

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT REGIONAL WATER DISTRICT  
HELD ON THE 15<sup>th</sup> DAY OF AUGUST 2023 AT 9:00 A.M.

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

Present  
Leah King  
James Hill  
Mary Kelleher  
C.B. Team  
Paxton Motheral

Also present were Dan Buhman, Alan Thomas, Darrel Andrews, Darrell Beason, Frank Beaty, Kate Beck, Lisa Cabrera, Linda Christie, Dustan Compton, Ellie Garcia, Jason Gehrig, Zach Hatton, Natasha Hill, Zachary Huff, Chad Lorange, Bob Magness, Sandy Newby, Matt Oliver, Stephen Tatum and Michelle Wood-Ramirez of the Tarrant Regional Water District (District or TRWD).

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 Cindy Boling, who spoke regarding lead by example - change to drones for July 4<sup>th</sup> river show - stop fireworks. Public comment was received from Judy Taylor, who spoke regarding drones versus fireworks. Public comment was received from Torchy White, who spoke regarding asking TRWD to eliminate firework shows and to use drone shows instead; fireworks carry a huge environmental impact and public safety concern; they are passé and can enter the water shed. Public comment was received from Charles Ladner who spoke regarding Crappie

Cove - sediment removal.

3.

Director Hill moved to approve the minutes from the meetings held on July 17, 2023, and July 18, 2023, with the following correction: change the month of the July 18, 2023 minutes from June to July. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against. It was accordingly ordered that these minutes be placed in the permanent files of the District.

4.

With the recommendation of management, Director Motheral moved to approve a contract in the amount of \$250,280 with Freese and Nichols, Inc. for the environmental permitting of approximately 11 miles of the Cedar Creek Section 2 pipeline replacement project. Funding for this item is included in the Bond Fund. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

5.

With the recommendation of management, Director Team moved to approve a contract in an amount not-to-exceed \$4,408,350, which includes \$250,000 in owner-controlled contingency, with Archer Western Construction, LLC for installation of a backup sodium hypochlorite feed facility and the installation of six (6) hydraulic actuators on the pump discharge control valves at the Richland-Chambers Lake Pump Station. In addition, authority is granted to the General Manager or his designee to execute all documents associated with the contract. Funding for this item is included in the Bond Fund. Director Hill seconded the motion, and the votes were 5 in favor, 0 against.

6.

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

contract in an amount not-to-exceed \$929,489 with Azcarate & Associates Consulting Engineers, LLC for engineering services for the Electrical Room Cooling Improvements Project at Richland-Chambers High-Capacity Booster Pump Station in Waxahachie. Basic services are included to complete the design, bid and construction services, and the engineer will not conduct any additional services without written authorization from the District. In addition, authority is granted to the General Manager or his designee to execute all documents associated with the contract. Funding for this item is included in the Bond Fund. Director Motheral seconded the motion, and the votes were 5 in favor, 0 against.

7.

With the recommendation of management, Director Hill moved to approve a change in the calculation of the retainage being held for BAR Constructors, Inc. to 5% of the contract price for the Kennedale Balancing Reservoir Yard Piping and Inlet and Outlet Modifications Project. The total current contract price is \$40,428,213.09 with retainage to be held at 5% of the contract price in the amount of \$2,021,410.65. All remaining contract payments are to be made in full, the Board having found that over 50% of the work has been completed, that satisfactory progress is being made and that the amount retained is in excess of the amount adequate for the protection of the District. However, any changes to the contract price by change order or alternate base bid work for the project will require adjustment to the retainage schedule. In addition, authority is granted to the General Manager or his designee to execute all documents associated with the contract. Funding for this item is included in the Bond Fund. Director Motheral seconded the motion, and the votes were 5 in favor, 0 against.

8.

With the recommendation of management, Director Team moved to approve a contract in the amount of \$224,912 with Vann/Elli Inc. to provide and install approximately 3,700 linear feet of steel cable barrier fence and mow strip adjacent to the Marine Creek Dam. Funding for this item is included in the Fiscal year 2023 General Fund and the proposed Fiscal Year 2024 General Fund. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

9.

