

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 21st DAY OF JANUARY 2003 AT 9:30 A.M.

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

<u>Present</u>	<u>Absent</u>
George W. Shannon	Brian Newby
Victor W. Henderson	Vacancy
Hal S. Sparks III	

Also present were James M. Oliver, Alan Thomas, Steve Christian, Skip Krause, Woody Frossard, Nancy King, David Marshall, Wayne Owen, Madeline Robson, Sandy Swinnea, Tammi Villanueva, and Mike Witthaus.

Also in attendance were George Christie, legal counsel for the District; Terry Kile of Deloitte & Touche; Jim Daniels of GDS Associates, Inc.; Adelaide Leavens of Streams & Valleys; Dick Fish of Save the Lake; Raul Pena III of Transystems; Rusty Gibson of Freese & Nichols; and Earl Alexander. Director Shannon convened the meeting with the assurance from management that all requirements of the "open meetings" laws had been met.

1.

On a motion made by Director Henderson and seconded by Director Sparks, the Directors unanimously voted to approve the minutes from the meeting held December 17, 2002 and January 13, 2003. It was accordingly ordered that such minutes be placed in the permanent files of the District.

2.

Adelaide Leavens distributed new trail maps and thanked the District for its participation. Dick Fish thanked the District for its participation and help with Save Eagle Mountain Lake.

Earl Alexander expressed his opinion that the Trinity River Vision meetings were positive.

3.

With the recommendation of management, Director Henderson moved to approve the District's Annual Financial Report. Director Sparks seconded the motion and the vote in favor was unanimous.

4.

The President and presiding officer next called an executive session at 10:00 a.m. under Chapter 551.071 of the Government Code to consider pending or contemplated litigation – Gragg lawsuit.

5.

Upon completion of the executive session at 10:15 a.m., the President reopened the meeting.

6.

With the recommendation of management, Director Sparks moved to grant James M. Oliver authority to apply for all permits relating to the Eagle Mountain Connection Project. Director Henderson seconded the motion and the vote in favor was unanimous.

**RESOLUTION OF BOARD OF DIRECTORS
OF TARRANT REGIONAL WATER DISTRICT, A WATER CONTROL AND IMPROVEMENT
DISTRICT
AUTHORIZING APPLICATION TO THE
TEXAS COMMISSION ON ENVIRONMENTAL QUALITY
TO AMEND CERTIFICATE OF ADJUDICATION NOS. 08-5035, 08-4976, and
08-3809, AS AMENDED AND
ANY ADDITIONAL STATE OR FEDERAL PERMITS**

WHEREAS, Tarrant Regional Water District, a Water Control and Improvement District ("District") supplies wholesale raw water for distribution to an existing population of approximately 1.2 million persons;

WHEREAS, the District is fully authorized under Certificate of Adjudication Nos. 08-5035, 08-4976, and 08-3809, as amended, and numerous other existing water rights to divert and use water for the purpose of providing water supply for these persons and for other purposes;

WHEREAS, in order to meet additional demand in part of its service area that cannot be met by its Eagle Mountain and Bridgeport Reservoir water rights and improve operational efficiencies, the District needs to transport water from its existing Richland-Chambers and Cedar Creek reservoirs and pipelines to Eagle Mountain Reservoir and to the Clear Fork of the Trinity River below Lake Benbrook down the bed and banks of the Clear Fork of the Trinity River; and

WHEREAS, Certificate of Adjudication No. 08-4976, as amended, for Cedar Creek Reservoir and Certificate of Adjudication No. 08-5035, as amended, for Richland-Chambers reservoir may require amendment prior to the transport of water from Richland-Chambers and Cedar Creek reservoirs to Eagle Mountain Reservoir and to the Clear Fork of the Trinity River below Lake Benbrook and Certificate of Adjudication 08-3809, as amended, for Eagle Mountain Reservoir, will require amendment in order for the District's customers' diversion and use of this transported water.

NOW, THEREFORE, be it resolved by the Board of Directors of the District:

That the General Manager of the District is hereby authorized on behalf of the Board of Directors to direct the preparation and filing of all applications to state and federal agencies necessary to amend the water rights granted under Certificate of Adjudication Nos. 08-4976, 08-5035, and 08-3809, as amended, or any other water right held by the District as necessary to permit diversions from the Richland-Chambers and Cedar Creek reservoirs for transport into Eagle Mountain Reservoir and the Clear Fork of the Trinity River, to authorize the use of the bed and banks of the Clear Fork of the Trinity River below Lake Benbrook for the transport of such diversions, and to allow for the District's customers' diversion and use of this transported water;

That the General Manager is authorized and directed to approve and sign such applications on behalf of the District and to provide for District payment of all necessary fees for application, water use, notice, and similar regulatory requirements; and

That the General Manager is authorized further to appear and arrange for the appearance of persons representing the District at administrative hearings, appeals if necessary, and other legal proceedings on such applications, and on behalf of the Board of Directors to otherwise pursue authorization for diversion and use out of the Eagle Mountain reservoir and the Clear Fork

of the Trinity River of water transported from the Richland-Chambers and Cedar Creek reservoirs.

