

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 17th DAY OF AUGUST 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, Crystal Alba, Darrell Beason, Steve Christian, Linda Christie, Ellie Garcia, Zach Huff, Chad Lorange, Mick Maguire, Jennifer Mitchell, Tina Nikolic, 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; Kathryn Long of Thompson & Horton LLP; Jessica Priest of Fort Worth Report; Joyce Baker; 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.

2.

Public comment was received from Thomas Torlincasi regarding the transparency initiative.

Public comment was received from Doreen Geiger regarding personnel matters.

3.

On a motion made by Director Hill and seconded by Director Lane, the Directors voted unanimously to approve the minutes from the Board meetings held on July 28, 2021 and July 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 Lane moved to place a proposal to adopt a tax year 2021 tax rate of \$.0287/\$100 on the agenda for the September 21, 2021 Board of Directors Meeting. The vote also established the date for a public hearing to be held September 20, 2021 at 11:00 AM on the proposed tax year 2021 tax rate of \$.0287/\$100. Director Kelleher seconded the motion and the vote in favor was unanimous.

5.

With the recommendation of management, Director Lane moved to approve a purchase in the amount of \$130,732.30 from JR Designs for materials to repair the seawall at the Richland-Chambers office compound. Funding for this item is included in the Fiscal Year 2021 Bond Fund. Director Hill seconded the motion and the vote in favor was unanimous.

6.

The Board held a discussion regarding committee assignments. Directors Leonard and Kelleher were assigned to the Construction and Operations Committee. Directors King and Hill were assigned to the Administration and Policy Committee. Directors Lane and Kelleher were assigned to the Real Estate Committee. Directors Hill and Leonard were assigned to the Finance and Audit Committee. Directors King and Lane were

assigned to the Recreation Committee.

7.

With the recommendation of management, Director Hill moved to approve the appointment of Mick Maguire as the District's Records Management Officer. Director Lane seconded the motion and the vote in favor was unanimous.

8.

Kathryn Long of Thompson & Horton LLP made a presentation on Board governance policies.

9.

Staff Updates

- Transparency Initiative
- Water Resources Update
- Legislative Update
- MWBE Vendor Participation Update
- Trail Sign Replacement

10.

The Board next held an Executive Session commencing at 10:07 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 the recent retirement of Jim Oliver and the related legal inquiry, and any potential dispute related to the recent retirement of Jim Oliver.

Upon completion of the executive session at 11:03 a.m., the President reopened the meeting.

11.

With the recommendation of management, Director Lane moved to approve a change in selection criteria for the competitive sealed proposal procurement method, the Board having found that a weighted value assigned to price for civil works projects utilizing the Government Code Chapter 2269 Subchapter D procurement method to be at not less than 40 percent of that total weighted value of all selection criteria to be in the public interest. The Board designated the General Manager, or his designee, to assign the weighted value for civil works projects utilizing the Government Code Chapter 2269 Subchapter D procurement method of not less than 40 percent of the total weighted value of all selection criteria. Director Hill seconded the motion and the vote in favor was unanimous.

12.

With the recommendation of management and general counsel, Director Lane moved to approve a contractual waiver of jury trial in the contract for construction of the IPL Section 19 long tunnel, the Board having found that a contractual waiver of the Texas state constitutional right to a trial by jury would be desirable, fair and advantageous for the District. Director Kelleher seconded the motion and the vote in favor was unanimous.

13.

With the recommendation of management, Director Hill 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 768
(Hoeffner)**

A permanent easement interest across a 3.825-acre tract of land situated in the I. W. Burton Survey, Abstract Number 3, Henderson County, Texas, and being more particularly described as part of that certain 103.28-acre tract of land as described in a deed recorded under Clerk's File No. 2010-00008586, description in Volume 2504, Page 878, Real Property 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 \$50,000.

EXHIBIT "A"
Property Description

Being 3.825 acres (166,619 square feet) of land situated in the I. W. Burton Survey, Abstract Number 3, Henderson County, Texas, and more particularly part of that certain 103.28 acre tract of land conveyed to Carolyn Allene Smith Wilson, Trustee of the Carolyn Allene Smith Wilson Exemption Trust, as described by Deed recorded under Clerk's File No. 2010-00008586, description in Volume 2504, Page 878, Real Property Records of Henderson County, Texas, (R.P.R.H.C.T.), being further described as follows:

BEGINNING at a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 in the North line of said Wilson 103.28 acre tract and the South line of a called 497.955 acre tract of land conveyed to Bradley Hoeffner and Helen Hoeffner, as described by Deed recorded in Volume 2213, Page 245, Real Property Records of Henderson County, Texas from which a found 1/2 inch iron rod for the Northeast corner of said Wilson tract and the Northwest corner of a called 100 acre tract, (Tract 1) conveyed to Carolyn Morton Walker, as described by Deed recorded in Volume 2722, Page 552, (R.P.R.H.C.T.) bears, N 87°54'59" E, a distance of 646.54 feet, said 1/2 inch iron rod set for the point of beginning also being the Northeast corner of the tract herein described, and the **POINT OF BEGINNING** (N: 6,732,209.073, E: 2,858,645.610, Grid);

