

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NUMBER ONE
HELD ON THE 4TH DAY OF AUGUST, 1986, AT 10:00 A.M.

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 George W. Shannon Victor W. Henderson	Wayne E. Newton

Also present were Messrs. James M. Oliver, General
Manager; Robert M. Doby, Comptroller; James L. Strawn, Director of
Operations; Alan Thomas, Director of Administration; and Wayne
Owen, Jr., Administrative Assistant.

Others present for presentations included Woody Frossard,
Planning and Development Manager and also George Christie and Stan
Harrell, Legal Counsel for the District. Director Thornton presided
as President and Director Shannon acted as Secretary, whereupon
proceedings were had and done as follows:

1.

On motion made by Director Shannon and seconded by
Director Henderson, and with the assurance from management that all
requirements relating to the "open meetings" law had been followed,
the minutes of the meeting held July 21, 1986, were unanimously
approved and it was accordingly ordered that such minutes be placed
in the permanent files of the District.

2.

Mr. Woody Frossard, Planning and Development Manager for
the District along with Mr. Stan Harrell, updated the Board of

Directors on current activities involved in the resolution of conflicts with oil and gas producers in the construction of the Richland-Chambers Reservoir.

Stan Harrell stated that preparations in advance of filing for condemnation in regard to the Exxon production were continuing. Mr. Harrell also stated that coordinated efforts at finalizing the acquisition of the remaining land in the reservoir below elevation 290 msl were continuing according to plan.

3.

Mr. George Christie, General Counsel for the District, requested that the Board consider authorizing management to grant a partial release of easement to G. Russell Hutchins. Mr. Hutchins' property is unnecessarily burdened by this easement due to the City of Fort Worth's conveyance of a blanket easement to the District for the construction of the Clear Fork Floodway. This portion of the original easement is not required in the maintenance and operation of the Clear Fork Floodway in the area of Holtzer and University Drives. Counsel recommends, and staff concurs, that the Board of Directors authorize a Partial Release of Easement be granted to Mr. Hutchins contingent upon the acquisition of a permit from the United States Army - Corps of Engineers that will require the raising of Holtzer Drive at this location.

With the recommendation of counsel and management, Director Shannon moved to authorize management to grant the Partial Release of Easement for the property owned by Mr. Hutchins at the location along Holtzer Drive contingent upon the issuance of the

necessary permit by the Corps of Engineers requiring the raising of Holtzer Drive. Director King seconded the motion and the vote in favor was unanimous.

4.

Mr. Christie next presented for consideration by the Board of Directors a resolution incorporating an agreement in principle describing the District's commitment to mow and maintain the levee involved with the development of the RiverBend Project along the West Fork of the Trinity River east of Fort Worth. This commitment is founded on the premise that RiverBend will convey to the City of Fort Worth, Texas, the entire Greenbelt area created by the project and that the District assumes no responsibility for the design and integrity of the levee or for its possible failure and subsequent repair in excess of periodic repairs due to usual erosion.

RESOLUTION

OF

BOARD OF DIRECTORS OF TARRANT COUNTY WATER CONTROL
AND IMPROVEMENT DISTRICT NUMBER ONE ESTABLISHING AN
AGREEMENT IN PRINCIPLE OUTLINING THE DISTRICT'S
COMMITMENT TO INVOLVEMENT WITH THE DEVELOPMENT
ALONG THE WEST FORK OF THE TRINITY RIVER EAST OF
FORT WORTH KNOWN AS RIVERBEND.

WHEREAS, the Texas Water Commission May 1, 1986, issued its Permit No. 5034 to RiverBend West, a Texas general partnership, authorizing it to construct and maintain, as part of a project for the re-channelization of West Fork Trinity River and for the construction of a levee (which project is about six (6) miles East-Northeast of the Tarrant County Courthouse and just west of the

bridge of Handley-Ederville Road over the West Fork Trinity River in Fort Worth, Texas), a gated control in the outlet works of the levee shall be so constructed in the floodplain if the West Fork Trinity River creating a reservoir where the levee crosses the old channel of the Trinity River and two new channel dams and resulting reservoirs in the new channel of the River to be created as part of the project, all as more particularly set forth in said Texas Water Commission Permit No. 5034: and WHEREAS, the aforementioned

RiverBend West proposes to convey to the City of Fort Worth, Texas, the entire Greenbelt area created by the project and right-of-way for an extension of Handley-Ederville Road, and

NOW THEREFORE, IT IS HEREBY RESOLVED:

Subject to the preparation and approval by the District of an appropriate agreement or agreements, the District agrees in principle to mow and maintain the levee from the toe of the slope on one side of the levee to the toe of the slope on the other side; to mow and maintain the river channel area between the top of the slope on one side to the top of the slope on the other side; and to maintain the channel dams and gravity flow lines which connect the new channel and the old channel; provided, however, the District assumes no responsibility for the design or integrity of the levee or for its possible failure and subsequent repair or replacement, other than periodic repair of the usual and customary erosion which is experienced by all such river levees.

