

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 20th DAY OF APRIL 2021 AT 9:00 A.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

Directors Stevens, Leonard and Lane appeared in person. Directors King and Hill appeared via videoconference. Also present were Jim Oliver, Alan Thomas, Dan Buhman, Heather Bass, Darrell Beason, Shanna Cate, Steve Christian, Linda Christie, Dustan Compton, Woody Frossard, Ellie Garcia, Jason Gehrig, JD Granger, Rachel Ickert, Nancy King, Mick Maguire, Betsy Marsh, Sandy Newby, Wayne Owen, and Ed Weaver of the Tarrant Regional Water District (District or TRWD).

Also in attendance, in person or by videoconference, were Lee F. Christie, Ethel Steele and Mike Atchley of Pope, Hardwicke, Christie, Schell, Kelly & Taplett, L.L.P., General Counsel for the District.

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.

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

3.

On a motion made by Director Lane and seconded by Director King, the Directors voted unanimously to approve the minutes from the Board meeting held on March 16, 2021. It was accordingly ordered that these minutes be placed in the permanent files of the District.

4.

With the recommendation of management, Director Leonard moved to approve an agreement in the amount of \$117,470 with Glass House Strategy to manage and develop new marketing material for the sixth year of the regional water conservation public awareness campaign, "Water Is Awesome." In addition, the General Manager or his designee is granted authority to enter into such agreements and to use budgeted funds as necessary for production and media buys for the regional water conservation public awareness campaign in an amount not-to-exceed \$1,932,532. Funding for this item is included in the Fiscal Year 2021 Revenue Fund Budget. Director Lane seconded the motion and the vote in favor was unanimous.

5.

With the recommendation of management, Director Leonard moved to approve renewal of the Trinity River Authority - Freestone Power Generation LP water sales contract with Freestone Power Generation, LLC. Director Lane seconded the motion and the vote in favor was unanimous.

6.

With the recommendation of management, Director Hill moved to approve a purchase in the amount of \$740,056 from Marine & Industrial Hydraulics, Inc. for six Trident self-contained electro-hydraulic split unit actuators and control panels for the

Richland-Chambers Lake pump station. Funding for this item is included in the Bond Fund. Director Lane seconded the motion and the vote in favor was unanimous.

7.

With the recommendation of management, Director Lane moved to approve Contract Amendment Number 3 in the not-to-exceed amount of \$2,396,900.58 with Freese and Nichols, Inc. for Integrated Pipeline Project Program and Construction Management Services. Funding for this item is included in the Bond Fund and City of Dallas Revenue Bonds. Director Leonard seconded the motion and the vote in favor was unanimous.

8.

With the recommendation of management, Director Lane moved to approve Contract Amendment Number 3 in the not-to-exceed amount of \$6,809,689 to the Plus Six Engineering, LLC Professional Services Agreement for Integrated Pipeline Project Program and Construction Management Services. Funding for this item is included in the Bond Fund and City of Dallas Revenue Bonds. Director Leonard seconded the motion and the vote in favor was unanimous.

9.

With the recommendation of management, Director Leonard moved to approve a contract in the amount of \$171,591 with Windstream Communications to provide telecommunications services at the Joint Booster 3 Pump Station site and future Lake Palestine Pump Station site. Funding for this item is included in the Fiscal Year 2021 General Fund Budget. Director Lane seconded the motion and the vote in favor was unanimous.

10.

With the recommendation of management, Director Lane moved to approve a contract in the amount of \$232,954 with Electro Systems Engineers, Inc. for the purchase of microwave radio equipment, and a service contract in the amount of \$119,706 with Huffman Communications for the installation of purchased radio equipment at the Kennedale Balancing Reservoir site. Funding for this item is included in the Bond Fund. Director King seconded the motion and the vote in favor was unanimous.

11.

Trinity River Vision Authority (TRVA) Board Member James Hill presented an update regarding the TRVA Board.

