

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF  
TARRANT REGIONAL WATER DISTRICT  
HELD ON THE 18<sup>th</sup> DAY OF MAY 2021 AT 9:00 A.M.

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

Present  
Jack Stevens  
Marty Leonard  
Leah King  
James Hill  
Jim Lane  
Mary Kelleher

Also present were Jim Oliver, Alan Thomas, Dan Buhman, Darrell Beason, Lisa Cabrera, Steve Christian, Woody Frossard, Ellie Garcia, JD Granger, Susan Hubbard, Nancy King, Chad Lorange, Manuel Lujan, Shelby Lyon, Mick Maguire, Sandy Newby, Rick Odom, and Ed Weaver of the Tarrant Regional Water District (District or TRWD).

Also in attendance, were Lee F. Christie, Mike Atchley, Ethel Steele and Jeremy Harmon of Pope, Hardwicke, Christie, Schell, Kelly & Taplett, L.L.P., General Counsel for the District; Jackee Cox; Jack French; Jaime French; Doreen M. Geiger; and Barry King.

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 Lane, the Directors voted unanimously to approve the minutes from the Board meetings held on April 20, 2021 and May 11, 2021. It was accordingly ordered that these minutes be placed

in the permanent files of the District.

3.

The Board presented a Resolution to Nancy King in honor of her retirement from the District following 30 years of dedicated service to the District.

4.

According to the results of the election for three (3) Tarrant Regional Water District Board of Directors, Leah King, James Hill and Mary Kelleher were administered the Oaths of Office by Jack Stevens, President.

5.

Vice President Marty Leonard assumed the chairmanship of the meeting.

6.

With the recommendation of management, the Board presented a Resolution to Jack Stevens in honor of his 17 years of dedicated service to the District.

7.

Public comment was received from Doreen Geiger regarding the process of hiring a new general manager. Public comment was also received from Lon Burnam regarding the agenda language concerning hiring a new general manager.

8.

With the recommendation of management, Director Lane moved to approve a contract in an amount not-to-exceed \$115,500 with Brothers Roofing to remove and replace the roof on the Administration Building. Funding for this item is included in the Fiscal Year 2021 General Fund Budget. Director King seconded the motion and the vote in favor was unanimous.

9.

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

10.

Staff Updates

- TRVA Update
- Water Resources Update

7.

Public comment was received from Jackee Cox regarding the process of hiring a new general manager.

10.

Staff Updates

- Winter Shutdown Update

11.

The Board next held an Executive Session commencing at 9:54 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 (Cause No. 348-321270-20, *MWH Constructors v. Tarrant Regional Water District*, in the 348<sup>th</sup> Judicial District Court of Tarrant 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, including possible selection of a new General Manager of the District.

Upon completion of the executive session at 11:08 a.m., the President reopened

the meeting.

12.

With the recommendation of management and General Counsel, Director Hill moved to approve the settlement of claims in the Joint Booster Pump Station 3 Project of the Integrated Pipeline Lawsuit with MWH Constructors Inc for payment in the amount of \$2,737,790.25 to be paid out of \$3,937,790.25 retainage held by the District and contract closeout. Funding for this settlement is included in the Bond Fund. Director Lane seconded the motion and the vote in favor was unanimous.

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 1156  
(Muecke)**

**A permanent easement across a 1.311-acre tract of land out of the B.B. Sublett Survey, Abstract Number 719, Henderson County, Texas, and being a portion of a called 17.299-acre tract of land described in the deed to Brent E. Muecke, recorded in Document Number 2014-00016396, Official Public 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 \$75,000.**

Exhibit 'A'  
Property Description

Being a 1.311 acre (57,095 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 17.299 acre tract of land described in the Warranty Deed to Brent E. Muecke, recorded in Document Number 2014-00016396, Official Public Records of Henderson County, Texas, (O.P.R.H.C.T.) and being further described as follows:

