

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 15th DAY OF JUNE 2021 AT 9:00 A.M.

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

Present
Leah King
James Hill
Marty Leonard
Jim Lane
Mary Kelleher

Also present were Jim Oliver, Alan Thomas, Dan Buhman, Steve Christian, Linda Christie, Dustan Compton, Brenton Dunn, Woody Frossard, Ellie Garcia, Jason Gehrig, JD Granger, Chad Lorance, Laramie LaRue, Betsy Marsh, Sandy Newby, Rick Odom, and Ed Weaver of the Tarrant Regional Water District (District or TRWD).

Also in attendance were Lee F. Christie, Ethel Steele and Jeremy Harmon of Pope, Hardwicke, Christie, Schell, Kelly & Taplett, L.L.P., General Counsel for the District; Max Baker; Jackee Cox; Christine Jacoby of Freese and Nichols, Inc.; and Jessica Priest of Fort Worth Report.

Vice President Leonard 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.

Public comment was received from Jackee Cox regarding conflict of interest statutes.

3.

Director Hill moved to elect Director King as President, Director Hill as Vice President, Director Leonard as Secretary, and Director Lane as Secretary Pro-Tem. Director Kelleher seconded the motion and the motion passed with Directors King, Hill and Kelleher voting in favor, and Directors Leonard and Lane voting against.

President Leah King assumed the chairmanship of the meeting.

4.

On a motion made by Director Hill and seconded by Director Kelleher, the Directors voted unanimously to approve the minutes from the Board meeting held on May 18, 2021. It was accordingly ordered that these minutes be placed in the permanent files of the District.

5.

With the recommendation of management, Director Leonard moved to approve final payment in the amount of \$85,660 and release of retainage in the amount of \$124,827.30 to Joe Funk Construction, Inc. for Construction of Stormwater Canal B Phase 1A. In addition, the General Manager or his designee is granted authority to execute all documents associated with the contract. Funding for this item is included in the both the Fiscal Year 2020 General Fund Budget and Fiscal Year 2021 General Fund Budget. Director Hill seconded the motion and the vote in favor was unanimous.

6.

With the recommendation of management, Director Hill moved to approve Change Order 24 in an amount not to exceed \$648,573.18 to BAR Constructors Inc. for work at Joint Booster Pump Station Number 2 under the Joint Cedar Creek Lake Pump Station Contract of the Integrated Pipeline. In addition, the General Manager or his designee is

granted authority to execute all documents associated with the contract. Funding for this item is included in the Bond Fund. Director Kelleher seconded the motion and the vote in favor was unanimous.

7.

With the recommendation of management, Director Hill moved to approve a contract in an amount not to exceed \$358,000 with Clark Electric, Inc. for installation of two medium voltage variable frequency drives at Richland-Chambers Booster Pump Stations in Waxahachie. Funding for this item is included in the Bond Fund. Director Kelleher seconded the motion and the vote in favor was unanimous.

8.

With the recommendation of management, Director Kelleher moved to approve operations maintenance expenditures as listed below:

**Tarrant Regional Water District
Board of Directors Meeting
June 15, 2021**

Operations and Maintenance Expenditures

Project	Vendor	Project Amount	Purpose	Funding		Reason for Variance	Committee Review	
				Source(s)	Budgeted Amount		Date	Committee
1 ITB 21-106	Brenntag Southwest, Inc - Liquid Ammonium Sulfate (LAS) for JCC1	\$150,000	LAS will be used as the source of ammonia for the formation of chloramines. The advantages of using LAS over aqua ammonia are that it has a longer shelf life, safer handling during shipment and and less complex requirements for storage. Chemical quantities vary with the volume and temperature of pumped water. Unit pricing is subject to quarterly price adjustments based on chemical pricing indices; however the cost will not exceed the budgeted amount without additional Board Action. This contract is for one initial one-year period with the option to renew for four additional one-year periods.	Revenue	\$150,000	n/a	June 11, 2021	Construction and Operations Committee
2 ITB 21-106	Brenntag Southwest, Inc - Salt for JCC1	\$100,000	Salt is used in the sodium hypochlorite generation process. The on-site generation system dissolves food-grade salt into a brine solution which then flows through generator units that deliver electricity as a catalyst for the reaction to convert the salt into sodium hypochlorite and hydrogen gas. Chemical quantities vary with the volume and temperature of pumped water. Unit pricing is subject to quarterly price adjustments based on chemical pricing indices; however the cost will not exceed the budgeted amount without additional Board Action. This contract is for one initial one-year period with the option to renew for four additional one-year periods.	Revenue	\$100,000	n/a	June 11, 2021	Construction and Operations Committee

Funding for these items is included in the Fiscal Year 2021 Revenue Fund. Director Hill seconded the motion and the vote in favor was unanimous.