12.

Staff Updates

- TRVA Update
- CIP Update
- Social Responsibility Update
- Water Resources Update
- Water Conservation Update
- Events and Programming Update

13.

With the recommendation of management, Director Lane moved to approve a resolution honoring Wayne Owen on his retirement from the District following 36 years of dedicated service. Director Leonard seconded the motion and the vote in favor was unanimous.

14.

The Board next held an Executive Session commencing at 10:25 a.m. under 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. 4WS Cedar Creek Ranch, Ltd., et al.*, Cause No. 00310-CCL2-16 in the County Court at Law No. 2 of Henderson County, Texas); Section 551.072 to Deliberate the Purchase, Exchange, Lease or Value of Real Property; and Section 551.074 to Deliberate Regarding Personnel Matters.

Upon completion of the executive session at 10:50 a.m., the President reopened the meeting.

15.

With the recommendation of management and General Counsel, Director Hill moved to approve the settlement of claims in the Integrated Pipeline Project - 4WS Cedar Creek Ranch. Ltd. (628) lawsuit for payment in the sum of \$850,000. Funding for this settlement is included in the Bond Fund. Director Lane seconded the motion and the vote in favor was unanimous.

16.

With the recommendation of management, Director Hill moved to grant authority to acquire, a permanent easement interest in, over, under, and across the following described property, including any improvements thereon, for the public use and purpose of construction and operation of the Integrated Pipeline Project by purchase or, if negotiations to acquire the property by purchase are unsuccessful, by the use of the

power of eminent domain. The motion was made in the form provided by Chapter 2206, Texas Government Code. Funding for this acquisition is included in the Bond Fund.

- **IPL Parcel 732
(Williams)**

A permanent easement in, over, and across 10.125-acre tract of land out of the Phillip Jackson League, Abstract Number 392, Henderson County, Texas, and being a portion of a called 116.256-acre tract described in the deed to Fredrick L. Williams and Donna Jo Williams, recorded in Volume 1994, Page 354, Official Public Records of Henderson County, Texas, such tract being further described in the accompanying resolution and in the survey plat for Parcel 732 attached hereto for the appraised purchase price of \$59,500.

Exhibit 'A'
Property Description

Being a 10.125 acre (441,048 square feet) tract of land out of the Phillip Jackson League, Abstract Number 392, Henderson County, Texas, and being a portion of a called 116.256 acre tract described in the Warranty Deed with Vendor's Lien to Fredrick L. Williams and Donna Jo Williams, recorded in Volume 1994, Page 354, Official Public Records of Henderson County, Texas, (O.P.R.H.C.T.) and being further described as follows:

COMMENCING at a 2-inch iron pipe found along the northerly line of a called 49.561 acre tract described in the Warranty Deed with Vendor's Lien to John Karamanos and Stella Karamanos, recorded in Document Number 2018-00003839, of said O.P.R.H.C.T., the southeast corner of a called 77.019 acre tract described in the Warranty Deed to Larry H. Fitzhugh, and Karen K. Fitzhugh, recorded in Volume 2100, Page 862, of said O.P.R.H.C.T., and the southwest corner of a tract described in the Warranty Deed to Rainbo Club, Inc., recorded in Volume 491, Page 280, Deed Records of Henderson County, Texas, (D.R.H.C.T.), from which a railroad spike found for the southwest corner of the remainder of a called 28.576 acre tract described in the Warranty Deed with Vendor's Lien to Jere Randall Skiles and Mary Dale Skiles, recorded in Volume 1883, Page 90 of said O.P.R.H.C.T., and the northwest corner of said 49.561 acre Karamanos tract, also being in the apparent east right of way line of County Road 4515 (C.R. 4515) (variable width right of way)(no deed of record found), bears N 83°18'04" W, a distance of 3,424.01 feet;