**COMMENCING** at a 1/2-inch iron pipe found for the most westerly corner of said 17.299 acre Muecke tract and the southwest corner of a called 19.215 acre tract of land described in the Warranty Deed to James E. Wilson and wife, Cleo Wilson, recorded in Volume 1333, Page 746, Deed Records of Henderson County, Texas, (D.R.H.C.T.);

**THENCE** N56°56'47"E, with the northwest line of said 17.299 acre Muecke tract and south line of said 19.215 acre Wilson tract, a distance of 1,236.39 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for the most westerly northwest corner of the tract herein described and the **POINT OF BEGINNING** (N: 6,731,312.983, E: 2,815,272.770 Grid);

- (1) **THENCE** N56°56'47"E, continuing with the northwest line of said 17.299 acre Muecke tract and south line of said 19.215 acre Wilson tract, passing a 1/2-inch iron rod found in the apparent west right-of-way line of County Road 4518 (C.R. 4518) (variable width right-of-way) (no deed of record found), at a distance of 173.76 feet, continuing with the northwest line of said 17.299 acre Muecke tract and south line of said 19.215 acre Wilson tract a total distance of 189.83 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for the most northerly northeast corner of the tract herein described, the southeast corner of said 19.215 acre Wilson tract, the northeast corner of said 17.299 acre Muecke tract, and the west line of a called 21.606 acre tract of land described in the General Warranty Deed to East Texas Ranch LP., recorded in Volume 2721, Page 850, of said O.P.R.H.C.T.;
- (2) **THENCE** S42°48'07"E, within said C.R. 4518 and with the east line of said 17.299 acre Muecke tract and the north line of the tract herein described, a distance of 301.30 feet to a 1/2-inch iron rod found for the northeast corner of said 17.299 acre Muecke tract, the southwest corner of said East Texas Ranch LP. Tract, the northwest corner of a called 13.343 acre tract of land described in the Warranty Deed with Vendor's Lien to Bret A. Tinney, recorded in Document Number 2015-00016352, of said O.P.R.H.C.T. and being the most easterly north corner of the tract herein described;

- (3) **THENCE S06°23'55"W**, with the east line of said 17.299 acre Muecke tract and the west line of said 13.343 acre Tinney tract, a distance of 153.60 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for the most easterly southeast corner of the tract herein described, from which a 5/8-inch iron rod found for the southeast corner of said 17.299 acre Muecke tract bears S06°23'55"W a distance of 1,060.64 feet;
- (4) **THENCE S83°58'33"W**, across said 17.299 acre Muecke tract and with the south line of the tract herein described, a distance of 42.11 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for corner;
- (5) **THENCE N42°48'07"W**, continuing across said 17.299 acre Muecke tract and with the south line of the tract herein described, a distance of 338.98 feet to a 5/8-inch iron rod with a yellow plastic cap stamped "SAM, LLC" set for corner;
- (6) **THENCE N70°51'02"W**, continuing across said 17.299 acre Muecke tract and the with south line of the tract herein described, a distance of 78.87 feet to the **POINT OF BEGINNING** and containing 1.311 acres (57,095 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.

**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 October 31, 2018, issued date of April 2, 2019 GF # FT-44122-9001221800299-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

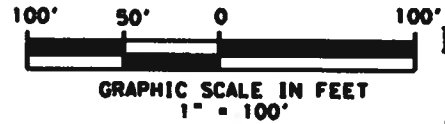
  
Michael A. Medina  
Registered Professional Land Surveyor  
No. 6692 State of Texas