9.

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

10.

Lee Christie, General Counsel for the District, presented the history of the District Board Governance Policies.

Mr. Christie also noted that Chapter 176 of the Local Government Code regarding conflicts of interest exists in a separate Ethics Policy.

The Board will hold a separate meeting in the future to address any governance policy issues or proposed changes.

11.

Staff Updates

- Presentation of Award
- Cedar Creek Wetlands Update
- TRVA Update
- Water Resources Update
- Excess Flow Permit Update
- Water Conservation Update

12.

The Board next held an Executive Session commencing at 10:08 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; Section 551.072 to Deliberate the Purchase, Exchange, Lease or Value of Real Property; and Section 551.074 to Deliberate Regarding Personnel Matters, including General Manager employment and compensation.

Upon completion of the executive session at 11:27 a.m., the President reopened the meeting.

13.

With the recommendation of management, Director Lane moved to grant authority to acquire, by purchase, an easement interest in the following described tract, which is necessary for the public use and purpose of construction and operation of the Integrated Pipeline Project.

**IPL Parcel 48
(Oncor)**

A permanent easement across a 0.516-acre tract of land out of the Green B. Stone Survey, Abstract 1401, Tarrant County, Texas, and being more particularly described as a portion of that certain 5.80-acre tract conveyed to Texas Electric Service Company, as recorded in Volume 3625, Page 321, Deed Records, Tarrant County, Texas, and being further described in the accompanying resolution and in the survey plat attached thereto for the appraised value of \$16,300.

EXHIBIT "A"
Property Description

Being 0.516-acres (22,492 square feet) of land out of the Green B. Stone Survey, Abstract 1401, Tarrant County, Texas and more particularly that certain 5.80 acre Tract conveyed to Texas Electric Service Company, as recorded in Volume 3625, Page 321, Deed Records, Tarrant County, Texas (D.R.T.C.T.), and being further described as follows:

COMMENCING at a found 1/2 inch iron pipe found for the Northwest corner of said Texas Electric tract, same being the Southwest corner of a tract of land as described as Tract 2 by deed to Adventist Health Systems/Sunbelt, Inc. d/b/a Huguley Memorial Hospital, recorded in Volume 9144, Page 1217, D.R.T.C.T.;

THENCE N 89°43'30" E, along the North line of said Texas Electric Service Company tract and the South line of said Huguley Tract 2, a distance of 1,128.26 feet to a found 5/8 inch iron rod with Dunaway cap for the Southwest corner of a tract of land as described as Tract 2 by deed to HCRI Texas Properties, LTD., recorded in Instrument No. D212306599, Official Public Records, Tarrant County, Texas (O.P.R.T.C.T.) and the Southeast corner of said Huguley Tract 2, on the North line of said Texas Electric Service Company tract, the Northwest corner of tract herein described and the **POINT OF BEGINNING** (N: 6,899,562.910, E: 2,334,841.700 Grid);

- (1) **THENCE** N 89°42'03" E, along the North line of tract herein described, the North line of said Texas Electric Service Company tract, the South line of said HCRI Texas Properties Tract 2, a distance of 150.00 feet to a found 5/8 inch iron rod with TranSystems cap for the Northeast corner of tract herein described;
- (2) **THENCE** S 0°35'14" E, along the East line of tract herein described, a distance of 150.00 feet to a found 5/8 inch iron rod with TranSystems cap for the Southeast corner of tract herein described, on the North line of Tract 1 conveyed to HCRI Texas Properties, LTD., as recorded in Instrument #D212306599, O.P.R.T.C.T., and on the South line of said Texas Electric Service Company tract;
- (3) **THENCE** S 89°44'29" W, along the South line of tract herein described, the South line of said Texas Electric Tract, the North line of said Tract 1, a distance of 150.00 feet to a 5/8 inch iron rod found for the Southwest corner of tract herein described, the Northwest corner of said Tract 1 and the Northeast corner of a tract of land as described as Tract 1 by deed to Adventist Health Systems/Sunbelt, Inc. d/b/a Huguley Memorial Hospital, recorded in Volume 9144, Page 1217, D.R.T.C.T.;
- (4) **THENCE** N 0°35'14" W, along the West line of tract herein described, a distance of 149.90 feet to the **POINT OF BEGINNING**, containing 0.516-acres (22,492 square feet) of land, more or less.


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 0.9998802448.

NOTE: Plat to accompany this legal description

I do certify on this 27th day of August, 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 III 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 April 24, 2019, issued date of May 8, 2019, GF # FT-44122-9001221901095-LE 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 III Survey.



