

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 15th DAY OF FEBRUARY 2022 AT 9:00 A.M.

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

Present

Leah King
Jim Lane
Marty Leonard
Mary Kelleher

Absent

James Hill

Also present were Dan Buhman, Alan Thomas, Lisa Cabrera, Steve Christian, Linda Christie, Woody Frossard, Ellie Garcia, Jason Gehrig, J.D. Granger, Rachel Ickert, Laramie LaRue, Chad Lorance, Sandy Newby, Rick Odom, and Ed Weaver of the Tarrant Regional Water District (District or TRWD). Also in attendance was Carlos Lopez of Thompson & Horton LLP.

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, who indicated he would speak regarding agenda items 2, 5, 6, 8, 13, 14, and 15. Public comment was received from Joyce Baker who indicated she would speak regarding agenda item 2. Public comment was received from Doreen Geiger who indicated she would speak regarding

item 8. Public comment was received from Lon Burman who indicated he would speak regarding agenda item 2. Public comment was received from Jackee Cox who indicated she would speak regarding agenda items 8 and 14. Public comment was received from Claudia Blalock who indicated she would speak regarding agenda item 2 and water conservation.

3.

On a motion made by Director Leonard and seconded by Director Kelleher, the Directors voted to approve the corrected minutes from the Board meeting held on December 14, 2021. It was accordingly ordered that these minutes be placed in the permanent files of the District.

4.

On a motion made by Director Lane and seconded by Director Kelleher, the Directors voted to approve the minutes from the Board meetings held on January 18, 2022 and February 2, 2022. It was accordingly ordered that these minutes be placed in the permanent files of the District.

5.

With the recommendation of management, Director Lane moved to approve an agreement in the amount of \$122,190 with Glass House Strategy to manage and develop new marketing material for the seventh year of the regional water conservation public awareness campaign, "Water Is Awesome." In addition, the General Manager or his designee is granted authority to enter into agreements and use budgeted funds for production, media buys, and support services. Since time is of the essence, the General Manager, or designee, shall obtain approval from the Construction and Operations Committee for services over \$75,000. Funding for this item is included in the Fiscal Year

2022 Revenue Fund Budget. Director Leonard seconded the motion and the vote in favor was unanimous.

6.

With the recommendation of management, Director Leonard moved to approve a contract in an amount not-to-exceed \$3,955,554 with Freese and Nichols, Inc. for final design and bid-phase services for the third cell, and construction management services for the Kennedale Balancing Reservoir yard piping and inlet and outlet modifications. 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 Kelleher moved to approve a contract in an amount not-to-exceed \$770,508 with Carollo Engineers, Inc. for engineering services for the System Operating Permit evaluation. Funding for this item is included in the Fiscal Year 2022 Revenue Fund Budget. Director Leonard seconded the motion and the vote in favor was unanimous.

8.

With the recommendation of management, the Board tabled this item. Director Kelleher requested staff consider public comments regarding this item when preparing it for future Board review.

9.

With the recommendation of management, Director Leonard moved to approve release of retainage in the amount of \$11,849.10, final payment and contract closeout with Garrett Demolition, Inc. for demolition and asbestos abatement of former Police and Fire Training Towers for the Central City Flood Control Project. Funding for this item is

included in the Fiscal Year 2022 Special Projects/Contingency Fund. Director Kelleher seconded the motion and the vote in favor was unanimous. The Board commended District staff for their commitment to this clean-up effort and continued dedication to environmental stewardship.

10.

With the recommendation of management, Director Lane moved to approve a contract amendment in an amount not-to-exceed \$4,116,600 with HDR Engineering, Inc. for final design of Section 19-2 and construction phase services for Section 19 Long Tunnel Crossings and continued Section 19 TXDOT Crossings. The total not-to-exceed contract value, including this proposed amendment, will be \$19,381,907. In addition, the General Manager, or his designee, is granted authority to execute all documents associated with this item. Funding for this item is included in the Dallas Bond Fund. Director Kelleher seconded the motion and the vote in favor was unanimous.