THENCE N 03°30'02"E, with the west line of said Rainbo Club, Inc. tract and the east line of said 77.019 acre Fitzhugh tract, a distance of 325.44 feet to a calculated point for corner;

THENCE N 00°31'34"E, with the west line of said Rainbo Club, Inc. tract, and the east line of said 77.019 acre Fitzhugh tract, a distance of 22.24 feet to the northeast corner of said 77.019 acre Fitzhugh tract and the southeast corner of a 15.827 acre tract described as Tract #2 in the Warranty Deed with Vendor's Lien to Monte Montgomery and Lisa Montgomery, recorded in Volume 2278, Page 600, of said O.P.R.H.C.T.;

THENCE N 00°26'10"E, with the east line of said 15.827 acre Montgomery tract and the west line of said Rainbo Club, Inc. tract, a distance of 301.13 feet to the northwest corner of said Rainbo Club, Inc. tract and the southwest corner of said 116.256 acre Williams tract;

THENCE N 02°18'42"W, with the west line of said 116.256 acre Williams tract and the east line of said 15.827 acre Montgomery tract, a distance of 96.53 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" for the southwest corner of the tract herein described and the **POINT OF BEGINNING** (N: 6,732,499.428, E: 2,822,223.619 Grid);

- (1) **THENCE N 02°18'42"W**, with the west line of the tract herein described, the west line of said 116.256 acre Williams tract, and the east line of said 15.827 acre Montgomery tract, a distance of 150.06 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set for the northwest corner of the tract herein described;
- (2) **THENCE N 89°15'21" E**, with the north line of the tract herein described and across said 116.256 acre Williams tract, a distance of 2,393.36 feet to a calculated point for corner;
- (3) **THENCE N 88°09'08" E**, with the north line of the tract herein described and across said 116.256 acre Williams tract, a distance of 549.90 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set in the east line of said 116.256 acre Williams tract and the west line of a 2,492.39 acre tract described in the Special Warranty Deed to DTY Ranch, LP, recorded in Document Number 2017-00019159, of said O.P.R.H.C.T., for the northeast corner of the tract herein described;
- (4) **THENCE S 00°03'31" E**, with the east line of the tract herein described, the east line of said 116.256 acre tract and the west line of said 2,492.39 acre DTY Ranch tract, a distance of 145.54 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set for corner;
- (5) **THENCE S 04°34'07" E**, with the east line of the tract herein described, the east line of said 116.256 acre tract and the west line of said 2,492.39 acre DTY Ranch tract, a distance of 4.54 feet to a 5/8-inch iron rod with a yellow cap stamped "SAM LLC" set for the southeast corner of the tract herein described, the southeast corner of said 116.256 acre Williams tract and the northeast corner of said Rainbo Club, Inc. tract;
- (6) **THENCE S 88°09'08" W**, with the south line of the tract herein described, the south line of said 116.256 acre Williams tract, and the north line of said Rainbo Club, Inc. tract, a distance of 547.02 feet to a calculated point for corner;
- (7) **THENCE S 89°15'21" W**, with the south line of the tract herein described, a distance of 2,390.70 feet to the **POINT OF BEGINNING** and containing 10.125 acres (441,048 square feet) of land.

NOTE: Basis of bearing is the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (NAD 83)(2007) with all distances adjusted to surface by project combined scale factor of 0.9999804020.

NOTE: Plat to accompany this legal description.

NOTE: All 5/8-inch iron rods set have a yellow cap stamped "SAM LLC."

I do certify on this 21st day of October, 2019, to Fidelity National Title Insurance Company and Tarrant Regional Water District, that a survey was made on the ground as per the field notes shown on this survey and is true and correct according to the standards of the Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition (IV) Survey, and accurate as to the boundaries and areas of the subject property and the size, location and type of buildings and improvements, if any, and shows the location of all visible easements and rights-of-way and the rights-of-way, easements and other matters of record as listed in Schedule B of the Commitment for Title issued by Fidelity National Title Insurance Company, with an effective date of December 2, 2019, issued date of December 10, 2019 GF # 15-042-DD affecting the subject property and listed in Exhibit "A-1" attached hereto.

