

MINUTES OF A REGULAR MEETING OF TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE, HELD ON TUESDAY, JANUARY 31ST, A.D. 1928, AT 10 O'CLOCK A.M.

At this meeting President W.R. Bennett presided: There were present Directors C.A. Hickman, W.S. Cooke, and E.E. Bewley. W.K. Strippling, Secretary of the Board, was absent from the City: President Bennett thereupon appointed Director C.A. Hickman to serve as Acting Secretary. There were also present the Engineers and Attorneys for the District. At this meeting the following proceedings were had and done, viz:

1st: The minutes of the meeting of January 25th were read. They were approved and ordered of record.

2nd: Thereupon President Bennett called to the attention of the Board the necessity to select a depository for the District, as is required by law. The attorneys for the District thereupon presented formal notice for the filing and opening of sealed bids as is required by the provisions of Article 2544 of the Revised Civil Statutes of Texas. Upon the reading of said notice to bidders, it was moved by Director Hickman, and seconded by Director Bewley, that the President and Secretary of the District do be directed to execute said notice in the manner and form presented: Further that the Secretary of the District do cause said notice to be published once a week for at least 20 days before February 28th, 1928, in some news paper published in this District. Further that a copy of said notice as presented do be now attached to the minutes of this meeting, marked "Exhibit A" and made a part of these minutes. Further that the publishers'

affidavit of publication with a copy of said notice as published attached, do be later attached to the minutes of this meeting as "Exhibit B" and made a part of these minutes. Upon a vote being taken said motion was unanimously carried, and it is so ordered.

3rd: President Bennett thereupon asked for a report from Director Hickman concerning land matters or the present status of the land work. Thereupon Director Hickman stated that the effort to acquire land was not making the progress desired; That he did not think progress could be made until some of the large individual owners had been contracted with at prices satisfactory to the Board, and believed to be a fair value of their land; that the smaller owners were disinclined to enter into contract until the larger owners had signed, and thereby established a basis; that while he felt Mr. Hightower had done good work to overcome the situation, and while he had no criticism to make of his work, he believed that no agent would be able to overcome the present frozen condition; that he believed it necessary at this time for some, or all, members of the Board to make the contacts with the larger owners and seek to come to actual contract. He further stated that it was impossible to fix a time at which this situation might be overcome and that he, for that reason, believed that the expense incident to the employment of Mr. Hightower or any other land agent was probably not a necessary expense; that he believed that Mr. Hightower however, could profitably employ his time between now and February 29th, 1928 in formulating a report concerning all details of his work, and to give his

estimate of the probable cost of each specific piece of land as to which title or easement was desired. Thereupon President Bennett asked Director Hickman if he desired to put his conclusions in a form of a definite motion. Thereupon Director Hickman did move that Mr. Hightower's services as land agent do be discontinued as of February 29th, 1928; further that he do be requested to render the report suggested in the foregoing statement of conclusions on or before February 29th, 1928; Further that Mr. Hightower be promptly advised of this action on the part of the Board. This motion was seconded by Director Bewley. After full discussion a vote was taken and the motion was unanimously carried; It is so ordered.

4th; Thereupon Director Bewley suggested that the land matters created a burden and that he had thought it perhaps well to appoint one or more members of the Board to serve with Director Hickman as a land committee so that there might be quick action as and when favorable contracts could be procured. At this point President Bennett stated that he had been giving a good deal of thought to standing committees and that he came to this meeting prepared to submit for discussion the appointment of four standing committees as follows:

- (a) Committee on engineering/^{and}contracts;
- (b) Committee on organization, office system and the keeping of records;
- (c) Committee on land matters;
- (d) Committee on legal matters.

He stated that he believed such organization would permit facilitate more effectual work and more ~~xxx~~ progress through making it possible to have concrete recommendation come to the Board in all matters.

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Thereupon Director W.S. Cooke moved that the President do appoint four standing committees to be designated as above specified, each committee to be composed of such number of Directors as the President might deem necessary. This motion was seconded by Director Hickman. Upon a vote being taken the motion was unanimously carried. The President thereupon announced that he would reserve the actual appointment of these committees until the next meeting of the Board.