11.

With the recommendation of management, Director Leonard moved to approve a change in the calculation of the retainage being held for BAR Constructors, Inc. to 1%, equal to \$646,387.79 of the contract price, and release of retainage currently held above this limit. All remaining contract payments are to be made in full, the Board having found that the work is substantially complete in accordance with the contract provisions for partial utilization, that satisfactory progress is being made, and the amount retained exceeds the amount to complete the work and adequate for the protection of the District. In addition, the General Manager, or his designee, is granted authority to execute all documents associated with this item. Funding for this item is included in the Bond Fund. Director Kelleher seconded the motion and the vote in favor was unanimous.

12.

With the recommendation of management, Director Lane moved to approve a change in the calculation of the retainage being held for IPL Partners to 2.5%, equal to \$1,212,500 of the contract price, and release of retainage currently held above this limit. All remaining contract payments are to be made in full, the Board having found that the work is substantially complete, that satisfactory progress is being made, and the amount retained exceeds the amount to complete the work and adequate for the protection of the District. In addition, the General Manager, or his designee, is granted authority to execute all documents associated with this item. Funding for this item is included in the Bond Fund. Director Kelleher seconded the motion and the vote in favor was unanimous.

13.

The Board of Directors discussed the following proposed Board-adopted policies that cover the operational function of procurement: Purchasing and Procurement Policy, and Fair Opportunities Purchasing and Contracting Policy. Director Kelleher praised the District's efforts to ensure transparency in the contracting process.

14.

With the recommendation of management, Director Lane moved to approve a contract renewal and extension in the amount of \$7,500/month with Mark L. Mazzanti for consulting services. Funding for this item is included in the Fiscal Year 2022 Special Projects/Contingency Fund Budget. Director Leonard seconded the motion and the vote in favor was unanimous.

15.

Staff Updates

- Quarterly Financial Update

- Mary's Creek Water Reclamation Facility Update
- Central City Initiative Funding Update
- Emergency Preparedness Plan Update

16.

The Board next held an Executive Session commencing at 10:52 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, including regarding the Mary's Creek Water Reclamation Facility; and Section 551.072 to Deliberate the Purchase, Exchange, Lease or Value of Real Property. Director Leonard recused herself from discussions of Mary's Creek Water Reclamation Facility.

Upon completion of the executive session at 11:02 a.m., the President reopened the meeting.

17.

With the recommendation of management and General Counsel, Director Lane moved to approve conveyance of approximately 6.27 acres of land owned by TRWD in the Y'Barbo Survey, A-607, Kaufman County, Texas, for the appraised value of \$81,500, such land to be conveyed by TRWD being more specifically described on the accompanying resolution and in the survey plat attached hereto.

7509 PENNRIDGE CIRCLE
ROWLETT, TX 75088

FIRM REGISTRATION NO. 10194366

BARRY S. RHODES Registered Professional Land Surveyor (214) 326-1090

This is to certify that I have, this date, made a careful and accurate survey on the ground of property located at No. _____ U.S. HIGHWAY 175 _____ in the City of KEMP Texas.

SURVEY PLAT



BEING all that certain lot, tract or parcel of land situated in the G. Y'Barbo Survey, Abstract No. 607, Kaufman County, Texas, being a tract of land described in deed to Tarrant County Water Control and Improvement District Number One, recorded in Volume 479, Page 485, Deed Records, Kaufman County, Texas (D.R.K.C.T.), and being more particularly described by the following metes and bounds description:

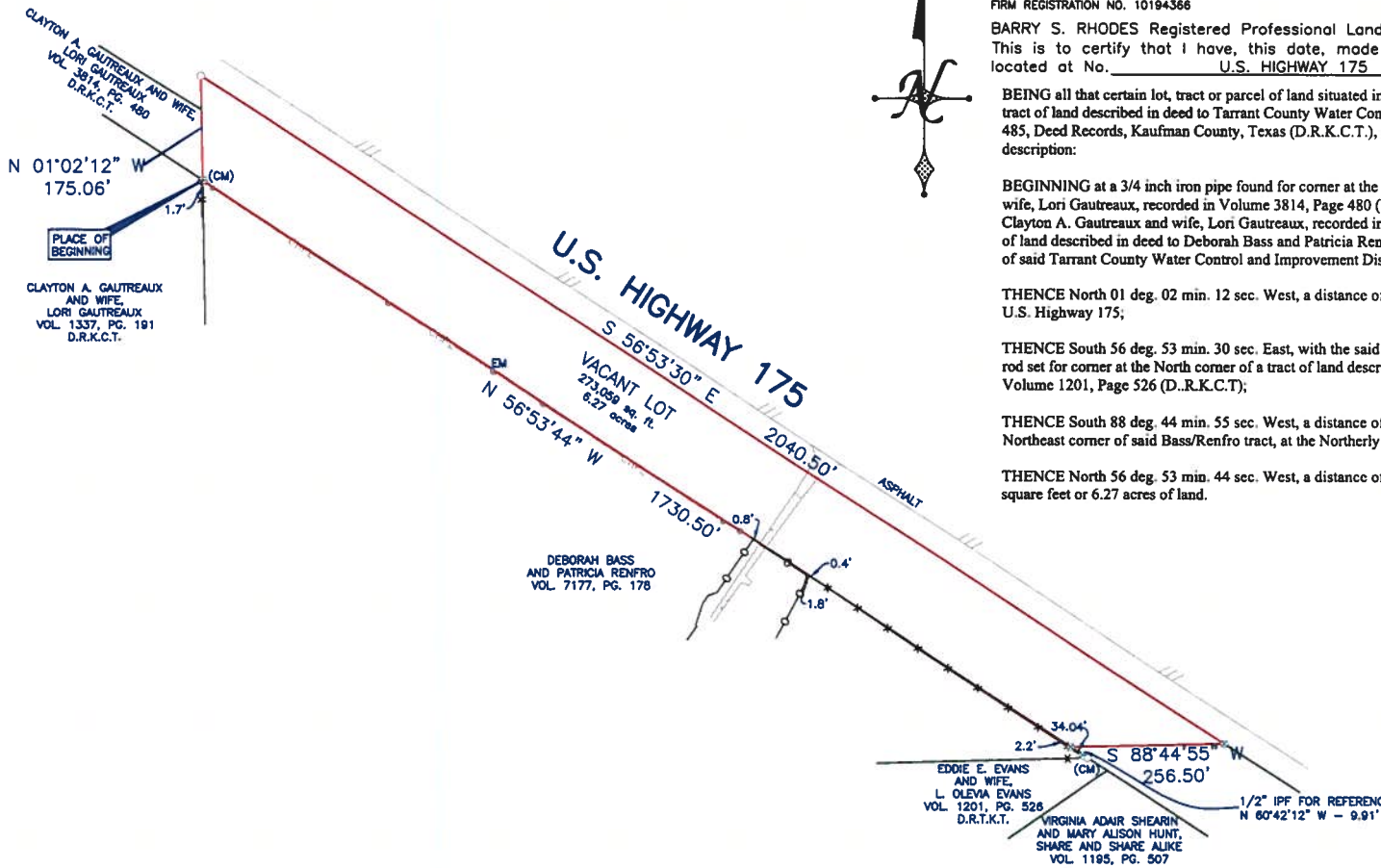
BEGINNING at a 3/4 inch iron pipe found for corner at the South corner of a tract of land described in deed to Clayton A. Gautreaux and wife, Lori Gautreaux, recorded in Volume 3814, Page 480 (D.R.K.C.T.), at the Northeast corner of a tract of land described in deed to Clayton A. Gautreaux and wife, Lori Gautreaux, recorded in Volume 1337, Page 191 (D.R.K.C.T.), being the Northwest corner of a tract of land described in deed to Deborah Bass and Patricia Renfro, recorded in Volume 7177, Page 178, (D.R.K.C.T.), being the West corner of said Tarrant County Water Control and Improvement District Number One tract;