Dated: October 21, 2019

**LEGEND**

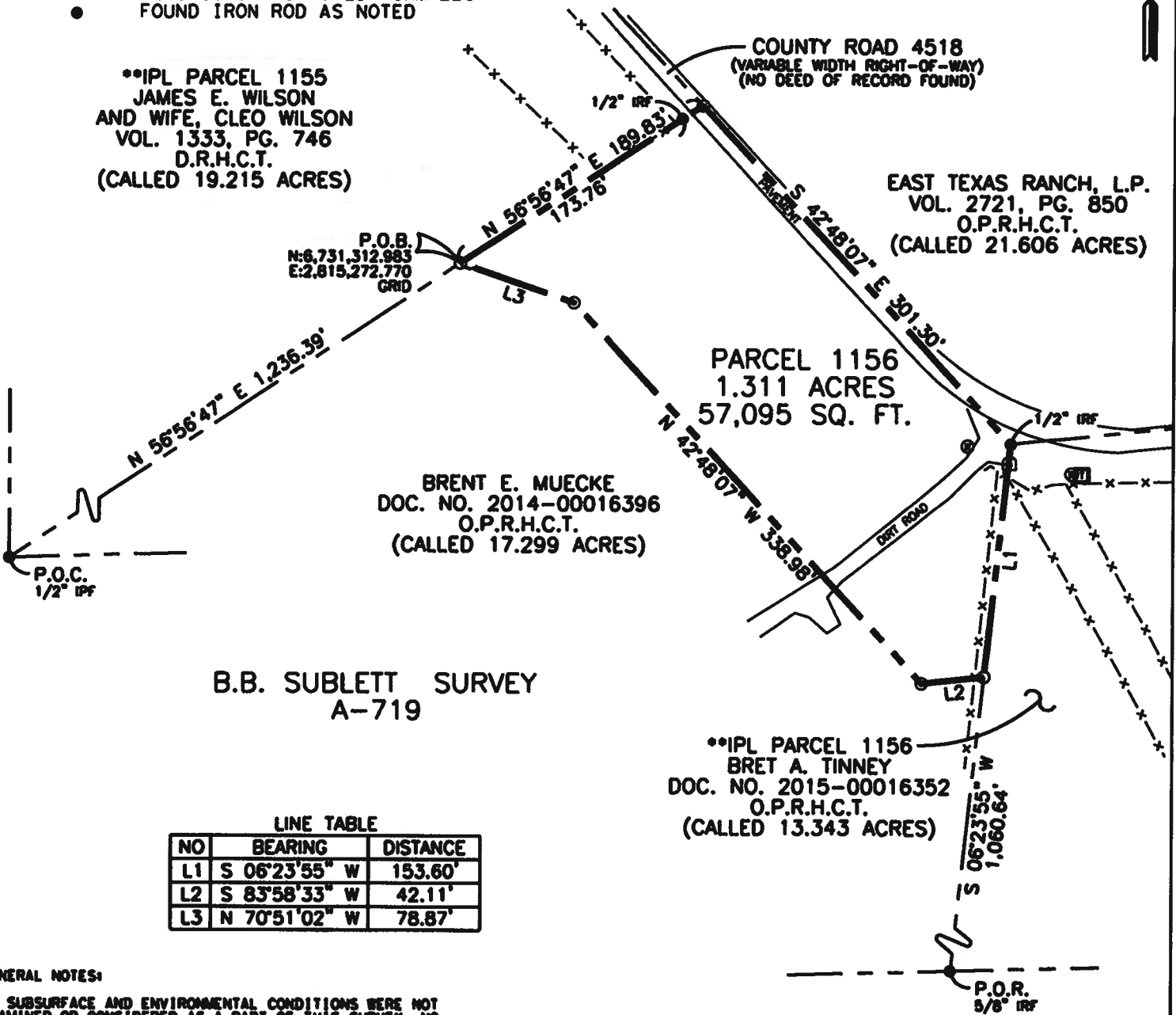
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCING
- D.R.H.C.T. DEED RECORDS,  
HENDERSON COUNTY, TEXAS
- O.P.R.H.C.T. OFFICIAL PUBLIC RECORDS  
HENDERSON COUNTY, TEXAS
- SET 5/8" IRON ROD W/YELLOW  
PLASTIC CAP STAMPED "SAM LLC"
- FOUND IRON ROD AS NOTED

