MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF TARRANT REGIONAL WATER DISTRICT HELD ON THE 19th DAY OF OCTOBER 2021 AT 9:00 A.M.

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

Present
Leah King
James Hill
Jim Lane
Marty Leonard
Mary Kelleher

Also present were Dan Buhman, Alan Thomas, Darrell Beason, Lisa Cabrera, Steve Christian, Linda Christie, Woody Frossard, Ellie Garcia, Rachel Ickert, Laramie LaRue, Chad Lorance, Mick Maguire, Jahir Martinez, Sandy Newby, Tina Nikolic, Rick Odom, Carol Tackel, and Ed Weaver of the Tarrant Regional Water District (District or TRWD).

Also in attendance were Mike Atchley and Jeremy Harmon of Pope, Hardwicke, Christie, Schell, Kelly & Taplett, L.L.P., General Counsel for the District; Kathryn Long of Thompson & Horton LLP; Molly Carson and Alan Raynor of McCall Parkhurst & Horton; Paulina Williams of Baker Botts LLP; Mark Mazzanti; Jessica Priest of Fort Worth Report; Harrison Mantas of Fort Worth Star-Telegram; Joyce Baker; Lon Burnam of Water District Accountability Project; Jackee Cox; Doreen Geiger; and Thomas Torlincasi.

President King 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.

Public comment was received from Joyce Baker regarding forensic audits. Public comment was received from Doreen Geiger regarding forensic audits. Public comment was received from Thomas Torlincasi regarding trustworthy management. Public comment was received from Lon Burnam regarding transparency.

3.

On a motion made by Director Lane and seconded by Director Hill, the Directors voted unanimously to approve the minutes from the Board meetings held on September 20, 2021, September 21, 2021, and September 29, 2021. It was accordingly ordered that these minutes be placed in the permanent files of the District.

4.

With the recommendation of management, Director Hill moved to approve the proposed Board Governance Policies, as amended, with an effective date of November 1, 2021. Director Kelleher seconded the motion and the vote in favor was unanimous.

5.

With the recommendation of management, Director Leonard moved to approve an order authorizing the issuance of Tarrant Regional Water District, a Water Control and Improvement District, Unlimited Tax Refunding Bonds; Levying an Ad Valorem Tax in Support of the Bonds; Establishing the Procedures of Selling and Delivering the Bonds; and Authorizing Other Matters Related to the Issuance of the Bonds. Director Lane seconded the motion and Directors King, Hill, Lane and Leonard voted in favor and Director Kelleher voted against.

6.

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

resolution designating Tarrant Regional Water District authorized bank representatives as follows: Dan Buhman, General Manager; Robert Alan Thomas, Deputy General Manager; Sandra Newby, Chief Financial Officer; Carol Tackel, Chief Internal Auditor; Lisa M. Cabrera, Chief Human Resources Officer; and Jennifer Mitchell, Finance Director. Director Kelleher seconded the motion and the vote in favor was unanimous.

7.

With the recommendation of management, Director Kelleher moved to approve an Interlocal Agreement in an amount not-to-exceed \$76,860 between Tarrant Regional Water District, North Texas Municipal Water District, Sulphur River Basin Authority, Upper Trinity Regional Water District, City of Dallas and City of Irving for developing future water supplies in the Sulphur River Basin. Funding for this item is in included in the Fiscal Year 2022 Revenue Fund Budget. Director Hill seconded the motion and the vote in favor was unanimous.

8.

With the recommendation of management, Director Kelleher moved to approve a contract amendment in the not-to-exceed amount of \$5,194,000 with CH2HM Hill Engineers, Inc. for final design, bid and construction phase services for Lake Palestine Pump Station of the Integrated Pipeline Project. The total not-to-exceed contract value, including this amendment is \$35,302,675. Funding for this item is included in the Dallas Bond Fund. Director Hill 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 \$157,097 with Retzlaff Construction LLC for Lower West Fork trail resurfacing. Funding for this item is included in the Fiscal Year 2022 General Fund

Budget. Director Hill seconded the motion and the vote in favor was unanimous.

10.

