

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE  
HELD ON THE 7TH DAY OF DECEMBER, 1983 AT 9:30 A. M.

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

PRESENT

Wayne E. Newton  
C. Victor Thornton  
Robert D. Alexander  
Preston M. Geren, Jr.  
Burford I. King

Also present were Messrs. Ben Hickey, General Manager; Bill Hilliard, Assistant General Manager; Jim Nichols and Bob Gooch, Engineers for the District and David Ralston, Attorney 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 November 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 Alexander moved and the motion was seconded by Director Thornton and unanimously approved that the following list of vouchers be approved:

GENERAL FUND: Voucher-checks #4108 thru #4294 inclusive, in the amount of \$1,153,318.11.

DEBT SERVICE: Voucher-checks #261 thru #264 inclusive, in the amount of \$587.99.

REVENUE FUND: Voucher-checks #2185 thru #2284 inclusive, in the amount of \$1,843,113.25.

RICHLAND CHAMBERS PROJECT - CONSTRUCTION FUND:  
Voucher-checks #2534 thru #2758 inclusive, in the amount of \$8,133,092.20.

CEDAR CREEK PROJECT - CONSTRUCTION FUND: Voucher-checks #157 thru #161 inclusive, in the amount of \$4,350,048.35.

CAPITAL PROJECTS: Voucher-checks #126 and #127, in the amount of \$300,000.00.

3.

Meeting Closed.

Meeting Opened.

President Newton stated that during the closed executive session certain matters of pending or possible litigation were discussed.

Following a general discussion and on the recommendaions of Counsel, Engineers and Management of the District, Director Thornton moved, seconded by Director King and unanimously approved, that the District be now authorized to execute settlement agreements, heretofore approved, on the basis of \$238.00 per acre, for the following claims, to wit:

NAVARRO COUNTY

<u>NAMES OF CLAIMANTS</u>	<u>ACRES FLOODED</u>
Donald L. Johnson and wife	89
Joe L. Johnson and wife	16
J. A. Daniel, Jr. and M. J. Woska	443
Kittie Coats Jennings	222
Elnora Massey	72
Robert & Lelia Owen Hamilton	544
John K. Beck	200
E. K. Howell	68.74
William Bazel Strange	47.2
Theo S. Daniel, 3rd	269.75
A. R. Fellrath and wife	79
W. Simmons Estate by M. S. Howell	10
Mrs. Pearl Emerson	141
Richard E. Lohr, Trustee	1,175.9
Diane Coates Lang	151
Placid Oil	261
Louis Wolens Estate	72
Daniel Lake Reserve	339.9
M. Boatwright, L. Boatwright & T. Howard	30
K. R. Scarbrough	23
M. Terry	7
W. B. Strange, R. Strange, D. R. Kyser B. Armstrong and C. A. Armstrong	31.6
W. B. Strange, I. Swank, B. Armstrong, R. L. Strange, O. Strange, D. Dixon, M. Strange and J. L. Strange	6
A. E. Tyus	54

HENDERSON COUNTY

Mrs. A. C. Bentley	124
Mrs. Leon (Mai) Boatwright	265.7
J. W. Cope, Jr.	52
Downald W. Cope	46
William T. Cope	35
Bert Fields, Jr.	1,732.7
Larkin Garrett	30.72
J.L. Gunnels & Geneva Malar	66
R. S. Johnson	34
Key Properties	3,006.45
Opal B. Lewis	88
J. L. & Maudine Gunnels	111.5
Xenia Miller Estate by B. J. Miller	738
Fulton A. Scogin	42
Bruce Smith	2,555.45
Eula Smith Estate by B. Smith	111
D. E. & J. F. Sumerall	97
O. D. Smith	46.33

(b) Mr. Bill Hilliard briefed the Directors on the recommendation of the Advisory Committee to accept and adopt the Freese and Nichols "Report on the Use of Lake Benbrook For Regulating Storage" - 1982. He stated that at the Committee's September 29, 1983 meeting it reaffirmed its adoption of the "Benbrook Report" and its recommendation that right-of-way acquisition begin.

(c) Following discussion of the advisory committee's actions, Mr. Hilliard further stated that the City of Fort Worth is aiding the District in keeping the right-of-way in undeveloped areas clear. It was the recommendation of management that the District adopt the report and commence right-of-way acquisition immediately. Funds for the Benbrook Project should be provided by a separate bond issue, however, since right-of-way costs should not far exceed one million dollars it would be more prudent at this time to use Richland Creek Project funds for said right-of-way. Following discussion, Director Geren moved to adopt the "Report on the Use of Lake Benbrook For Regulating Storage" - 1982 and approve expenditures for right-of-way acquisition from Richland Creek Project funds not to exceed \$1,056,000. Director King seconded the motion and with four voting aye and Director Alexander voting nay it was so ordered.

(d) Mr. Hilliard presented for ~~the~~ consideration a proposed sand and gravel lease submitted by General Portland Inc. The lease provides for a \$0.735 per cubic yard royalty for materials mined, a \$200,000.00 advance royalty, five (5) year term

and reclamation of mined land. District Counsel reviewed the lease submitted and found it satisfactory. Following discussion and on the recommendation of management, Director Alexander moved and Director King seconded the motion to authorize the District to enter into a lease agreement for the sale of sand and gravel to General Portland Inc. on the basis submitted, with four Directors voting aye and Director Geren voting nay it was so ordered. It is directed that the lease agreement be placed in the permanent records of the District.