**EXHIBIT "A"  
PARCEL 1156**



\*\*IPL PARCEL 1155  
JAMES E. WILSON  
AND WIFE, CLEO WILSON  
VOL. 1333, PG. 746  
D.R.H.C.T.  
(CALLED 19.215 ACRES)

EAST TEXAS RANCH, L.P.  
VOL. 2721, PG. 850  
O.P.R.H.C.T.  
(CALLED 21.606 ACRES)



B.B. SUBLETT SURVEY  
A-719

**LINE TABLE**

| NO | BEARING       | DISTANCE |
|----|---------------|----------|
| L1 | S 06°23'55" W | 153.60'  |
| L2 | S 83°58'33" W | 42.11'   |
| L3 | N 70°51'02" W | 78.87'   |

**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

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

FILE NAME: Parcel 1156.DGN  
PROJ NO: 1018045677  
SCALE: 1"=100'  
DATE: 10/30/2019  
DRAWN BY: MR  
CHECKED BY: LM  
REVISED DATE:

PRINTED ON:  
11/22/2019  
2:09 PM

MICHAEL A. MEDINA  
6692  
REGISTERED PROFESSIONAL SURVEYOR

SHEET TITLE  
**EXHIBIT "A"  
SEGMENT 19-1, PARCEL 1156  
BRENT E. MUECKE**

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 0.999864020.



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.

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 Kennedale Balancing Reservoir Project.

- **Sibley Tract**

**A permanent easement across a 0.033-acre tract of land located in the M. Anderson Survey, Abstract No. 9, Kennedale, Tarrant County, Texas and being further described in the accompanying resolution and in the survey plat attached hereto for the negotiated purchase price of \$4,000.**

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**PERMANENT ELECTRIC LINE EASEMENT**

BEING a 10 foot wide strip of land located in the M. ANDERSON SURVEY, Abstract No. 9, Kennedale, Tarrant County, Texas, and being a portion of the tract of land conveyed to William David Sibley, by the deed recorded in County Clerk's File No. D219088114, of the Deed Records of Tarrant County, Texas. Said 10 foot wide strip of land being more particularly described by metes and bounds as follows:

BEGINNING at a point lying in the West boundary line of said Sibley Tract, being located S 00° 44' 49" E 3.50 feet, from a ½" iron rod found at the Northwest corner of said Sibley Tract, and said POINT OF BEGINNING also having Texas State Plane Grid Coordinates N: 6,910,224.09 and E: 2,367,870.46;

THENCE N 89° 31' 25" E 131.74 feet, running along a line 3.5 feet South of and parallel to the North boundary line of said Sibley Tract, to a point;

THENCE N 00° 28' 35" W 3.50 feet, to a point lying in the North boundary line of said Sibley Tract and the South right-of-way line of Hudson Cemetery Road;

THENCE N 89° 31' 25" E 10.00 feet, along the North boundary line of said Sibley Tract and the South right-of-way line of Hudson Cemetery Road, to a point;

THENCE S 00° 28' 35" E 13.50 feet, to a point;

THENCE S 89° 31' 25" W 141.69 feet, running along a line 13.5 feet South of and parallel to the North boundary line of said Sibley Tract, to a point lying in the West boundary line of said Sibley Tract;

THENCE N 00° 44' 49" W 10.00 feet, along the West boundary line of said Sibley Tract, to the POINT OF BEGINNING containing 0.033 acre (1,452 square feet) of land.

**NOTES:**

All coordinates and bearings are based on the Texas State Plane Coordinate System, N.A.D. 83 North Central Zone. All distances shown are surface values and may be converted to grid by dividing by TxDOT conversion factor for Tarrant County of 1.00012. Coordinates are shown in grid.