5th: Thereupon President Bennett presented the matter of numerous applications for positions with the Board. He stated that he believed there should be some set policy in handling these matters, and he further believed that the Board should let it be known that this policy was that the Board would preserve files for applications, in certain exceptional cases solicit applications, but would in all cases publicly consider the fitness of all persons as and when occasion for service arose. After general discussion the Board did informally adopt this policy.

6th; President Bennett thereupon requested the engineers and attorneys to present any matter which they might deem proper at this time.

Thereupon Engineer John B. Hawley reported that he, in Austin yesterday, by informal conference with John A. Norris, Chairman of the Board of Water Engineers, and Charles Clark, a member of the Board, did have assurance from them that the application for a permit to store and use water by this District, might properly be filed as one application involving the storage of water in two locations. He also explained that it had been

the policy of the Board of Water Engineers to treat each location for a dam as a separate and independent application. He further explained that the agreement to treat our project as involving one application would save the District \$1500.00 in filing fees; that while this was material, it was very insignificant when compared with other effects, which are

(a) The beginning of construction on either dam would hold the rights, provided there was thereafter reasonable diligence in completing the project as a whole, thus avoiding having the time limits on the beginning of construction run concurrently for both reservoirs;

(b) If the upper reservoir is once carried to completion before there is any necessity to begin construction on the lower reservoir, the flood protection from the upper dam would enable the District to procure materially lowered bids on earthwork in the lower reservoir. He stated that this earth work would be approximately 3,000,000 cubic yards and that the bids under the protected condition would probably be 10¢ per cubic yard lower than would the case if the protection did not exist.

7th: The attorneys for the District thereupon stated that they, for a week past, had been concentrated upon an effort to dispose of four pending suits against the District; that they now believed that they would be able to clear the dockets of all pending litigations within the next week or ten days. This, they stated, would be important, due to the necessity to procure a certificate of no pending litigation before compiling

a bond record.

There being no further business presented to the Board,
the President declared the Board adjourned to meet on Monday, February 6th,
1928, at which time the First Regular Quarterly meeting prescribed by the
statutes would be held.

C. H. Lickner
Acting Secretary.

APPROVED:

W. W. Bennett
President.

"EXHIBIT A"

NOTICE FOR BIDS FOR DEPOSITORY

BY

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE

KNOW ALL MEN BY THESE PRESENTS:

That the Board of Directors of Tarrant County Water Control and Improvement District Number One, in conformity to the provisions of Sections 113 and 114 of Chapter 25 of the Acts of the 39th Legislature of Texas, and the further provisions of the Revised Civil Statutes of Texas, Title 47, Chapter Two, will receive sealed bids on which to base its selection of a District Depository, at its office at 418 Capps Building, Fort Worth, Texas, at any time prior to Tuesday, February 28th, 1928, at 10 o'clock A.M. Any banking corporation, association or individual banker in Tarrant County, Texas, may bid. Each bid must be accompanied by a certified check for not less than \$1625.00, as a guaranty of good faith. If the highest bidder fails or refuses to give bond as required by said Chapter Two, the amount of such certified check shall go to this District as liquidated damages. The successful bidder must be prepared to execute a good and sufficient bond payable to this District and deliver same within five days after the selection of a Depository. Such bond must be in a sum not less than \$350,000.00, the estimated tax income of this District for the current year, and such bidder must be further prepared to give, if required, other and additional bond to cover any funds or

monies which may accrue to the District from the sale of bonds or otherwise, as provided by Article 2548 of the Revised Civil Statutes of Texas. The bidder must be prepared to comply with all requirements of said Chapter 25, and said Title 47, Chapter Two, and especially Articles 2547, 2548 and 2551 of said Chapter Two.

The rate of interest to be bid shall be computed on daily balances to the credit of this District with the selected Depository, and the interest accruing shall be paid monthly to this District for the benefit of such fund as its Board of Directors may direct. The Directors may reject any and all bids.

The sealed bids invited hereby, will be publicly opened by the Directors of this District, at its office, at 10 o'clock A.M. on February 28th, A.D. 1928. The award will be based on the highest and best bid. The certified checks accompanying the bids of those whose bids are rejected will be immediately returned to such bidders.

WITNESS THE EXECUTION HEREOF, this January 31st, A.D. 1928.

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE,

By *C. P. Hickman*
As ~~President~~. Acting Secretary.

ATTEST:

W. M. Bennett
As ~~Secretary~~. President