With the recommendation of management, Director Hill moved to approve a contract in an amount not to exceed \$234,100 with Kimley-Horn & Associates, Inc. for Central City and Panther Island Engineering Support Services. Services include preparation of right-of-way documents, completion of a boundary survey, integration of final design and construction details from the flood control project into the Panther Island base maps, and engineering support for future development projects on Panther Island. Funding for this item is included in the Fiscal Year 2023 Special Projects/Contingency Fund. Director Team seconded the motion, and the votes were 5 in favor, 0 against.

10.

With the recommendation of the management, Director Hill moved to approve a contract in an amount not-to-exceed \$154,200 with The National Theatre for Children, Inc., for elementary school water conservation education services for approximately 60 schools and 15,000 students. Funding for this item is included in the Fiscal year 2023 Revenue Fund and the proposed Fiscal Year 2024 Revenue Fund. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

11.

With the recommendation of the management, Director Team moved to approve a contract in an amount not-to-exceed \$80,000 with Tinker LLC for elementary school water conservation education services for approximately 4,500 students. Funding for this item is included in the Fiscal year 2023 Revenue Fund and the proposed Fiscal Year 2024 Revenue Fund. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

12.

With the recommendation of management, Director Hill moved to place a proposal to adopt a tax year 2023 tax rate of \$.0267/\$100 on the agenda of the September 19, 2023 Board of Directors Meeting. The vote also established the date for a public hearing to be held September 13, 2023 at 3:30 p.m. on the proposed tax year 2023 tax rate of \$.0267/\$100. Director Hill commented that the Board gives the tax rate serious consideration and encouraged members of the public to attend the public hearing should they have any comments, questions, or concerns. Director Team seconded the motion, and the votes were 5 in favor, 0 against.

The Board of Directors recessed for a break from 10:02 a.m. to 10:07 a.m.

14.

The Board next held an Executive Session commencing at 10:08 a.m. under Section 551.071 of the Texas Government Code 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 Section

551.072 of the Texas Government Code to Deliberate the Purchase, Exchange, Lease or Value of Real Property.

Upon completion of the executive session at 10:18 a.m., the President reopened the meeting.

President King left the meeting at 10:20 a.m.

13.

- Water Resources Update presented by Zachary Huff, Water Resources Engineering Director
- Panther Island Vision 2.0 Update presented by Kate Beck, Program Director, Central City Flood Control Project
- Central City Flood Control Project Website Update presented by Matt Oliver, Outreach Coordinator, Central City Flood Control Project
- District Awards Update presented by Darrel Andrews, Environmental Director

15.

With the recommendation of management, Director Team moved to approve purchase of the real property described below, which is necessary for the public use and purpose of construction and operation of the Cedar Creek Pipeline Rehab Project.

**A temporary easement interest across a 4.733-acre tract of land situated in the Allen Reeves Survey, Abstract No. 939, City of Midlothian, Ellis County, Texas, and being a portion of a tract of land described as Tract VI, Parcel A conveyed to North Texas Cement Co. as recorded in Volume 846 Page 138 of the Deed Records of Ellis County, Texas, and being further described in the survey plat for Parcel 30 attached hereto as Exhibit A**

**EXHIBIT "A"**  
**TARRANT REGIONAL WATER DISTRICT**  
**CEDAR CREEK SECTION 2 REPLACEMENT**  
**PARCEL NO. 30-TCE**

**TEMPORARY CONSTRUCTION EASEMENT**  
**ALLEN REEVES SURVEY, ABSTRACT NO. 939**  
**CITY OF MIDLOTHIAN**  
**ELLIS COUNTY, TEXAS**

Being a temporary construction easement situated in the Allen Reeves Survey, Abstract No. 939, City of Midlothian, Ellis County, Texas, and being a portion of a tract of land described as Tract VI, Parcel A conveyed to North Texas Cement Co. as recorded in Volume 846 Page 138 of the Deed Records of Ellis County, Texas, said temporary construction easement being more particularly described by metes and bounds as follows:

**COMMENCING** at 3/4" iron rod found for the northwest corner of said Tract VI, Parcel A, said 3/4" iron rod found being the northeast corner of a called 228.984 acre tract of land conveyed to Boeckman Kellogg No. 1 L.C. as recorded in Volume 1424 Page 576 of the Deed Records of Ellis County, Texas, said 3/4" iron rod found being in the south line of a tract of land conveyed to Karen Beth Cramer as recorded in Instrument No. 1704460 of the Official Public Records of Ellis County, Texas; **THENCE** North 89 degrees 07 minutes 23 seconds East, with the north line of said Tract VI, Parcel A and with the south line of said tract of land conveyed to Karen Beth Cramer, a distance of 30.00 feet to a calculated point in the approximate east line of a County Road (60.0' Undedicated Right-Of-Way); **THENCE** South 00 degrees 30 minutes 58 seconds East, with the east line of said County Road, a distance of 1,025.80 feet to a calculated point for the **POINT OF BEGINNING**, said calculated point having grid coordinates of N=6,872,255.78 and E=2,423,626.63;

**THENCE** South 57 degrees 32 minutes 06 seconds East, a distance of 2,832.23 feet to a calculated point for corner in the south line of said Tract VI, Parcel A and in the north line of a tract of land described as Tract 1 conveyed to One Windsor Hills L.P. as recorded in Volume 2202 Page 1293 of the Deed Records of Ellis County, Texas, from which a 1/2" iron pipe found for an interior ell corner in the south line of said Tract VI, Parcel A and the north line of said Tract 1 bears North 89 degrees 55 minutes 03 seconds East, a distance of 289.68 feet;

**THENCE** South 89 degrees 55 minutes 03 seconds West, with the south line of said Tract VI, Parcel A and with the north line of said Tract 1, a distance of 139.40 feet to a calculated point for the east corner of a 130' Pipeline Right-of-Way described as Third Parcel granted to Tarrant County Water Control and Improvement District Number One as recorded in Volume 500 Page 147 and Volume 500 Page 321 of the Deed Records of Ellis County, Texas, said

(Exhibit "A")

calculated point being the northeast corner of a 130' Pipeline Right-of-Way described as Second Parcel granted to Tarrant County Water Control and Improvement District Number One as recorded in Volume 490 Page 399 of said Deed Records of Ellis County, Texas;

**THENCE** North 57 degrees 32 minutes 06 seconds West, with the northeasterly line of said 130' Pipeline Right-of-Way described as Third Parcel, a distance of 2,666.04 feet to a calculated point for the most southerly west corner of said 130' Pipeline Right-of-Way described as Third Parcel, said calculated point being in the approximate east line of said County Road;

**THENCE** North 00 degrees 30 minutes 58 seconds West, with the east line of said County Road a distance of 89.41 feet to the **POINT OF BEGINNING**, and containing 206.185 square feet or 4.733 acres of land, more or less.

**Notes:**

- (1) A plat of same date herewith accompanies this legal description.
- (2) All bearings and coordinates are referenced to the Texas State Plane Coordinate System, NAD-83(2011), North Central Zone (4202). All distances and areas shown are surface utilizing a surface adjustment factor of 1.000072449.

**\* SURVEYOR'S CERTIFICATE \***

TO ALL PARTIES INTERESTED IN TITLE TO THE PREMISES SURVEYED, I DO HEREBY CERTIFY THAT THE ABOVE LEGAL DESCRIPTION WAS PREPARED FROM PUBLIC RECORDS AND FORM AN ACTUAL AND ACCURATE SURVEY UPON THE GROUNDS AND THAT SAME IS TRUE AND CORRECT.

May 26, 2022



*RK*  
Richard Kennedy  
Registered Professional Land Surveyor  
Texas No. 5527  
Gorrondona & Associates, Inc.  
Texas Firm No. 10106900

(Exhibit "A")

