ford, Houston, TX	\$125,944	General	Operations

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

8.

With the recommendation of management and the committee as noted, Director Stevens moved to approve operations and maintenance expenditure as noted below:

Equipment	Vendor	Funding Source	Approved Amount	Committee Recommending Approval
1 SCADA System Service Agreement	GE Fanuc Intelligent Platforms, Inc., Pittsburgh, PA	Revenue	\$99,782	Operations

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

9.

With the recommendation of management and the Construction and Operations Committee, Director Leonard moved to approved issuance of Notice to Proceed to Beavers Dozer Service and Equipment for log jam removal from and adjacent to the West Fork of the Trinity River at a cost of

\$174,492.80. Funding for this service is included in the 2009 Bond Fund. Director Stevens seconded the motion and the vote in favor was unanimous.

10.

With the recommendation of management and the Construction and Operations Committee, Director Sparks moved to approve a contract with Gideon Toal Inc. for Phase I planning and architectural services for the Fort Worth Operations compound and the facilities at 500 East North Side Drive, Fort Worth, TX at a cost not to exceed \$32,750. Funding for this contract is included in the FY 2009 General Fund Budget. Director Stevens seconded the motion and the vote in favor was unanimous

11.

With the recommendation of management and the Construction and Operations Committee, Director Leonard moved to approve a contract with S.J. Louis Construction of Texas for the Mansfield Bypass Project at the cost of \$3,303,456.39. Funding for this contract is included in the 2009 Bond Fund. Director Sparks seconded the motion and the vote in favor was unanimous.

12.

Staff reports were presented:

- TWDB Grant – TRWD/Dallas Transmission Study
- Energy Efficient Program certificates
- TRV Update

13.

The Board recessed for a break at 10:45 a.m. and reconvened at 10:55 a.m.

14.

The President and presiding officer next called an executive session at 10:55 a.m. under V.T.C.A., Government Code, Chapter 551.071 to consider pending or contemplated litigation – Oklahoma Water Resources and settlement offer- Richland-Chambers High Capacity Expansion Project; and under Chapter 551.072 to deliberate the purchase, sale, lease or exchange of real property.

15.

Upon completion of the executive session at 12:10 p.m., the President reopened the meeting.

16.

With the recommendation of management, Director Leonard moved to approve the final release of retainage for the contract with Archer Western Contractors, Ltd on the Richland-Chambers High Capacity Expansion at Ennis and Waxahachie in the amount of \$300,000 subject to receipt of payment from Archer Western Contractors Ltd.'s insurer for out-of-pocket losses in the approved settlement claims amount of \$172,300 arising from the Ennis tank failure. Funding for this contract is included in the 2002 Bond Fund.

17.

With the recommendation of management and the Trinity River Vision Authority (TRVA) Board of Directors, Director Sparks moved to approve the purchase of land and the action of the TRVA Board of Directors authorizing such acquisitions of the following described lands necessary for the construction of the Trinity River Vision – Central City Project from Robert Gathings for the total negotiated purchase price of \$286,000. Funding for this purchase is included in the FY 2009 General Fund Budget.

Fee simple title to the surface estate only of approximately 0.3868 acres of land, including improvements, situated in the City of Fort Worth, Tarrant County, Texas and being a tract of land out of the Richard Crowley Survey, Abstract No. 313, said tract being conveyed to Robert Gathings by deed recorded in Volume 11007, Page 680, Real Property Records, Tarrant County, Texas, as further described in the accompanying resolution and on the survey plat attached thereto as Exhibit "A"

EXHIBIT "A"

**LEGAL DESCRIPTION
PARCEL 61
ROBERT GATHINGS**

SITUATED in the City of Fort Worth, Tarrant County, Texas and being a tract of land out of the Richard Crowley Survey, Abstract No. 313, said tract being conveyed to ROBERT GATHINGS by deed recorded in Volume 11007, Page 680 of the Deed Records of Tarrant County, Texas (D.R.T.C.T.), said tract being herein more particularly described by metes and bounds as follows:

BEGINNING at a 5/8" iron rod found at the southwest property corner of the said Gathings tract, said point also being on the existing northeasterly right-of-way line of North Henderson Street;

THENCE North 33°12'37" East, along the northwesterly property line of the said Gathings tract, at 10.13 feet passing the south property corner of Lot 1, Block 1 of Page Addition, being an addition to the City of Fort Worth according to the plat recorded in Cabinet A, Slide 4926 of the Plat Records of Tarrant County, Texas (P.R.T.C.T.), continuing along the said northwesterly property line of the Gathings tract and along the southeasterly property line of the said Lot 1, a total distance of 101.51 feet to a 1/2" iron rod set at the northwest property corner of the said Gathings tract;

THENCE North 89°05'10" East, along the northerly property line of the said Gathings tract and along a southerly property line of the said Lot 1, 81.51 feet to a 1/2" iron rod set at the northwest property corner of Lot 1, Block 4 of Valley View Addition, being an addition to the City of Fort Worth according to the plat recorded in Cabinet B, Slide 266, P.R.T.C.T.;

THENCE South 2°57'38" West, along the easterly property line of the said Gathings tract and in part along the westerly property line of the said Lot 1, Block 4 of Valley View Addition, a distance of 202.72 feet to a 1/2" iron rod set at the southeast property corner of the said Gathings tract, said point also being on the said existing northeasterly right-of-way line of Henderson Street;

THENCE North 47°27'23" West, along the southwesterly property line of the said Gathings tract and along the said right-of-way line, 171.87 feet to the **Point of Beginning**.

The tract being herein described contains **0.3868 acres (16,851 square feet)** of land.

Note: Survey sketch to accompany this legal description.

Note: Basis of Bearing = NAD 83 Texas North Central Zone (4202)

Note: Coordinates shown are surface coordinates based on NAD 83 Texas North Central Zone (4202) with an adjustment factor of 1.0001375289116.

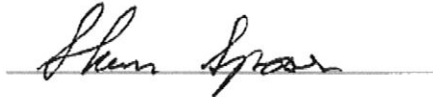
I do certify on this 13th day of February, 2009, that a survey was made on the ground as per the field notes shown on this survey and is true and correct according to the standards of the Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey, and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements located within five (5) feet of said boundaries, if any, and shows the location of all visible easements and rights-of-way and the rights-of-way, easements and other matters of record as listed in Schedule B of the Commitment for Title issued by Chicago Title Insurance Company, Dated March 12, 2007, GF# DT-06-02777-SLT affecting the subject property.

Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible conflicts or discrepancies.

The property adjoins Jacksboro Highway, a variable width street right-of-way which provides apparent access to and from the subject property.

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 1A, Condition II Survey.