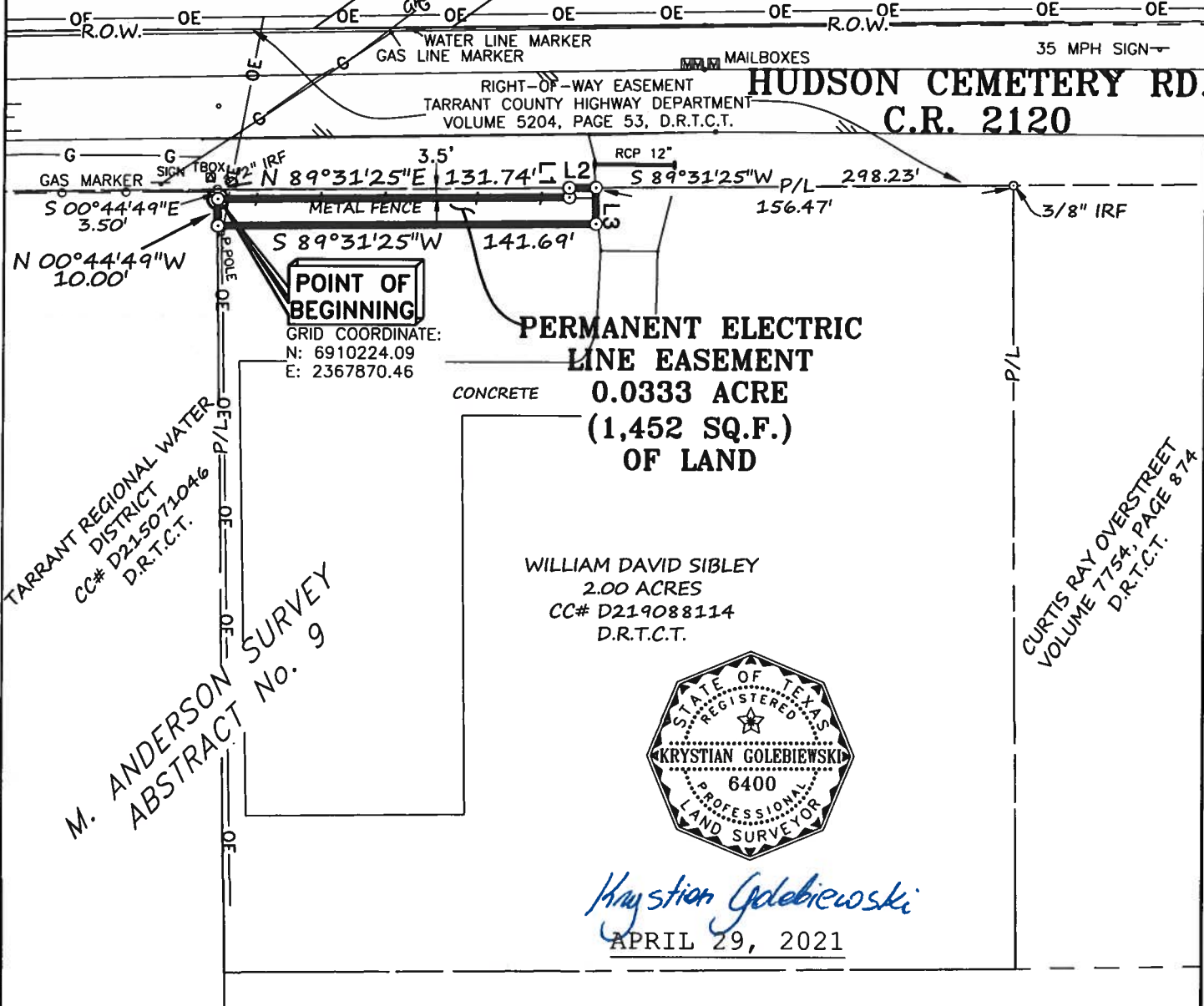
*Krystian Golebiewski*  
APRIL 29, 2021

| Course | Bearing       | Distance |
|--------|---------------|----------|
| L1     | N 00°28'35" W | 3.50'    |
| L2     | N 89°31'25" E | 10.00'   |
| L3     | S 00°28'35" E | 13.50'   |