ADOPTED AND APPROVED this _____ day of _____, 2003.

TARRANT REGIONAL WATER DISTRICT,
A WATER CONTROL AND IMPROVEMENT DISTRICT

By: _____
President, Board of Directors

ATTEST:

Secretary, Board of Directors

7.

With the recommendation of management, Director Sparks moved to approve a contract with TranSystems Corporation Consultants for land surveying and mapping for the Eagle Mountain Connection Project for a cost not to exceed \$906,380. Funding for this contract is included in the Eagle Mountain Connection Fund. Director Henderson seconded the motion and the vote in favor was unanimous.

8.

With the recommendation of management, Director Sparks moved to allow the Oil and Gas Committee to make contract determination to supply electrical service to the District's unregulated pump stations. In addition, James M. Oliver is granted authority to execute the agreement. Funding for this contract is included in the FY 2003 Revenue Fund budget in the amount of \$4,716,295. Director Henderson seconded the motion and the vote in favor was unanimous.

9.

With the recommendation of management, Director Henderson moved to approve the purchase of (1) Track Loader to be assigned to the Eastern Division Reservoir Operations for the lowest conforming bid of \$177,866.32 submitted by RDO Equipment. Funding for this purchase is included in the FY 2003 Revenue Fund budget. Director Sparks seconded the motion and the vote in favor was unanimous.

10.

With the recommendation of management, Director Sparks moved to approve a contract for job shop services to provide routine and emergency repair of pumps, valves and other equipment related to the District's pumping operation for the lowest conforming bid of \$50 an hour with a mark-up of 20% on materials, submitted by Smith Pump Co. Director Henderson seconded the motion and the vote in favor was unanimous.

11.

With the recommendation of management, Director Henderson moved to approve the purchase of dry limestone screenings for Trinity Trail construction and repair from Bellaire Drive to the Colonial Dam with a minimum of 1,800 tons of screening for the low bid of \$3.00 per ton submitted by Martin Marietta; and crushed limestone rock for road repairs, construction of French drains and pipeline repairs for the bid of \$5.90 per ton submitted by Hanson Aggregates. Funding for these purchases is included in the FY 2003 General Fund budget. Director Sparks seconded the motion and the vote in favor was unanimous.

12.

With the recommendation of management, Director Sparks moved to approve the purchase and installation of 1,680 linear feet of 5-gauge galvanized sheet-piling retaining wall capped with a 3-foot concrete sidewalk at the Cedar Creek compound for the low bid of \$382,500 submitted by Shirley and Sons Construction Company. Funding for this project is included in the FY 2003 Revenue Fund budget. Director Henderson seconded the motion and the vote in favor was unanimous.

13.

With the recommendation of management, Director Henderson moved to approve the purchase of seven (7) three-bay consoles at the pump stations and the SCADA room in the Fort Worth Administration Office for the amount of \$2,352.80 each for a total of \$16,469.60 submitted by Kemp Industries. Funding for this project is included in the FY 2003 Revenue Fund budget. Director Sparks seconded the motion and the vote in favor was unanimous.

14.

With the recommendation of management, Director Sparks moved to approve the purchase of seven complete uninterrupted power supply (UPS) systems for computer peripherals at pump stations for the low bid of \$10,990 submitted by CDWG. Funding for this project is included in the FY 2003 Revenue Fund budget. Director Henderson seconded the motion and the vote in favor was unanimous.

15.

With the recommendation of management, Director Sparks moved to approve the Contract Modification (Change Order Number 1) to the Richland-Chambers Lake Pump Station Vertical Pump Addition Project – Electric Power and Control Systems in the amount of \$33,456 for a new adjusted contract of \$878,356 with WHF Electrical Contractors, Inc. Funding for this project is included in the Construction and Improvement Fund. Director Henderson seconded the motion and the vote in favor was unanimous.

16.

With the recommendation of management, Director Henderson moved to approve the release of retainage in the amount of \$27,211 and close out of contract with Craig Olden Inc. for the Richland-Chambers Discharge Channel Slope Repair Project. This project is an unbudgeted repair in the Revenue Fund. Director Sparks seconded the motion and the vote in favor was unanimous.

17.

The Board was updated on the Vulnerability Assessment on District facilities.

18.

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

George N. Shannon
President

Harold S. Jenkins
Secretary