

MINUTES OF A MEETING OF THE BOARD OF DIRECTORS OF
TARRANT REGIONAL WATER DISTRICT
HELD ON THE 16th DAY OF MAY 2023 AT 9:00 A.M.

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

Present
Leah King
James Hill
Mary Kelleher
Marty Leonard
C.B. Team

Also present were Dan Buhman, Alan Thomas, Darrell Beason, Kate Beck, Lisa Cabrera, Steve Christian, Linda Christie, Ellie Garcia, Jason Gehrig, Zach Hatton, Rachel Ickert, Laramie LaRue, Mick Maguire, Sandy Newby, Mark Olsen, Stephen Tatum, and Ed Weaver 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 Doreen Geiger, who spoke regarding public comment. Public comment was received from Lon Burnam, who spoke regarding public comment. Public comment was received from Joyce Baker, who congratulated the new board members and spoke regarding item 14. Public comment was received from Larry Brautigam, who spoke regarding parks. Public comment was received from Daniel Bennett, who spoke regarding public comment.

3.

Director Hill moved to approve the minutes from the meeting held on April 18, 2023.

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.

Stephen Tatum, General Counsel, presented to the Board of Directors the official returns of the election for two (2) Directors conducted by the District on May 6, 2023. The Directors, acting as canvassing authority for the election, publicly examined and did formally canvass the election returns in accordance with Chapter 67 of the Texas Election Code. Out of 463,665 registered voters, there were 40,592 ballots cast by voters registered within the TRWD boundaries. The tabulation reflects that Charles "C.B." Team and Paxton Motheral were duly elected to the Board, and Mr. Tatum recommended that the Board certify them as duly elected members of the Board of Directors of Tarrant Regional Water District, and declare the election results to be as follows:

<u>Candidate:</u>	<u>Votes Received:</u>	<u>Percentage:</u>
Paxton Motheral	18,691	32.22%
Chad Moore	10,551	18.19%
Joe Ashton	11,475	19.78%
Charles "C.B." Team	17,299	29.82%

Director Hill moved to approve the results of the May 6, 2023 election. Director Kelleher seconded the motion and the votes were 5 in favor, 0 against.

5.

President King administered the Oath of Office to Charles "C.B." Team and Paxton Motheral, and they assumed their duties as Directors immediately, voting on the remaining items on the agenda. Director Leonard, whose term expired and whose seat was filled by the election of Director Motheral, officially stepped down from the Board and

did not vote on the remaining items.

6.

The Board of Directors presented a resolution to Martha "Marty" V. Leonard for her 17-year service to the Board.

7.

With the recommendation of management, Director Team moved to approve a contract in an amount not-to-exceed \$877,921 with Quiddity Engineering LLC for engineering design services for improvements to District outlet dechlorination facilities at Lakes Arlington and Benbrook. Funding for this item is included in the Bond Fund. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

8.

With the recommendation of management, Director Kelleher moved to approve a two change orders with BAR Constructors, Inc. for the Kennedale Balancing Reservoir Yard Piping, Inlet and Outlet Modification Project. The first, in the amount of \$40,498.68, includes the purchase of six (6) additional cathodic protection test stations, thirteen (13) zinc anodes, and associated equipment to protect additional large diameter valves from corrosion. The second, in an amount not-to-exceed \$150,000, is to authorize the removal and modification of the existing 48-inch inlet piping to the Kennedale Balancing Reservoir Cell 2. The original contract price was \$40,505,600. The current contract price incorporating previous credit and deduct change orders to date is \$40,383,265.24. Funding for this item is included in the Bond Fund. Director Hill seconded the motion, and the votes were 5 in favor, 0 against.

9.

With the recommendation of management, Director Hill moved to approve contract

amendment number 5 in an amount not-to-exceed \$6,795,236 to the Freese and Nichols, Inc. Professional Services Agreement for Integrated Pipeline Program and Construction Management Services. The current contract amount is \$18,186,089.23 and the revised not-to-exceed contract amount, including this amendment, will be \$24,981,325.23. Phase 3 is the 100% Dallas section of the IPL and is being constructed by the District in accordance with the regional partnership agreement. This scope of work includes a Special Services Contingency for release only at the Program Manager's approval. In addition, authority is granted to the General Manager or his designee to execute all documents associated with the contract amendment. Funding for this item is included in the Dallas Contract Revenue Bonds. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

10.