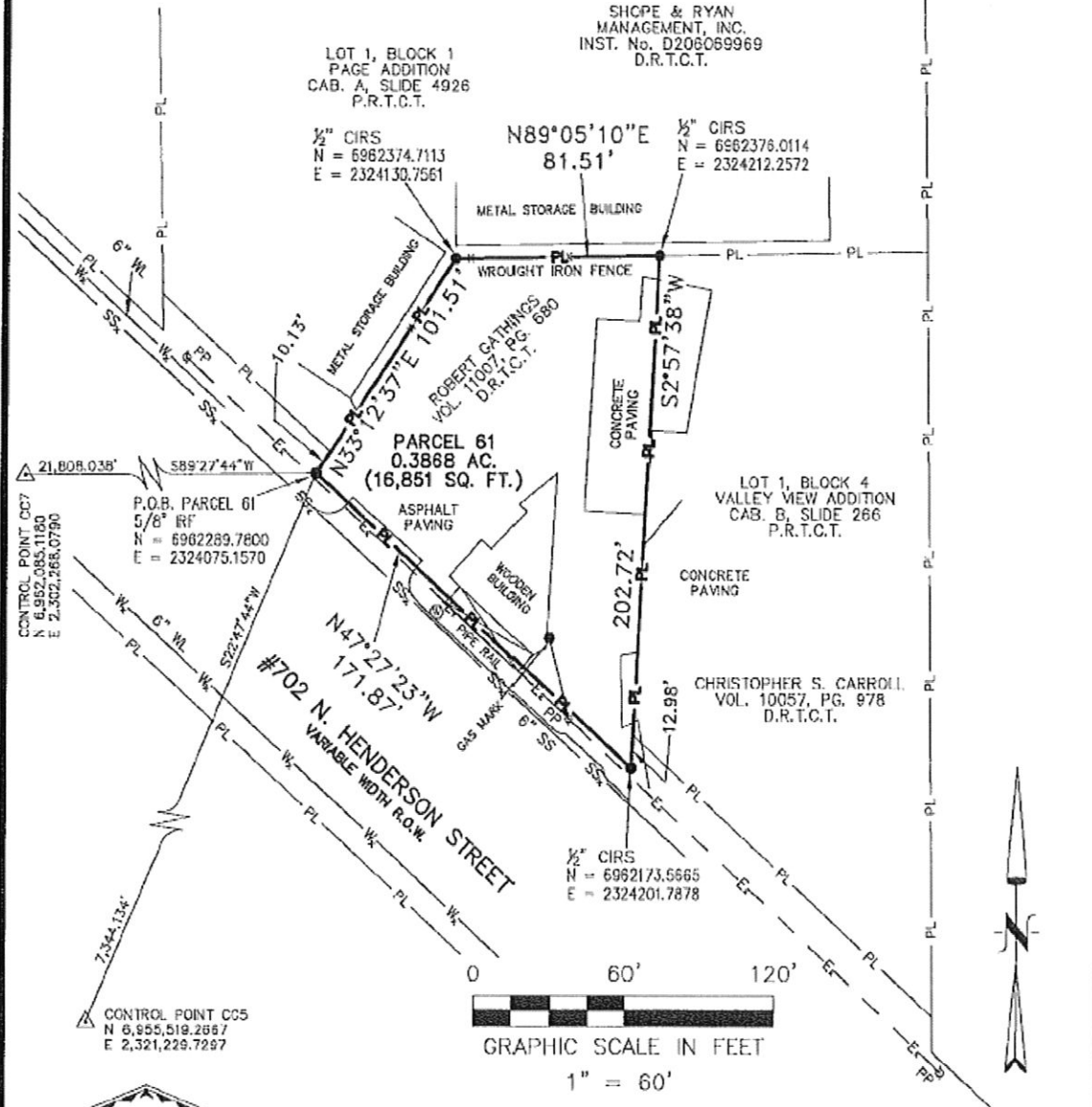
By: Spooner and Associates, Inc.



Surveyors Name: Shaun Spooner
Registered Professional Land Surveyor,
Texas No. 4183
Date of Survey: 2-13-09



RICHARD CROWLEY SURVEY
 ABSTRACT No. 313



PARCEL 61, LAND TITLE SURVEY
 ROBERT GATHINGS

SPOONER & ASSOCIATES
 REGISTERED PROFESSIONAL LAND SURVEYORS


309 BYERS ST. SUITE 100
 EULESS, TX 76039
 PH (817) 281-2355
 FAX (817) 685-8508
 TRINITY RIVER VISION PROJECT PARCEL 61

DATE: 2-13-09
 DRAWN BY: S.G.S.
 CHECKED BY: S.G.S.
 JOB No. 08-097

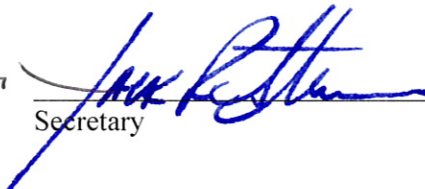
In addition, R. Steve Christian is granted authority to execute all documents necessary to complete this transaction and to pay reasonable and necessary closing costs. Director Stevens seconded the motion and the vote in favor was unanimous

18.

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



President



Secretary