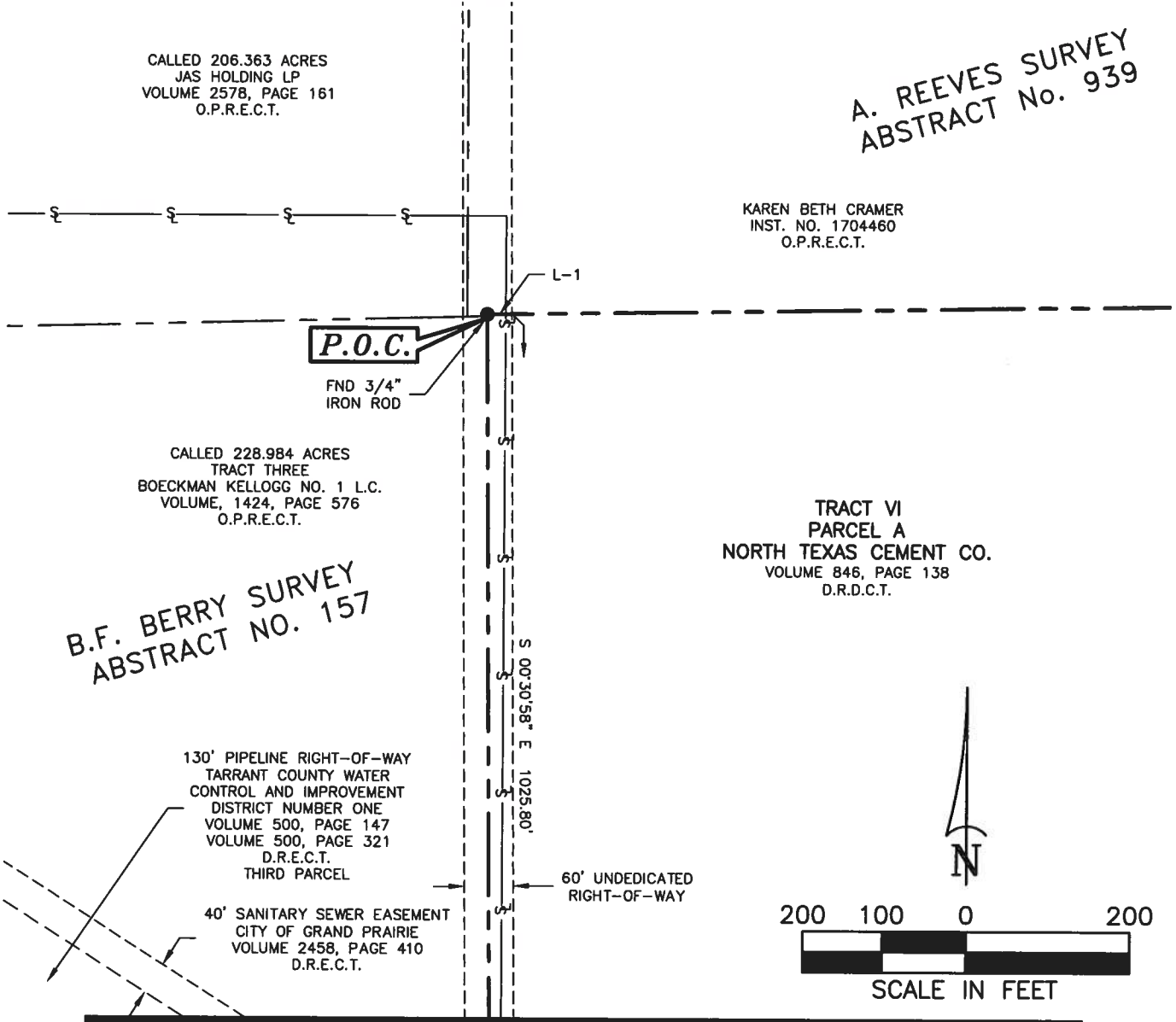


**EXHIBIT "A"**  
**PARCEL No. 30-TCE**

CALLED 206.363 ACRES  
 JAS HOLDING LP  
 VOLUME 2578, PAGE 161  
 O.P.R.E.C.T.

**A. REEVES SURVEY**  
**ABSTRACT No. 939**

KAREN BETH CRAMER  
 INST. NO. 1704460  
 O.P.R.E.C.T.



CALLED 228.984 ACRES  
 TRACT THREE  
 BOECKMAN KELLOGG NO. 1 L.C.  
 VOLUME, 1424, PAGE 576  
 O.P.R.E.C.T.