With the recommendation of management, Director Kelleher moved to approve contract amendment number 5 in an amount not-to-exceed \$10,433,000 to the Plus Six Engineering, LLC Professional Services Agreement to provide ongoing program and construction management services. The current contract amount is \$15,665,237.10 and the revised not-to-exceed contract amount, including amendment 5, will be \$26,098,237.10. Phase 3 is the 100% Dallas section of the IPL and is being constructed by the District in accordance with the regional partnership agreement. This scope of work includes a Special Services Contingency for release only at the Program Manager's approval. In addition, authority is granted to the General Manager or his designee to execute all documents associated with the contract amendment. Funding for this item is included in the Dallas Contract Revenue Bonds. Director Team seconded the motion, and the votes were 5 in favor, 0 against.

11.

With the recommendation of management, Director Hill moved to approve change order 7 in an amount not-to-exceed \$117,863.47 with Traylor Sundt Joint Venture for changing three (3) round manholes to four (4) square manholes with ladders and landings. The current contract amount is \$221,591,438.78 and the revised not to exceed contract amount, including this change order, will be \$221,709,302.25. In addition, the General Manager or his designee is granted authority to execute all documents associated with this contract. Funding for this item is included in the Dallas Contract Revenue Bonds. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

12.

With the recommendation of management, Director Team moved to approve a contract in an amount not-to-exceed \$381,893 with Garrett Demolition, Inc. for demolition and asbestos abatement of South Bypass Channel - Package 1 for the Central City Flood Control Project. In addition, management requests authorization of an additional 20% contingency to cover costs associated with any additional unforeseen demolition or abatement costs necessary should they be required, for a total budget authorization of \$458,272. In addition, the General Manager or his designee is granted authority to execute all documents necessary to complete the transaction. Funding for this item is included in the Fiscal Year 2023 Special Projects/Contingency Fund. Director Hill seconded the motion, and the votes were 5 in favor, 0 against.

13.

With the recommendation of management, Director Team moved to approve a contract in the amount of \$197,175.56 with Cole Construction, Inc. for the construction of

Upper West Fork Maintenance Road/Trail Replacement. Funding for this item is included in the Fiscal Year 2023 General Fund Budget. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

14.

With the recommendation of management, Director Team moved to approve contract in an annual amount of \$48,000 with Brinton Payne for local government and agencies communications for one-year with up to two (2) one-year renewals. Funding for this item is included in the Fiscal Year 2023 Revenue Fund Budget. Director Kelleher seconded the motion, and the votes were 5 in favor, 0 against.

15.

Staff Updates

- Water Resources Update presented by Rachel Ickert, Chief Water Resources Officer
- Fly Fest Update presented by Darrell Beason, Chief Operations Officer and Stacey Pierce, Executive Director of Streams & Valleys, Inc.
- Ubbi Dubbi Update presented by Darrell Beason, Chief Operations Officer

The Board of Directors recessed for a break from 10:29 a.m. to 10:35 a.m.

16.

The Board next held an Executive Session commencing at 10:36 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 11:08 a.m., the President reopened the meeting.

17.

With the recommendation of management and outside counsel, Director Kelleher moved to approve the settlement of claims in the condemned property interests owned by DTY Ranch, LP for IPL Parcel No. 733 in the amount of \$1,295,000. Funding for this item is included in the Bond Fund. Director Team seconded the motion, and the votes were 5 in favor, 0 against.

18.

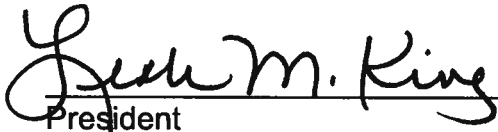
There were no future agenda items approved.

19.

The next board meeting was scheduled for June 20, 2023, at 9:00 a.m.

20.

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



President



Secretary