Except as shown on the survey: (i) there are no visible encroachments upon the subject property by visible improvements on adjacent property, (ii) there are no visible encroachments on adjacent property, streets or alleys by any visible improvements on the subject property, and (iii) there are no visible conflicts or discrepancies.

This survey substantially complies with the current Texas Society of Professional Surveyors Standards and Specifications for a Category 2, Condition IV Survey.



Michael A. Medina
Registered Professional Land Surveyor
No. 6692 State of Texas

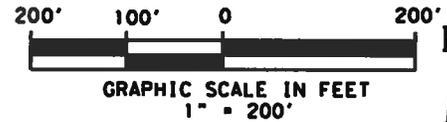
Dated: December 2, 2019

SURVEYING AND MAPPING, LLC
Texas Firm Registration No. 10064300
1341 W. Mockingbird Lane
Suite 400W
Dallas, Texas 75247
241-631-7888

LEGEND

- P. O. B. POINT OF BEGINNING
- P. O. C. POINT OF COMMENCING
- D. R. H. C. T. DEED RECORDS, HENDERSON COUNTY, TEXAS
- O. P. R. H. C. T. OFFICIAL PUBLIC RECORDS HENDERSON COUNTY, TEXAS
- SET 5/8" IRON ROD W/YELLOW PLASTIC CAP STAMPED "SAM LLC"
- FOUND IRON ROD AS NOTED
- ▲ CALCULATED POINT

**EXHIBIT "A"
PARCEL 732**



RIGHT-OF-ENTRY NOT GRANTED AT THE TIME OF SURVEY

FREDRICK L. WILLIAMS AND DONNA JO WILLIAMS
VOL. 1994, PG. 354
O.P.R.H.C.T.
(CALLED 116.256 ACRES)

**IPL PARCEL 731
MONTE MONTGOMERY AND LISA MONTGOMERY
VOL. 2278, PG. 600
"TRACT # 2"
O.P.R.H.C.T.
(CALLED 15.827 ACRES)

N89°15'21"E 2,393.36'
PARCEL 732
ACRES 10.125
441,048 SQ. FT.

PHILLIP JACKSON LEAGUE
A-392

P.O.B.
N:6,732,499.428
E:2,822,223.619
GRID

S89°15'21"W 2,390.70'

MATCHLINE SEE SHEET 5

M.J. JAREL SURVEY
A-402

COUNTY ROAD 4515
(VARIABLE WIDTH RIGHT-OF-WAY
(NO DEED OF RECORD FOUND))

JERE RANDALL SKILES AND SPOUSE, MARY DALE SKILES
VOL. 1883, PG. 90
O.P.R.H.C.T.
(REMAINING PORTION OF CALLED 28.576 AC.)

**IPL PARCEL 1164
JOHN C. KARAMANOS AND STELLA Y. KARAMANOS CO-TRUSTEES OF THE KARAMANOS FAMILY TRUST DATED MARCH 13, 2017
DOC. NO. 2019-00008359
O.P.R.H.C.T.
(CALLED 19.733 ACRES)

RAINBO CLUB, INC.
VOL. 491, PG. 280
D.R.H.C.T.

**IPL PARCEL 1130
LARRY H. FITZHUGH AND KAREN K. FITZHUGH, HUSBAND AND WIFE
VOL. 2100, PG. 862
O.P.R.H.C.T.
(CALLED 77.019 ACRES)

L3
L2
L1
N 00°26'10" E 301.13'
N 03°30'02" E 325.44'
N 00°31'34" E 22.24'
N 02°18'42" W 96.53'
N 02°18'42" W 150.06'

W.D. COWAN SURVEY
A-150

**IPL PARCEL 1163
JOHN KARAMANOS AND STELLA KARAMANOS
DOC. NO. 2018-00003839
O.P.R.H.C.T.
(CALLED 49.561 ACRES)

GENERAL NOTES:

1. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE LOCATION OF ANY UNDERGROUND UTILITIES, WHICH MAY AFFECT THE USE, OR DEVELOPMENT OF THE SUBJECT AREA.