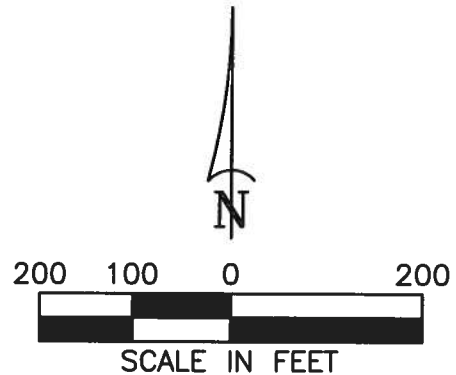
TRACT VI  
 PARCEL A  
 NORTH TEXAS CEMENT CO.  
 VOLUME 846, PAGE 138  
 D.R.D.C.T.

**B.F. BERRY SURVEY**  
**ABSTRACT NO. 157**

130' PIPELINE RIGHT-OF-WAY  
 TARRANT COUNTY WATER  
 CONTROL AND IMPROVEMENT  
 DISTRICT NUMBER ONE  
 VOLUME 500, PAGE 147  
 VOLUME 500, PAGE 321  
 D.R.E.C.T.  
 THIRD PARCEL

40' SANITARY SEWER EASEMENT  
 CITY OF GRAND PRAIRIE  
 VOLUME 2458, PAGE 410  
 D.R.E.C.T.

60' UNDEDICATED  
 RIGHT-OF-WAY



**MATCHLINE PAGE 2**

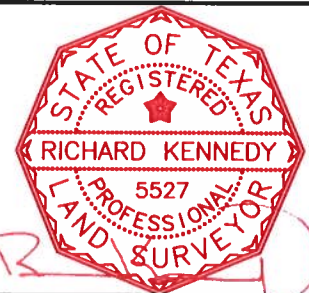


**Tarrant Regional Water District**

800 E. NORTHSIDE DRIVE • FORT WORTH, TEXAS 76102

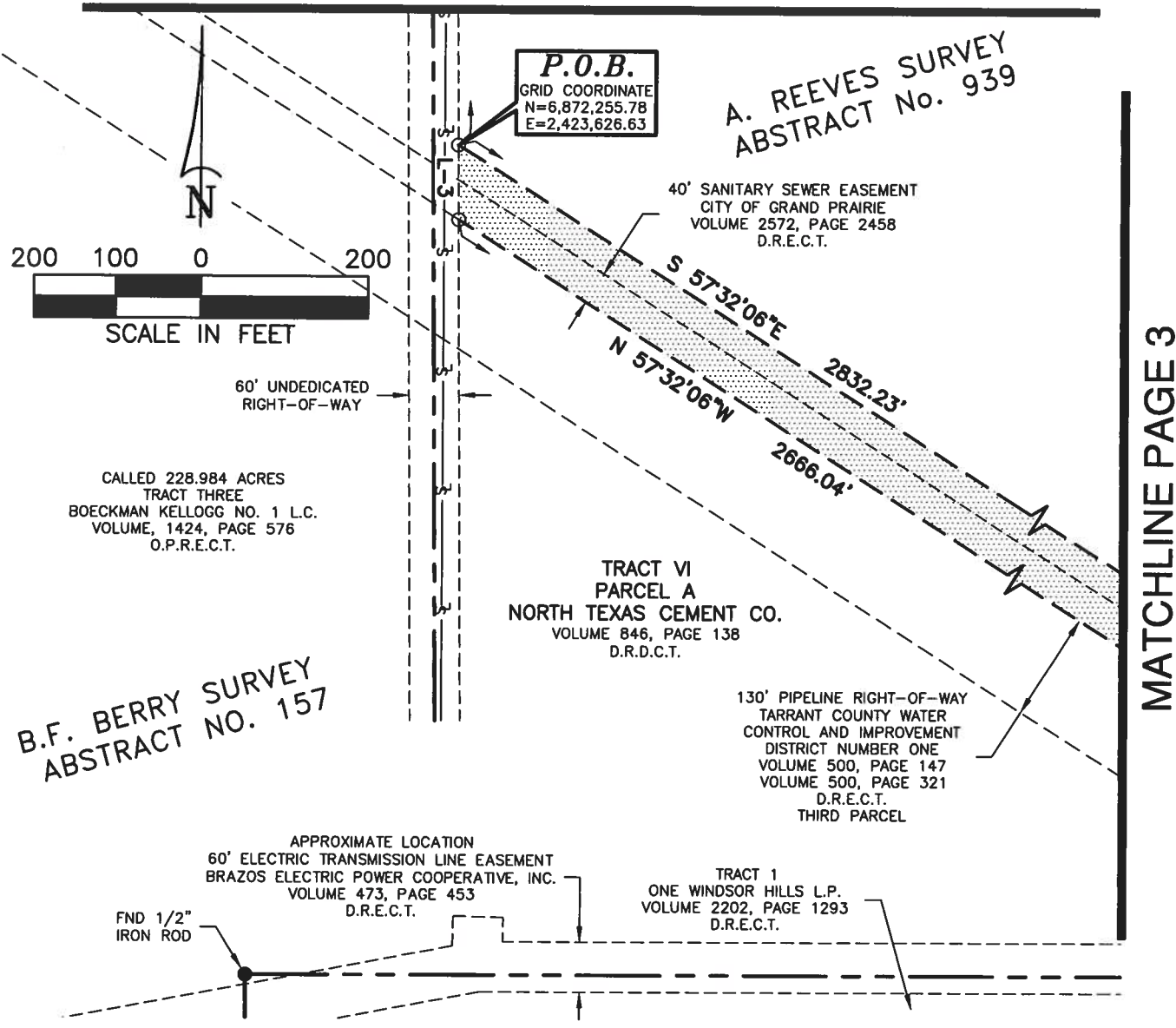
**CEDAR CREEK**  
**SECTION 2 REPLACEMENT**