(e) Mr. Ben Hickey presented for consideration the results of bids taken for the purchase of the following equipment for the Operations Division, to wit:

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

DATE: December 6, 1983  
TO: Ben Hickey  
FROM: Mike Meza  
SUBJECT: Bid of December 2, 1983 Results/Review

Bids were submitted and opened at 10:00 A.M. December 2, 1983 for Two (2) 1984 Model 335 Horsepower Tractors with Blade and Counterweight; One (1) 1984 Model 335 Horsepower Tractor with Blade and Winch; One (1) 1984 Model 140 Horsepower Tractor with Blade and Winch, and One (1) 1984 Model 60 Ton Low Bed Trailer. The results are listed as follows:

PLAINS MACHINERY CO.    DARR EQUIP. CO.    SHAW EQUIP. CO.    WAKESHAU PEARCE

Two (2) New 1984 Model 335 Horsepower Tractors with Blade and Counterweights:

\$450,000.00	\$442,846.00	No Bid	No Bid
No Repurchase Agreement Offered	Repurchase:		
	2 Yr. - \$137,873.00 Ea.		
	3 Yr. - \$122,886.00 Ea.		
	4 Yr. - \$104,903.00 Ea.		

One (1) New 1984 Model 335 Horsepower Tractor with Blade and Winch:

\$252,000.00	\$238,723.00	No Bid	No Bid
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No Repurchase Agree- ment Offered	Repurchase:
	2 Yr. - \$148,582.00
	3 Yr. - \$132,432.00
	4 Yr. - \$113,051.00

One (1) New 1984 Model 140 Horsepower Tractor with Blade and Winch:			
\$126,537.00	\$112,558.00	\$104,568.00	No Bid

One (1) New 1984 Model 60 Ton Four Axle Folding Gooseneck Trailer:

<u>Plains Machinery</u>	<u>Darr Equip.</u>	<u>Shaw Equip.</u>	<u>Wakeshau P.</u>	<u>Transport Systems</u>
No Bid	\$47,662.00	\$49,500.00	No Bid	\$33,784.00

The Operations Division has reviewed the bid results and submits that the District accept the low bid from Darr Equipment Company for the 335 Horsepower Tractors. Regarding the 140 Horsepower Tractor, we further recommend that Darr Equipment Company be awarded that bid as well, though not low, based on the following points:

1. The power train warranty provided by Shaw Equipment Company is for two years or 5,000 hours. That provided by Darr Equipment Company is for three years or 5,000 hours.

2. We have found Caterpillar equipment reliability to be unsurpassed by any competitor. The District has had occasion to lease Fiat equipment for specialized projects. For the duration of the lease repairs of incidental items (replacement of lines, belts...) were numerous and caused significant downtime.

3. Fiat parts are housed in Dallas, Texas. Darr Equipment Company presently maintains a stocked parts trailer near the Richland Chambers job site where the machines will operate. Three trips per day are made to the warehouse in Waco, insuring prompt delivery of parts that might not be available from the parts trailer. Darr Equipment Company backs up parts availability with a guarantee to provide parts free of charge if they are not available within 48 hours.

4. Darr Equipment Company, when requested to repair a machine, will do so within 48 hours or provide a comparable machine at no charge.

5. Incidental Caterpillar parts stocked for other Caterpillar equipment owned by the District are interchangeable, resulting in reduced inventory.

6. District maintenance personnel are experienced in the operation and maintenance of Caterpillar equipment.

7. Caterpillar equipment maintains a high resale and trade-in value.

Regarding the 60 ton low bed trailer, the Operations Division has investigated the low bid presented by Trailer Systems, Inc. for the Model #60-LDD-4WBFG trailer and are satisfied that it meets all specifications and performance standards and therefore recommend that it be accepted.

Management concurred with the Operations Division's recommendations for all units bid.

Following discussion, Director King moved award to Darr Equipment Company for the purchase of three 335 Horsepower Tractors, one 140 Horsepower Tractor and Trailer Systems, Inc. for one 60 ton four axle folding gooseneck trailer. Director Thornton seconded the motion and with the approval of all Directors it was so ordered.

(f) 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 basis for payment, to wit:

- I. Tract No. 240 - 7.2 acres in fee @ \$675.00 per acre from Christine Tucker, et al, Navarro County, Texas.
- II. Tract No. 322 - 199.41 acres in fee @ \$700.00 per acre from Helen Murchison Lander, Sarah Falk and Arnold Falk, Navarro County, Texas.
- III. Tract No. 159 - To approve a written offer of \$36,050.00 for 62.32 acres and \$2,500.00 for improvements to Ben Cherry, et al, Navarro County, Texas. In the event said landowner's reject such offer or upon expiration of 20 days after their receipt of such offer, the District is hereby authorized to begin proceedings in eminent domain necessary for the acquisition of such property.

Following a detailed presentation of the tracts, and upon recommendation of management of the District, Director King

moved, seconded by Director Geren, 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, it was so ordered.

Mr. Hickey presented the results of bids submitted for the sale of two parcels of surplus land for consideration. Following a discussion the Directors asked for reappraisal of both properties. The matter was tabled until new appraisal reports are secured.

4.

Mr. Hilliard presented an abbreviated presentation of the City of Fort Worth's Southwest Freeway plan. District lands are involved at several locations including impact to the District airfield. He said that the City is aware of the impacts and will mitigate same. Further, as to the Fort Worth Floodway the plan has been approved by the Corps of Engineers. The City is desirous of an endorsement of the plan by the Board. A lengthy discussion followed the presentation. With the recommendation of management, Director Thornton made a motion that the District does not object to the proposed route of the Southwest Freeway as presented and will consider the matter again when detailed engineering is complete. Director Alexander seconded the motion and all Directors present voted aye. Director Geren had excused himself from the meeting prior to the vote.



5.

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

  
Robert H. Smith  
Secretary

  
Wayne E. Newton  
President