During consideration of the resolution, the Board expressed considerable concern over the precedent to be established by the resolution.

The commitment to RiverBend would open the District to similar requests from various developers along the river between the terminus of the existing Floodway and the Tarrant/Dallas county line. The concern over this development is based upon the possibility of there being a proliferation of random levee systems and flood control structures. This would preclude a systemized operation and maintenance of a comprehensive floodway to the county line.

Liability considerations are another concern. A fragmented and incremental system of flood control improvements could place the District in an awkward legal position. Secondly, liability questions were raised as to the impact of the additional flood conveyance on downstream interests.

With the condition that the levee system be deeded over to the City of Fort Worth and with the prior concerns noted, Director Shannon moved to adopt the resolution as proposed. Director Henderson seconded the motion and the vote in favor was unanimous.

5.

Motion was made by Director King and seconded by Director Henderson and unanimously approved that the following list of vouchers for the months of May and June, 1986, be approved:

Capital Projects: Voucher-Check Number 172 in the amount of \$1,400,437.81. Total Capital Projects Fund expenditures for the months of May and June, 1986, were \$1,400,437.81. Voucher-Check Number 171 was void.

Cedar Creek Construction Fund: Voucher-Check Number 320 in the amount of \$1,522.86. Total Cedar Creek Construction Fund expenditures for the months of May and June, 1986, were \$1,522.86. Voucher-Check Number 319 was void.

Debt Service: Voucher-Check Number 401 thru 406, inclusive, except for voided Check Numbers 402 and 404. Total Debt service expenditures for the months of May and June, 1986, were \$521,733.77.

General Fund: Voucher-Check Number 9718 thru 10079, inclusive, except for voided Check Numbers 9718, 9757, 9802, 9803, 9814, 9842, 9874, 9890, 9895, 9900, 9911, 9916, 9917, 9982, 10020, 10046, 10062, 10073. Total General Fund expenditures for the months of May and June, 1986, were \$2,503,541.24.

Interest and Redemption Fund: Voucher-Check Number 203 thru 205, inclusive, except for voided Check Number 203. Total Interest and Redemption Fund expenditures for the months of May and June, 1986, were \$3,182,247.90.

Revenue Fund: Voucher-Check Numbers 4778 thru 4939, inclusive, except for voided Check Numbers 4778, 4786, 4791, 4810, 4820, 4837, 4848, 4853, 4856, 4862, 4871, 4893, 4911, 4929, 4934, 4936, 4937. Total Revenue Fund expenditures for the months of May and June, 1986, were \$4,524,525.56.

Richland-Chambers Construction Fund: Voucher-Check Numbers 6021 thru 6285, inclusive, except for voided Check Numbers 6028, 6035, 6039, 6040, 6081, 6092, 6100, 6137, 6151, 6152, 6155, 6157, 6163, 6179, 6182, 6193, 6240, 6264, 6285. Total Richland-Chambers Construction Fund expenditures for the months of May and June, 1986, were \$26,517,020.75.

6.

Mr. James L. Strawn, Director of Operations for the District, requested that the Board of Directors authorize management to award the project of installing 118 feet of 102 inch Section V Richland Chambers Pipeline at Forest Hill Drive based upon the recommendation of Freese and Nichols. This request is founded upon activity authorized by the Board of Directors on July 15, 1986, that declared an emergency, thus giving management the authority to forego formal advertisement and solicitation of bids.

July 29, 1986

Mr. James Strawn
Director of Operations
Tarrant County Water Control and
Improvement District Number One
P. O. Box 4508
Fort Worth, Texas 76106

Re: Richland Creek Pipeline
Crossing Forrest Hill Drive

Dear Mr. Strawn:

Bids were received this date for furnishing and installing 118 feet of 102 inch pipe under Forrest Hill Drive, a portion of Section V of the Richland Creek Pipeline.