NOTE: LEGAL DESCRIPTION TO ACCOMPANY THIS PLAT

LINE TABLE

NO	BEARING	DISTANCE
L1	N 00°31'34" E	22.24'
L2	N 02°18'42" W	96.53'
L3	N 02°18'42" W	150.06'

1341 W. MOCKINGBIRD LANE
SUITE 400W
DALLAS, TEXAS 75247
(214) 631-7888
FAX: (214) 631-7103

FILE NAME: Parcel 732.DGN
PROJ NO: 1018045677
SCALE: 1"=200'
DATE: 01/09/2020
DRAWN BY: MR
CHECKED BY: MM
REVISED DATE:

PRINTED ON:
03/11/2020
02:30 PM

SHEET TITLE
**EXHIBIT "A"
SEGMENT 19-1, PARCEL 732
FREDRICK L. WILLIAMS
AND DONNA JO WILLIAMS**

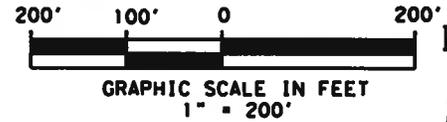
PROJECT
INTEGRATED PIPELINE PROJECT

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM (NAD83) (2007) WITH ALL DISTANCES ADJUSTED TO SURFACE BY PROJECT COMBINED SCALE FACTOR 0.9999804020.

LEGEND

- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- D.R.H.C.T. DEED RECORDS,
HENDERSON COUNTY, TEXAS
- O.P.R.H.C.T. OFFICIAL PUBLIC RECORDS
HENDERSON COUNTY, TEXAS
- SET 5/8" IRON ROD W/YELLOW
PLASTIC CAP STAMPED "SAM LLC"
- FOUND IRON ROD AS NOTED
- ▲ CALCULATED POINT

EXHIBIT "A"
PARCEL 732



FREDRICK L. WILLIAMS
AND DONNA JO WILLIAMS
VOL. 1994, PG. 354
O.P.R.H.C.T.
(CALLED 116.256 ACRES)

PHILLIP JACKSON LEAGUE
A-392

RIGHT-OF-ENTRY NOT
GRANTED AT THE
TIME OF SURVEY

N89°15'21"E 2,393.36'

PARCEL 732
ACRES 10.125
441,048 SQ. FT.

S89°15'21"W 2,390.70'

RAINBO CLUB, INC.
VOL. 491, PG. 280
D.R.H.C.T.

M.J. JAREL SURVEY
A-402

MATCHLINE SEE SHEET 4

MATCHLINE SEE SHEET 6

GENERAL NOTES:

1. SUBSURFACE AND ENVIRONMENTAL CONDITIONS WERE NOT EXAMINED OR CONSIDERED AS A PART OF THIS SURVEY. NO STATEMENT IS MADE CONCERNING THE LOCATION OF ANY UNDERGROUND UTILITIES, WHICH MAY AFFECT THE USE, OR DEVELOPMENT OF THE SUBJECT AREA.