PARCEL NO. 30-TCE	TEMPORARY CONSTRUCTION EASEMENT	
OWNER: NORTH TEXAS CEMENT CO.		
SURVEY: A. REEVES SURVEY, ABSTRACT NO. 939		
LOCATION: CITY OF MIDLOTHIAN, ELLIS COUNTY, TEXAS		
ACQUISITION AREA: 206,185 SQUARE FEET OR 4.733 ACRES		
WHOLE PROPERTY ACREAGE: 15,893,563 SQUARE FEET OR 364.866 ACRES (BY DEED)		
G&A JOB NO. B&V_1901.00	DRAWN BY: BM	CAD FILE: P30_TEMP.DWG
DATE: MAY 26, 2022	EXHIBIT A	SCALE: 1" = 200'



RICHARD KENNEDY  
 REGISTERED PROFESSIONAL LAND SURVEYOR  
 NO. 5527 TEXAS FIRM No. 10106900

**EXHIBIT "A"**  
**PARCEL No. 30-TCE**  
**MATCHLINE PAGE 1**



**MATCHLINE PAGE 3**

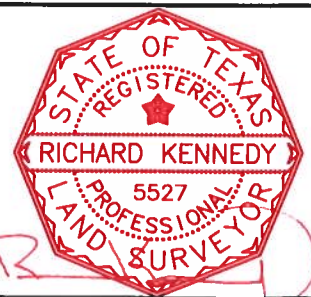


**Tarrant Regional Water District**

800 E. NORTHSIDE DRIVE • FORT WORTH, TEXAS 76102

**CEDAR CREEK  
SECTION 2 REPLACEMENT**

PARCEL NO. 30-TCE		TEMPORARY CONSTRUCTION EASEMENT
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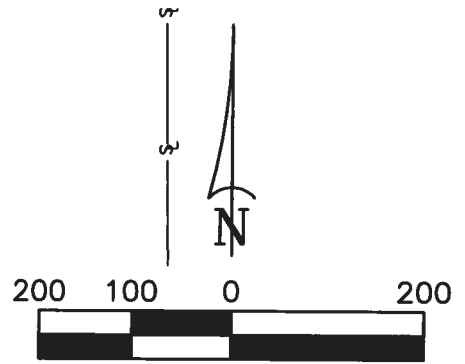


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**EXHIBIT "A"**  
**PARCEL No. 30-TCE**