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

Tarrant Regional Water District Board of Directors Meeting October 2021 Operations Maintenance

Sudget \$ 181,000.00	\$ 309,800.00	\$ 85,000.00
Revenue	General	Revenue
Budget Line 9587, 9588, 9723, 9728, 11453	9926, 9931, 9934, 10445	10925
Grounds maintenance for eastern administrative and operational facilities. This contract is for one initial eleven month period with the option to renew for four additional one-year periods.	Vendor to provide Tandem Dump Trucks and Operators to haul soil, gravel, rock, etc. on an hourly basis. The contract supplements District Staff and Equipment during peak needs. This contract is for one initial nine month period with the option to renew for four additional one-year periods.	The vibration monitoring unit at Benbrook Booster Pump station will be upgraded to the new Emerson 6500 unit. In earlier years, the District standardized with Emerson 4500 units, a model that Emerson no longer supports with replacement components. Multiple pump stations have already been upgraded to the current Emerson 6500 vibration monitoring model.
Amount not to exceed \$110,460	Not to exceed \$309,800 at a rate of \$60/hr	\$82,784.00
Vendor H&H Services of Paris, TX	DCT Trucking	Emerson Automation Solutions
<u>Project</u> ITB 22-016 Eastern Facilities Grounds Maintenance	ITB 22-008 Hauling Service for Operations Construction	New On-Line Vibration Monitoring Equipment at the Benbrook Booster Pump Station

Funding for these items is in included in the Fiscal Year 2022 General/Revenue Fund. Director Hill seconded the motion and the vote in favor was unanimous.

11.

Staff Updates

- Administrative Policies Update
- Transparency Update
- Forensic Accounting Update
- Mary's Creek Water Reclamation Facility
- TRWD Trash Bash: A Celebration of the Trinity River video

12.

The Board next held an Executive Session commencing at 10:40 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 and Ongoing Investigation; and Section 551.072 to Deliberate the Purchase, Exchange, Lease or Value of Real Property; and Section 551.074 to Deliberate Regarding Personnel Matters; and Section 551.076 to Deliberate Regarding Security Personnel, Devices, or Audits.

Upon completion of the executive session at 12:28 p.m., the President reopened the meeting.

13.

The Board of Directors determined it will discuss the General Manager's goals at a future board meeting.

14.

With the recommendation of management and General Counsel, Director Lane

moved to approve the settlement of claims in the Integrated Pipeline Project - B.N Development Company, Inc. (37) lawsuit for payment in the sum of \$1,500,000. Funding for this settlement is included in the Bond Fund. Director Leonard seconded the motion and the vote in favor was unanimous.

15.

With the recommendation of management and General Counsel, Director Lane moved to approve the settlement of claims in the Integrated Pipeline Project - Brown et al. (1061) lawsuit for payment in the sum of \$195,000. Funding for this settlement is included in the Bond Fund. Director Hill seconded the motion and the vote in favor was unanimous.

16.

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

IPL Parcel 639AE (Jackson)

A permanent easement interest across a 0.789-acre tract of land situated in the Peter Tumlinson Survey, Abstract Number 755, Henderson County, Texas, and being more particularly described as a portion of that certain tract of land described by Partition Deed to Walter L. Jackson, Jr., recorded in Instrument Number 2018-00017345, Official Records of Henderson County, Texas, and being further described in the accompanying resolution and in the survey plat attached hereto for the negotiated purchase price of \$30,000; and

EXHIBIT "A" Property Description

Being 0.789 acres (34,377 square feet) of land situated in the Peter Tumlinson Survey, Abstract Number 755, Henderson County, Texas, and more particularly that certain tract of land described by Partition Deed to Walter L. Jackson, Jr., recorded in Instrument Number 2018-00017345, Official Records of Henderson County, Texas (O.R.H.C.T.), and being further described as follows:

COMMENCING at a 5/8 inch iron rod with Pacheco Koch cap found in the south line of a Water Pipeline Easement and Right-of-Way described by deed to Tarrant Regional Water District recorded in Instrument Number 2015-00005877, O.R.H.C.T. (IPL Parcel 639);