NOTE: LEGAL DESCRIPTION TO ACCOMPANY THIS PLAT



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SUITE 400W
DALLAS, TEXAS 75247
(214) 631-7888
FAX: (214) 631-7103

FILE NAME:	Parcel 732.DGN
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SHEET TITLE
EXHIBIT "A"
SEGMENT 19-1, PARCEL 732
FREDRICK L. WILLIAMS
AND DONNA JO WILLIAMS

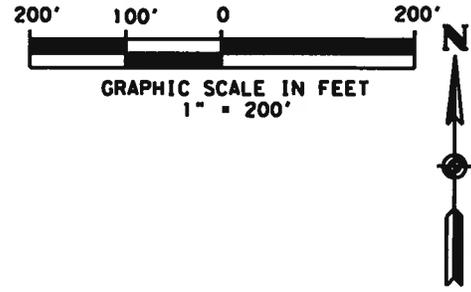
PROJECT
INTEGRATED PIPELINE PROJECT

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM (NAD83) (2007) WITH ALL DISTANCES ADJUSTED TO SURFACE BY PROJECT COMBINED SCALE FACTOR 0.9999804020.

LEGEND

- P.O.B. POINT OF BEGINNING
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EXHIBIT "A"
PARCEL 732



MATCHLINE SEE SHEET 5

COUNTY ROAD 4516
(VARIABLE WIDTH RIGHT-OF-WAY)
(NO DEED OF RECORD FOUND)

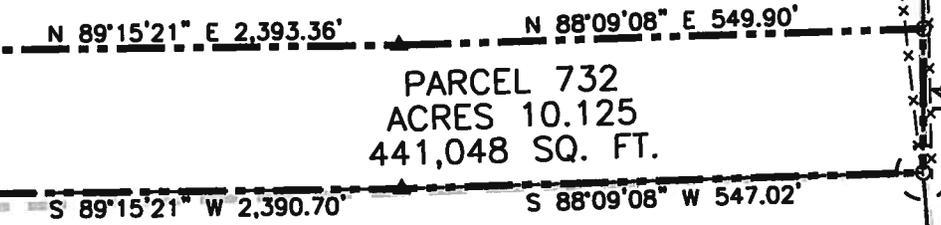
PHILLIP JACKSON LEAGUE
A-392

RIGHT-OF-ENTRY NOT
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TIME OF SURVEY

FREDRICK L. WILLIAMS
AND DONNA JO WILLIAMS
VOL. 1994, PG. 354
O.P.R.H.C.T.
(CALLED 116.256 ACRES)

E.C. LANIER SURVEY
A-446

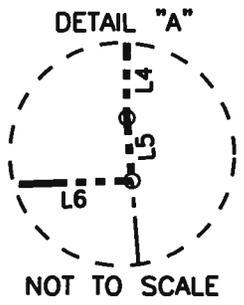
**IPL PARCEL 733
DTY RANCH, LP
DOCUMENT NO. 2017-00019159
O.P.R.H.C.T.
(CALLED 2,492.39 ACRES)



PARCEL 732
ACRES 10.125
441,048 SQ. FT.

RAINBO CLUB, INC.
VOL. 491, PG. 280
D.R.H.C.T.

M.J. JAREL SURVEY
A-402



LINE TABLE

NO	BEARING	DISTANCE
L4	S 00°03'31" E	145.54'
L5	S 04°34'07" E	4.54'
L6	S 88°09'08" W	547.02'

GENERAL NOTES:

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SHEET TITLE

EXHIBIT "A"
SEGMENT 19-1, PARCEL 732
FREDRICK L. WILLIAMS
AND DONNA JO WILLIAMS

PROJECT

INTEGRATED PIPELINE PROJECT

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM (NAD83) (2007) WITH ALL DISTANCES ADJUSTED TO SURFACE BY PROJECT COMBINED SCALE FACTOR 0.9999804020.

In addition, the General Manager and staff of TRWD are authorized to initiate eminent domain proceedings, to take all steps which may be reasonably necessary to complete the acquisition of the above-described property, to pay all reasonable and necessary closing and related costs, to deposit the amount of the special commissioners' award into the registry of the court in any eminent domain proceeding, and to appeal any such award. Funding for this item is included in the Bond Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

17.

There were no future agenda items approved.

18.

The next board meeting was scheduled for May 18, 2021 at 9:00 a.m.

19.

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



President



Secretary