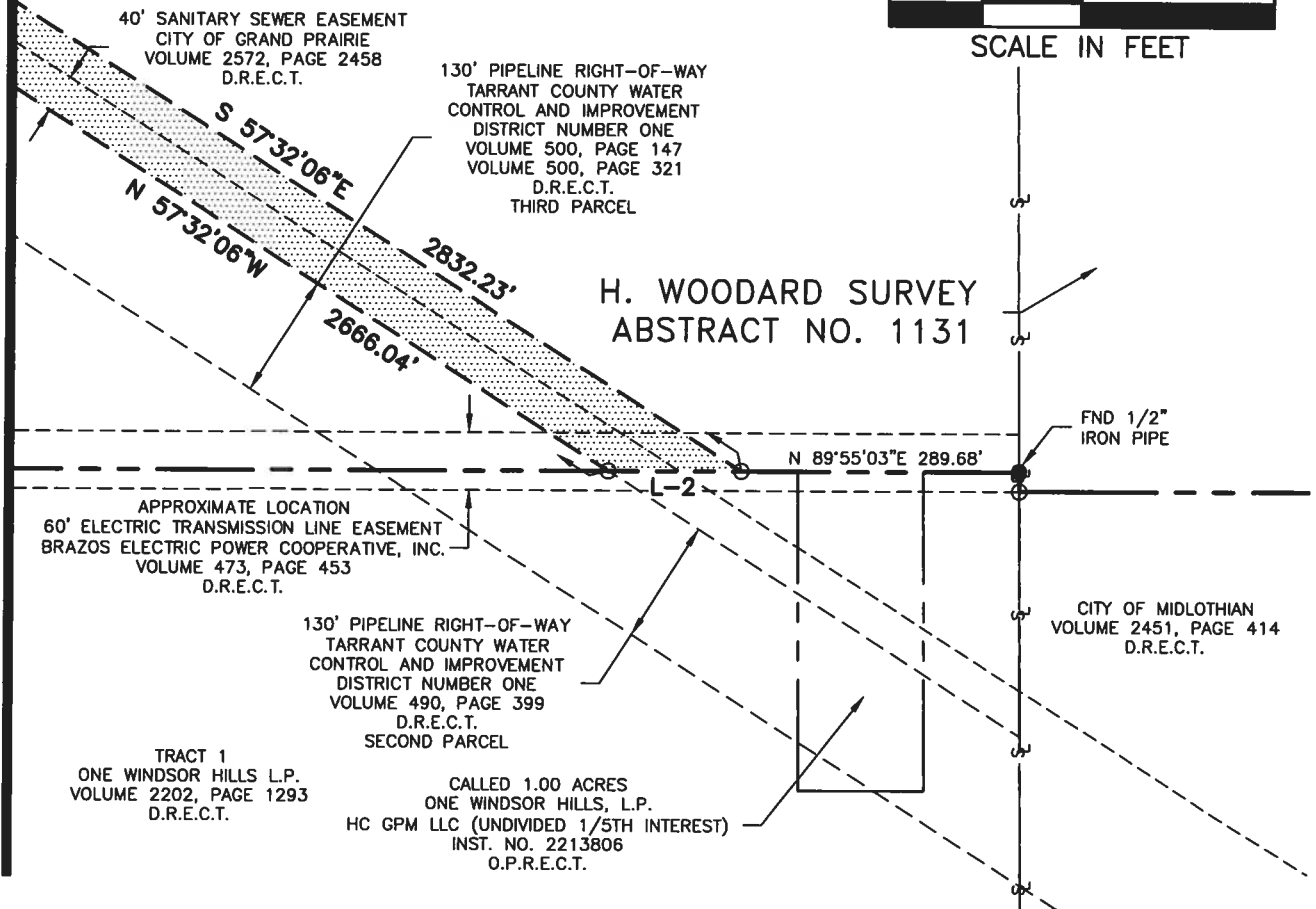
A. REEVES SURVEY  
 ABSTRACT No. 939

TRACT VI  
 PARCEL A  
 NORTH TEXAS CEMENT CO.  
 VOLUME 846, PAGE 138  
 D.R.E.C.T.