THENCE N 74°58'38" E, a distance of 794.38 feet to a 5/8 inch iron rod with TranSystems cap set in the south line of said easement and being the **POINT OF BEGINNING** and the northwest corner of herein described tract (N: 6,751,205.550, E: 2,724,789.115 Grid),

- (1) THENCE N 74°58'38" E, along the south line of said easement and the north line of herein described tract, a distance of 30.00 feet to a 5/8 inch iron rod with TranSystems cap set in the east line of said Walter L. Jackson Jr. tract and the west line of that certain tract of land described by said Partition Deed to James William Jackson, being the northeast corner of herein described tract from which a 5/8 inch iron rod with Pacheco Koch cap found bears N 74°58'38" E, a distance of 615.78 feet, and a 5/8 inch iron rod found in the west line of said Walter L. Jackson, Jr. tract and the east line of James William Jackson tract bears
 - N 14°54'37" E a distance of 19.94 feet;
- (2) THENCE S 14°54'37" E, along the east line of said Walter L. Jackson, Jr. tract, the west line of said James William Jackson tract, and the east line of herein described tract, a distance of 606.16 feet to a 5/8 inch iron rod with TranSystems cap set;
- (3) THENCE S 14°20'26" E, departing the east line of said Walter L. Jackson, Jr. tract and the west line of said James William Jackson tract, and continuing along the east line of herein described tract, a distance of 537.77 feet to a 5/8 inch iron rod with TranSystems cap set in the south line of said Walter L. Jackson, Jr. tract, the north line of a tract of land described by Judgement to the State of Texas recorded in Volume 613, Page 457, Deed Records of Henderson County, Texas, the north right-of-way line of State Highway 31 (a variable width right-of-way), being the southeast corner of the herein described tract from which a 100D nail found bears N 67°33'54" E, a distance of 2.72 feet;
- (4) THENCE S 67°33'54" W, along the south line of said Walter L. Jackson Jr. tract, the north line of said State of Texas tract, said north right-of way line of State Highway 31, and the south line of herein described tract, a distance of 27.83 to a 5/8 inch iron rod with TranSystems cap set;
- (5) THENCE S 67°23'31" W continuing along the south line of said Walter L. Jackson Jr. tract, the north line of said State of Texas tract, said north right-of way line of State Highway 31, and the south line of herein described tract, a distance of 2.47 to a 5/8 inch iron rod with TranSystems cap set, being the southwest corner of herein described tract;

- (6) THENCE N 14°20'26" W, along the west line of herein described tract, a distance of 541.90 feet to a 5/8 inch iron rod with TranSystems cap set;
- (7) THENCE N 14°54'37" W continuing along the west line of herein described tract, a distance of 605.95 feet to the POINT OF BEGINNING, containing 0.789 acres (34,377 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 0.9999804020.

NOTE: Plat to accompany this legal description.

I do certify on this 7th day of August, 2021, to Attorney's Title Company of Henderson County, 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 November 12, 2013, issued November 22, 2013, GF # 13-276-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.

