

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 14th DAY OF MAY 2019 AT 1:30 P.M.

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

Present
Jack Stevens
Marty Leonard
Leah King
James Hill
Jim Lane

Also present were Jim Oliver, Alan Thomas, Dan Buhman, Darrell Beason, Steve Christian, Linda Christie, Randall Cocke, Dustan Compton, JD Granger, Rachel Ickert, Nancy King, Chad Lorance, David Marshall, Mick McGuire, Sandy Newby, Wayne Owen, Kirk Thomas, and Ed Weaver of the Tarrant Regional Water District (District or TRWD).

Also in attendance were George Christie, Lee Christie, Ethel Steele, Mike Atchley, and Jeremy Harmon of Pope, Hardwicke, Christie, Schell, Kelly & Taplett, L.L.P., General Counsel for the District; Max Baker; Ron Lemons of Freese and Nichols, Inc; Molly Carson and Alan Raynor of McCall, Parkhurst & Horton L.L.P; C.B. and Lauren Team; Brooke Goggans of Mosaic Strategy Partners; Chris Roach of Unified Services of Texas - General Construction; Jack Douglas and Jose Sanchez of KXAS-TV; David Terrell of Unified Services of Texas; Mark Caffey; and Carl Walker of Central Concrete Pumping.

President Stevens convened the meeting with 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 Pledges of Allegiance to the U.S. and Texas flags.

2.

On a motion made by Director Leonard and seconded by Director King, the Directors voted unanimously to approve the minutes from the Board meeting held on April 16, 2019. It was accordingly ordered that these minutes be placed in the permanent files of the District.

3.

Nancy King presented to the Board of Directors the official returns of the election for two (2) Directors conducted by the District on May 4, 2019. The Directors, acting as canvassing authority for the election, publicly examined and did formally canvass the election returns in accordance with Texas law. Out of 412,150 registered voters, there were 39,318 ballots cast. The tabulation reflects that Marty Leonard and Jim Lane were duly elected to the Board, and President Stevens recommended that the Board certify them as duly elected members of the Board of Directors of Tarrant Regional Water District, and declare the election results to be as shown on the tabulation.

Director Hill moved that the Board of Directors find and declare that the results were as follows:

<u>Candidate:</u>	<u>Votes Received:</u>	<u>Percentage:</u>
Leonard	18,215	30.11%
Team	9,776	16.16%
Lane	13,795	22.81%
Kelleher	10,395	17.19%
Moates	8,306	13.73%

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

4.

According to the results of the election for two (2) Tarrant Regional Water District Board of Directors, Marty Leonard and Jim Lane were administered the Oaths of Office by Jack Stevens, President.

5.

With the recommendation of management, Director Leonard moved to approve a Memorandum of Understanding between the District and the City of Dallas and a Memorandum of Understanding with the North Texas Municipal Water District (NTMWD) for shared participation in the regional water conservation public awareness campaign and to authorize the General Manager, or his designee, to enter into such agreements and use budgeted funds, as necessary, for creative, production and media buys for the regional water conservation public awareness campaign in an amount that does not exceed the total sum (including contributions from Dallas and NTMWD) of \$1,750,002. In accordance with the proposed MOUs, the District's shared contribution for the regional campaign is \$583,334 and Dallas and NTMWD will each provide \$583,334, for a total contribution by them of \$1,166,668. Funding for the item is included in the Fiscal Year 2019 Revenue Fund Budget. Director Lane seconded the motion and the vote in favor was unanimous.

6.

With the recommendation of management, Director King moved to approve adoption of a Resolution expressing concern for the proposed United States Army Corps of Engineers (USACE) rulemaking on water supply. The Resolution requests USACE

rescind the current proposed rule detailing and monitoring use of stored water in USACE reservoirs. Director Hill seconded the motion and the vote in favor was unanimous.

7.