THENCE North 01 deg. 02 min. 12 sec. West, a distance of 175.06 feet to a 1/2 inch iron rod found for corner in the Southwest line of U.S. Highway 175;

THENCE South 56 deg. 53 min. 30 sec. East, with the said Southwest line a distance of 2,040.50 feet to a 1/2 inch yellow-capped iron rod set for corner at the North corner of a tract of land described in deed to Eddie G. Evans and wife, L. Olevia Evans, recorded in Volume 1201, Page 526 (D..R.K.C.T.);

THENCE South 88 deg. 44 min. 55 sec. West, a distance of 256.50 feet to a 1/2 inch yellow-capped iron rod set for corner in the Northeast corner of said Bass/Renfro tract, at the Northerly West corner of said Evans tract;

THENCE North 56 deg. 53 min. 44 sec. West, a distance of 1,7430.50 feet to the PLACE OF BEGINNING and containing 273,059 square feet or 6.27 acres of land.



CLAYTON A. GAUTREAUX AND WIFE,
LORI GAUTREAUX
VOL. 3814, PG. 480
D.R.K.C.T.

N 01°02'12" W
175.06'

PLACE OF BEGINNING

CLAYTON A. GAUTREAUX
AND WIFE,
LORI GAUTREAUX
VOL. 1337, PG. 191
D.R.K.C.T.

U.S. HIGHWAY 175

S 56°53'30" E
2,040.50'

VACANT LOT
273,059 sq. ft.
6.27 acres

N 56°53'44" W
1730.50'

ASPHALT

DEBORAH BASS
AND PATRICIA RENFRO
VOL. 7177, PG. 178

Eddie E. Evans
AND WIFE,
L. OLEVIA EVANS
VOL. 1201, PG. 526
D.R.T.K.T.

S 88°44'55" W
256.50'

VIRGINIA ADAIR SHEARIN
AND MARY ALISON HUNT,
SHARE AND SHARE ALIKE
VOL. 1195, PG. 507

1/2" IPF FOR REFERENCE
N 60°42'12" W - 9.91'

ACCEPTED BY: _____

The plat hereon is true, correct, and accurate representation of the property as determined by survey, the lines and dimensions of said property being as indicated by the plat; the size, location and type of building and improvements are as shown, all improvements being within the boundaries of the property, set back from property lines the distance indicated, or visible and apparent easements. TITLE AND ABSTRACTING WORK FURNISHED BY N/A

THERE ARE NO ENCROACHMENTS, CONFLICTS, OR PROTRUSIONS, EXCEPT AS SHOWN.

Scale: 1" = 200'

Date: 10-25-2021

C. F. No.: N/A

Job no.: 202108380-01

Drawn by: BM

USE OF THIS SURVEY FOR ANY OTHER PURPOSE OR OTHER PARTIES SHALL BE AT THEIR RISK AND UNDERSIGNED IS NOT RESPONSIBLE TO OTHER FOR ANY LOSS RESULTING THEREFROM.

THIS SURVEY WAS PERFORMED EXCLUSIVELY FOR DEBBY BASS

BEARINGS ARE BASED ON NAD 83
DATUM, TEXAS STATE PLANE
COORDINATE SYSTEM, NORTH
CENTRAL ZONE

LEGEND	
WOOD FENCE	---
CHAIN LINK	---
IRON FENCE	---
WIRE FENCE	---
CM	---
WB	---
1/2" IRON ROD FOUND	○
3/4" IRON PIPE FOUND	○
5/8" IRON ROD FOUND	○
3/4" IRON PIPE FOUND	○
C	---
CS	---
F	---
L	---
MS	---
(UNLESS OTHERWISE NOTED)	



In addition, the General Manager, or his designee, is granted authority to execute all documents associated with this item. Director Kelleher seconded the motion and the vote in favor was unanimous.

18.

There were no future agenda items approved.

19.


The next board meeting was scheduled for March 22, 2022 at 9:00 a.m.

20.

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



President



Secretary