Kenneth D. Erwin
Registered Professional Land Surveyor
Texas Registration Number 5554

Dated: 8-27-2019



EXHIBIT "A" LEGEND
PARCEL 48

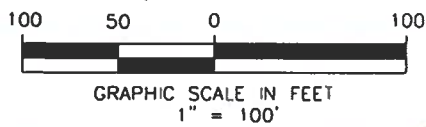
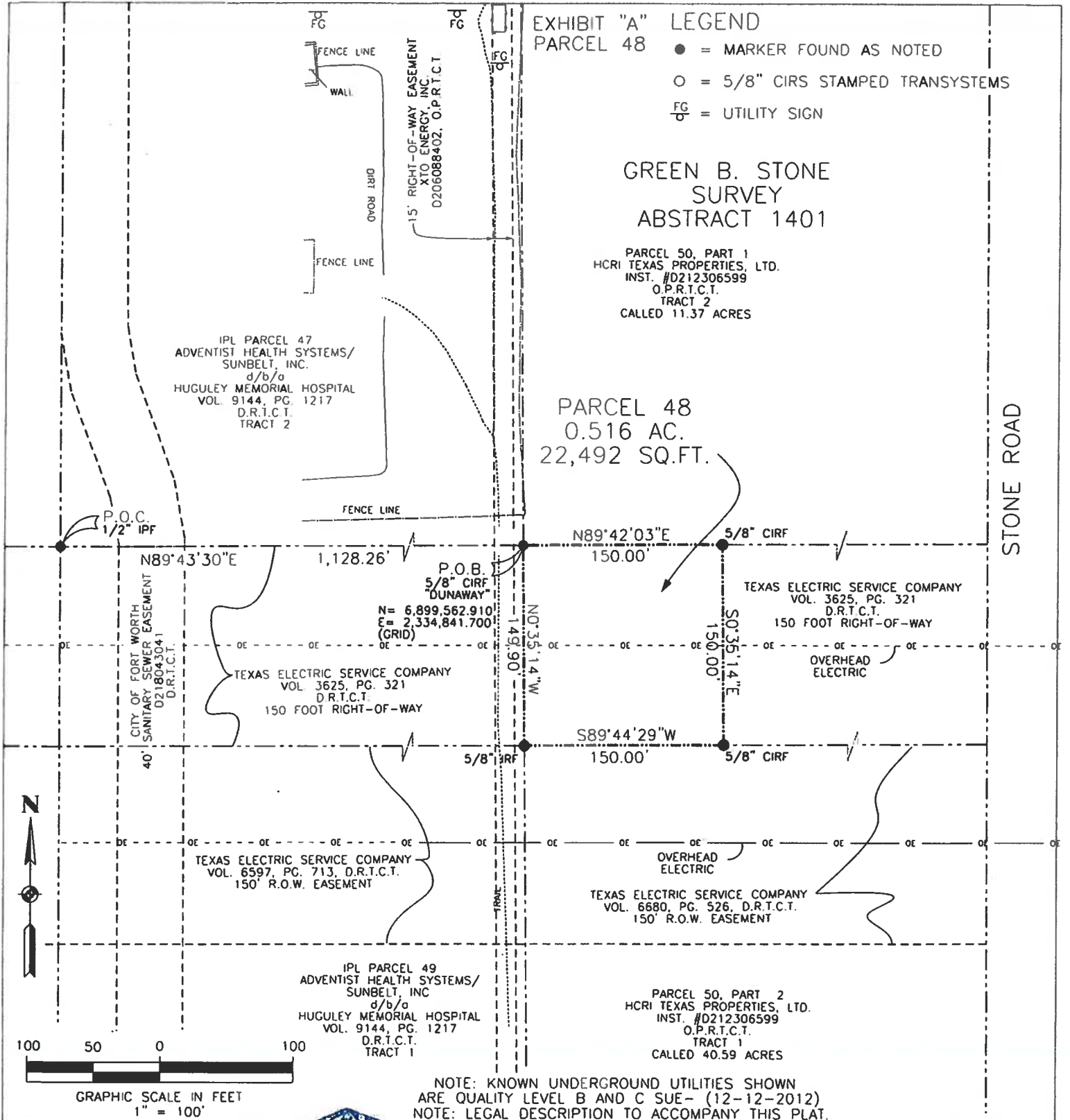
- = MARKER FOUND AS NOTED
- = 5/8" CIRS STAMPED TRANSYSTEMS
- FG = UTILITY SIGN

GREEN B. STONE SURVEY
ABSTRACT 1401

PARCEL 50, PART 1
HCRI TEXAS PROPERTIES, LTD.
INST. #D212306599
O.P.R.T.C.T.
TRACT 2
CALLED 11.37 ACRES

PARCEL 48
0.516 AC.
22,492 SQ.FT.