# EXHIBIT "B"

BEARING BASE:  
NAD 83: TX83-NCF

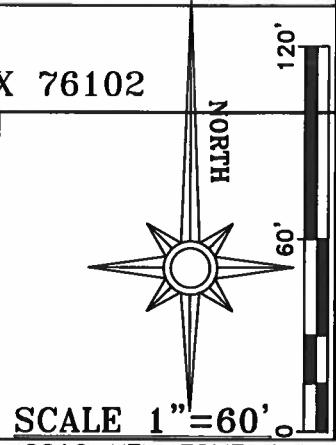
TARRANT COUNTY WATER CONTROL  
AND IMPROVEMENT DISTRICT No. 1  
VOLUME 5200, PAGE 489  
D.R.T.C.T.



TARRANT REGIONAL WATER DISTRICT  
800 East Northside Drive Fort Worth, TX 76102

**BRITAIN & CRAWFORD**  
LAND SURVEYING &  
TOPOGRAPHIC MAPPING  
FIRM CERTIFICATION# 1019000  
TEL (817) 926-0211 - FAX (817) 926-9347  
P.O. BOX 11374 \* 3908 SOUTH FREEWAY  
FORT WORTH, TEXAS 76110  
EMAIL: admin@brittain-crawford.com  
WEBSITE: www.brittain-crawford.com

EXHIBIT MAP OF:  
**PERMANENT ELECTRIC  
LINE EASEMENT**  
LOCATED IN THE  
**M. ANDERSON SURVEY  
ABSTRACT No. 9**  
CITY OF KENNADALE, TARRANT  
COUNTY, TEXAS



In addition, the General Manager or his designee is authorized 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.

15.

President Jack Stevens commenced the search for a new General Manager by appointing a Search Committee consisting of Marty Leonard and Leah King, with staff support from Jim Oliver and the Administrative and Support Services Director. A Request for Proposal was issued for an executive search firm, to which more than a half dozen responses were received. Lehman Associates was selected by the Board to conduct the search in February of 2021. Lehman Associates sought potential talent on a national level, including interviewing internal applicants. More than 100 candidates were reviewed for the General Manager position. Lehman Associates had in-depth conversations with at least 45 potential candidates. The candidate pool was narrowed to approximately 12 individuals. After consultations with Lehman Associates, the Search Committee interviewed five finalists, one of whom was an internal candidate. Two finalists were selected for second interviews. The Search Committee and Lehman Associates were unanimous in recommending the final candidate, Dan Buhman. Mr. Buhman's experience as Deputy General Manager includes overseeing every aspect of TRWD, in-depth knowledge of District operations and deep familiarity with all of the District's partners, customers and stakeholders. It is proposed that the General Manager will earn a base salary of \$350,000/year with potential for a performance bonus subject to agreement to the terms of the Board and the General Manager on specific and established goals. Director King, on behalf of the Search Committee, recommended Dan Buhman as the

sole recommended candidate for General Manager. Director Lane moved to approve Dan Buhman as General Manager. Director Leonard seconded the motion and the vote in favor was unanimous.

16.

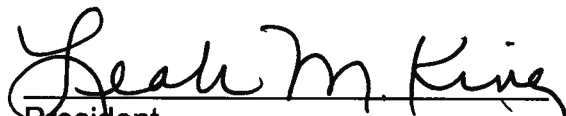
Director Hill moved to add as a future agenda item a review of the by-laws and Board interaction with the General Manager and a potential Human Resources/Compensation Committee. Director Leonard seconded the motion and the vote in favor was unanimous.

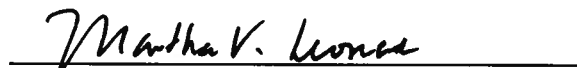
17.

The next board meeting was scheduled for June 15, 2021 at 9:00 a.m.

18.

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

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Secretary