DANIEL M. PUTMAN

Daniel M. Putman

Registered Professional Land Surveyor

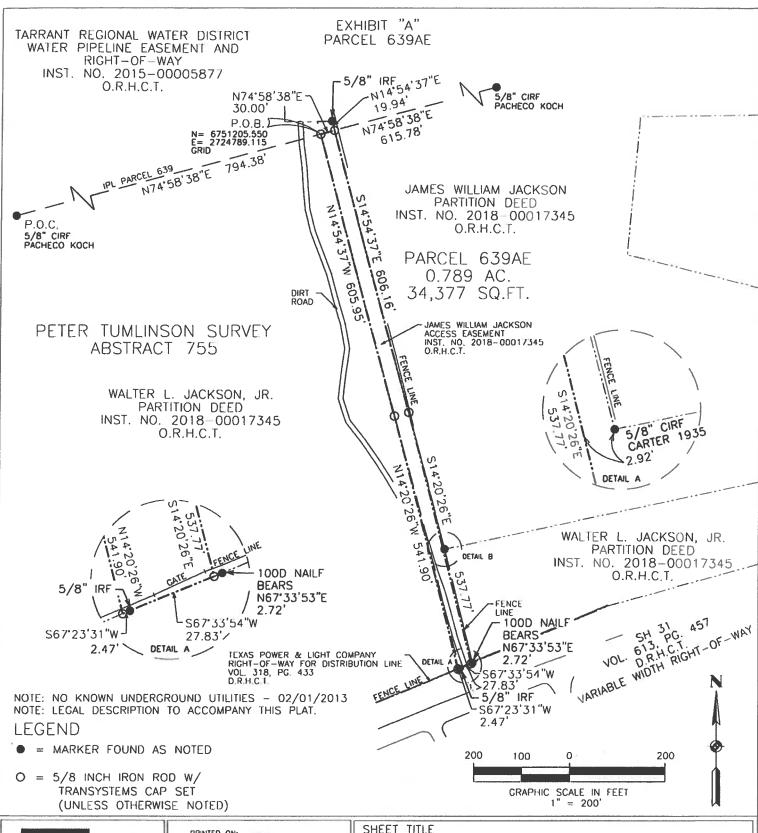
Texas Registration Number 6729

Texas Surveying Firm 10038300

TranSystems Corporation

500 West 7th Street, Suite 1100

Fort Worth, TX 76102





500 WEST SEVENTH STREET **SUITE 1100** FORT WORTH, TX 76102 (817) 339-8950 (TEL) (817) 549-7524 (FAX) TX SURV FIRM NO. 10038300

PROJ NO:	P202090330	-
SCALE	1" = 200	-
DATE:	8-7-2021	
DRAWN BY:	JWJ	Ī
CHECKED BY:	DMP	
REVISED DATE:		



SHEET TITLE

EXHIBIT "A" SEGMENT 19-2, PARCEL 639AE WALTER LOUIS JACKSON

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 IPL Parcel 1161 (Schiller)

A permanent easement interest across a 5.340-acre tract of land out of the B.B. Sublett Survey, Abstract Number 719, Henderson County, Texas, and being a portion of a called 86.765-acre tract of land described in the Warranty Deed to Martin F. Schiller and Cecilia G. Schiller, recorded in Volume 2242, Page 779, Deed Records of Henderson County, Texas, and being further described in the accompanying resolution and in the survey plat attached hereto for the negotiated purchase price of \$250,000.

Exhibit 'A' Property Description

Being a 5.340 acre (232,613 square feet) tract of land out of the B.B. Sublett Survey, Abstract Number 719, Henderson County, Texas, and being a portion of a called 86.765 acre tract of land described in the Warranty Deed to Martin F. Schiller and Cecilia G. Schiller, recorded in Volume 2242, Page 779, Deed Records of Henderson County, Texas (D.R.H.C.T.), and being further described as follows:

COMMENCING at a 1/2-inch iron rod found in the east line of said 86.765 acre Schiller tract, and for the southwest corner of the remaining portion of a called 97.593 acre tract of land described in the General Warranty Deed to Bradley Warren Randolph, recorded in Document Number 2018-00014765, Official Public Records of Henderson County, Texas (O.P.R.H.C.T.);

THENCE N00°54'14"W, with the east line of said 86.765 acre Schiller tract and the west line of said 97.593 acre Randolph tract, a distance of 2,345.40 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for the southeast corner of the tract herein described and the POINT OF BEGINNING (N: 6,731,730.475, E: 2,818, 807.465 Grid);

- (1) **THENCE** S71°59'11"W, across said 86.765 acre Schiller tract and with the south line of the tract herein described, a distance of 1,543.79 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for corner;
- (2) **THENCE** S82°24'21"W, continuing across said 86.765 acre Schiller tract and with the south line of the tract herein described, a distance of 5.58 feet for the southwest corner of the tract herein described, also being in the west line of said 86.765 acre Schiller tract and the apparent east right-of-way line of County Road 4515 (CR 4515) (variable width right-of-way)(no deed of record found);
- (3) **THENCE** N01°45'17"W, with the west line of the tract herein described, the west line of said 86.765 acre Schiller tract, and the apparent east right-of-way line of said CR 4515, a distance of 147.10 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for corner;
- (4) THENCE N02°34'37"E, continuing with the west line of the tract herein described, the west line of said 86.765 acre Schiller tract, and the apparent east right-of-way line of said CR 4515, a distance of 8.31 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for the northwest corner of the tract herein described;