With the recommendation of management, Director Leonard moved to approve Amendment Number One to the 2018 Additional Party Raw Water Supply contract with the City of Midlothian. The proposed amendment increases the annual maximum amount of raw water available to Midlothian from the District by 1.86 MGD, increasing Midlothian's annual not-to-exceed amount from 10.33 MGD / 11,587.36 acre-feet per year to 12.19 MGD / 13,654.55 acre-feet per year. The amendment also requires that Midlothian/Sardis Lone Elm pay a buy-in premium of \$1,213,237 per MGD of supply within 60 days of execution. The payment due from Midlothian / Sardis Lone Elm will be \$2,256,620.82. In addition, the amendment increases Midlothian's annual minimum requirement. Director King seconded the motion and the vote in favor was unanimous.

8.

With the recommendation of management, Director Lane moved to approve materials and contract services with Ener-Tel Services, LLC in an amount not-to-exceed \$150,000 to refresh fiber optic and copper network connectivity at the Fort Worth campus. Funding for this item is included in the Fiscal Year 2019 General Fund. Director Hill seconded the motion and the vote in favor was unanimous.

9.

With the recommendation of management, Director Lane moved to approve a contract with The Fain Group, Inc. in the amount of \$1,750,000 to construct the Treated Water Canal A Sand Boil Mitigation Project at the George W. Shannon Wetlands. Funding

for this item is included in the Bond Fund. Director King seconded the motion and the vote in favor was unanimous.

10.

With the recommendation of management, Director Leonard moved to approve release of retainage, final payment in the amount of \$556,014.63, and contract closeout with BAR Constructors, Inc. for the Joint Cedar Creek Lake Pump Station Intake Project of the Integrated Pipeline. The original contract value was \$19,741,750; after accounting for approved credit change orders to date totaling \$781,535.91, the final contract value is \$18,960,214.09. Funding for this contract is included in the Bond Fund. Director Hill seconded the motion and the vote in favor was unanimous.

11.

Trinity River Vision Authority (TRVA) Board Members Jim Oliver and James Hill presented an update on the TRVA Board.

12.

Sandy Newby, District Finance Director, presented a review of the Extendable Commercial Paper (ECP) Program in the General Fund.

13.

Staff Updates

- Trinity River Vision Project Funding
- System Status Update

14.

Public Comment

There were no persons from the general public requesting the opportunity to address the Board of Directors.

The Board of Directors recessed for a break from 2:13 p.m. to 2:20 p.m.

15.

The presiding officer next called an executive session at 2:20 p.m. under Texas Government Code, Section 551.071 to Consult with Legal Counsel on a Matter in Which the Duty of Counsel Under the Texas Disciplinary Rules of Professional Conduct Clearly Conflicts with Chapter 551, Texas Government Code and to Conduct a Private Consultation with Attorneys Regarding Pending or Contemplated Litigation (*Tarrant Regional Water District v. David Elton Teague, et al, Cause No. 2018-004942-2 in the County Court at Law No. 2, Tarrant County, Texas*); and under Section 551.072 to Deliberate the Purchase, Exchange, Lease or Value of Real Property. Upon completion of the executive session at 2:40 p.m., the President reopened the meeting.

16.

With the recommendation of management, Director Hill moved to approve the settlement of claims in the Integrated Pipeline Project – Teague (IPL Parcel No. 105) lawsuit for the amount of \$165,000. Funding for this settlement is included in the Bond Fund. Director King seconded the motion and the vote in favor was unanimous.

17.

With the recommendation of management, Director Lane moved to approve the exchange of real property with Panther Acquisitions Partners, Ltd. for LaGrave Field and an adjacent parcel. Director Leonard seconded the motion and the vote in favor was unanimous.

18.

With the recommendation of management, Director Lane moved to approve the

lease of LaGrave Field and an adjacent parcel to Save La Grave Foundation. Director King seconded the motion and the vote in favor was unanimous.

19.

There were no future agenda items approved.

20.

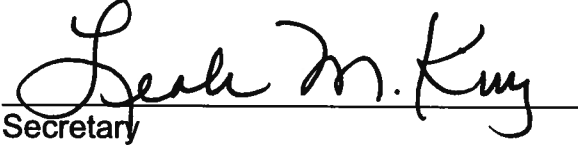
The next board meeting was scheduled for June 18, 2019 at 9:00 A.M.

21.

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



President



Secretary