One bid was received for furnishing and delivering the pipe as follows:

<u>Bidder</u>	<u>Amount</u>	<u>Time</u>
Gifford-Hill-American P. O. Box 47470 Dallas, Texas 75247 214-262-3600	\$36,928.00	4 weeks

Three bids were received for unloading and installing the pipe as follows:

<u>Bidder</u>	<u>Amount</u>	<u>Time</u>
Martin K. Eby Construction Co. 2565 Gravel St. Fort Worth, Texas 76118 817-589-0921	\$99,000.00	30 days
John D. Stephens, Inc. 1899 Parker Court, P. O. Box 529 Stone Mountain, GA 30087 404-972-8000	\$99,500.00	60 days
H. B. Zachry Co. P. O. Box 21130 San Antonio, Texas 78285	\$107,301.00	-----

We recommend that a Purchase Order be issued to Gifford-Hill-American in the amount of \$36,928.00 for the furnishing and delivering the pipe in accordance with their proposal and the requirements of the specifications.

We recommend that a separate Purchase Order be issued to the low bidder, Martin K. Eby, in the amount of \$99,000.00 for unloading and installing the pipe in accordance with their proposal and the conditions of the Contract Agreement and requirements of the specifications and drawings.

Please advise us of the District's action on this matter and let us know if you need additional information on these proposals. We are attaching a Xerox copy of the proposals.

Very truly yours,

FREESE AND NICHOLS, INC.

/s/ W. Ernest Clement

W. Ernest Clement, P. E.

With the preceding recommendation of management and District Engineer, and with the understanding that all actions heretofore taken upon this matter have followed within the procedural guidelines dictated by the Board of Directors for declaration of an emergency, Director Henderson moved to award the project for the installation of 118 feet of 102 inch Section V Richland-Chambers Pipeline as recommended by Freese and Nichols in their correspondence of July 29, 1986. Director King seconded the motion and the vote in favor was unanimous.

7.

Mr. Strawn next requested approval of an agreement between the District and Texas Power and Light Company. This agreement is for the relocation of two power lines due to the construction of the Richland-Chambers Reservoir. These lines are the Trinidad-Jewett 138 KV Line and the Jewett-Dallas 345 KV Line. The cost for these two relocations is estimated to be \$945,000.00.

With the recommendation of management, Director King moved to approve the agreement between the District and Texas Power and Light Company for the relocation of the Trinidad-Jewett and Jewett-Dallas power lines for an estimated cost of \$945,000.00. Director Shannon seconded the motion and the vote in favor was unanimous.

8.

Mr. James Strawn presented the following land matters involving the East Texas Pipeline System.

8A.

Mr. Strawn requested approval of the acquisition of 0.596 acre in fee for \$12,000.00, plus liquidated damages of \$10,000.00, from Lonnie E. Hagar and wife, Ann M. Hagar, J. Starrett Survey A-1024, Ellis County, Texas. This land is required for the expansion of the Houston Hill Pump Station at Waxahachie to Facilitate the Richland-Chambers Pipeline.

With the recommendation of management, Director King moved to authorize the acquisition of the Hagar tract upon the basis of payment outlined above. Director Henderson seconded the motion and the vote in favor was unanimous.

8B.

Mr. Strawn next requested authorization to acquire 2.00 acres in fee @ \$5,000.00 per acre plus liquidated damages of \$1,000.00 from Joe M. Hodge, Jr., J. Mayor Survey A-588, Navarro County, Texas, Tract #3N-30. It has been determined by Jim Norwood, certified appraiser, that the entire 2.00 acre tract would be sufficiently damaged by the pipeline to warrant the purchase of it in fee at an appraised value of \$2,500.00 per acre.

With the recommendation of management, Director King moved to authorize the purchase of the Hodge tract, number 3N-30 upon the above described basis of payment. Director Shannon seconded the motion and the vote in favor was unanimous.

8C.

Mr. Strawn next requested authorization for the purchase of 0.295 acre in fee for \$1,050.00 from Eunice L. Taylor, et vir, Arnold D. Taylor, J. Loven Survey A-637, Ellis County, Texas, Tract 3E-1b. This tract is also required for the expansion of the Ennis Pump Station Facility.

With the recommendation of management, Director Henderson moved to authorize the purchase of Tract 3E-1b as outlined above. Director Shannon seconded the motion and the vote in favor was unanimous.

8D.

Mr. Strawn next requested authorization for the purchase of 2.04 acres in fee for \$25,600.00 plus \$400 in liquidated damages from Bessie Vlacilek, a widow, Heirs of J. Loven Survey A-637, Ellis County, Texas, Tract 3E-1. This tract is also necessary for the expansion of the Ennis Pump Station facility.

With the recommendation of management, Director Shannon moved to authorize the purchase of Tract 3E-1 as outlined above. Director Henderson seconded the motion and the vote in favor was unanimous.

8E.