- (5) **THENCE** N71°59'11"E, across said 86.765 acre Schiller tract and with the north line of the tract herein described, a distance of 1,551.35 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for the northeast corner of the tract herein described, being in the east line of said 86.765 acre Schiller tract and the west line of said 97.593 acre Randolph tract, from which a 1/2-inch iron rod found for the northwest corner of said 97.593 acre Randolph tract bears N00°54'14"W, a distance of 36.72 feet;
- (6) **THENCE** S00°54'14"E, with east line of the tract herein described, the east line of said 86.765 acre Schiller tract, and the west line of said 97.593 acre Randolph tract, a distance of 156.95 feet to the **POINT OF BEGINNING** and containing 5.340 acres (232,613 square feet) of land, more or less.

<u>NOTE:</u> 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 5th day of November, 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 November 26, 2018, issued date of December 6, 2018 GF # FT-44122-9001221800297-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 IV Survey



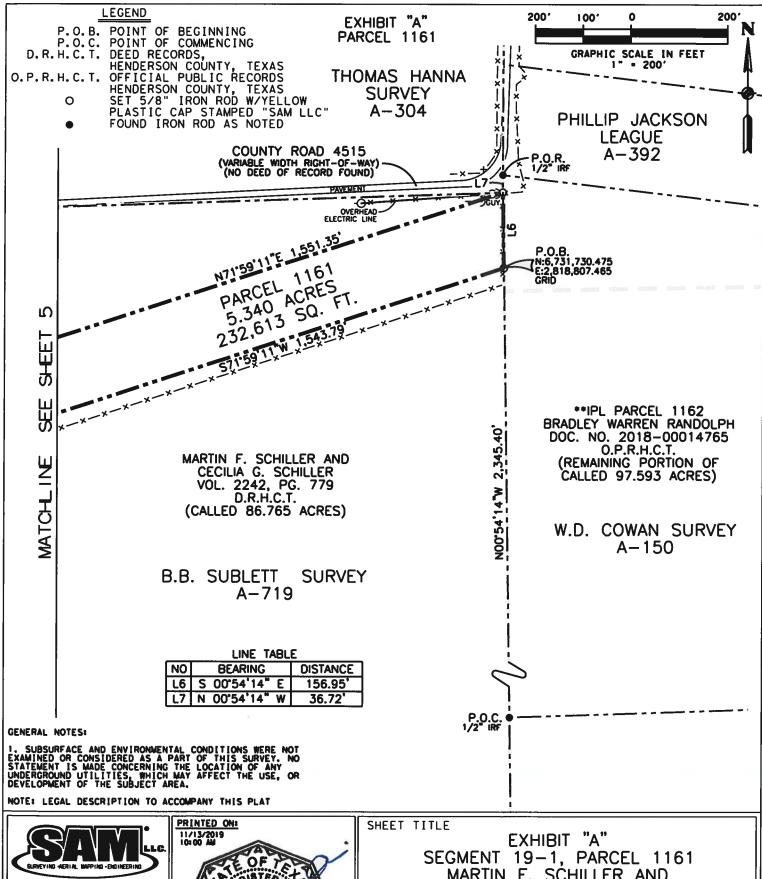
SURVEYING AND MAPPING, LLC Texas Firm Registration No. 10064300 1341 W. Mockingbird Lane Suite 400W Dallas, Texas 75247 241-631-7888

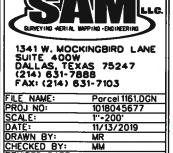
Michael A. Medina

Registered Professional Land Surveyor

No. 6692 State of Texas

Dated: November 13, 2019





VISED DATE:



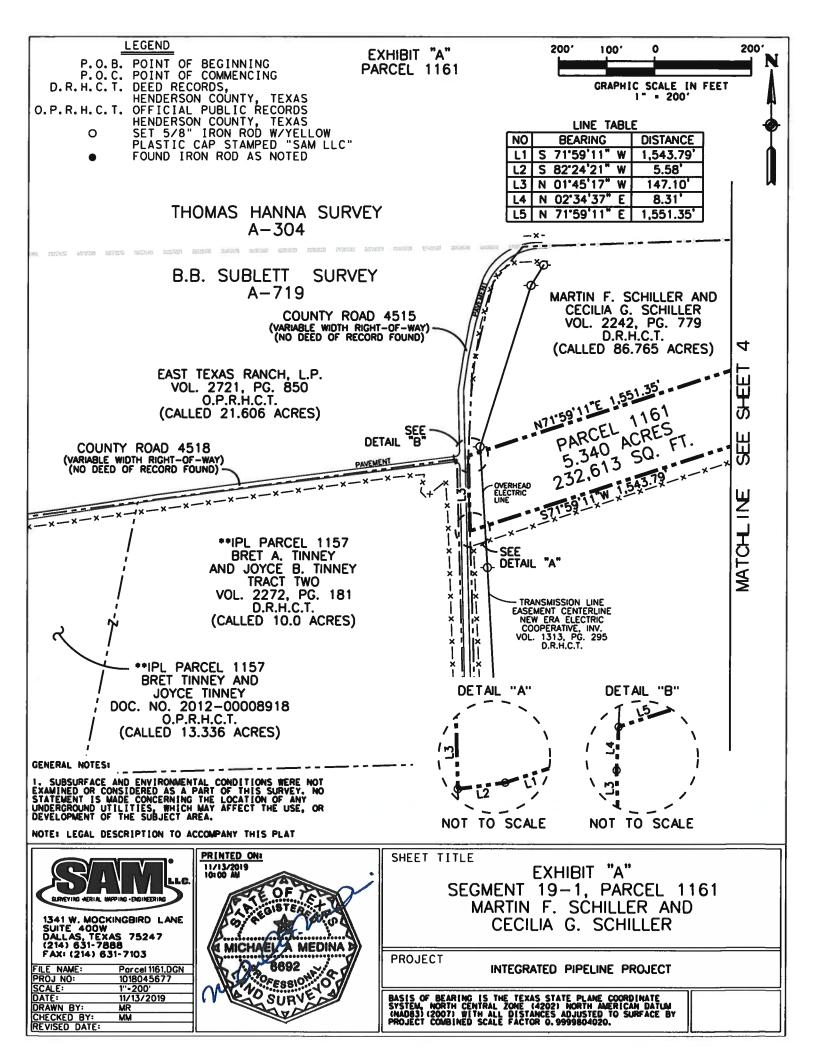
MARTIN F. SCHILLER AND

CECILIA G. SCHILLER

PROJECT

INTEGRATED PIPELINE PROJECT

BASIS OF BEARING IS THE TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE (4202) NORTH AMERICAN DATUM (NAD83) 42007) WITH ALL DISTANCES ADJUSTED TO SURFACE BY PROJECT COMBINED SCALE FACTOR 0.999804020.



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.

17.

With the recommendation of management, Director Lane moved to approve acceptance of the conveyance of real property located in the Edwards Ranch Clearfork Addition, City of Fort Worth, Texas.

Lot 1, Block SW-1, Edwards Ranch Clearfork Addition, a Subdivision located in the City of Fort Worth, Tarrant County, Texas, according to the Plat recorded under Clerk's File No. D212292930, Real Property Records of Tarrant County, Texas (the "Clearfork Property"); and

Lot 1, Block SW-17, Edwards Ranch Clearfork Addition, an addition to the City of Fort Worth, Tarrant County, Texas (the "Cassco Property" and together with the Clearfork Property, the "Property").

The Board approved payment of expenses associated with the conveyance of the Property to TRWD, including the Landowners' reasonable attorneys' fees in an amount not to exceed \$3,000 in the aggregate. Director Hill seconded the motion and the vote in favor was unanimous.

18.

The Board of Directors requested a future discussion of the public comment section of the recently adopted Board Governance Policy.

19.

The next board meeting was scheduled for November 16, 2021 at 9:00 a.m.

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

resident

Secretary