- (1) **THENCE** S 45°19'25" E, a distance of 958.21 feet along the Northeast line of the tract herein described to a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 for the Southeast corner of tract herein described and being in the East line of said Wilson 103.28 acre tract and the West line of said Carolyn Morton Walker 100 acre (Tract 1);
- (2) **THENCE** S 02°53'43" E, a distance of 222.33 feet along the East line of said Wilson tract and tract herein described and the West line of said Walker tract to a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 from which a found 4 inch square concrete monument for the Southeast corner of said Wilson 103.28 acre tract bears S 02°53'43" E, a distance of 922.97 feet;
- (3) **THENCE** N 45°19'25" W, a distance of 1263.37 feet along the Southwest line of the tract herein described to a set 1/2 inch iron rod with plastic cap stamped K.L.K. #4687 for the Northwest corner of same, also being in the North line of said Wilson 103.28 acre tract and the South line of aforementioned Hoeffner 497.955 acre tract from which a found 1/2 inch iron rod for the Northwest corner of said Wilson 103.28 acre tract bears S 87°54'59" W, a distance of 1591.50 feet;
- (4) **THENCE** N 87°54'59" E, a distance of 205.90 feet along the North line of said Wilson 103.28 acre tract and tract herein described and the South line of said Hoeffner 497.955 acre tract to the **POINT OF BEGINNING**, containing 3.825 acres (166,619 square feet) of land.

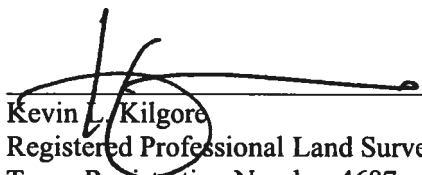
NOTE: Basis of bearing is the Texas State Plane Coordinate System, North Central Zone (4202), North American Datum 1983 (NAD 83) (2007) with all distances adjusted to surface by project combined scale factor of 0.9999804020.

NOTE: Plat to accompany this legal description

I do certify on this 5th day of February, 2016 to Fidelity National Title Insurance Company, Attorney's Title Company of Henderson County, 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 December 9, 2015, issued date of December 31, 2015, GF # 15-339-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 III Survey.


Kevin L. Kilgore
Registered Professional Land Surveyor
Texas Registration Number 4687

Dated: 2/5/16

EXHIBIT "A"
PARCEL 768

WM. J.L. SCOTT SURVEY
ABSTRACT 13

IPL PARCEL 767
BRADLEY HOFFNER
AND HELEN HOFFNER
VOLUME 2213, PAGE 245
R.P.R.H.C.T.
CALLED 497.955 AC.

CENTERLINE 50-FT. WIDE
EASEMENT
ONEOK STERLING III PIPELINE, LLC
CLERK'S FILE NO. 2013-00004305
R.P.R.H.C.T.

P.O.B.
N: 8,732,209.073
E: 2,858,645.610
(GRID)

SURVEY LINE

FENCE
S 87°54'59" W 1591.50'

N 87°54'59" E
FENCE 646.54'

PARCEL 768
3.825 AC.
166,619 SQ. FT.

LINE	BEARING	DISTANCE
L1	S 02°53'43" E	222.33'
L2	N 87°54'59" E	205.90'

I.W. BURTON SURVEY
ABSTRACT 3

CAROLYN ALLENE SMITH WILSON, TRUSTEE OF THE
CAROLYN ALLENE SMITH WILSON EXEMPTION
TRUST

CLERK'S FILE NO. 2010-00008586
DESCRIPTION IN VOLUME 2504, PAGE 878
R.P.R.H.C.T.
CALLED 103.28 AC.

JOEL FRANCIS WILSON, TRUSTEE
WILSON MANAGEMENT TRUST
VOLUME 1369, PAGE 602
R.P.R.H.C.T.
(FIRST TRACT) CALLED 261.237
AC.

IPL PARCEL 769
CAROLYN MORTON WALKER
VOL. 2722, PG. 552
CALLED 100 AC. (TRACT 1)
LESS & EXCEPT 5 AC.
R.P.R.H.C.T.

MAXIMUS
(903-753-0941)

C-CROSS-TIE
FENCE CORNER
POST

4" SQ. CONCRETE
MONUMENT FOUND
5 ACRE TRACT

1/2" IRF

LEGEND

- = MARKER FOUND AS NOTED
- = 1/2" IRON ROD SET WITH K.L.K. #4687 CAP

NOTE: KNOWN UNDERGROUND UTILITIES SHOWN ARE
QUALITY LEVEL B SUE - (1/17/2013)



GRAPHIC SCALE IN FEET
1" = 400'

NOTE: LEGAL DESCRIPTION TO ACCOMPANY THIS PLAT.

Kilgore & Company, Inc.
www.kilgore.com

6712 PALUXY DRIVE
TYLER, TX 75703
(903) 581-7800 (TEL)
(903) 581-3756 (FAX)

PROJ NO: 201010P768
SCALE: 1" = 400'
DATE: 02-08-2016
DRAWN BY: RTW
CHECKED BY: RN
REVISED DATE:

PRINTED ON:
2/8/2016
9:55:11 AM



SHEET TITLE
EXHIBIT "A"
SEGMENT 19-1, PARCEL 768
CAROLYN ALLENE SMITH WILSON, TRUSTEE
OF THE CAROLYN ALLENE SMITH WILSON
EXEMPTION TRUST

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 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 Lane seconded the motion and the vote in favor was unanimous.

14.

No action was taken regarding the retirement or compensation of Jim Oliver.

15.

There were no future agenda items approved.

16.

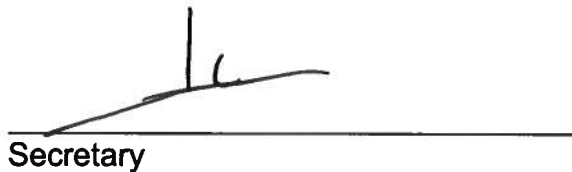
A tax rate hearing meeting was scheduled for September 20, 2021 at 11:00 AM. The next board meeting was scheduled for September 21, 2021 at 9:00 AM.

17.

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



President



Secretary