Mr. Strawn next requested authorization to acquire 3.90 acres in fee for \$7,000.00, 2.51 acres in easement for \$4,650.00, \$1,650.00 in damages to the remainder of the 3.90 and 2.51 acre

parcels and \$1,000.00 for a ±.30 acre parcel in fee; from Roger Gagnon etux, Margaret K. Gagnon, Heirs of J. Loven Survey A-637, Ellis County, Texas, Tract number 3E-2. The landowner has requested that we purchase the additional .30 acre in fee to avoid leaving him with a virtually useless tract. Total cost of this acquisition to be \$14,300.00.

With the recommendation of management, Director Shannon moved to approve the acquisition of Parcel 3E-2 as presented above. Director King seconded the motion and the vote in favor was unanimous.

8F.

Mr. Strawn next requested authorization to acquire 0.07 acres in easement for \$500.00 as settlement in lieu of condemnation from Robert N. Jones etal, J. Mayor Survey A-588, Navarro County, Texas, Tract number 3N-30.

With the recommendation of management, Director King moved to approve the acquisition of tract number 3N-30 as outlined above. Director Henderson seconded the motion and the vote in favor was unanimous.

8G.

Mr. Strawn next requested authorization to acquire 6.97 acres in fee required for expansion of the Ennis Pump Station. This tract, located in the Heirs of J. Loven Survey A-637, Ellis County, Texas is designated as District tract number 3E-1a. Due to the complicated division of ownership, it is recommended that the heirs of Adolph E. Vlacilek be compensated for the purchase of the following: \$9,500.00 for the fee purchase and \$1,000.00 in damages to Wesley Vrana, a minor, son of Adolph Vlacilek from a prior marriage of \$1,000.00 to Mildred Reeves, wife of Adolph Vlacilek at the time of this death in 1979.

With the recommendation of management, Director Shannon moved to approve the acquisition of Tract Number 3E-1a as outlined above. Director King seconded the motion and the vote in favor was unanimous.

9.

Mr. Strawn next requested the acceptance of the bid submitted by Gateway Ford Truck Sales, Inc. in the amount of \$41,000.00 for a 1987 Ford LT-900 Truck-Tractor.

TARRANT COUNTY WATER CONTROL AND IMPROVEMENT
DISTRICT NUMBER ONE

INTER - OFFICE CORRESPONDENCE

DATE : July 28, 1986
TO : James Strawn
FROM : Mike Meza
SUBJECT: Result of and recommendation regarding bidding for Truck-Tractor Equipment hauling vehicle.

Bids were received and opened at 10:00 A.M. July 18, 1986 for one 1987 model Cab and Chassis Truck-Tractor medium hauling vehicle to replace unit #4-4 destroyed by fire. The results are listed as follows:

Jack Williams Chevrolet Chevrolet Model C70	\$30,788
Gateway Ford Truck Sales Ford Model LT-9000	\$41,000
Lone Star Peterbilt Truck Sales, Inc. Peterbilt Model 349H	\$44,222
Lone Star Volvo White Truck Sales, Inc. White Model WCS64T	\$45,246
Lone Star Volvo White Truck Sales, Inc. White Model WCS64T	\$45,468

Lone Star Peterbilt Truck Sales, Inc. Peterbilt Model 349H	\$46,109
Bruckner's Mack Truck Mack Model R6855ST	\$46,954

The purpose of this truck is to provide medium sized equipment hauling capability by a wide range of operators. The minimum specifications were determined from a balance of factory specifications and relative load requirements.

We have reviewed the bids and recommend that the low bid from Jack Williams Chevrolet for a Chevrolet Model C70 be rejected as it fails to meet critical minimum specifications.

Review of the next lowest bid reveals compliance to all minimum specifications. Therefore, based upon the preceeding, I recommend acceptance of the second lowest bid submitted by Gateway Ford Truck Sales, Inc. for the 1987 Ford LT-9000 truck-tractor.

Please advise.

With the recommendation of management and with the assurance that the item in question was properly advertised for competitive bids, Director Shannon moved to accept the bid submitted by Gateway Ford Truck Sales, Inc. in the amount of \$41,000.00. Director Henderson seconded the motion and the vote in favor was unanimous.

10.

Alan Thomas next reviewed the District's Quarterly Financial Report for the quarter ended June 30, 1986. Mr. Thomas reported that income from the water supply fund had exceeded projections and that customers were receiving credits.

11.

Mr. Strawn presented the Richland Chambers Progress Report for the quarter ended June 30, 1986. Activities are continuing according to schedule toward a closure date in June of 1987.

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

George H. Shannon

Secretary

P. Victor Thornton

President