STONE ROAD



NOTE: KNOWN UNDERGROUND UTILITIES SHOWN ARE QUALITY LEVEL B AND C SUE- (12-12-2012)
NOTE: LEGAL DESCRIPTION TO ACCOMPANY THIS PLAT.

TranSystems

500 WEST SEVENTH STREET
SUITE 1100
FORT WORTH, TX 76102
(817) 339-8950 (TEL)
(817) 336-2247 (FAX)
TBPLS FIRM # 10038300

PROJ NO:	P202090330
SCALE:	1" = 100'
DATE:	08-27-2019
DRAWN BY:	JEM
CHECKED BY:	KDE
REVISED DATE:	-

STATE OF TEXAS
REGISTERED
10:47 PM
KENNETH D. ERWIN
5554
PROFESSIONAL
LAND SURVEYOR

Kenneth D. Erwin
8-27-2019

SHEET TITLE	EXHIBIT "A" SEGMENT 9, PARCEL 48 TEXAS ELECTRIC SERVICE COMPANY
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 0.9998802448	

EXHIBIT "A-1"

- d. All leases, grants, exceptions or reservations of coal, lignite, oil, gas and other minerals, together with all rights, privileges, and immunities relating thereto, appearing in the Public Records whether listed in Schedule B or not. There may be leases, grants, exceptions or reservations of mineral interest that are not listed. (*Surveyor has No Opinion*)
- e. Lease for coal, lignite, oil, gas or other minerals, together with rights incident thereto, dated October 10, 2006, by and between TXU Mineral Development Company I, LP, as Lessor, and XTO Energy Inc., a Delaware Corporation, as Lessee, recorded October 17, 2006 at in Document D206325449 of the Official Records of Tarrant County, Texas. Reference to which instrument is here made for particulars. No further search of title has been made as to the interest(s) evidenced by this instrument, and the Company makes no representation as to the ownership or holder of such interest(s).

As affected by Instrument recorded in Document D207057028, Deed Records, Tarrant County, Texas.
(*Affects subject tract*)

- f. Easement(s) and rights incidental thereto, as granted in a document:
Granted to: Energy Transfer Fuel LP
Purpose: As provided in said document
Recording Date: August 29, 2008
Recording No: in Document D208339864, Deed Records, Tarrant County, Texas
(*Does Not Affect, Subject tract*)
- g. Easement(s) and rights incidental thereto, as granted in a document:
Granted to: Texas Electric Service Company
Purpose: As provided in said document
Recording Date: October 16, 1978
Recording No: in Volume 6597, Page 713, Deed Records, Tarrant County, Texas, as affected by Encroachment on Easement recorded in Document D218043053, Deed Records, Tarrant County, Texas
(*Does Not Affect, Subject tract*)
- h. Easement(s) and rights incidental thereto, as granted in a document:
Granted to: City of Fort Worth
Purpose: As provided in said document
Recording Date: February 28, 2018
Recording No: in Document D218043041, Deed Records, Tarrant County, Texas
(*Does Not Affect, Subject tract*)
- i. Easement(s) and rights incidental thereto, as granted in a document:
Granted to: City of Fort Worth
Purpose: As provided in said document
Recording Date: August 2, 2018
Recording No: in Document D218171386, Deed Records, Tarrant County, Texas
(*Does Not Affect, Subject tract*)

j. Easement(s) and rights incidental thereto, as granted in a document:

Granted to: City of Fort Worth

Purpose: As provided in said document

Recording Date: November 21, 2001

Recording No: in Volume 15274, Page 474, Deed Records, Tarrant County, Texas

(Does Not Affect, Subject tract)

In addition, the General Manager or his designee is granted authority to execute all documents necessary to complete this transaction and to pay all reasonable and necessary closing and related costs. Funding for this item is included in the Bond Fund. Director Hill seconded the motion and the vote in favor was unanimous.

14.

The resolution honoring Jim Oliver on his retirement was tabled by the Board.

15.

President King moved to authorize the Board President to execute an offer letter to Dan Buhman for the position of General Manager. The offer letter includes a base salary of \$350,000 per year, six-month severance package and other standard benefits. Director Lane seconded the motion and the vote in favor was unanimous.

16.


Director Hill moved to add as a future agenda item a review of the governance policies.

17.


The next board meeting was scheduled for July 20, 2021 at 9:00 a.m.

18.

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



President



Secretary