SCALE IN FEET

MATCHLINE PAGE 2

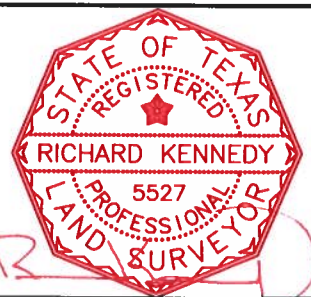


**Tarrant Regional Water District**

800 E. NORTHSIDE DRIVE • FORT WORTH, TEXAS 76102

**CEDAR CREEK  
 SECTION 2 REPLACEMENT**

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OWNER: NORTH TEXAS CEMENT CO.		
SURVEY: A. REEVES SURVEY, ABSTRACT NO. 939		
LOCATION: CITY OF MIDLOTHIAN, ELLIS COUNTY, TEXAS		
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 NO. 5527 TEXAS FIRM No. 10106900

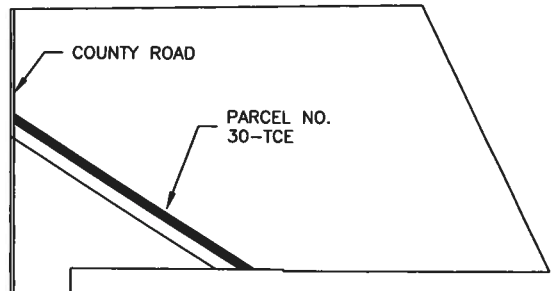
# EXHIBIT "A"

## PARCEL No. 30-TCE

### LEGEND

- ⊗ SET MONUMENTATION (SIZE AND TYPE NOTED)
- FND MONUMENTATION (SIZE AND TYPE NOTED)
- CALCULATED POINT
- — — — — PROPERTY/RIGHT-OF-WAY LINE
- - - - - EXISTING EASEMENT LINE
- - - - - PROPOSED EASEMENT LINE
- — — — — § — SURVEY/ABSTRACT LINE

LINE TABLE		
LINE	BEARING	DISTANCE
L-1	N 89°07'23"E	30.00'
L-2	S 89°55'03"W	139.40'
L-3	N 00°30'58"W	89.41'



SUBJECT TRACT &  
LOCATION OF EASEMENT

**NOTES:**

1. A LEGAL DESCRIPTION OF SAME DATE HERewith ACCOMPANIES THIS PLAT.
2. ALL BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS STATE PLANE COORDINATE SYSTEM, NAD-83(2011), NORTH CENTRAL ZONE (4202). ALL DISTANCES AND AREAS SHOWN ARE SURFACE UTILIZING A SURFACE ADJUSTMENT FACTOR OF 1.000072449.



# Tarrant Regional Water District

800 E. NORTHSIDE DRIVE • FORT WORTH, TEXAS 76102

## CEDAR CREEK SECTION 2 REPLACEMENT

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DATE: MAY 26, 2022	EXHIBIT A	SCALE: 1" = 200'	REGISTERED PROFESSIONAL LAND SURVEYOR
GORRONDONA & ASSOCIATES, INC. • 2800 N.E. LOOP 820, SUITE 660 FORT WORTH, TX. 76137 • 817-496-1424 FAX 817-496-1768			NO. 5527 TEXAS FIRM No. 10106900

**Lot Report**

**Lot: P-30 TCE**

**Bearing            Distance**

**S 57°32'06" E 2832.23**

**S 89°55'03" W 139.40**

**N 57°32'06" W 2666.04**

**N 00°30'58" W 89.41**

**Closure Error Distance> 0.0000**

**Total Distance> 5727.08**

**206,185 SQ. FT.**

**4.733 ACRES**

In addition, the General Manager of TRWD or his designee is authorized to take all steps which may be reasonably necessary to complete the acquisition, including, but not limited to, the authority to pay all customary, reasonable and necessary closing and related costs. Funding for this item is included in the Bond Fund. Director Kelleher seconded the motion, and the votes were 4 in favor, 0 against.

16.

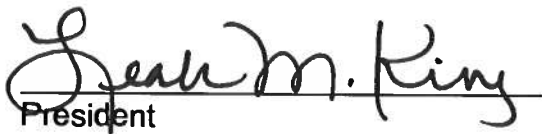
Director Kelleher requested a presentation by staff on the feasibility, financials and pros/cons of a drone versus fireworks show at the Fort Worth 4<sup>th</sup> annual event. Director Team seconded this request.

17.

The next board meetings were scheduled for August 31, 2023, at 9:00 a.m.; September 13, 2023, at 3:30 p.m. and September 19, 2023 at 9:00 a.m.

18.

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

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary